

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of:)
)
Verizon Northwest, Inc.) DECLARATION OF
) LEON MACOMBER
_____)

LEON MACOMBER, under penalty of perjury and the laws of the state of Washington, declares as follows:

1. I am over 18 years of age, a citizen of the United States, a resident of the state of Washington, and competent to be a witness.
2. I am employed by the Washington Utilities and Transportation Commission (WUTC) as a MCLE Special Investigator in the Regulatory Services Division. I have been employed by the WUTC for twenty-six years, holding various positions. As a MCLE Special Investigator, part of my responsibilities includes uniform enforcement of state laws and rules governing operator services providers.
3. Verizon Northwest, Inc. (Verizon) is an operator services provider registered with the Washington Utilities and Transportation Commission and is subject to the Revised Code of Washington and Washington Administrative Code governing operator services providers.
4. On November 3, 2000, as part of the Verizon staff investigation, I received at my personal residence, six collect calls placed by Commission Investigator Bob Johnston and ten collect calls placed by Commission Investigator Alan Dickson. The Verizon operators offered a rate quote for one of the sixteen calls I received. For the other fifteen calls I asked the operator what the cost of the collect call would be. The detail of my questions and the responses from the Verizon operators are listed in Attachment 1.

5 Each of the fifteen collect calls I received, where a rate quote was not offered, leads me to believe that Verizon is in violation of WAC 480-120-141(1)(c), Operator service providers (OSP) general, which states, "In collect calls, both the originating party and the party on the terminating end of the call are consumers", and WAC 480-120-141(2)(b), Verbal disclosure of rates. The rule states, "Before an operator-assisted call from an aggregator location may be connected by a presubscribed OSP, the OSP must verbally advise the consumer how to receive a rate quote, such as by pressing a specific key or keys, but no more than two keys, or by staying on the line. This message must precede any further verbal information advising the consumer how to complete the call, such as to enter the consumer's calling card number. This rule applies to all calls from payphones or other aggregator locations...".

DATED this 21 day of November, 2000, at Olympia, Washington.


Leon Macomber, MCLC Special Investigator

ATTACHMENT 1

Calls Received from Bob Johnston:

Date of Call: November 3, 2000

Time call was received: 8:17 a.m.

Investigator placing call: Bob Johnston

Statement of operator when call was answered: You have a collect call from Bob. If you want a rate quote, press 0.

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes.

I pressed 0 and the operator asked if I would accept a collect call. I said I wanted a rate. Rates given were \$2.65 for the first minute and \$.15 for additional minutes plus taxes.

Date of Call: November 3, 2000

Time call was received: 9:26 a.m.

Investigator placing call: Bob Johnston

Statement of operator when call was answered: Will you accept a collect call from Bob?

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. Rates quoted were \$1.17 for the first minute and \$.17 for additional minutes. Operator rather smart talking. She stated, "What's the matter? You want it to be more or less? You both seem surprised at the rate."

Date of Call: November 3, 2000

Time call was received: 9:15 a.m.

Investigator placing call: Bob Johnston

Statement of operator when call was answered: Will you accept a call from Bob?

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. Rates quoted were \$2.47 for first minute and \$.17 for additional minutes.

Date of Call: November 3, 2000

Time call was received: 12:15 p.m.

Investigator placing call: Bob Johnston

Statement of operator when call was answered: Will you accept a collect call from Bob. If you want a rate, press 0.

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. I pressed 0 and the operator said nothing until she finally asked me to accept the call and I said I wanted the cost. Rates quoted were \$2.47 for the first minute and \$.17 for additional minutes.

Date of Call: November 3, 2000

Time call was received: 12:31 p.m.

Investigator placing call: Bob Johnston

Statement of operator when call was answered: Will you accept a collect call from Bob?

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. Rates quoted were \$2.47 for the first minute and \$.17 for additional minutes.

Date of Call: November 3, 2000

Time call was received: 12:38 p.m.

Investigator placing call: Bob Johnston

Statement of operator when call was answered: Good afternoon, will you accept a collect call from Bob?

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. Rates quoted were \$2.47 for the first minute and \$.17 for additional minutes.

Calls Received from Alan Dickson:

Date of Call: November 3, 2000

Time call was received: 8:35 a.m.

Investigator placing call: Alan Dickson

Statement of operator when call was answered: Will you accept a collect call from Alan?

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. Rates quoted were \$2.47 for the first minute and \$.17 for additional minutes.

Date of Call: November 3, 2000

Time call was received: 8:50 a.m.

Investigator placing call: Alan Dickson

Statement of operator when call was answered: Will you accept a collect call from Alan and would you like the rate?

Was a Rate Quote Offered by the Operator? Yes

Did You Have to Ask for a Rate Quote? No. Rates quoted were \$2.47 for the first minute and \$.17 for additional minutes.

Date of Call: November 3, 2000

Time call was received: 9:17 a.m.

Investigator placing call: Alan Dickson

Statement of operator when call was answered: Will you accept a collect call from Alan?

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. Rates quoted were \$2.47 for the first minute

and \$.17 for additional minutes plus tax and surcharge.

Date of Call: November 3, 2000

Time call was received: 9:40 a.m.

Investigator placing call: Alan Dickson

Statement of operator when call was answered: You have a collect call from Alan. If you want a rate press 0.

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. I pressed 0 and the operator asked if I would accept a collect call. I said I wanted the rate. Rates quoted were \$2.47 for the first minute and \$.17 for additional minutes.

Date of Call: November 3, 2000

Time call was received: 9:57 a.m.

Investigator placing call: Alan Dickson

Statement of operator when call was answered: Will you accept collect charges from Alan?

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. Rates quoted were \$2.47 for the first minute and \$.17 for additional minutes.

Date of Call: November 3, 2000

Time call was received: 10:23 a.m.

Investigator placing call: Alan Dickson

Statement of operator when call was answered: You have a collect call from Alan. If you want rates, press 0.

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. I pressed 0 and the operator asked if I would accept the call. I said I wanted the rate. Rates quoted were \$2.65 for the first minute and \$.15 for additional minutes plus tax.

Date of Call: November 3, 2000

Time call was received: 10:40 a.m.

Investigator placing call: Alan Dickson

Statement of operator when call was answered: Will you accept a collect call from Alan?

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. Rates quoted were \$2.40 for the first minute and \$.10 for additional minutes plus tax and surcharges.

Date of Call: November 3, 2000

Time call was received: 10:50 a.m.

Investigator placing call: Alan Dickson

Statement of operator when call was answered: Will you accept a collect call from Alan?
Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. Operator said, "I just gave rates to caller but I will do it again." Rates quoted were \$2.47 for the first minute and \$.17 for additional minutes.

Date of Call: November 3, 2000

Time call was received: 11:21 a.m.

Investigator placing call: Alan Dickson

Statement of operator when call was answered: Will you accept a collect call from Alan?

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. Rates quoted were \$2.47 for the first minute and \$.17 for additional minutes plus tax.

Date of Call: November 3, 2000

Time call was received: 11:30 a.m.

Investigator placing call: Alan Dickson

Statement of operator when call was answered: Will you accept a collect call from Alan?

Was a Rate Quote Offered by the Operator? No.

Did You Have to Ask for a Rate Quote? Yes. Rates quoted were \$2.47 for the first minute and \$.10 for additional minutes.