



PROPOSED RULE MAKING (RCW 34.05.320)

CR-102 (7/10/97)

Do NOT use for expedited adoption

Agency: WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

X Original Notice

Preproposal State of Inquiry was filed as WSR 99-21-101; or Expedited Adoption--Proposed Rule Making notice was filed as WSR; or Proposal is exempt under RCW 34.05.310(4).

Supplemental Notice to WSR

Continuance of WSR

(a) Title of rule: (Describe Subject) Chapter 480-120-990 WAC Telephone Companies - Toll Carrier Obligations, requirements for toll carriers. Commission Docket No. UT-991573

Purpose: This rule is changed to ensure that all customers of the state have access to toll service at affordable rates. Other Identifying Information:

(b) Statutory authority for adoption: RCW 80.01.040 - General RCW 80.36.183 - Telecommunications

Statute being implemented:

(c) Summary: This rule would impose a competitively-neutral obligation on toll carriers generally to offer service to points throughout the state at average rates in order to ensure that all customers of the state have access to toll services at affordable rates.

Reasons supporting proposal: A rule is needed to prevent consumers in some parts of the state from losing access to long-distance services and/or having to pay excessive rates for such service. Long-distance service is classified as competitive by the Commission because there are multiple toll service providers, which ensures adequate service at reasonable prices. However, there may be circumstances where effective competition alone does not protect consumers. This proposal is designed to address such circumstances.

(d) Name of Agency Personnel Responsible for:

Office Location

Telephone

1. Drafting..... Betty Erdahl, 1300 S. Evergreen Park Drive S.W., Olympia, WA 98504

360-664-1283

2. Implementation...Carole J. Washburn, Secretary, 1300 S. Evergreen Park Drive S.W., Olympia, WA 98504

360-664-1174

3. Enforcement.....Carole J. Washburn, Secretary, 1300 S. Evergreen Park Drive S.W., Olympia, WA 98504

360-664-1174

(e) Name of proponent (person or organization)

Private

Public

X Governmental

Washington Utilities and Transportation Commission

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

(g) Is rule necessary because of:

Federal Law? Yes X No If yes, ATTACH COPY OF TEXT

Federal Court Decision? Yes X No Citation:

State Court Decision? Yes X No

(h) HEARING LOCATION: Commission Hearing Room Second Floor, Chandler Plaza Building 1300 S. Evergreen Park Drive S.W. Olympia, WA 98504

Submit written comments to: Carole J. Washburn, Secretary, P. O. Box 47250, Olympia, WA 98504 or E-mail to <records@wutc.wa.gov>. Please include Docket No. UT-991573 in your communication. FAX (360) 586-1150 By (date) January 26, 2000

Date: February 23, 2000 Time: 9:30 AM

DATE OF INTENDED ADOPTION: February 23, 2000

Assistance for persons with disabilities: Contact by

TDD ( ) or ( )

CODE REVISER USE ONLY

NAME (TYPE OR PRINT) CAROLE J. WASHBURN

Filed with the Code Revisers Office December 29, 1999 @ 9:22 a.m. WSR No. 00-02-035

SIGNATURE

TITLE SECRETARY

DATE

**(j) Short explanation of rule, its purpose, and anticipated effects:** The rule would require interexchange carriers to transmit calls to all areas of the state from the area they serve. This rule also would require statewide average toll rates. The Commission in Docket UT-990976 eliminated the obligation of U S WEST Communications to provide local toll service in areas of the state where it does not provide local exchange service. The Commission has proposed this rule to ensure that all customers in the state have access to toll services at affordable rates.

Does proposal change existing rules?  YES  NO If yes, describe changes:

**(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

- Yes. Attach copy of small business economic impact statement.  
A copy of the statement may be obtained by writing to:

telephoning: ( )

faxing: ( )

No. Explain why no statement was prepared.

The agency does not believe toll carriers' costs will increase as a result of adopting this rule. Toll carriers are currently providing intraLATA service where they provide interLATA service.

**(l) Does RCW 34.05.328 apply to this rule adoption?**  YES  NO

**Please explain:**

The Commission is not an agency to which RCW 34.05.328 applies.