

February 7, 2001

Carole Washburn  
Executive Secretary  
Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive SW  
PO Box 47250  
Olympia, WA 98504-7250

Re: Docket No. UT-990146

Dear Carole:

The Washington Independent Telephone Association (WITA) is submitting these comments pursuant to the Commissions Opportunity to Submit Comments dated January 22, 2001. These comments relate to the Chapter 480-120 WAC rulemaking and address the Operations rules. Pursuant to the Commission's request, a copy of these comments is being sent by electronic mail.

WITA supports the changes that are being made in this set of rules.

WITA suggests that there is room for some minor improvement to the rules as drafted. Most of the rules have changed the term "utility" to "company". In addition, in most places the term "telecommunications" is deleted as a modifier of the term "company". There are some cases in which this has not occurred. WITA suggests that the proposed rules be modified for consistency to substitute the term "company" for "utility" and to remove the modifier "telecommunication". For example, this change would occur in proposed WAC 480-120-011(3), WAC 480-120-016(1) and (2), and WAC 480-120-136(1) and (2).

There is another area where clarification would be helpful. In WAC 480-120-028, it is stated that companies must file registration applications. However, for incumbent companies that existed prior to the passage of the registration statutes, no such filing is needed. Since the rules purport to be mandatory, it could be read that companies which have not filed a registration application are in violation of this rule. In order to avoid this potential rule violation, WITA suggests that the rule be rewritten as follows:

WAC 480-120-28 Registration Except for incumbent local exchange companies providing service prior to February 8, 1996, companies must file registration applications in accordance with Chapter 480-120 WAC, Registration, competitive classification and price lists of telecommunications companies.

WITA recognizes that the registration statutes were actually passed several years earlier than the date suggested. However, this date provides a convenient reference point.

Finally, WITA wishes to compliment Commission Staff on their willingness to work closely with the companies in coming up with this set of rules. In particular, the Commission Staff listened closely to industry comments concerning WAC 480-120-136 and made modifications to the draft rule that avoided a substantial potential expense for the companies.

Sincerely,

TERRY VANN

TV/ej