

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of the Petition of)	
)	
ADVANCED TELCOM, INC., and)	DOCKET NO. UT-011366
)	
AVISTA COMMUNICATIONS OF)	ORDER GRANTING WAIVER
WASHINGTON, INC.,)	OF RULES
)	
For Waiver of WAC 480-120-139.)	
.....)	

BACKGROUND

- 1 On September 20, 2001, Advanced TelCom, Inc., (ATI) filed a petition requesting waiver of WAC 480-120-139 for the transfer of local service and intraLATA toll customers from Avista Communications of Washington, Inc., (Avista).
- 2 The reason for this request is that ATI purchased the customer base of Avista whose accounts comprise local and intraLATA toll service. Under WAC 480-120-139, "Changes in local exchange and intrastate toll services," ATI would not be able to submit a change in a customer's local service and intrastate toll service without confirming the customer's authorization in accordance with requirements in the rule.
- 3 This request is limited specifically to this transfer of Avista's customer base. Customer notices have been reviewed and will be mailed to all affected customers informing them of their options. Avista will credit any charge imposed by local exchange carriers for changing primary interexchange carriers to ATI. ATI's products and services are similar to those offered by Avista. ATI will provide Avista customers rates that are the same or lower than ATI's existing rates for a period of 90 days.
- 4 This matter was brought before the Commission at its regularly scheduled open meeting on October 10, 2001. The Commissioners, having been fully advised in the matter, and having determined the following order to be consistent with the public interest, directed the Secretary to enter the following order and related provisions.

FINDINGS

- 5 (1) Advanced TelCom, Inc., and Avista Communications of Washington, Inc., are public service companies subject to the jurisdiction of this Commission under the provisions of chapter 80.36 RCW.

- 6 (2) The waiver of WAC 480-120-139 as described above, is reasonable and consistent with the public interest subject to the mailing of the customer notice, and should therefore be approved.

ORDER

THE COMMISSION ORDERS:

- 7 After the effective date of this order, Advanced TelCom, Inc., is hereby granted a waiver of WAC 480-120-139, for the initial transfer of local service and intraLATA toll customers from Avista Communications of Washington, Inc., and the service transfer is hereby authorized subject to the mailing of the customer notice.

DATED AT Olympia, Washington, and effective this 10th day of October, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary