

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

In the Matter of the Petition of	)	
	)	
ADVANCED TELCOM, INC.,	)	DOCKET NO. UT-011404
d/b/a ADVANCED TELCOM GROUP	)	
	)	
and	)	ORDER GRANTING WAIVER
	)	OF RULES
	)	
FAIRPOINT COMMUNICATIONS	)	
SOLUTIONS CORP.,	)	
	)	
For Waiver of WAC 480-120-139	)	
.....	)	

**BACKGROUND**

- 1        On October 16, 2001, Advanced TelCom, Inc., d/b/a Advanced TelCom Group (ATG) and FairPoint Communications Solutions Corp. (FairPoint) jointly filed a petition requesting waiver of WAC 480-120-139 for the transfer of local service, intraLATA and interLATA toll customers from FairPoint to ATG.
  
- 2        The reason for this request is that ATG is purchasing the customer base of FairPoint whose accounts are comprised of local service, intraLATA and interLATA toll service. Under WAC 480-120-139, "changes in local exchange and intrastate toll services," ATG 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 FairPoint's customer base. Customer notices have been reviewed and will be mailed to all affected customers informing them of their options. ATG will credit any charge imposed by local exchange carriers for changing primary interexchange carrier to ATG. ATG's products and services are similar to those offered by FairPoint. ATG will provide FairPoint customers rates that are the same or lower than FairPoint'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 24, 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., d/b/a Advanced TelCom Group and FairPoint  
Communications Solutions Corp., 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.

**O R D E R**

**THE COMMISSION ORDERS:**

- 7 After the effective date of this order, Advanced TelCom, Inc., d/b/a Advanced  
TelCom Group is hereby granted a waiver of WAC 480-120-139, for the initial  
transfer of local service, intraLATA and interLATA toll customers from FairPoint  
Communications Solutions Corp., subject to the mailing of the customer notice.

DATED AT Olympia, Washington, and effective this 24<sup>th</sup> day of October, 2001.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION.**

**CAROLE J. WASHBURN, Secretary**