

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of the Petition of)	
)	DOCKET UT-011413
TEL WEST COMMUNICATIONS, LLC)	
)	ORDER GRANTING WAIVER
For Waiver of WAC 480-120-540)	OF WAC 480-120-540,
Terminating Access Charges)	TERMINATING ACCESS
.....)	CHARGES

BACKGROUND

1 By petition filed October 18, 2001, in Docket UT-011413, Tel West Communications, LLC, (Tel West), requests a waiver of WAC 480-120-540, Terminating Access Charges. The waiver request was brought before the Commission at its regularly scheduled open meeting held on November 16, 2001.

DISCUSSION

2 Tel West is a non facilities-based telecommunications company. Tel West is registered, classified as a competitive telecommunications company, and authorized to provide local and interexchange telecommunications services throughout the state of Washington.

3 WAC 480-120-540 only permits a local exchange company to include in its terminating switched access rates a charge for recovery of any costs for support of universal access to basic telecommunications service when authorized by the Commission. Tel West is not currently authorized to do so, nor has it ever demonstrated any universal access costs of the type solicited and examined in Docket UT-980311(a).

4 In Docket UT-990307, the Commission granted a waiver of WAC 480-120-540 to five competitively classified local exchange carriers subject to conditions. Therefore, Tel West is also requesting a waiver of WAC 480-120-540, at this time.

5 The Commission has the authority to impose conditions on our waiver of WAC 480-120-540 for Tel West, and we find it reasonable and appropriate to do so in this instance. We will require Tel West to file price lists for terminating access service at rates not to exceed those charged by Qwest Corporation and Verizon Northwest Inc. in their respective service territories. The Commission notes that RCW 80.36.320(4) authorizes the Commission to “revoke any waivers it grants” and to “reclassify any competitive telecommunications company if the revocation or reclassification would protect the public interest.” Our action granting waiver of WAC 480-120-540 is an interim step, and we may revisit waiver of the rule upon consideration of any new universal service funding measures or programs.

- 6 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.

ORDER

- 7 THE COMMISSION ORDERS that the request for waiver of WAC 480-120-540, Terminating Access Charges, by Tel West Communications, LLC, is granted as conditioned in the text of this Order.

DATED at Olympia, Washington this 16th day of November, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary

