

GRAHAM & DUNN PC

UT-031123 (P)

N/A

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July 10, 2003

**VIA FEDERAL EXPRESS**

Ms. Carole Washburn  
Secretary  
Washington Utilities and Transportation Commission  
P.O. Box 47250  
1300 South Evergreen Park Dr. S.W.  
Olympia, WA 98504-7250

**Re: Petition for Waiver of Certain Provision of WAC 480-120-104,  
Effective July 1, 2003**

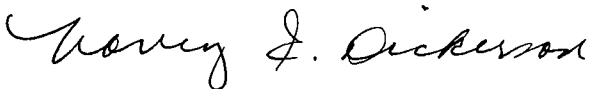
Dear Ms. Washburn:

Enclosed please find an original and 19 copies of the Petition of Verizon Northwest Inc. For Waiver of WAC 480-120-104 and Declaration of Service to be filed in the above-referenced matter.

Please date-stamp and return to us with the UT Number, a copy of the filing for our records in the enclosed stamped, self-addressed envelope provided for your convenience. If you have any questions, please call me at (206) 340-9381.

Sincerely,

GRAHAM & DUNN PC



Nancy E. Dickerson  
Assistant to Judith A. Endejan

JAE/ned  
Enclosures  
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BEFORE THE WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

Petition for Waiver of Certain Provision of WAC 480-120-104, Effective July 1, 2003	}	Docket No. <i>UT-031123</i>
	}	PETITION OF VERIZON
	}	NORTHWEST INC. FOR WAIVER OF
	}	WAC 480-120-104

1. This petition is brought by Verizon Northwest Inc., 1800 Forty-First Street, Everett, Washington 98201 ("Verizon").

**II. RELIEF SOUGHT**

2. Verizon petitions the Commission, pursuant to WAC 480-120-015, for a permanent waiver of the requirement in WAC 480-120-104 to provide a welcome/confirming letter or notice to Verizon's institutional and large business customers when adding a service, changing from one rate schedule to another or making a change resulting in a change in their current service terms or conditions. These customers are served by dedicated account managers, so that such notices are unnecessary and would be duplicative of the communications that routinely take place between the account team and the customers.

### III. BACKGROUND

#### A. The Rule

3. On December 12, 2002, the Commission filed with the Code Reviser General Order No. R-507 in Docket No. UT-990146<sup>1</sup> which included the newly developed rule regarding information to Consumers.

4. As adopted, WAC 480-120-104 reads as follows:

(1) Except for services provided under contract pursuant to WAC 480-80-241 (Filing contracts for services classified as competitive), each company must provide an applicant for initial service with a confirming notice or welcome letter, either in writing or with permission of the customer, electronically. The confirming notice or welcome letter must be provided to the applicant or customer no later than fifteen days after installation of service and must provide, at a minimum:

(a) Contact information for the appropriate business office, including a toll-free telephone number, a TTY number, mailing address, repair number, electronic address if applicable, and business office hours, that the customer can contact if they have questions.

(b) Confirmation of the services being provided to the customer by the company, and the rate for each service. If the service is provided under a banded rate schedule, the current rate, including the minimum and maximum at which the customer's rate may be shifted; and

(c) If the application is for local exchange service, the LEC must either provide information required in WAC 480-120-251 (6)(a) through (f) or must inform the customer that additional information pertaining to local exchange service may be found in the consumer information guide of the local telephone directory as required in WAC 480-120-251.

(2) Except for services provided under contract pursuant to WAC 480-80-241 (Filing contracts for services classified as competitive), each company must provide each customer a confirming notice, either in writing or, with permission of the customer, electronically, within fifteen days of initiating a material change in service which results in the addition of a service, a change from one rate schedule to another, or a change in terms or conditions of an existing service. The confirming notice must provide at a minimum, the following information in clear and conspicuous language:

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<sup>1</sup> In the Matter of Amending, Adopting and Repealing Chapter 480-120 WAC Relating to Telephone Companies, Docket UT-990146, General Order No. R-507, Order Amending, Adopting and Repealing Rules Permanently, filed with the Code Reviser's Office December 12, 2002.

(a) Contact information for the appropriate business office, including a toll-free telephone number, a TTY number, and business office hours, that customers can contact if they have questions; and

(b) The changes in the service(s), including, if applicable, the rate for each service.

(3) When a LEC is acting as an executing carrier under WAC 480-120-147, it must make the following information available upon request:

(a) The name of the intraLATA and interLATA interexchange company to which the customer's account is currently subscribed; and

(b) A minimum of six months' account history, when available, including the date of the changes and the name of the interexchange company.

(4) When an applicant or customer contacts the LEC to select or change an interexchange company, the LEC must notify the carrier of the customer's selection or recommend that the customer contact the chosen interexchange company to confirm that an account has been or is being established by the interexchange carrier for the applicant.

## **B. Discussion**

5. Verizon did not realize that its business practices might not be in compliance with the "Welcome Letters" and "Confirming Notices" requirements of WAC 480-120-104 until it reviewed Qwest's June 11, 2003 request of a waiver of those requirements for some of its business customers.

6. Verizon refers to the set of customers that is the subject of this petition as "Enterprise accounts." This group consists of larger private businesses and institutional accounts, including state and local government agencies and school districts. There is no strict line-count criteria and the company adjusts the specific makeup of the sector from time to time for administrative reasons, but the Enterprise segment always has two significant features: each customer has an assigned account team and the size of this customer set is small; currently it numbers between four and five hundred accounts.

Each year Verizon sends each Enterprise customer written notice of their assigned account team, with contact information for matters ranging from billing, to ordering, to repair. The customers are also notified of changes in this information that may occur during the year. The assigned account team generally handles all service requests. In many instances the communication between customers and their account team takes place electronically, with order confirmations sent via e-mail. Even if electronic communication is not a customer's choice, there is frequent communication between Enterprise customers and Verizon.

7. These customers have frequent, often daily, communication with their Verizon account manager. In addition, Verizon account teams meet regularly with their customers to review the customer's current telecommunications services, discuss any problems and provide for additional communications needs. Such meetings generally result in a number of service changes, resulting in far more service orders than for a residential or small business customer account. To issue a confirming notice every time an Enterprise customer makes a material change in service would be burdensome and confusing for the customer.

8. The new rule's purpose was to provide customers information as to the services they have purchased. Verizon's handling of its Enterprise customers fulfills this objective without the need for standardized mass market "welcome letters" or "confirming notices."

### **CONCLUSION**

9. For the reasons outlined above, Verizon seeks a permanent waiver of WAC 480-120-104 concerning all welcome/confirming notices to its Enterprise customers.

RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of July, 2003.

VERIZON NORTHWEST INC.

By Judith A. Endejan  
Judith A. Endejan, WSBA# 11016  
Email: jendejan@grahamdunn.com  
Attorneys for Verizon Northwest Inc.

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BEFORE THE WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

Petition for Waiver of Certain Provision of  
WAC 480-120-104, Effective July 1, 2003

) Docket No.

) DECLARATION OF SERVICE

I, Nancy E. Dickerson, hereby certify that a true and correct copy of **Petition of Verizon Northwest Inc., For Waiver of WAC 480-120-104**, filed in the above matter, was served by Federal Express on this date on the following individuals:

Ms. Carole Washburn  
Secretary  
Washington Utilities and Transportation Committee  
P.O. Box 47250  
1300 South Evergreen Park Dr. S.W.  
Olympia, WA 98504-7250

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

DATED this 10<sup>th</sup> day of July 2003.

By Nancy E. Dickerson  
Nancy E. Dickerson