

UT-041406 (P)
M/A

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August 6, 2004

Ms. Carole J. Washburn, Executive Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
Olympia, WA 98504-7250

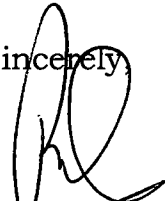
RECEIVED
RECORDS DIVISION
08 AUG -6 AM 10:21
STATE OF WASH
UTIL. AND TRANS.
COMM. DIVISION

Re: Ellensburg Telephone Company - Petition for Waiver of WAC 480-120-172(7)(a)(iii)

Dear Ms. Washburn:

Enclosed are the original and nineteen copies of the above-referenced Petition for Waiver.

Sincerely,



RICHARD A. FINNIGAN

RAF/km
Enclosures

cc: Connie Meier

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of)
)
ELLENSBURG TELEPHONE)
COMPANY,)
)
Petitioner,)
)
Seeking Exemption from)
WAC 480-12-172(7)(a)(iii), Relating to)
Information on Disconnection)
)

DOCKET NO. *UT-041406*
PETITION FOR WAIVER
OF WAC 480-120-172(7)(a)(iii)

RECEIVED
24 AUG -5 11:10:21
OFFICE OF THE
SECRETARY OF
STATE

1. Petitioner, Ellensburg Telephone Company (“Ellensburg”), by and through undersigned counsel, hereby petitions the Commission for a limited exemption from WAC 480-120-172-(7)(a)(iii). Specifically, the Company seeks an exemption, until March 1, 2005.

BACKGROUND

2. Under WAC 480-120-015(1), the Commission may grant an exemption from the provisions of any rule in Chapter 480-120 WAC if doing so is consistent with the public interest, the purposes underlying regulation and applicable statutes.

3. On June 27, 2003, in Docket No. UT-031028, the Commission granted Ellensburg’s Petition requesting limited and temporary exceptions from three specific rules. See, Order No. 1, Order Granting Limited and Temporary Exemptions From Rules (the “Order”). First, the Order granted Ellensburg a limited exemption from WAC 480-120-161(6), related to distinguishing

1 between charges on a bill for which nonpayment will result in loss of basic service. Ellensburg
2 was able to come into compliance with the rule prior to the expiration of the waiver.

3 4. Second, the Commission granted Ellensburg a limited exemption from WAC 480-120-
4 172(7)(a)(ii), related to separately including in the required notice for disconnection of service
5 the amounts owing for the service or services that are subject to discontinuation or restriction.
6 Ellensburg was also able to come into compliance with this rule prior to the expiration of the
7 waiver.

8
9 5. Third, the Commission granted Ellensburg a limited exemption from WAC 480-120-
10 172(7)(a)(iii), related to including a statement in the required notice for disconnection of
11 service that clearly indicates the amount a customer must pay to maintain basic service or
12 restricted basic service, regardless of the full amount owed by the customer.

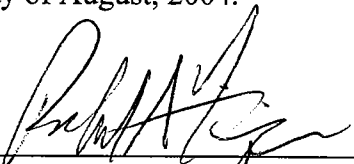
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14 6. Unfortunately, even after due diligence, Ellensburg is not able to comply with WAC 480-120-
15 172(7)(a)(iii) without doing a hand calculation and special notice in every case. This process
16 would substantively increase Ellensburg's collection costs. The existing accounts receivable
17 program is not able to produce the required information. Ellensburg had anticipated that a new
18 accounts receivable program would be in place long before this date. However, the vendors
19 have not been able to perform in a timely manner. Ellensburg anticipates that this issue will be
20 cured by the end of January, 2005 or the beginning of February, 2005. Therefore, Ellensburg
21 petitions the Commission to grant an exemption from WAC 480-120-172(7)(a)(iii) until March
22 1, 2005.

1 7. Customers of Ellensburg will be adequately protected during the interim. All Ellensburg
2 customers who are sent disconnection notices are verbally informed about how they may retain
3 their basic service. They are verbally informed of the amount they must pay in order to retain
4 their basic service. The Company will continue that practice while the exemption is in place.
5 The Company has a generally good reputation of dealing with its customers in a fair,
6 straightforward manner. The Company finds itself in a position where it just is not able to
7 comply with the Commission's rule without incurring substantial costs and disruptions.
8

9
10 RELIEF REQUESTED

11 8. The Company respectfully requests a temporary exemption from WAC 480-12-172(7)(a)(iii)
12 until March 1, 2005.
13

14 RESPECTFULLY SUBMITTED this 6th day of August, 2004.
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17 
18 Richard A. Finnigan, WSBA #6443
19 Attorney for Ellensburg Telephone Company
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