

Lida C. Tong
Director-Regulatory
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RECEIVED
PETITION



WT-990401
GTE Service Corporation (P)

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99 MAR -8 AM 9:55

STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

March 4, 1999

Ms. Carole J. Washburn
Executive Secretary
Washington Utilities and
Transportation Commission
P.O. Box 47250
Olympia, Washington 98504-7250

Dear Ms. Washburn:

Subject: **PETITION OF GTE FOR A WAIVER OF PAY PHONE AND
OPERATOR SERVICES RULES – DOCKET NO. UT-970301**

Enclosed for filing is an original and 19 copies of a petition for a waiver of WAC 480-120-141(2)(b) and 480-120-141(7)(a). GTE is seeking a waiver from these rules because the technology is not currently available to comply with these requirements.

Please contact Joan Gage on 425-261-5238 if you have any questions.

Very truly yours,

Lida C. Tong
Director – Regulatory & Government Affairs

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Enclosure

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

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REQUEST FOR A WAIVER OF CERTAIN)
PROVISIONS OF WAC 480-120-141)
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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION
Docket No.
PETITION OF GTE
NORTHWEST
INCORPORATED

GTE Northwest Incorporated (“GTE”), pursuant to WAC 480-120-011, petitions the Washington Utilities and Transportation Commission (the “Commission”) for a waiver of WAC 480-120-141(2)(b) and (7)(a), recently promulgated Commission rules. Petitioner is unable to perform the tasks listed in WAC 480-120-141(2)(b) and (7)(a), as the technology is not currently available. Implementation of these rules will have a substantial adverse impact on GTE, and a waiver is sought to enable petitioner to continue its operations as a telecommunications carrier until the issues herein are resolved.

WAC 480-120-141 SECTION (2)(b)

On December 29, 1998, the Commission filed with the Code Reviser the Rulemaking for Pay Phone and Operator Services Providers to respond to the deregulation of local coin rates at pay phones and addressing explicit authority given to the states to implement consumer protections regarding pay phone use. The rulemaking included the following provision:

- (2) Disclosure
 - (b) Verbal disclosure of rates. Before an operator-assisted call from an aggregator location may be connected by a presubscribed OSP, the OSP must verbally advise the

consumer how to receive a rate quote, such as pressing a specific key or keys, but no more than two keys, or by staying on the line. This message must precede any further verbal information advising the consumer how to complete the call, such as to enter the consumer's calling card number. This rule applies to all calls from pay phones or other aggregator locations, including prison phones and store-and-forward pay phones or "smart" telephones. After hearing an OSP's message, a consumer may waive their right to obtain specific rate quotes for the call they wish to make by choosing not to press the key specified in the OSP's message to receive such information or by hanging up. The rate quoted for the call must include any applicable surcharge. Charges to the user must not exceed the quoted rate.

GTE does not oppose WAC 480-120-141(2)(b), however, does not currently have the technology to comply with the new rule. As noted in its comments filed September 18, 1998, GTE anticipates that this technology will be available in late 1999. Accordingly, GTE requests a waiver from WAC 480-120-141(2)(b) effective immediately, until January 1, 2000.

Furthermore, GTE notes that on January 12, 1999, US WEST filed a petition for a waiver of WAC 480-120-141(2)(b) because it also lacks the technology necessary to comply with the rule. US WEST noted that Staff believed WAC 480-120-141(2)(b) is necessary to comply with the Telecommunications Act of 1996 and Federal Communications Commission ("FCC") orders 96-388, 96-439, 97-678, 97-805 and 98-9. However, on June 30, 1998 the Federal Communications Commission ordered (Order No. 98-1285) that its Rule Section 64.703(a)(4)¹ be stayed pending a ruling on a Petition

¹ "Disclose, audibly and distinctly to the consumer, at no charge and before connecting any interstate, domestic, interexchange 0+ call, how to obtain the total cost of the call, including any aggregator surcharge, or the maximum possible total cost of the call, including any aggregator surcharge, before providing further oral advice to the consumer on how to proceed to make the call. The oral disclosure required in this subsection shall instruct consumers that they may obtain applicable rate and surcharge quotations whither, at the option of the provider of operator services, by dialing no more than two digits or by remaining on the line." 13 FCC Rcd 6122, 6218.

for Clarification or Waiver or, in the Alternative, for Clarification and Reconsideration of Order No. 98-9. (Order No. 98-1285). At the date of this filing, the FCC has not yet adopted a final rule regarding operator service providers.

WAC 480-120-141(7)(a)

The Commission also filed the following language with the Code Reviser on December 29, 1998:

- (7) **Emergency calls**, For purposes of emergency calls, every OSP must have the following capabilities:
 - (a) Be able to transfer the caller into the appropriate E-911 system and to the public safety answering point (PSAP) serving the location of the caller with a single keystroke from the operator's console, to include automatic identification of the exact location and address from which the call is being made;

Due to equipment limitations GTE is unable to transfer a call from an operator to a known PSAP location with a single keystroke. GTE has consolidated its Operator Services so that a fixed number of operators handle a large volume of calls spread over multiple state jurisdictions. GTE's Huntington Beach and Palm Springs, California Operator Services offices handle calls from Washington, as well as California, Oregon, and Idaho. In these states, there are virtually hundreds of PSAPs servicing callers that may contact an operator, each with multiple directory numbers for service.

To transfer a call from an operator to a known PSAP location with a single keystroke, GTE would have to provide a "speed calling-type" service to each of the potential numbers available to hundreds of PSAPs to which a caller could be transferred.

Additional trunking from each Operator center to the individual PSAPs would be required to transfer a caller to the appropriate service provider, greatly increasing the costs of this service to the consumer.

Furthermore, no equipment is currently available to allow GTE to provide the exact location and address from which a call is made to the PSAP. To display and forward such information, a GTE operator would need to access the E-911 database, which is completely separate from the Line Information Database used by Operator Services.

Currently, if a GTE operator receives an emergency call, the operator records all details, including the telephone number and location of the customer, and the nature of the emergency. The operator then connects the consumer to the appropriate official public emergency agency – such as the fire department, police, or ambulance services – and remains on the line long enough to verify that the correct agency was reached. Upon request from the agency, the Operator will provide the calling number or other details. The call is then placed on permanent hold until the consumer terminates the call. If the operator cannot determine the required agency, the call is connected to the appropriate 911 center using local seven or ten digit dialing procedures. In those areas without 911, the operator connects the call to the police department. GTE notes that as a result of the significant promotion of 911 services in its territories, GTE's operators only receive a minimal number of emergency calls.

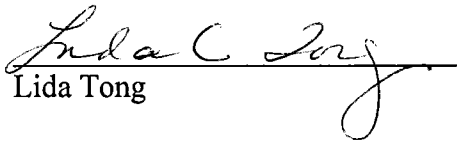
GTE is working with the National Emergency Number Association (“NENA”) to develop nationwide industry standards to provide Enhanced 911 services in the most efficient manner possible. Among the issues being addressed by NENA is operator

assisted calls. Any standards recommended by NENA to state commissions could result in technology requirements differing substantially from technology necessary to provide single keystroke transfers from an operator to a PSAP.

Consequently, GTE requests a waiver from WAC 480-120-141(7)(a) effective immediately until such time the Commission may consider further action based on the results of NENA's resolution of this issue.

Respectfully submitted this 4th day of March, 1999.

GTE NORTHWEST INCORPORATED

By 
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