

STAFF DRAFT REDLINE WAC RULES

May 16, 2014

WAC 480-123-060 Eligible Telecommunications Carriers - Annual certifications and reports. ~~of eligible telecommunications carriers.~~ (1) Each ETC seeking certification of the ETC's use of federal high-cost funds pursuant to 47 C.F.R. §§ 54.307, ~~54.313, or~~ 54.314 must request certification by July ~~31-1~~ each year. ~~The ETC must certify that all federal high-cost support provided to the ETC within Washington state was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. it will use federal high-cost universal service fund support only for the provision, maintenance, and upgrading of the facilities and services for which the support is intended. The certification must be submitted by a company officer in the manner required by RCW 9A.72.085.~~

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(2) The commission will certify an ETC's use of federal high-cost universal service fund support, pursuant to 47 C.F.R. §§ ~~54.307, 54.313, or~~ 54.314 only if the ETC complies with the requirements in this rule. ~~WAC 480-123-070 and 080, and the ETC demonstrates that it will use federal high-cost funds only for the provision, maintenance, and upgrading of facilities and services for which the support is intended through the requirements of WAC 480-123-080.~~

~~WAC 480-123-070 Annual certifications and reports.~~ (3) Prior year report. Not later than July ~~31-1~~ of each year, every ETC that receives federal support from any category in the federal high-cost fund must certify or report as described in this rule section. The certifications and reports are for activity related to Washington state in the period January 1 through December 31 of the previous year. A company officer must submit the certifications in the manner required by RCW 9A.72.085.

(a) Report on use of federal funds and benefits to customers.

- (i) Each ETC must provide the commission with a true and correct copy of the Form 481 that it has filed with the FCC.
- (ii) The ETC must also

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(a) ~~For an ETC that receives support based only on factors other than the ETC's investment and expenses, the report must~~ provide a substantive description of investments made and expenses paid with support from the federal high-cost fund. The report must include the Company's gross capital expenditures and maintenance expense in the preceding calendar year along with a description of major projects and affected service areas exchanges. The rural rate of return wireline ETCs must also include a copy of its NECA-1 report for the preceding calendar year.

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~~For ETCs that receive any support based on the ETC's investment and expenses, the report must provide a substantive description of investment and expenses, such as the NECA-1 report, the ETC will report as the basis for support from the federal high-cost fund.~~

(b) Every ETC must provide a substantive description of the benefits to consumers that resulted from the investments and expenses reported pursuant to (a) of this subsection.

~~(2) Local service outage report. ETCs not subject to WAC 480-120-412 and 480-120-439(5) are required to report local service outages pursuant to this subsection. (a) The report must include detailed information on any outage in the service area (during the prior calendar year) of at least 30 minutes in duration, for each service area in which an the ETC is designated for any facilities it owns, operates, leases, or otherwise utilizes facilities, that potentially affect:~~

- (i) At least ten percent of the end users; or served in a designated service area; or

~~(ii) A 911 special facility, as defined in 47 CFR 4.5(e).~~

~~(iii) (b) Specifically, the eligible telecommunications carrier's annual report must include information detailing:~~

~~(A) The date and time of onset of the outage;~~

~~(B) A brief description of the outage and its resolution;~~

~~(C) The particular services affected;~~

~~(D) The geographic areas affected by the outage;~~

~~(E) Steps taken to prevent a similar situation in the future; and~~

~~(F) The number of customers affected.~~

~~every local service outage thirty minutes or longer in duration experienced by the ETC. The report must include:~~

~~(a) The date and time of onset and duration of the outage;~~

~~(b) A brief description of the outage and its resolution;~~

~~(c) The particular services affected, including whether a public safety answering point (PSAP) was affected;~~

~~(d) The geographic areas affected by the outage;~~

~~(e) Steps taken to prevent a similar situation in the future; and~~

~~(f) The estimated number of customers affected.~~

~~(3) Report on failure to provide service. ETCs not subject to WAC 480-120-439 are required to report failures to provide service pursuant to this subsection. The report must include detailed information on the number of requests for service from applicants potential customers within its designated service areas that were unfulfilled for during the reporting period prior calendar year. The ETC must also describe in detail how it attempted to provide service to those applicants potential customers.~~

~~(4) Report on complaints per one thousand connections (fixed or mobile) handsets or lines. The report must provide separate totals for the number of complaints that the ETC's customers made to the Federal Communications Commission, or and the Consumer Protection Division of the Office of the Attorney General of Washington. The ETC must also report the number of consumer complaints in each general category (For example, billing disputes, service quality). The report must also generally describe the nature of the complaints and outcome of the carrier's efforts to resolve the complaints.~~

~~(5) Certification of compliance with applicable service quality standards and consumer protection rules. Certify that it met substantially the applicable service quality standards and consumer protection rules found in WAC 480-123-030 (1)(h).~~

~~(6) Certification of ability to function in emergency situations. Certify that it had the ability to function in emergency situations based on continued adherence to the standards found in WAC 480-123-030 (1)(g).~~

~~(7) Advertising certification, including advertisement on Indian reservations. The ETC must also Certify it has publicized the availability of its applicable telephone assistance programs, such as Lifeline, in a manner reasonably designed to reach those likely to qualify for service, including residents of federally recognized Indian reservations within the ETC's designated service area. Such publicity should include advertisements likely to reach those who are not current customers of the ETC within its designated service area.~~

~~WAC 480-123-080 Annual plan for universal service support expenditures.-(5) Upcoming year report~~ Not later than July ~~31-1~~ of each year, every ETC that receives federal support from any category in the federal high-cost fund must report ~~on:~~

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~~(a) To~~ the planned use of federal support related to Washington state that will be received during the ~~period October 1 of the current year through the following September~~ ~~following (up-coming)~~ calendar year; ~~The report must include the Company's budgeted gross capital expenditures and maintenance expense for the coming calendar year along with a description of major projects and affected service areas exchanges. or~~

~~(b) The planned investment and expenses related to Washington state which the ETC expects to use as the basis to request federal support from any category in the federal high cost fund.~~

~~(2a)~~ The report must include a substantive plan of the investments and expenditures to be made with federal support and a substantive description of how those investments and expenditures will benefit customers.

~~(2b)~~ As part of the ~~filing required by this section to be submitted in 2007~~ initial ETC petition for federal high-cost support, and at least once every three years thereafter, a wireless ETC must submit a map in .shp format that shows the general location where it provides commercial mobile radio service signals.