

February 14, 2001

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

Re: Telecommunications – Operations, Chapter 480-120 WAC – Docket
No. UT-990146

Dear Ms. Washburn:

This letter will constitute the partial comments of the Washington Independent Telephone Association (WITA). The Notice of Opportunity to File Comments was issued January 23, 2001 with a due date of February 14, 2001.

Up to this time, Commission staff has followed a process that has been very inclusive and has recognized the work schedules of both Commission staff and the industry. In this docket, the Commission staff has been working on the rules for several months. After several months of work, the industry has been given a short three weeks to comment. We are concerned that our staff who are very skilled in the use of web sites could not find the draft rules. We had difficulty finding the draft rules and when we did find them, they were not in a style in which we could see what changes had been incorporated. WITA feels the lack of accessibility and confusion exacerbated the short comment period and are concerned that sufficient time be allowed for this and future comment periods.

A question might be raised as to why WITA is raising this criticism during this informal comment period. The answer is twofold. First, we are at a critical stage in the informal comment period where that process is nearing an end. It has been WITA's experience that changes are much more difficult to accomplish after the CR 102 notice is issued. Second, the process and the short comment period followed at this time stands in stark contrast to the very commendable efforts at involving the industry early on.

Beyond the process issues, WITA will comment on one of the draft rules. WAC 480-120-X11 is a proposed rewritten rule that is not needed. The

Washington Exchange Carrier Association (WECA) proposed a revised access plan called the Washington Carrier Access Plan (WCAP), to the Commission. The Commission accepted the WCAP Plan by order last September. Under that access plan, annual filings are not made. The WCAP Plan replaced a revenue requirement concept with a revenue objective concept. The proposed rule language requiring annual reports and filings are not part of the WCAP plan just approved by the Commission. WAC 480-120-X11 cuts against the spirit and letter of the WCAP.

This rule is a step towards more regulation and imposing further regulatory costs rather than a step away. This proposal is simply not needed under the WCAP plan approved by the Commission.

Pursuant to the request in the Commission Notice, a copy of these comments are being filed electronically.

Please include both of the following on the Commission's mailing list for Docket UT-990146:

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Sincerely,

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