

WAC 480-120-049—Access to Land and premises; exclusive or restrictive agreements by telecommunications companies not permitted

- (1) When a company¹ enters land pursuant to RCW 80.36.020, or pursuant to any agreement, the entry must take place at a reasonable time and a company must provide photo identification to representatives who are authorized to enter customers' property. Customers have the right to see the company-provided identification of authorized representative before allowing entry to the customer's property.
- (2) In contracts pertaining to access and wiring between companies and owners of multi-unit premises, the following terms shall not be included:
 - a. Any term that unreasonably restricts the ability of a company to enter a multi-unit premises to perform necessary functions such as installation, maintenance, repair, testing and removal of telecommunications facilities for a tenant.
 - b. Any term that grants an exclusive easement, right-of-way, or license to any company.
 - c. Any term that precludes any company from negotiating with the owner of a multi-unit premises at a tenant's request.
 - d. Any term that has the effect, directly or indirectly, of diminishing or interfering with the right of tenants to use or receive telecommunications service from other companies.
 - e. Any term that discriminates in favor of any one company with respect to the provision of access or compensation requested.
- (3) No company may undertake a requested change in service or alteration of facilities on property covered by an exclusive or restrictive easement, right-of-way, or license until the agreement or grant is modified to remove the exclusivity or restriction.
- (4) "Multi-unit premises" means a building or land occupied by two or more tenants.

¹ This rule, if adopted, will be part of rules that apply to telecommunications companies. References to "company" in this rule is therefore a reference to telecommunications companies and does not include other public service companies.