

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

ASOTIN TELEPHONE COMPANY,
D/B/A TDS TELECOM;
CONSOLIDATED COMMUNICATIONS
OF WASHINGTON COMPANY, LLC;
HAT ISLAND TELEPHONE
COMPANY; HOOD CANAL
TELEPHONE CO. INC.; INLAND
TELEPHONE COMPANY; KALAMA
TELEPHONE COMPANY; LEWIS
RIVER TELEPHONE COMPANY,
D/B/A TDS TELECOM; MASHELL
TELECOM, INC., D/B/A RAINIER
CONNECT; MCDANIEL TELEPHONE
COMPANY, D/B/A TDS TELECOM;
PIONEER TELEPHONE COMPANY;
PEND OREILLE TELEPHONE
COMPANY, D/B/A RTI PEND OREILLE
TELECOM; SKYLINE TELECOM, INC.;
ST. JOHN TELEPHONE, INC.; TENINO
TELEPHONE COMPANY; THE
TOLEDO TELEPHONE CO., INC.;
WESTERN WAHAKIYAKUM COUNTY
TELEPHONE COMPANY; AND
WHIDBEY TELEPHONE COMPANY,
D/B/A WHIDBEY TELECOM,

To Establish an Alternative Form of
Regulation.

DOCKET UT-200898

ORDER 01

GRANTING REQUEST TO
WITHDRAW PETITION AND
CLOSING DOCKET

BACKGROUND

- 1 On November 2, 2020, Asotin Telephone Company, d/b/a TDS Telecom; Consolidated Communications of Washington Company, LLC; Hat Island Telephone Company; Hood Canal Telephone Company Co. Inc.; Inland Telephone Company; Kalama Telephone Company; Lewis River Telephone Company, d/b/a TDS Telecom; Mashell Telecom,

Inc., d/b/a Rainer Connect; McDaniel Telephone Company, d/b/a TDS Telecom; Pioneer Telephone Company, Pend Oreille Telephone Company, d/b/a RTI Pend Oreille Telecom; Skyline Telecom, Inc.; St. John Telephone, Inc.; Tenino Telephone Company; The Toledo Telephone Co., Inc.; Western Wahkiakum County Telephone Company; and Whidbey Telephone Company, d/b/a Whidbey Telecom (collectively Petitioners) filed with the Washington Utilities and Transportation Commission (Commission) a petition to establish an alternative form of regulation (Petition).

- 2 On December 15, 2020, the Commission convened a virtual prehearing conference (PHC) in this docket. During the PHC, the Commission and parties discussed, among other things, the evidence that Petitioners would need to provide, either through prefiled testimony and exhibits, or through discovery, to support the relief the Petition seeks. The Petitioners objected to the production requirements the other parties proposed as beyond the statutory requirements and unduly burdensome. The presiding administrative law judge did not adopt those requirements, leaving for a later date the determination of the evidence necessary to satisfy the Petitioners' burden of proof.
- 3 On December 16, 2020, Petitioners filed a letter in this docket requesting to withdraw the Petition. Because this matter is an adjudicative proceeding, the Commission construes the Company's letter as a petition for leave to withdraw its Petition.¹

DISCUSSION AND DECISION

- 4 Washington Administrative Code (WAC) 480-07-380(3)(a) states that a party must receive permission from the Commission to withdraw a petition after the Commission has commenced an adjudicative proceeding. Pursuant to WAC 480-07-380(3)(b), the Commission will grant a party's request to withdraw a petition when the requested withdrawal is in the public interest.
- 5 The adjudication the Commission initiated in response to the Petition would require the Commission and the parties to expend significant resources. The Petitioners' determination not to proceed with the Petition would alleviate this requirement and leaves the regulatory status quo intact.

¹ The Commission liberally construes filings to effect just results. WAC 480-07-395(4).

- 6 The Commission finds the voluntary withdrawal of the Petition to be in the public interest. The Commission, therefore, grants the Petitioners' request to withdraw the Petition and closes this docket.

ORDER

THE COMMISSION ORDERS:

- 7 (1) The Commission grants the request of Asotin Telephone Company, d/b/a TDS Telecom; Consolidated Communications of Washington Company, LLC; Hat Island Telephone Company; Hood Canal Telephone Company Co. Inc.; Inland Telephone Company; Kalama Telephone Company; Lewis River Telephone Company, d/b/a TDS Telecom; Mashell Telecom, Inc., d/b/a Rainer Connect; McDaniel Telephone Company, d/b/a TDS Telecom; Pioneer Telephone Company, Pend Oreille Telephone Company, d/b/a RTI Pend Oreille Telecom; Skyline Telecom, Inc.; St. John Telephone, Inc.; Tenino Telephone Company; The Toledo Telephone Co., Inc.; Western Wahkiakum County Telephone Company; and Whidbey Telephone Company, d/b/a Whidbey Telecom to withdraw their petition in Docket UT-200898.
- 8 (2) Docket UT-200898 is closed.

DATED at Lacey, Washington, and effective December 17, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Gregory J. Kopta
GREGORY J. KOPTA
Administrative Law Judge