

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET UT-080864
)	
INTEGRA TELECOM OF)	ORDER 01
WASHINGTON, INC.)	
)	
Petitioner,)	ORDER APPROVING
)	ALTERNATIVE MEASUREMENT
Seeking Approval of Alternative Form)	AND REPORTING FORMAT AND
of Reporting as allowed by WAC 480-)	RESCINDING ORDER 01 IN
120-439(12))	DOCKET UT-061443
.....)	

BACKGROUND

- 1 In the spring of 2006, Eschelon Telecom of Washington, Inc., Advanced TelCom, Inc., and Oregon Telecom, Inc., d/b/a Washington Telecom, Inc., (collectively Eschelon), became a Class A¹ telecommunications company, and was required to report service quality measures in the manner prescribed by WAC 480-120-439, or be granted permission to report an alternative measurement or reporting format.
- 2 On September 11, 2006, Eschelon filed a petition requesting approval of an alternative measurement or reporting format for service quality reports. Eschelon amended its petition on January 3, 2007.
- 3 On June 27, 2007, the Washington Utilities and Transportation Commission (Commission) granted in part and denied in part Eschelon’s petition in Docket UT-061443 for an alternative measurement or reporting format for service quality reports.
- 4 On April 9, 2007, the Commission received notification from Integra Telecom of Washington, Inc. (Integra), on behalf of Eschelon Telecom, Inc., the parent company of Eschelon, that control of Eschelon was being transferred to Integra in Docket UT-070677. The transfer of control of competitively classified companies does not require Commission approval. On October 18, 2007, after the transaction was finalized,

¹ Class A designation means that a company and its affiliates serve at least 2% of the total access lines in the state of Washington.

this docket was closed. This transaction made Eschelon and Integra affiliates of each other. As such, Integra is now required to submit monthly service quality reports or be granted approval to report an alternative measurement or reporting format.

- 5 On May 15, 2008, Integra filed a petition requesting approval of an alternative measurement or reporting format for its service quality reports.² Integra amended its petition on August 5, 2008. After urging from Commission staff, Integra reviewed its reporting resources and operational processes and determined that it could develop a monthly report that could present the data in a format more in line with the rule. On January 16, 2009, Integra submitted a second amendment to its petition.
- 6 In its second amended petition Integra requests the Commission allow it to: a) be exempt from WAC 480-120-439 (3) with respect to repair appointments; (b) report performance on installations for all orders placed regardless of the number of lines requested, different from subsection (4) of the rule; (c) report installation data without regard to customer size or whether the installations occurred in five days as required under subsection (4) of the rule; (d) apply WAC 480-120-439 on a Common Language Location Identifier (CLLI) code basis, where applicable, different from subsections (4) and (6) of the rule; (e) report all repair types that the company itself can complete rather than as required under subsection (9) of the rule; and (f) submit the monthly report based on total combined companies' operations in Washington.
- 7 Integra also requests that the Commission rescind Order 01 in Docket UT-061443, to be replaced by an order issued in this proceeding.
- 8 Integra states that it cannot comply with all the service quality reporting requirements in WAC 480-120-439 because these requirements are based principally upon a facilities-based network architecture.
- 9 Integra has supplied legitimate grounds for an alternative measurement or reporting format.
- 10 Integra contends that it cannot provide missed appointment data on repairs due to its reliance on the underlying ILECs that carry out the repairs. However, Integra is in

² Other alternative measurement or reporting formats have been approved by the Commission for AT&T Communications of the Pacific Northwest, SBC Long Distance, MCImetro Access Transmission, and Comcast Phone of Washington.

regular contact with its customers regarding installations, and has determined that it will be able to supply missed installation appointment information.

- 11 Integra relies on the underlying ILECs to obtain the necessary reporting data for its service along with the installation intervals required by the ILEC. Integra asserts that the proposed alternative measurements and reporting will provide the Commission with substantive performance standards based upon Integra's actual network and its service as it is provisioned in Washington.
- 12 WAC 480-120-439 requires companies to report service quality measurement data by central office. Because Integra does not employ central offices as that term is traditionally defined, it cannot report data at that level of detail. However, it can report many of the measurements by CLLI code.
- 13 Commission staff has reviewed the amended petition and recommends granting Integra's request for alternative measurement or reporting format under WAC 480-120-439(12), and to rescind Order 01 in Docket UT-061443.

FINDINGS AND CONCLUSIONS

- 14 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunications companies. *RCW 80.01.040; RCW 80.04 and RCW 80.36.*
- 15 (2) Integra is engaged in the business of providing telecommunications services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 16 (3) Under WAC 480-120-439(12), the Commission may approve a telecommunications company's request to provide an alternative measurement or

reporting format for any of the service quality reports required by WAC 480-120-439.³

- 17 (4) The petition as amended was brought before the Commission at its regularly scheduled meeting on March 12, 2009.
- 18 (5) After reviewing the petition Integra filed in Docket UT-080864 on May 5, 2008, amended on August 5, 2008, and amended again on January 16, 2009, and giving due consideration, the Commission finds that the petition for an alternative measurement or reporting format under WAC 480-120-439(12), and request to rescind Order 01 in Docket UT-061443 should be approved.

ORDER

THE COMMISSION ORDERS:

- 19 (1) The petition of Integra Telecom of Washington for approval of an alternative measurement or reporting format under WAC 480-120-439(12) for reporting requirements is approved.
- 20 (2) Integra Telecom of Washington's request to rescind Order 01 in Docket UT-061443 is granted.
- 21 (3) The Commission retains jurisdiction over the subject matter and Integra Telecom of Washington to effectuate the provisions of this Order.

³ The petitioning company must provide evidence that it cannot reasonably provide the measurement or reports; the alternative measurement or reporting format will provide a reasonably accurate measurement of the company's performance to the substantive performance standard; and the ability of the commission and other parties to enforce compliance will not be significantly impaired by the use of the alternative.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective March 12, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary