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

10 IN THE MATTER OF THE PETITION OF
11 BG ENTERPRISES, INC., d/b/a/ GRIZZLY
12 TELEPHONE

Docket No. UT- 030867

BG ENTERPRISES, INC., d/b/a GRIZZLY
TELEPHONE'S PETITION FOR WAIVER
FROM ENFORCEMENT OF RULES OR
EXTENSION OF EXEMPTION FROM
WAC 480-122-020

13 BG Enterprises, Inc. (a Montana corporation), d/b/a Grizzly Telephone ("Grizzly"),
14 hereby petitions the Washington Utilities and Transportation Commission ("Commission") for a
15 continuation of the relief granted by the Commission's Order dated 31, 2003. Specifically,
16 Grizzly requests that the Commission continue the exemption from WAC 480-122-020 that the
17 Commission granted at Paragraph 1 of its Order dated July 31, 2003.

18 Grizzly requests the extension for the reason that the issue of the WTAP reimbursement
19 rate has not been decided. Thus, unless the Commission grants the exemption, or, alternatively,
20 grants a stay in enforcement of WAC 480-122-020, Grizzly will be forced to provide services to
21 WTAP clients at a reimbursement rate that is far below its cost of providing the service.

22 As the Commission required, Grizzly has and will continue to inform all applicants for
23 service that WTAP service is available from other LECs for the currently ordered assistance rate
24 for households that are eligible for the service.
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2 Further, Grizzly, in terminating its WTAP, customers cooperated with QWEST by
3 providing information or otherwise facilitating the transition of customers from Grizzly to
4 QWEST service. As the Commission required, Grizzly gave its customers at least until the end
5 of the 30-day notice period in WAC 480-120-083.

6 **CONCLUSION**

7 Grizzly's ability to provide services to WTAP customers depends entirely on the
8 reimbursement the State of Washington previously provided before the adoption of the
9 emergency order. Pursuant to this Commission's previous decision, 276 of its WTAP customers
10 were transferred to QWEST. Unless the Commission continues the exemption or grants the
11 waiver, Grizzly will quickly be in the same place it was before. The company simply cannot
12 provide services for less than the cost of doing business.

13 Because Grizzly cannot continue to provide services at a loss, it respectfully requests a
14 waiver or an extension of the exemption from WAC 488-122-020 that this Commission granted
15 in its Order of July 31, 2003.

16 RESPECTFULLY SUBMITTED this ___ day of December, 2003.

17
18 BG Enterprises, Inc.(a Montana Corporation)
d/b/a Grizzly Telephone

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Petition on December, _____, 2003, via U.S. Mail, postage pre-paid, certified and return receipt requested, to the following:

Carole Washburn
Washington Transportation & Utility Commission
P. O. Box 47250
Olympia, WA 98504-7250

Pamela D. English
Legal Assistant to Thomas C. Orr