

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of:

Rulemaking to Consider Adopting a Rule in WAC 480-120, Telephone Companies, relating to standards for restoring regulated telecommunications services following an outage and customer notification of planned service interruptions.

DOCKET UT-170031

**PUBLIC COUNSEL'S COMMENTS
ON PROPOSED RULEMAKING**

I. INTRODUCTION

1. Pursuant to the Commission's August 7, 2016, Notice of Opportunity to File Written Comments, Public Counsel submits the following comments regarding the draft WAC chapter 480-120 Telephone Companies rule found at WAC 480-120-411.

II. COMMENTS REGARDING SUBSECTION WAC 480-120-411(e)

2. The term "out-of-service interruption" is undefined, whereas WAC 480-120-021 defines the term, "service interruption" as, "a loss of or impairment of service that is not due to, and is not, a major outage." The draft should clarify the distinction between an "out-of-service interruption" and a "service interruption" if it intends the phrase "out-of-service interruption" to be a distinct, unrelated term.
3. The Commission should consider allowing stakeholders to discuss whether public policy considerations requires excluding "Sundays and legal holidays" from the 48 hour repair time. Additionally, the term, "legal holidays" should be changed to, "official state holidays" as used in WAC 480-120-021 in defining the term "business days."
4. The term "as soon as practicable" is vague, ambiguous, and undefined. For example, who determines whether the repair occurred "as soon as practicable", the Commission, the

company, or the customer? The term should be changed to “as soon as possible” as used in WAC 480-120-412(4)(a) – Major Outages.

III. COMMENTS REGARDING SUBSECTION WAC 480-120-411(e)(iv)

5. The term “as soon as practicable” is vague, ambiguous, and undefined. For example, who determines whether the repair occurred “as soon as practicable”, the Commission, the company, or the customer? The term should be changed to “as soon as possible” as used in WAC 480-120-412(4)(a) – Major Outages.

IV. CONCLUSION

6. Public Counsel appreciates the opportunity to submit these comments and encourages the Commission to reinstate the 48 hour outage restoration rule. We look forward to further dialogue with the Commission and other stakeholders in this docket.

Submitted this 11th day of September 2017.

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