

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of the Petition of)	
)	DOCKET UT-010360
MCLEODUSA TELECOMMUNICATIONS)	
SERVICES, INC.)	ORDER GRANTING WAIVER
)	OF WAC 480-120-540,
For Waiver of WAC 480-120-540)	TERMINATING ACCESS
Terminating Access Charges)	CHARGES
.....)	

BACKGROUND

1 By petition filed March 16, 2001, in Docket UT-010360, McLeodUSA
Telecommunications Services, Inc., (McLeodUSA), requests a waiver of WAC 480-
120-540, Terminating Access Charges. The waiver request was brought before the
Commission at its regularly scheduled open public meeting of May 30, 2001.

DISCUSSION

2 McLeodUSA is a facilities-based telecommunications company. In Docket
UT-961647, McLeodUSA was registered, classified as a competitive
telecommunications company, and authorized to provide local and interexchange
telecommunications services throughout the state of Washington.

3 WAC 480-120-540 only permits a local exchange company to include in its
terminating switched access rates a charge for recovery of any costs for support of
universal access to basic telecommunications service when authorized by the
Commission. McLeodUSA is not currently authorized to do so, nor has it ever
demonstrated any universal access costs of the type solicited and examined in Docket
UT-980311(a).

4 In Docket UT-990307, the Commission granted a waiver of WAC 480-120-540 to
five competitively classified local exchange carriers subject to conditions. Therefore,
McLeodUSA is also requesting a waiver of WAC 480-120-540, at this time.

5 The Commission has the authority to impose conditions on our waiver of WAC 480-
120-540 for McLeodUSA, and we find it reasonable and appropriate to do so in this
instance. We will require McLeodUSA to file price lists for terminating access
service at rates not to exceed those charged by Qwest Corporation and Verizon
Northwest Inc. in their respective service territories. The Commission notes that
RCW 80.36.320(4) authorizes the Commission to “revoke any waivers it grants” and
to “reclassify any competitive telecommunications company if the revocation or
reclassification would protect the public interest.” Our action granting waiver of

WAC 480-120-50 is an interim step, and we may revisit waiver of the rule upon consideration of any new universal service funding measures or programs.

- 6 The Commissioners, having been fully advised in the matter, and having determined the following order to be consistent with the public interest, directed the Secretary to enter the following order and related provisions.

ORDER

- 7 THE COMMISSION ORDERS that the request for waiver of WAC 480-120-540, Terminating Access Charges, by McLeodUSA Telecommunications Services, Inc., is granted as conditioned in the text of this Order.

DATED at Olympia, Washington this 30th day of May, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary

