

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of the Petition of)	
)	DOCKET NO. UT-010857
TALK AMERICA INC.,)	
)	ORDER GRANTING WAIVER
For Waiver of WAC 480-120-540)	OF WAC 480-120-540,
Terminating Access Charges)	TERMINATING ACCESS
.....)	CHARGES

BACKGROUND

1 By petition filed June 12, 2001, in Docket No. UT-010857, Talk America Inc., (Talk America), 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 June 27, 2001.

DISCUSSION

2 Talk America is a facilities-based telecommunications company. Talk America is 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. Talk America is not currently authorized to do so, nor has it ever demonstrated any universal access costs of the type solicited and examined in Docket No. UT-980311(a).

4 In Docket No. UT-990307, the Commission granted a waiver of WAC 480-120-540 to five competitively classified local exchange carriers subject to conditions. Therefore, Talk America 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 Talk America, and we find it reasonable and appropriate to do so in this instance. We will require Talk America 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 480-120-540 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 Talk America Inc., is granted as conditioned in the text of this Order.

DATED at Olympia, Washington this 27th day of June, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary

