

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of the Petition of)	
)	DOCKET UT-020096
Weston Telecommunications, LLC)	
for Authority to Acquire)	ORDER GRANTING WAIVER
Certain Assets of Easton Telecom)	OF RULES
Services, Inc., and)	
Waiver of WAC 480-120-139)	
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BACKGROUND

- 1 On January 28, 2002, Weston Telecommunications, LLC (Weston) and Easton Telecom Services, Inc., (Easton) jointly filed with the Commission a petition requesting approval of the acquisition by Weston of a certain portion of Easton's customer base and the transfer of Easton's certificates and applicable tariffs.

- 2 The request is prompted by Weston's purchase of Easton's customer base and associated accounts, certificates of authorization and tariffs. Easton's customer accounts comprise both intraLATA and interLATA toll service. Under WAC 480-120-139, "Changes in local exchange and intrastate toll services," Weston would not be able to submit a change in a customer's intrastate toll service without confirming the customer's authorization in accordance with requirements in the rule.

- 3 WAC 480-143, Transfers of Property and chapter 80.12 RCW, Transfers of Property prohibits a public service company from completing a transfer of property unless it first obtains Commission approval.

- 4 On January 30, 2002, Weston was granted competitive classification in Docket UT-020048. In addition, on September 22, 1999, Easton was granted competitive classification in Docket UT-991031. Under these classifications, Weston and Easton received waivers of WAC 480-143, Transfers of Property and chapter 80.12 RCW, Transfers of Property.

- 5 The request of WAC 480-120-139 is limited specifically to the transference of Easton's customer base. Weston's customer notice has been reviewed by Commission Staff and will be mailed to all affected customers informing them of their options. Weston will credit any charge imposed by local exchange carriers for changing the customers' primary interexchange carriers to Weston. Weston's products and services are similar to those offered by Easton. For a period of 30 days, Weston will

provide Easton customers rates that are the same or lower than Easton's existing rates.

- 6 This matter was brought before the Commission at its regularly scheduled open meeting on March 13, 2002. The Commissioners, having been 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.

FINDINGS

- 7 (1) Weston Telecommunications, LLC and Easton Telecom Services, Inc., are public service companies subject to the jurisdiction of this Commission under the provisions of chapter 80.36 RCW.
- 8 (2) The waiver of WAC 480-120-139 as described above, is reasonable and consistent with the public interest, subject to the mailing of the customer notice, and should therefore be approved.
- (3) The waiver to acquire certain assets under WAC 480-143 and chapter 80.12 has been approved previously in Dockets UT-020048 and UT-991031, and is therefore unnecessary.

ORDER

- 9 After the effective date of this Order, Weston Telecommunications, LLC is hereby granted a waiver of WAC 480-120-139, for the initial transfer of intraLATA and interLATA toll customers from Easton Telecom Services, Inc., subject to the mailing of the customer notice.

DATED at Olympia, Washington, and effective this 13th day of March, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary