

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

In the Matter of the Petition of)	DOCKET NO. UT-030198
)	
Adelphia Business Solutions)	ORDER NO. 01
Operations, Inc.)	
)	
Petitioner,)	
)	
Seeking Exemption from the)	
Provisions of WAC 480-120-033)	
Relating to Reporting)	ORDER GRANTING EXEMPTION
Requirements for Competitively)	FROM RULE; GRANTING
Classified Telecommunications)	COMPANY ADDITIONAL TIME TO
Companies.)	FILE ANNUAL REPORT
.....)	

BACKGROUND

- 1 On February 10, 2003, Adelphia Business Solutions Operations, Inc., (Adelphia) filed with the Commission a petition for an extension of time to file its annual report for 2002 as required by WAC 480-120-033. According to the Company, it is unable to prepare the report due to company restructuring as part of proceedings under the United States Bankruptcy Court Southern District of New York. The Company seeks an extension until August 29, 2003.
- 2 Commission Staff reviewed the request and recommended granting Adelphia's request for exemption.

FINDINGS AND CONCLUSIONS

- 3 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate public service companies, including competitively classified

telecommunications companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.36 RCW.*

- 4 (2) Adelphia is a competitively classified telecommunications company and is a public service company subject to the jurisdiction of the Commission.
- 5 (3) Adelphia is subject to the provisions of RCW 80.04.080 and WAC 480-120-033, requiring telecommunications companies to file an annual report no later than May 1st of each year.
- 6 (4) WAC 480-120-015 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-120 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 7 (5) This matter came before the Commission at its regularly scheduled meeting on March 26, 2003.
- 8 (6) After review of the petition filed in Docket UT-030198 by Adelphia on February 10, 2003, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 9 (1) The exemption sought by Adelphia Business Solutions Operations, Inc., for an extension until August 29, 2003 to file its Adelphia Business Solutions Operations, Inc., 2002 annual report is granted.

- 10 (2) Failure by Adelphia Business Solutions Operations, Inc., to file its annual report by August 29, 2003, may result in the Commission invoking provisions of Chapter 80.04 RCW that provide for penalty assessments.
- 11 (3) The Commission retains jurisdiction over the subject matter and Adelphia Business Solutions Operations, Inc., to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 26th day of March, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary