

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

In the Matter of the Petition of	)	DOCKET NO. UT-030603
	)	
PEND OREILLE TELEPHONE	)	ORDER NO. 01
COMPANY	)	
	)	
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 April 29, 2003, Pend Oreille Telephone Company 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 because its independent auditors have not completed the year end financials. The Company seeks an extension until May 15, 2003.
- 2     Commission Staff reviewed the request and recommended granting Pend Oreille Telephone Company's request for exemption, subject to Pend Oreille Telephone Company filing its 2002 annual report no later than May 15, 2003.

**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) Pend Oreille Telephone Company is a competitively classified telecommunications company and is a public service company subject to the jurisdiction of the Commission.
- 5 (3) Pend Oreille Telephone Company 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 1<sup>st</sup> 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 May 14, 2003.
- 8 (6) After review of the petition filed in Docket No. UT-030603 by Pend Oreille Telephone Company on April 29, 2003, and giving due consideration, the Commission finds that the extension is reasonable and an exemption should be granted.

## ORDER

### THE COMMISSION ORDERS:

- 9 (1) The exemption sought by Pend Oreille Telephone Company for an extension until May 15, 2003, to file its 2002 annual report is granted.

- 10 (2) Failure by Pend Oreille Telephone Company to file its annual report by May 15, 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 Pend Oreille Telephone Company 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 14th day of May, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary