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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PETITION FOR WAIVER OF
WAC 480-120-104, EFFECTIVE
JULY 1, 2003

Docket No.
**QWEST CORPORATION'S
PETITION FOR WAIVER**

Qwest Corporation ("Qwest") hereby petitions the Washington Utilities and Transportation Commission ("Commission") for waiver of certain provisions of WAC 480-120-104. WAC 480-120-104 was developed through proceedings in Docket No. UT-990146¹ (General Order R-507, December 16, 2002) and becomes effective on July 1, 2003. WAC 480-120-104 replaces the previous rule pertaining to Availability of Information, WAC 480-120-041.

THE RULE

On December 12, 2002, the Commission filed with the Code Reviser General Order No. R-507 which included the newly developed rule regarding Information to Consumers.

As adopted, WAC 480-120-104 reads as follows:

(1) Except for services provided under contract pursuant to WAC 480-80-241 (Filing contracts for services classified as competitive), each company must provide an applicant for initial service with a confirming notice or welcome letter, either in writing or with permission of the customer, electronically. The confirming notice or welcome letter must be provided to the applicant or customer no later than fifteen days after installation of service and must provide, at a minimum:

¹ In the Matter of Amending, Adopting and Repealing Chapter 480-120 WAC Relating to Telephone Companies, Docket UT-990146, General Order No. R-507, Order Amending, Adopting and Repealing Rules Permanently, filed with the Code Reviser's Office December 12, 2002.

1 (a) Contact information for the appropriate business office,
2 including a toll-free telephone number, a TTY number, mailing address, repair
3 number, electronic address if applicable, and business office hours, that the
4 customer can contact if they have questions;

5 (b) Confirmation of the services being provided to the customer by
6 the company, and the rate for each service. If the service is provided under a
7 banded rate schedule, the current rate, including the minimum and maximum at
8 which the customer's rate may be shifted; and

9 (c) If the application is for local exchange service, the LEC must
10 either provide information required in WAC 480-120-251 (6)(a) through (f) or must
11 inform the customer that additional information pertaining to local exchange
12 service may be found in the consumer information guide of the local telephone
13 directory as required in WAC 480-120-251.

14 (2) Except for services provided under contract pursuant to WAC 480-80-
15 241 (Filing contracts for services classified as competitive), each company must
16 provide each customer a confirming notice, either in writing or, with permission of
17 the customer, electronically, within fifteen days of initiating a material change in
18 service which results in the addition of a service, a change from one rate schedule
19 to another, or a change in terms or conditions of an existing service. The
20 confirming notice must provide at a minimum, the following information in clear
21 and conspicuous language:

22 (a) Contact information for the appropriate business office,
23 including a toll-free telephone number, a TTY number, and business office hours,
24 that customers can contact if they have questions; and

25 (b) The changes in the service(s), including, if applicable, the rate
26 for each service.

(3) When a LEC is acting as an executing carrier under WAC 480-120-147,
it must make the following information available upon request:

(a) The name of the intraLATA and interLATA interexchange
company to which the customer's account is currently subscribed; and

(b) A minimum of six months' account history, when available,
including the date of the changes and the name of the interexchange company.

(4) When an applicant or customer contacts the LEC to select or change an
interexchange company, the LEC must notify the carrier of the customer's selection
or recommend that the customer contact the chosen interexchange company to
confirm that an account has been or is being established by the interexchange
carrier for the applicant.

RELIEF REQUESTED

A. Qwest seeks a permanent waiver of WAC 480-120-104 regarding required
Welcome/confirming letters or notices to Qwest large business customers (six lines
or more) when adding a service, changing from one rate schedule to another, or
making a change resulting in a change in the terms or condition of a service they
currently subscribe to.

B. Qwest seeks a permanent waiver of WAC 480-120-104(1)(b) pertaining to

1 minimum and maximum rates in confirming notices to Qwest customers if a
2 service is provided under a banded rate schedule.

3 C. Qwest seeks a temporary waiver of WAC 480-120-104 (2) (b) to July 1, 2004 for
4 Welcome/confirming notice rate changes to residence and small business customers
5 (five lines or less).

6 DISCUSSION

7 Qwest currently provides a confirming notice or "Welcome Letter" to new residence and
8 small business customers in Washington after the customer has placed an order for new service
9 within 48 hours. This letter includes the customer's assigned telephone number, a list of optional
10 services ordered by the customer, a brochure explaining the service(s), how they can reach Qwest
11 if they have questions concerning their new service and our refund policy if the customer is not
12 satisfied with the service within the first 60 day of service. A confirmation notice is also sent
13 when additional services are ordered. Additionally, Qwest quotes the charges for each service at
14 the time service is ordered. Further, Qwest's web site provides access to a complete set of
15 Qwest's tariffs reflecting rates for each service, including banded rate information for an all
16 regulated services.

17 Qwest seeks a permanent waiver of WAC 480-120-104 for all confirming notice
18 information required to Qwest's large business customers. Qwest provides specialized service
19 customized to the needs of the individual large business customer. Many large business customers
20 have designated Qwest account managers who issue all of their telecommunication service orders,
21 additions, changes, etc. These customers have frequent, often daily, communication with their
22 Qwest account manager. In addition, Qwest account teams meet regularly with the customer to
23 review the customer's current telecommunications services, to discuss problems and provide for
24 additional communications needs. Due to the nature of a large business account, such meetings
25 generally affect a number of communications changes, resulting in far more service orders than for
26 a residential customer account. To issue a confirming notice every time a large business customer

1 makes a material change in service will be extremely burdensome and confusing for the large
2 business customer.

3 In addition, Qwest respectfully requests a permanent waiver of WAC 480-120-104 (1) (b)
4 which requires minimum and maximum rate band information in Welcome/confirming notices
5 when service is provided under a banded rate structure. Banded rate minimum and maximum
6 rates are is not programmed into Qwest's billing databases today, only the current banded rate is
7 available. Banded rate minimum and maximum rates are only reflected in Qwest's tariff or price
8 list with the related service(s). Further, in accordance with WAC 480-120-196 rates for banded
9 rate services cannot be changed without notice to each directly affected customer.

10 Finally, Qwest seeks a temporary waiver of WAC 480-120-104 (2) (b) for additional time
11 to comply with the rule by adding specific service rate elements into each residence and small
12 business customer's Welcome/confirmation letter. Qwest's systems are currently unable to
13 provide Welcome/confirming letters with specific rate information. Qwest must initially develop
14 system changes to allow for the real-time feed of product information that will include rates. This
15 information is not available today in the source file that we receive from the service order
16 processors that we use. In addition, working through our third party vendor that formats and
17 prints the customer letters, database programming modifications will need to be implemented and
18 thoroughly tested. To make such system modifications will take approximately 12 months to
19 implement.

20 **CONCLUSION**

21 The rates for any service, including banded rate services, cannot be increased without
22 customer notice. On every bill and customer notice is information informing Qwest customers of
23 their ability to get tariff and price list information which contains price information. Large
24 business customers will be aware of the charges for the services that they have ordered, as well as
25 the terms and conditions, by the constant communications they have with their designated Qwest
26 representative. Due to the relationship that the majority of large business customers have with

1 Qwest, confirmation letters are not essential or required.

2 Therefore, for these reasons and others outlined above, Qwest seeks a permanent waiver of
3 WAC 480-120-104 concerning all Welcome/confirming notices to large business customers, as
4 well as from providing minimum and maximum rate band information to residence and small
5 business customers. Qwest seeks a temporary waiver of WAC 480-120-104(2) (b) to July 1, 2004,
6 to implement system requirements to provide residence and small business specific rate
7 information in Welcome/confirming notices.

8 RESPECTFULLY SUBMITTED this 11th day of June, 2003.

9 QWEST CORPORATION

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