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2 **BEFORE THE**
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4 **WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

5 In the Matter of the Petition of)
6 TEL WEST COMMUNICATIONS, LLC) Docket No. UT - _____
7 For Designation as an Eligible Telecommunications Carrier) Petition of Tel West Communications,
8 Under 47 U.S.C. § 214(e)(2)) LLC For Designation as an Eligible
9) Telecommunications Carrier
10)

11 Tel West Communications, LLC (“Tel West”) hereby submits to the Commission this Petition for
12 Designation as an Eligible Telecommunications Carrier (“ETC”) pursuant to Section 214(e)(2) of
13 the Telecommunications Act of 1934, as amended (“Act”), 47 U.S.C. § 214(e)(2), and Section
14 54.201 of the rules of the Federal Communications Commission (“FCC”), 47 C.F.R. § 54.201.
15 Tel West requests that it be designated as eligible to receive all available support from the federal
16 Universal Service Fund (“USF”) including, but not limited to, support for low income consumers.
17 In support of its Petition, Tel West provides the following:

18 **I. Name and Address of Petitioner**

19 The name and address of Petitioner are Tel West Communications, LLC, 3701 S. Norfolk
20 Street, Suite 300, Seattle, WA 98118.

21 **II. Applicable Statutes and Rules**

22 The statutes and rules pertaining to this Petition are as follows: 47 U.S.C. §§ 153(44),
23 214(e), 253(b), and 254(d); C.F.R. §§ 51.5, 54.5, 54.101, 54.201, 54.207, and 54.307.

24 **III. Authorization and Service Area**

- 25 1. Tel West was granted authority to provide local exchange services by the Commission
26 in its order dated October 28, 1998, in Docket UT-981258;
2. Tel West is a telecommunications carrier as defined in 47 U.S.C. § 153(44) and 47
C.F.R. § 51.5, and for the purposes of Part 54 of the FCC’s rules. Tel West is

1 therefore considered a common carrier under the Act.

- 2 3. A telecommunications carrier may be designated as an ETC and receive universal
3 service support through its designated service area if it agrees to a) offer services that
4 are supported by federal universal support mechanisms, and b) advertise the availability
5 of such services [(47 U.S.C. § 214(e)1)].
- 6 4. Section 214(e)(2) of the Act provides that ETC designations shall be made for a
7 “service area” designated by the state commission. Accordingly, Tel West requests
8 designation as its service area the wire centers of Qwest, Sprint and Verizon, which are
9 the incumbent local exchange carriers (“ILECs”) with whom Tel West has resale and
10 interconnection agreements in the state of Washington.

11 **IV. Tel West Offers the Services to Qualify for Federal USF Support**

- 12 1. Section 214(e)(1) of the Act and Section 54.201(d) of the FCC’s rules provide that
13 carriers designated as ETCs shall, throughout their service areas, a) offer the services
14 that are supported by federal universal service support mechanisms, either using their
15 own facilities or a combination of their own facilities and resale of another carrier’s
16 services, and b) advertise the availability of such services and the charges therefore
17 using media of general distribution. The services supported by the federal USF are
18 [(47 C.F.R. § 54.101(a)] are:

- 19 (a) Voice grade access to the public switched network
20 (b) Local usage
21 (c) Dual tone multi-frequency signaling or its functional equivalent
22 (d) Single party service or its functional equivalent
23 (e) Access to emergency services
24 (f) Access to operator services
25 (g) Access to interexchange services
26 (h) Access to directory assistance
(i) Toll limitation for qualifying low-income consumers

2. Tel West provides all of these supported services through a combination of resold
ILEC services, Unbundled Network Elements (“UNEs”) obtained from the ILECs [47

1 C.F.R. § 54.201(f)], and/or its own facilities throughout its service area, and therefore
2 satisfies the requirements of Section 214(e)(1) of the Act. Description of each of these
3 services follows:

4 (a) Voice Grade Access: Tel West provides voice grade access (300 – 3,000
5 Hz) to the public switched network either through resale and/or
6 interconnection arrangements with the ILECs, or through its own facilities.

7 (b) Local Usage: Tel West will comply with any and all minimum local usage
8 requirements when or if adopted by the FCC.

9 (c) DTMF Signaling: In the case of resold services of ILECs, signaling is
10 provided by the ILECs from whom Tel West obtains its resold services. In
11 the provision of service via UNEs or its own facilities, Tel West uses DTMF-
12 compliant network signaling throughout its service area.

13 (d) Single Party Service: Tel West provides only single party service throughout
14 its service area.

15 (e) Access to Emergency Services: Tel West provides access to emergency
16 services throughout its service area.

17 (f) Access to Operator Services: Tel West provides access to operator
18 services throughout its service area.

19 (g) Access to Directory Assistance: Tel West provides access to directory
20 assistance service throughout its service area.

21 (h) Toll Limitation: Tel West has, or has access to, toll blocking capabilities
22 which will provide toll blocking service for Lifeline customers.

23 3. Pursuant to Section 54.201 of the FCC's rules, Tel West will advertise the availability
24 of each of the supported services detailed above, throughout its service area, by media
25 of general distribution.

26 **V. Statement of Need**

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Tel West currently provides significantly discounted local telephone service to over 6,600 low income consumers in Washington via the Washington Telephone Assistance Plan (WTAP). Designation as an ETC will allow Tel West to provide additional discounts of certain federal surcharges, will allow Tel West to expand its service offerings to include LifeLine and Link Up, which are federal USF programs, and to file claims with the federal USF administrators. With ETC designation, Tel West will also be able to offer services to tribal areas and receive appropriate compensation from the federal USF.

VI. Granting Tel West’s Petition Would Serve the Public Interest

Granting of Tel West’s Petition for Designation as an ETC would serve the public interest by promoting competition among service providers of local exchange services to low income consumers. Without support from the federal USF, Tel West is unable to offer such programs as LifeLine, Link Up, and services to tribal areas, thus reducing the choices low income consumers have for providers of such services.

WHEREFORE, pursuant to Section 214(e)(2) of the Act, Tel West respectfully requests that the Commission enter an order designating Tel West as an Eligible Telecommunications Carrier.

Respectfully submitted this 23rd day of April, 2003.

By: _____
Jeff Swickard
President