

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PETITION FOR EXEMPTION OF
PORTIONS OF WAC 480-120-263,
PAYPHONE SERVICE PROVIDERS,
AND WAC 480-120-450

Docket No. UT-_____

QWEST CORPORATION'S
PETITION FOR EXEMPTION

1 Pursuant to WAC 480-120-015, Qwest Corporation (“Qwest”) hereby petitions the Commission for an exemption from certain provisions of WAC 480-120-263 and WAC 480-120-450(1)(c) as those provisions pertain to 911-related calls from Qwest payphones at Western State Hospital in Tacoma, Washington. Qwest respectfully requests that the Commission expedite its consideration of this matter.

RULES

2 WAC 480-120-263 became effective on July 1, 2003. It contains requirements for Payphone Service Providers (“PSPs”) who own or operate or provide payphone services in Washington. As adopted, WAC 480-120-263 subsections (3) and (5) read, in pertinent part, as follows:

(3) Access. At no charge to the calling party, pay phones must provide access to:

(a) Dial tone;

(b) Emergency services by dialing 911 without the use of a coin or entering charge codes;

(5) Operation and functionality. In addition: [***]

(c) Where enhanced 911 is operational, the address displayed to the public safety answering point (PSAP) must be that of the phone instrument if different from the public access line demarcation point and the phone number must be that of the pay phone. To comply with this subsection, PSPs must provide an emergency response location (ERL) to the LEC supplying the PAL within two working days of establishing the location, or changed location, of the phone instrument. The ERL must provide sufficient information to aid emergency personnel in the rapid location of the phone instrument, e.g., building floor number, compass quadrant (e.g., northeast corner), and room number.

(d) Extension telephones may be connected to a PAL only for the purpose of monitoring emergency use. The pay phone must be clearly labeled to indicate that "911 calls are monitored locally." An extension phone must be activated only when 911 is dialed from the pay phone, and must be equipped with a "push to talk" switch or other mechanism to prevent inadvertent interruption of the caller's conversation with the PSAP.

WAC 480-120-450(1)(c) provides, in pertinent part, as follows:

(1) Local exchange companies (LECs) must provide enhanced 9-1-1 (E911) services including:

(c) For pay phones served by pay phone access lines (PALs) the ability for customers to dial 911 with the call and the ELIN transmitted to the E911 selective router serving the location of the ERL for that line. The ELIN must be that of the pay phone.

DISCUSSION

3 On January 22, 2004, Qwest filed a petition seeking an exemption of WAC 480-120-263(3) and (5) and WAC 480-120-450(1)(c) and seeking permission to conduct a 60-day trial on three Qwest payphones located at Western State Hospital. This trial was requested to test an Emergency Quick Access key solution due to the high volume of non-emergency, false alarm payphone calls being placed by patients in the hospital to the Pierce County 911 Center. On February 11, 2004, the Commission granted Qwest the exemption to conduct this limited 60-day trial.¹

¹ *Docket No. UT-040096, Order No. 1.*

- 4 By this petition, Qwest requests an exemption of WAC 480-120-263(3) and (5) and WAC 480-120-450(1)(c) to utilize the Emergency Quick Access key solution on all Qwest payphones located in wards within Western State Hospital. This exemption will allow Qwest to implement the Quick Access Key solution on all Qwest payphones located in the hospital while working through transitional issues with FSH Communications, LLC, the new owner of Qwest's payphone division as of August 23, 2004. Qwest assumes that FSH will seek its own exemption once the transaction is complete, as Qwest will no longer have an obligation under the relevant rules with regard to the payphones.
- 5 Qwest conducted a successful 60-day trial from February 11, 2004 through April 11, 2004, testing the Emergency Quick Access key solution on three payphones in two of Western State Hospital's most problematic wards. During the trial, there were no emergency calls directed to the hospital's Communications Center from the Quick Access "emergency" button. During the trial, the hospital (through its PBX system) placed 189 legitimate 911 calls. During the same time, there were 262 false calls placed by patients from payphones located elsewhere in the hospital on phones not involved in the trial.
- 6 The Quick Key solution blocks outgoing 911 calls from designated payphones which utilize one of the Quick Access keys to access the hospital's Communications Center for emergency situations. Patients and authorized visitors with emergency calling needs are directed to the Quick Access key by bright red "emergency" lettering. The emergency key is directly connected to the hospital's Communications Center. Caller ID information (the payphone number) is provided by the PBX. Based on the payphone number, Communications Center personnel can locate the ward that originates an emergency call and take appropriate action to deal with the emergency situation.

- 7 Western State Hospital staff has access to 911 at all times, including those areas where payphones will have the screened Quick Access key access to 911. Wards are staffed 24 hours a day, 7 days a week with two or more direct care staff. There are three or four phones in the central nurse's station on each ward and a phone in each individual on-ward office space. All of these phones are non-payphones and 911 capable.
- 8 WAC 480-120-015 provides that the Commission may grant an exemption from the provisions of a rule in Chapter WAC 480-120 if such is "consistent with the public interest, the purposes underlying regulation, and applicable statutes." Qwest submits that, given the success of its 60-day trial and the elimination of taxing false alarm 911 calls, the exemption requested is squarely in the public interest and consistent with the all applicable regulations and statutes.

CONCLUSION

- 9 Due to ongoing problems with high volumes of non-emergency and false alarm payphone calls being placed by patients at Western State Hospital to 911 and due to the success of the recent 60-day trial, the Commission should grant Qwest an exemption of WAC 480-120-263(3) and (5) and WAC 480-120-450(1)(c) to implement the Quick Access key solution on all Qwest payphones located at Western State Hospital.

DATED this 1st day of July, 2004.

QWEST

Lisa A. Anderl, WSBA #13236
Adam L. Sherr, WSBA #25291
1600 7th Avenue, Room 3206
Seattle, WA 98191
Phone: (206) 398-2500