

STAFF INVESTIGATION

WTI, LLC

Docket UT-080455

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December 2008**

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PURPOSE, SCOPE, AND AUTHORITY

Purpose

The purpose of Docket UT-080455 is an investigation into WTI, LLC's (WTI) cessation of dial-tone service by the staff of the Washington Utilities and Transportation Commission (commission).

Scope

The scope of the investigation focuses on whether WTI provided proper notice to its customers and the commission when the company discontinued dial-tone service and whether WTI responded to commission-referred complaints in accordance with the rules.

Authority

Staff undertakes this investigation under the authority of the Revised Code of Washington (RCW) 80.01.040, which directs the commission to regulate telecommunications companies in the public interest, and to adopt such rules and regulations as may be necessary to do so. The commission has adopted such rules in Washington Administrative Code (WAC) 480-120-083, which sets requirements for companies that cease the provision of any telecommunications service in all or any portion of the state and WAC 480-120-166, which sets requirements for companies responding to customer complaints. In addition, RCW 80.04.070 makes it clear that the commission is authorized to conduct such an investigation and RCW 80.04.380 provides for penalties for violations by public service companies and officers, agents, and employees thereof.¹

¹ See referenced laws and rules at Appendix A.

EXECUTIVE SUMMARY

The commission's Compliance Investigations staff investigated WTI's actions as it pertains to its cessation of dial-tone service to its customers.

Based on the information obtained in this investigation, staff finds that WTI, LLC, violated WAC 480-120-083 by failing to provide the commission notice under WAC 480-120-083 when it ceased providing dial-tone service in the state of Washington. In addition, staff finds that WTI violated WAC 480-120-166(6) in 53 instances by failing to respond to commission-referred service-affecting complaints timely.

Staff recommends the commission issue a \$73,000 penalty to WTI, LLC, as provided under RCW 80.04.380, \$53,000 for 53 violations of WAC 480-120-166(6) and \$20,000 for 20 violations of various provisions of WAC 480-120-083, 18 recorded in individual consumer complaints and an additional two recorded in this investigation for failure to provide proper notice to the commission when it ceased providing service in both Qwest and Verizon's service territory.

Total recommended penalties: \$73,000

BACKGROUND

Company Information

This investigation was prompted by WTI's cessation of dial-tone service to some of its Washington customers in February 2008. WTI is a competitively classified telecommunications carrier authorized to provide local and long distance services, as well as debit and data services, in the state of Washington. The company's registration does not authorize it to provide operator services or payphone services.

WTI petitioned the commission for registration as a competitive telecommunications company on July 22, 2005. The petition was filed in the name of WTI, LLC, doing business as Marathon Communications. The company's mailing address is 22722 29th Drive Southeast, #120, Bothell, Washington, 98021. Gary Keister, Robert Manning and Bob Baur were listed in the spaces provided on the registration application for the officers or directors of the company. All three had a title of "Manager²." The registration was granted by the commission on August 19, 2005, under Docket UT-051136.

On September 30, 2005, in Docket UT-051486, WTI requested removal of its trade name, Marathon Communications, citing the confusion of having multiple trade names and only one showing on its registration certificate from the commission. The removal of the trade name was allowed to become effective on October 12, 2005.

On May 3, 2007, WTI filed its 2006 annual report. It reported \$499,536 in intrastate revenue and paid \$949.07 in regulatory fees. However, on page two of the 2006 annual report, WTI stated it provided operator services at a call aggregator location (such as at a pay phone) and that it did not provide local exchange services in Washington. A review of WTI's 2005 annual report received on May 3, 2006, reflected the same, the company stated it provided operator services at a call aggregator location and did not provide local exchange services in Washington.

WTI's Web site (www.wtillc.com) indicates the company "offers a full suite of telecommunications products and services, including: local voice, long distance, high-speed internet, VoIP, calling cards, toll-free, and T1 services."

Prior Enforcement Activity

On May 4, 2007, the commission penalized WTI \$7,600 for 76 violations of WAC 480-120-166. Despite receiving technical assistance from Consumer Protection staff on numerous occasions between December 2006 and April 2007, WTI failed to respond in accordance with the rules in five consumer complaints. WTI requested mitigation of the penalty, from \$7,600 to \$3,800. WTI argued that it did not attend to correspondence from the commission because it faced a difficult business situation in the preceding weeks. The commission received WTI's request for mitigation 12 days after the statutory deadline for such petitions had expired. On June 26, 2007, the commission denied mitigation based upon the untimely filing of the petition and WTI was ordered to pay the \$7,600 penalty immediately. The commission received WTI's payment in full on July 2, 2007.

² Copy of registration application at Appendix B.

WTI Affiliate

In April 2006, the commission issued a \$16,300 penalty assessment for violations of WAC 480-120-166 to Marathon Communications, Inc. (Marathon), a then-registered telecommunications provider. Marathon did not pay the penalty assessment and in September 2006 notified the commission it had transferred all of its customers to another telecommunications provider, closed its bank accounts and shut down its business in April 2006. Marathon stated it followed the proper notification process, however, the commission did not receive prior notification of the cessation of services in accordance with WAC 480-120-083. The \$16,300 penalty assessment was written off by the commission as uncollectable in January 2007.

Upon further investigation of Marathon in September 2006, it was discovered that another registered telecommunications company, WTI, had the exact same address and telephone numbers as Marathon. In addition, company contacts for Marathon were the same contacts as for WTI. Consumer complaints for Marathon were passed to Lisa Rucks at lrucks@marathon.net. After Marathon notified the commission that it had ceased operating, consumer complaints for WTI were passed to Ms. Rucks at lrucks@wtillc.com. There were no consumer complaints filed against WTI prior to December 2006.

Electronic communications regarding staff's investigation of Marathon and the subsequent \$16,300 penalty assessment, between Ms. Rucks and Compliance Investigations' staff were often copied by Ms. Rucks to Andy Wilson and Robert Manning, both at an e-mail address of "...@wtillc.com." Robert Manning is listed as WTI, LLC's CEO on its 2005 and 2006 annual reports.

Based upon the information presented above, staff believed that Marathon customers were transferred to WTI and that Marathon and WTI were affiliated. Further, staff believes it is likely that Marathon has continued to provide telecommunications services in Washington state.

On April 10, 2008, a Washington consumer filed a complaint against World Communications, Inc. (WCI) (a company unrelated to this investigation). The consumer alleged that WCI slammed his local long distance and long distance services away from his preferred provider, Marathon. The consumer provided the commission with a copy of his September 10, 2007, Verizon bill statement which demonstrated long distance services being switched from WCI back to Marathon on August 29, 2007, more than a year after Marathon claimed it ceased providing telecommunications services in Washington³.

³ See a copy of the consumer September 10, 2007, bill statement at Appendix C.

INVESTIGATION

Consumer Complaints

The commission's Consumer Protection office was contacted on January 10, 2008, by a WTI customer stating he received an automated call on January 9, 2008, which informed him WTI would no longer provide dial-tone in one week's time (consumer complaint 102458). The customer received confirmation of that information on January 10, 2008, when he spoke directly with a WTI representative. The customer told Consumer Protection staff that he received no notice prior to the automated phone call regarding the cessation of service.

Consumer Protection staff Nancy Paulson passed consumer complaint 102458 to WTI complaint contact Susan Hunich on January 10, 2008. Marcos Melendez of WTI responded to Ms. Paulson that same day, stating he was looking into the situation and would get back to her with the supporting documentation. In accordance with WAC 480-120-166(6), WTI's response to the service-affecting complaint was due by close of business on January 14, 2008.

On January 15, 2008, having received no further information from Mr. Melendez, Ms. Paulson sent another e-mail to Mr. Melendez requesting an update on his investigation of the complaint and notifying him she would be recording daily violations until his response was received. On January 16, 2008, Mr. Melendez responded, stating he would have some documentation sent to her. Ms. Paulson did not receive the promised information.

On January 22, 2008, Susan Hunich provided Ms. Paulson with the notice that was sent to WTI customers⁴. The notice is dated the same day the consumer filed his complaint, January 10, 2008. The notice states WTI will cease offering local dial-tone service to its customers as of February 10, 2008. Staff recorded two violations of WAC 480-120-166(6) in complaint 102458.

Six more complaints were filed against WTI in February 2008. In all six complaints, the customers' dial-tone service was disconnected. All six customers alleged they received no prior notice of the discontinuance of service. In those six complaints, WTI failed to provide its initial response to the service-affecting complaints in accordance with WAC 480-120-166(6)⁵.

In March 2008, the commission received two more complaints, only one of which WTI responded to timely. That complaint (complaint 100307 filed on March 6, 2008), although service-affecting, regarded WTI's long distance service and not its discontinued dial-tone service. WTI's initial response was due by 5:00 pm on March 10, 2008. The response was received the day after the complaint was filed, on March 7, 2008. No violations were recorded.

The second service-affecting complaint filed in March against WTI (complaint 103037) was received on March 11, 2008, and regarded WTI's dial-tone service. The customer alleged their dial-tone service was disconnected without prior notice from the company. Further, the customer alleged four attempts were made to contact WTI, however, all requests to return his call were ignored. WTI again failed to respond to the service-affecting complaint in accordance with WAC 480-120-166(6). WTI's initial response was due by 5:00 pm on March 13, 2008. On March 17, 2008, Consumer Protection staff Dennis Shutler notified WTI that he was recording daily

⁴ See copy of January 10, 2008, customer notice at Appendix D.

⁵ See summary table of complaints and corresponding complaint records at Appendix E.

violations of WAC 480-120-166(6) until such time as an initial response to the complaint was received from WTI. Fred Rychard of WTI responded to the complaint on March 20, 2008. Five violations of WAC 480-120-166(6) were recorded for complaint 103037.

In summary, from January through March 2008, WTI failed to timely respond to eight commission-referred service-affecting complaints, committing a total of 53 violations of WAC 480-120-166(6).

Also, commission staff found that WTI failed to provide to customers associated with complaints filed from January through March 2008, proper notice of cessation of telephone service in compliance with commission rules. Staff found, and recorded, eight violations of WAC 480-120-083(2)(c), three violations of WAC 480-120-083(4)(c), and seven violations of WAC 480-120-083(4)(d).⁶

Staff Contact with WTI

On January 23, 2008, Sharyn Bate, a Regulatory Analyst with the commission's telecommunications section, received an e-mail inquiry from John Cupp of the commission's Consumer Protection Office. Mr. Cupp inquired if the commission had received notice regarding WTI's cessation of dial-tone service. Ms. Bate began her investigation by checking the commission's Records Management System to determine whether WTI had noticed the commission in accordance with WAC 480-120-083. Ms. Bate found no such filing on behalf of WTI. Ms. Bate then attempted to contact Bob Baur, WTI's Chief Financial Officer, however, his voice mailbox was full and she was unable to leave a message for him. Ms. Bate next attempted to contact Christopher Gillen, WTI's Project Coordinator. Although Ms. Bate left a message on Mr. Gillen's voicemail asking that he return her call, she received no return call.

On January 24, 2008, Ms. Bate sent an e-mail to Christopher Gillen advising him of the requirements of WAC 480-120-083. The e-mail was returned "undeliverable."

On January 25, 2008, Ms. Bate spoke with Nancy Paulson of the commission's Consumer Protection Office. Ms. Bate inquired how Ms. Paulson had acquired a copy of the WTI notice regarding the cessation of dial-tone service that was sent to WTI customers. Ms. Paulson received the notice during her investigation of a consumer complaint against WTI. Susan Hunich provided Ms. Paulson with the notice as part of WTI's response to the complaint. Ms. Paulson provided Ms. Bate with Ms. Hunich's name and contact information. That same day Ms. Bate left a voicemail message for Ms. Hunich. In the message Ms. Bate explained that WTI is required to notify the commission of any cessation of services. Ms. Hunich returned the call and Ms. Bate again explained the requirements of WAC 480-120-083. Ms. Bate spoke with Ms. Hunich at length stressing that WTI was not in compliance with the rule. Ms. Hunich told Ms. Bate that she would inform WTI's owner. As the affected WTI customers were in Qwest's service territory, Ms. Bate attempted to contact Mark Reynolds, regulatory contact for Qwest, leaving a voicemail message for him as well.

On January 28, 2008, Ms. Bate again left a voicemail message for Ms. Hunich. Ms. Hunich did not return that call. Ms. Bate then spoke with Mr. Reynolds of Qwest, discussing calls Qwest was receiving from WTI customers asking for a transfer of dial-tone service from WTI to Qwest.

⁶ See summary table of complaints and corresponding complaint records at Appendix E.

On January 29, 2008, Ms. Bate again attempted to reach Ms. Hunich without success. Ms. Bate also attempted to contact WTI using its customer service line. After remaining on hold for more than 15 minutes, Ms. Bate disconnected the call.

On January 30, 2008, Mr. Reynolds advised Ms. Bate that Qwest would honor the February 10, 2008, disconnection date printed on WTI's customer notice, and would then be disconnecting WTI's service. Mr. Reynolds informed Ms. Bate that WTI owed Qwest hundreds of thousands of dollars that he felt would never be recovered. He also informed Ms. Bate that 100 or so customers still remained with WTI.

On or about February 3, 2008, Mr. Reynolds informed Ms. Bate that Qwest had arranged for a toll-free number to assist in expediting WTI customers' migration to Qwest's service.

As of the date of this report, Ms. Bate has had no contact from WTI since her January 25, 2008, telephone conversation with Susan Hunich. In addition, WTI has failed to notify the commission that it ceased to provide dial-tone service in compliance with WAC 480-120-083.

On March 24, 2008, staff sent Robert Manning, WTI's CEO, an e-mail requesting information regarding the number of WTI customer's affected by its cessation of dial-tone service. In addition, staff asked for clarification of information provided on WTI's 2005 and 2006 annual reports, specifically why the annual reports indicate WTI does not provide dial-tone service yet WTI customers have been receiving dial-tone service.

On March 26, 2008, Trisha Smith, WTI Controller, responded to staff's inquiry⁷. Ms. Smith reported that, in Qwest's service territory:

- 451 WTI customers switched their dial-tone service back to Qwest.
- 68 WTI customers went with another provider of their choice.
- Eight WTI customers cancelled service, either switching to another provider or deciding to use cell phones exclusively.
- 23 WTI customers were not contacted by WTI, due to the customer either not having voicemail service or having not returned WTI's calls.
- 55 WTI customers, that WTI was unaware of, lost dial-tone service and were then assisted by WTI in getting their dial-tone service restored with Qwest.

Commission staff clarified with Ms. Smith as to the meaning of WTI being "unaware" of 55 customers. Ms. Smith stated that some of the 55 WTI customers were coded as service levels other than local resale in its billing system and so they did not turn up in a printout of the affected customers. In addition, some were on its reseller account but did not have WTI accounts, and some had left WTI and transferred their service back to Qwest but had remained on WTI's account with Qwest.

In Verizon Northwest, Inc.'s (Verizon) territory, Ms. Smith reported WTI would cease providing dial-tone service to 159 customers. That cessation was scheduled for April 15, 2008.

⁷ See copy of e-mail correspondence between commission staff and Ms. Smith at Appendix F.

Regarding information provided on WTI's 2005 and 2006 annual reports, Ms. Smith reported that it appears there may have been confusion regarding how WTI should have answered the question about providing dial-tone service. Ms. Smith stated that WTI customers billed for dial-tone service are not provided that dial-tone service off of a WTI switch, instead they are resold Qwest and Verizon dial-tone service. WTI interpreted that to mean, for the purpose of the annual report, that it did not provide dial-tone service.

Qwest Corporation

On March 4, 2008, commission staff sent an e-mail inquiry to Steve Oxnevad in the Executive Offices of Qwest Corporation (Qwest) regarding WTI. The inquiry referenced information provided by Mr. Oxnevad on January 31, 2008, to Consumer Protection staff Roger Kouchi for complaint 102616. Mr. Oxnevad provided information to Mr. Kouchi on an inquiry basis (meaning information was sought from Qwest regarding a WTI complaint as Qwest was the underlying carrier for WTI's dial-tone service). Mr. Oxnevad stated that Qwest had begun the process of formal disconnection of Marathon for non-payment. Mr. Oxnevad stated that the disconnection date had been extended to February 11, 2008, so Marathon end users would have time to arrange for a new provider.

Staff's March 4, 2008, e-mail to Mr. Oxnevad asked that he provide the complete name for "Marathon." Mr. Oxnevad stated he believed Qwest was dealing with Marathon Communications, Inc., based somewhere in the Seattle area. Mr. Oxnevad stated that Qwest regulatory staff had advised him that the non-pay disconnect date was to be February 11, 2008, however, he believed it did not physically happen until February 26, 2008. Mr. Oxnevad went on to say that Qwest regulatory staff advised him that WTI appeared to be a holding company of some sort, offering telecommunications services such as long distance, whereas Marathon is a local service provider.

Verizon Northwest Inc.

On March 14, 2008, in an e-mail sent to Suzanne Stillwell, Supervisor, Consumer Protection, and copied to Susan Hunich and Marcos Melendez of WTI, Fred Rychard of WTI provided a copy of the March 13, 2008, notice mailed to WTI customers in Verizon's territory notifying those customers of WTI's intent to cease providing dial-tone service as of April 15, 2008⁸. Mr. Rychard's e-mail to Ms. Stillwell stated he believed WTI sent out about 150 of the notices. Ms. Stillwell inquired if WTI had sent the letter to the commission in accordance with WAC 480-120-083(2)(a). Mr. Rychard responded that he would have to check and asked, since WTI was "simply reselling Verizon dial tone" which part of WAC 480-120-083 applied. Ms. Stillwell responded that WTI is operating as a telecommunications company, and therefore the rule applies to WTI since the company is ceasing services in portions of the state. Ms. Stillwell went on to say that several sections of the rule would apply to the situation.

Although WTI provided Ms. Stillwell a copy of its March 13, 2008, notice to its customers in Verizon's territory, the notice did not meet the requirements of WAC 480-120-083(3). The notice did not provide the number of customers for each telecommunications service and their location, described by exchange or by city and county for each telecommunications service ceased.

⁸ See copy of March 13, 2008, customer notice at Appendix G.

(3) The notice to the commission and the state 911 program required in subsections (2)(a) and (b) must include:

- (a) The name of the exiting telecommunications company;
- (b) For each category of service, the date each telecommunications service will cease; and
- (c) The number of customers for each telecommunications service and their location, described by exchange or by city and county for each telecommunications service being ceased.

At the time of this report, the commission had not been contacted by any WTI customers in Verizon's service territory, nor has WTI appropriately notified the commission in accordance with WAC 480-120-083(3) that it is ceasing or has ceased to provide dial-tone services in Washington.

Violations of Commission Rules

Commission staff believes that WTI committed 53 violations of WAC 480-120-166(6) by failing to report the results of its investigation of service-affecting informal complaints to commission staff within two business days from the date commission staff passed the complaints to the company. In addition, this investigation finds that WTI violated provisions of WAC 480-120-083 by failing to properly notify customers and the commission that it was ceasing to provide telecommunication service, as follows:

- One violation of WAC 480-120-083(2)(a)
- Eight violations of WAC 480-120-083(2)(c)⁹
- One violation of WAC 480-120-083(4)(c)
- Three violations of WAC 480-120-083(4)(c)¹⁰
- Seven violations of WAC 480-120-083(4)(d)¹¹

⁹ See summary table at Appendix E.

¹⁰ *Id.*

¹¹ *Id.*

CONCLUSIONS

Based on the information obtained in this investigation, staff believes that Marathon continued to operate after informing the commission in 2006 that it had ceased operating its business and after voluntarily canceling its telecommunications registration. Further, staff believes Marathon was providing dial-tone services for which WTI then billed the customer, giving the appearance that services were in fact provided by WTI. This is based upon information obtained from Qwest which stated it was disconnecting its customer Marathon for non-payment. That disconnection of service resulted in WTI's customers losing dial-tone. This belief is further backed up by WTI's 2005 and 2006 annual reports which state WTI does not provide dial-tone services in Washington, and Marathon being the preferred provider for a Washington customer's local and long distance service more than a year after Marathon told the commission it had ceased doing business in Washington.

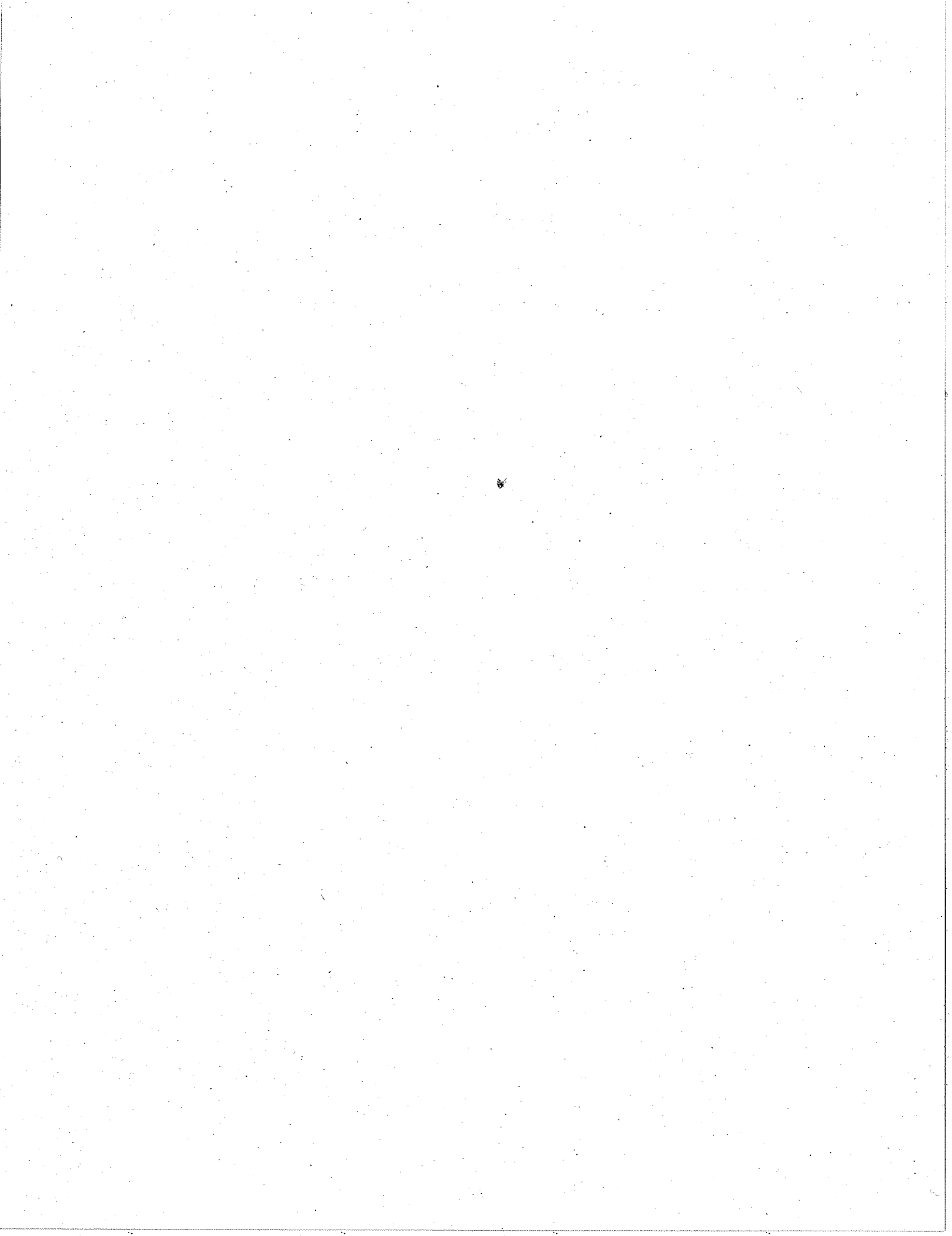
Staff believes WTI did not give many customers written notice of cessation of service at least thirty days in advance as required by WAC 480-120-083(2)(c). In addition, staff believes that WTI did not give proper notice to its customers under WAC 480-120-083(4) as the notice did not provide information on how customers could obtain a refund on prepaid unused services. WTI did not provide the required second written notice or a telephone notice within the required time-frame. In addition, WTI did not provide proper notice to the commission that it was ceasing to provide dial-tone services to its customers in compliance with WAC 480-120-083(2)(a) and WAC 480-120-083(3). Further, staff believes WTI knowingly violated WAC 480-120-083 because commission staff spoke with WTI, provided it a copy of the rule and still WTI did not provide proper notice of the cessation of dial-tone service to the commission.

Finally, staff also believes WTI failed to respond to commission-referred service-affecting complaints regarding its dial-tone service, accruing 53 violations of WAC 480-120-166(6), fully aware it was in violation. This belief is demonstrated by WTI's willingness to respond timely to a non-dial-tone complaint in the midst of its suspected purposeful non-response to dial-tone complaints.

Recommendations

WTI, LLC is subject to penalties of up to \$1,000 for each and every violation of commission rules, as provided by RCW 80.04.380. Staff recommends the commission issue a complaint and penalize WTI, LLC, \$1,000 for each of the 53 violations of WAC 480-120-166(6). In addition, staff recommends the commission penalize WTI, LLC, \$1,000 for each of the 20 violations of WAC 480-120-083. In addition to the 18 violations recorded in the consumer complaints where WTI failed to provide its customers proper notice of disconnection of dial-tone, staff finds WTI failed to provide proper notice to the commission for cessation of service in both Qwest and Verizon territories, an additional two violations of the rule. The total recommended penalty is \$73,000.

Total recommended penalties: \$73,000



APPENDIX A

RCW 80.01.040

General powers and duties of commission.

The utilities and transportation commission shall:

(1) Exercise all the powers and perform all the duties prescribed therefor by this title and by Title 81 RCW, or by any other law.

(2) Regulate in the public interest, as provided by the public service laws, the rates, services, facilities, and practices of all persons engaging in the transportation by whatever means of persons or property within this state for compensation, and related activities; including, but not limited to, air transportation companies, auto transportation companies, express companies, freight and freight line companies, motor freight companies, motor transportation agents, private car companies, railway companies, sleeping car companies, steamboat companies, street railway companies, toll bridge companies, storage warehousemen, and wharfingers and warehousemen.

(3) Regulate in the public interest, as provided by the public service laws, the rates, services, facilities, and practices of all persons engaging within this state in the business of supplying any utility service or commodity to the public for compensation, and related activities; including, but not limited to, electrical companies, gas companies, irrigation companies, telecommunications companies, and water companies.

(4) Make such rules and regulations as may be necessary to carry out its other powers and duties.

[1985 c 450 § 10; 1961 c 14 § 80.01.040. Prior: (i) 1949 c 117 § 3; Rem. Supp. 1949 § 10964-115-3. (ii) 1945 c 267 § 5; Rem. Supp. 1945 § 10459-5. (iii) 1945 c 267 § 6; Rem. Supp. 1945 § 10459-6. Formerly RCW 43.53.050.]

WAC 480-120-083

Cessation of telecommunications services.

(1) This rule applies to any telecommunications company that ceases the provision of any telecommunications service in all or any portion of the state (exiting telecommunications company). This rule does not apply to:

(a) Services offered by tariff that are subject to the statutory notice requirements of RCW 80.36.110 (Tariff Changes – Statutory Notice – Exception);

(b) Discontinuance of service to an individual customer in compliance with WAC 480-120-172 (Discontinuing service -- Company initiated);

(c) Cessation of a service when the provider replaces the terminated service with comparable service without interruption. For example, the notice requirements of this rule do not apply when a local exchange carrier (LEC) providing Centrex-type service with one group of features replaces that service, without interruption, with a version of Centrex-type service that has a different group of features; and

(d) A service being discontinued that has no subscribers.

Changes in customers' service providers for local exchange and intrastate toll services when there is a cessation of service are also subject to WAC 480-120-147 (Changes in local exchange and intrastate toll services).

(2) No telecommunications company may cease the provision of any telecommunications service in all or any portion of the state unless it first provides written notice to the following persons at least 30 days in advance of cessation of service:

(a) The commission;

(b) The state 911 program, in the instance of local exchange service, private branch exchange service (PBX), Centrex-type service, or private line service used in the provision of emergency services related to the state 911 program;

(c) Each of its customers, including customers that are telecommunications companies;

(d) Incumbent local exchange carriers (ILECs) providing the exiting telecommunications company with unbundled network elements (UNEs) pursuant to the Telecommunications Act of 1996, 47 U.S.C. Section 151 *et seq.*, if UNEs or combinations of UNEs are part of a telecommunications service provided to some or all of the exiting telecommunications company's customers;

(e) Each telecommunications company providing the exiting telecommunications company with resold telecommunications service, if resold service is part of a telecommunications service provided

to some or all of the exiting telecommunications company's customers;

(f) The national number administrator authorizing the release of all assigned telephone numbers to other telecommunications companies and releasing all unassigned telephone numbers to the number administrator.

(3) The notice to the commission and the state 911 program required in subsections (2)(a) and (b) must include:

(a) The name of the exiting telecommunications company;

(b) For each category of service, the date each telecommunications service will cease; and

(c) The number of customers for each telecommunications service and their location, described by exchange or by city and county for each telecommunications service being ceased.

(4) The notice to customers required in subsection (2)(c) must include:

(a) The date telecommunications service will cease;

(b) Information on how to contact the exiting telecommunications company by telephone in order to obtain information needed to establish service with another provider;

(c) An explanation of how customers may receive a refund on any unused service. The exiting telecommunications company must provide information to consumers via its customer service number outlining the procedure for obtaining refunds and continue to provide this information for sixty days after the date of cessation of service.

(d) A second notice provided by one of the two options listed below:

(i) Between ten and thirty days before cessation of service, the exiting telecommunications company must complete one direct call advising every customer of the cessation of service, including the date of cessation of service and a number to call for more information, if necessary. A direct call means a call in which the company leaves a recorded voice message for or speaks directly to the responsible party or its agent on the billing account; or

(ii) At least ten days before cessation of service, the exiting telecommunications company must provide a second written notice of cessation of service including the date of cessation of service and a number to call for more information, if necessary;

(e) A company may seek the commission's assistance in drafting the customer notices.

(5) The notice to ILECs required in subsection (2)(d) must include:

(a) The date telecommunications service will cease;

(b) Identification of the UNE components in relationship to the service information provided to the customer when such information differs from the ILEC's identification information as billed to

the exiting telecommunications company. For example, if the ILEC identifies a UNE loop with a circuit identification number, the exiting telecommunications company must provide the ILEC with the customer telephone number assigned to the ILEC's UNE loop circuit identification number; and

(c) The telephone contact information to enable the ILEC or new provider to obtain UNE service and circuit identification information needed to establish service for a customer who will no longer receive service from the exiting telecommunications company.

(6) The notice to suppliers required in subsection (2)(e) must include:

(a) The date telecommunications service will cease;

(b) Identification of the resold service element components in relationship to the service information provided to the customer, when such information differs from the supplier's identification information as billed to the exiting telecommunications company; and

(c) Telephone contact information to enable the regulated supplier or new provider to obtain underlying service and circuit identification information needed to establish comparable replacement service for a customer who will no longer receive service from the exiting telecommunications company.

(7) The notice to the national number administrator required in subsection (2)(f) must include:

(a) Identification of all working telephone numbers assigned to customers;

(b) Identification of all unassigned or administrative numbers available for reassignment to other providers and the date such unassigned telephone numbers will be available for reassignment; and

(c) Authorization of the release of each individual assigned customer's telephone number(s) to subsequent providers selected by the customer.

(8) ILECs and telecommunications companies that are suppliers under subsection (6) must provide the information in the required notice(s) (if received) to the subsequent provider upon a request authorized by the customer.

(9) A telecommunications company ceasing a local exchange service, a PBX service, a Centrex-type service, or a private line service used in the provision of emergency services related to the state 911 program must inform the commission and the state 911 program within twenty-four hours of the cessation of telecommunications service of the number of customers and their location, listed by exchange or by city and county, that remained as customers for the telecommunications service when service ceased.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. 03-22-046 (Docket No. A-030832, General Order No. R-509), § 480-120-083, filed 10/29/03, effective 11/29/03. Statutory Authority: RCW 80.04.160 and 80.01.040. 01-24-114 (General Order No. R-494, Docket No. UT-010558), § 480-120-083, filed 12/5/01, effective 1/5/02.]

WAC 480-120-166

Commission-referred complaints.

(1) Each company must keep a record of all complaints concerning service or rates for at least two years and, on request, make them readily available for commission review. The records must contain complainant's name and address, date and the nature of the complaint, action taken, and final result.

(2) Each company must have personnel available during regular business days to respond to commission staff.

(3) Applicants, customers, or their authorized representatives, may file with the commission an informal complaint as described in WAC 480-07-910 (Informal complaints) or a formal complaint against a company when there are alleged violations of statutes, administrative rules, or tariffs as provided by WAC 480-07-370 (Pleadings -- General).

(4) When the commission staff refers an informal complaint to a company, the company must:

(a) Stop any pending action involving the issues raised in the complaint provided any amounts not in dispute are paid when due (e.g., if the complaint involves a disconnect threat or collection action, the disconnect or collection must be stopped);

(b) Thoroughly investigate all issues raised in the complaint and provide a complete report of the results of its investigation to the commission, including, if applicable, information that demonstrates that the company's action was in compliance with commission rules; and

(c) Take corrective action, if warranted, as soon as appropriate under the circumstances.

(5) Commission staff will ask the customer filing the informal complaint whether the customer wishes to speak directly to the company during the course of the complaint, and will relay the customer's preference to the company at the time staff opens the complaint.

(6) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must report the results of its investigation of service-affecting informal complaints to commission staff within two business days from the date commission staff passes the complaint to the company. Service-affecting complaints include, but are not limited to, nonfunctioning or impaired services (i.e., disconnected services or those not functioning properly).

(7) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must report the results of its investigation of nonservice-affecting informal complaints to commission staff within five business days from the date commission staff passes the complaint to the company. Nonservice-affecting complaints include, but are not limited to, billing disputes and rate quotes.

(8) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must provide complete responses to requests from commission staff for additional information on pending informal complaints within three business days.

(9) The company must keep commission staff informed when relevant changes occur in what has been previously communicated to the commission and when there is final resolution of the informal complaint.

(10) An informal complaint opened with the company by commission staff may not be considered closed until commission staff informs the company that the complaint is closed.

[Statutory Authority: RCW 80.01.040 and 80.04.160, 05-03-031 (Docket No. UT 040015, General Order No. R-516), § 480-120-166, filed 1/10/05, effective 2/10/05; 03-24-028 (General Order R-510, Docket No. A-010648), § 480-120-166, filed 11/24/03, effective 1/1/04; 03-01-065 (Docket No. UT-990146, General Order No. R-507), § 480-120-166, filed 12/12/02, effective 7/1/03.]

RCW 80.04.070

Inspection of books, papers, and documents.

The commission and each commissioner, or any person employed by the commission, shall have the right, at any and all times, to inspect the accounts, books, papers and documents of any public service company, and the commission, or any commissioner, may examine under oath any officer, agent or employee of such public service company in relation thereto, and with reference to the affairs of such company: PROVIDED, That any person other than a commissioner who shall make any such demand shall produce his authority from the commission to make such inspection.

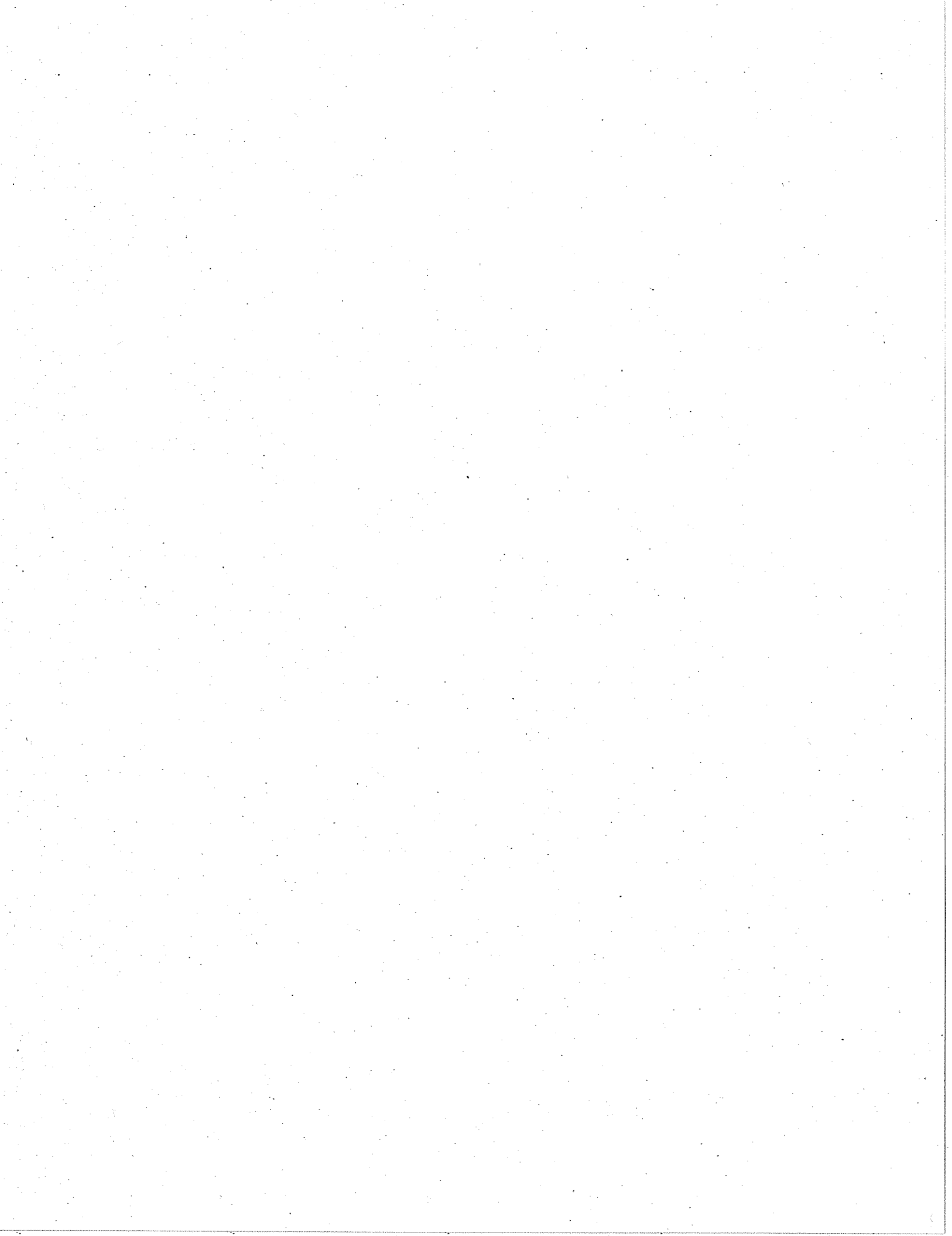
[1961 c 14 § 80.04.070. Prior: 1911 c 117 § 77; RRS § 10415.]

RCW 80.04.380

Penalties — Violations by public service companies.

Every public service company, and all officers, agents and employees of any public service company, shall obey, observe and comply with every order, rule, direction or requirement made by the commission under authority of this title, so long as the same shall be and remain in force. Any public service company which shall violate or fail to comply with any provision of this title, or which fails, omits or neglects to obey, observe or comply with any order, rule, or any direction, demand or requirement of the commission, shall be subject to a penalty of not to exceed the sum of one thousand dollars for each and every offense. Every violation of any such order, direction or requirement of this title shall be a separate and distinct offense, and in case of a continuing violation every day's continuance thereof shall be and be deemed to be a separate and distinct offense.

[1961 c 14 § 80.04.380. Prior: 1911 c 117 § 94; RRS § 10443. Formerly RCW 80.04.380, part. FORMER PART OF SECTION: 1911 c 117 § 96 now in RCW 80.04.387.]



APPENDIX B

UT-051136



**UTILITIES AND TRANSPORTATION
COMMISSION**

1300 South Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250

**REGISTRATION, COMPETITIVE CLASSIFICATION,
AND INITIAL PRICE LIST OF
TELECOMMUNICATIONS COMPANIES**

All telecommunications companies must register with the Washington Utilities and Transportation Commission (WUTC) prior to beginning operations in the state of Washington. Refer to the following: RCW 80.36, WAC 480-121, 480-80, and 480-120.

TOLL FREE 1-888-606-9566 / FAX 360-586-1150
TTY 360-586-8203 or 1-800-416-5289
Website: www.wutc.wa.gov

The WUTC has a policy of providing equal access to its services. To request this document in alternate formats, please call 360-664-1133.

- ◆ Complete the application and initial price list forms. You may submit these forms to records@wutc.wa.gov as an electronic attachment.
- ◆ WUTC will issue a registration certificate with an effective date 30 days from the date the complete application is received and approved.
- ◆ When a filing has been submitted electronically all subsequent filings must also be submitted electronically.

Telecommunications Company Information

Name: WTI, LLC d/b/a: Marathon Communications
Company Mailing Address: 22722 29th Dr SE #120
City/State/Zip: Bothell, WA 98021

Questions regarding this application should be directed to:

Name: Bob Baur
Phone Number: 425-949-0055 Fax Number: 425-415-8370 E-Mail: bbaur@marathon.net
Mailing Address: 22722 29th Dr. SE #120
City/State/Zip: Bothell, WA 98021

Registered Agent (A Washington Agent is required if the company is located outside Washington State):

Name:
Mailing Address:
City/State/Zip:

Name, address and title of each officer or director (attach separate documentation if additional space is needed) :

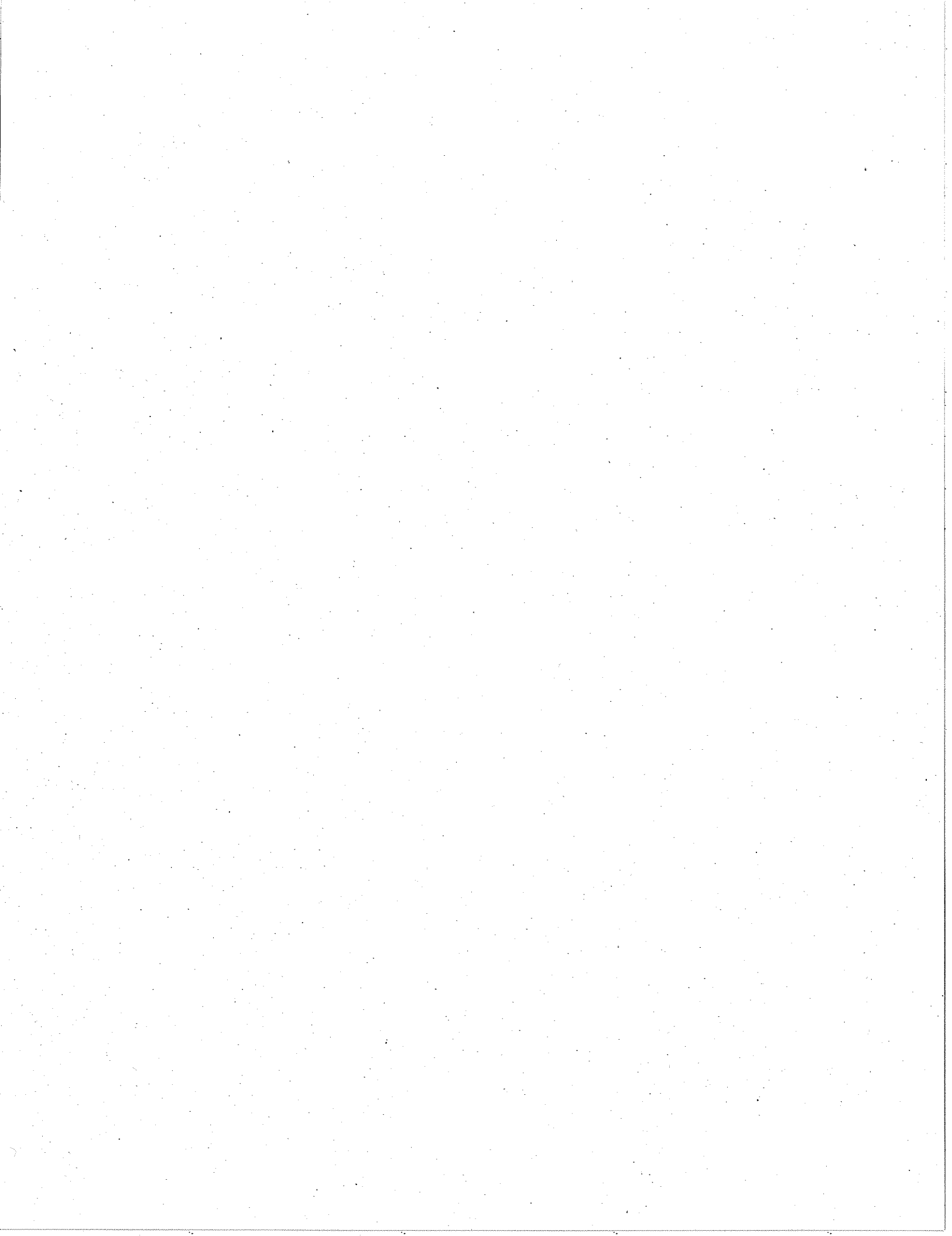
Name	Address	Title
Gary Keister	PO Box 1929 Port Townsend, WA 98368	Manager
Robert Manning	22722 29 th Dr. SE #120 Bothell, WA 98021	Manager
Bob Baur	22722 29 th Dr. SE #120 Bothell, WA 98021	Manager

Include the following:

- Current Balance Sheet Price List Latest Annual Report, if any

Competitive Classification

Check box if applicant is subject to effective competition and requests waiver of the regulatory requirements set forth in WAC 480-121-063 (1).



APPENDIX C



Billing Date: 06/10/07 Page 3 of 4
 Telephone Number : 425 774-2299 940321
 Account Number: 03 0242 1052544428 08
 How to Reach Us : See page 2

MONTHLY SERVICE - NON-BASIC (Jun 10 to Jul 10)

Description	Qty	Unit Rate	
1 Remote Call Forwarding-meas addl	1	19.00	19.00
2 Remote call forwarding	1	19.00	19.00
Total			\$ 38.00

MISCELLANEOUS CHARGES AND CREDITS

3 Late payment charge on \$87.58			5.00
Total			\$ 5.00

NON-BASIC SERVICE TAXES AND SURCHARGES

4 Federal excise tax			1.17
5 City utility tax			1.14
6 State & Local Sales Tax			3.48
Total			\$ 5.79

*Verizon non-basic charges *** **\$ 48.79**

****Non-payment of non-basic service charges WILL NOT result in the disconnection of your local telephone service.**

Total Verizon charges \$ 48.79

Verizon Reads

If you have checked the box on the first page of your phone bill or called your local business office and signed up to be a Literacy Champion, a tax deductible \$1 donation will be included monthly in the Verizon section of your bill. Contributions will benefit Verizon Reads, a non-profit effort supporting literacy programs. Even if you check the box or call the local business office to sign up, you are not required to pay the literacy donation. Phone service will not be terminated if you do not contribute. To discontinue your literacy donation, call the phone number on page two of your bill.

Your local toll provider is **WORLD COMMUNICATIONS, INC.**

You have selected **WORLD COMMUNICATIONS, INC** as your long distance provider.

425 774-2299

Notice: Your local toll provider has been changed from Marathon Communications, Inc. to WORLD COMMUNICATIONS, INC on May 26, 2007.

Cost of change: \$0.00

425 774-2299

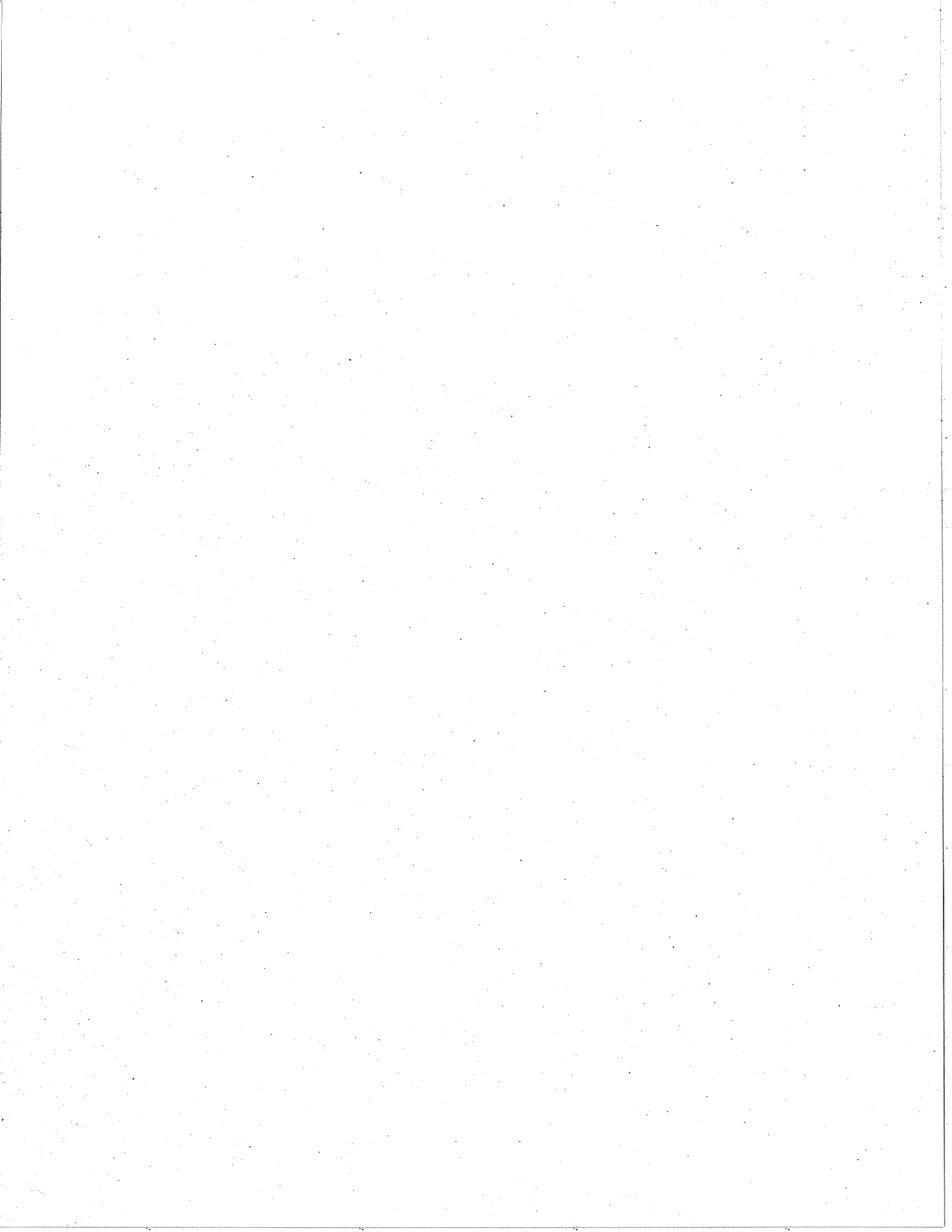
Notice: Your long distance provider has been changed from Marathon Communications, Inc. to WORLD COMMUNICATIONS, INC on May 26, 2007.

Cost of change: \$0.00

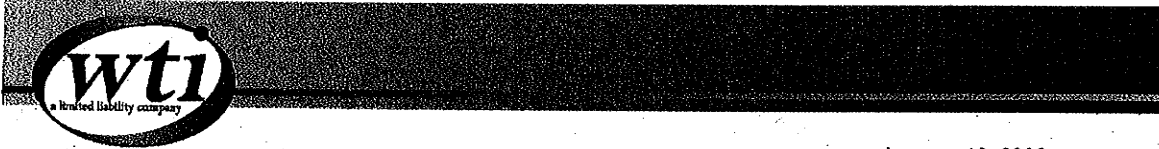
FOR YOUR INFORMATION

Important billing information

When you provide a check, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process this transaction as a check. If you wish to be excluded from this process, please call 1-888-500-5358. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution.



APPENDIX D



January 10, 2008

<<FIRST_NAME>> <<LAST_NAME>>
<<STREET_ADDRESS>>
<<CITY>>, <<STATE>> <<ZIP>>

Dear <<FIRST_NAME>>,

WTI will cease offering local dialtone service to our customers as of February 10th, 2008.

To insure that you do not suffer a service interruption, please contact us at 1-800-919-1000 as soon as possible and we will guide you through the process of converting your local service to Qwest, Verizon or whichever available carrier you prefer.

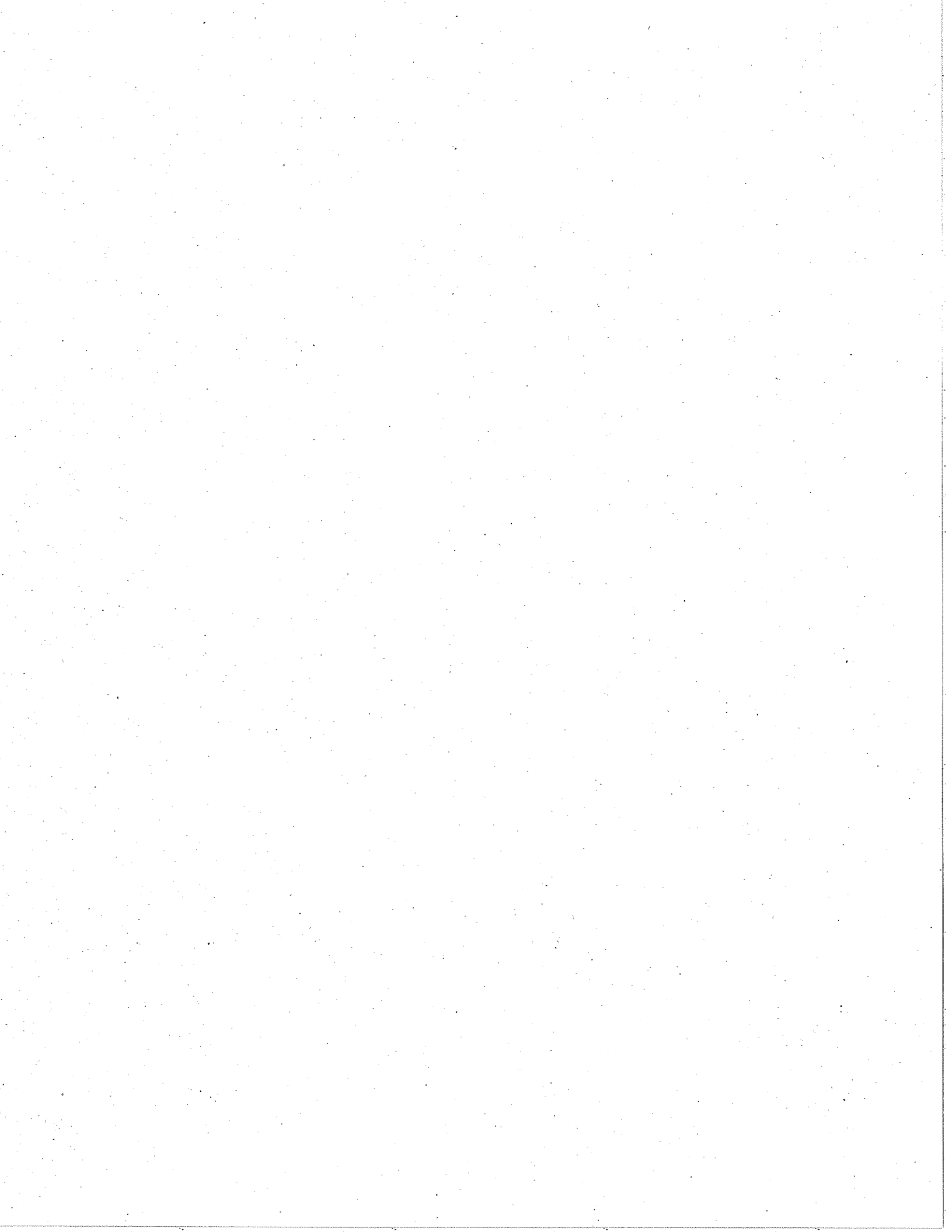
This change applies to local service only. Any long distance service you have through WTI will remain unaffected.

If we have already contacted you about the change in service offerings and/or assisted you in establishing local service with another carrier please feel free to disregard this notice.

Thank you,

WTI Customer Care





APPENDIX E

	Complaint Number	Staff Assigned	Comments
1.	102458	N. Paulson	<p>This service-affecting complaint was passed on January 10, 2008. A response was due by 5:00p.m., on January 14. WTI did not provide its response to the complaint until January 16, 2008.</p> <p>Two violations of WAC 480-120-166(6), one violation of WAC 480-120-083(2)(c), WAC 480-120-083(4)(d)(i) and one violation of WAC 480-120-083(4)(c) were recorded.</p>
2.	102616	R. Kouchi	<p>This complaint was passed on January 29, 2008. A response was due, and received, on February 5, 2008.</p> <p>One violation of WAC 480-120-083(2) and one violation of 480-120-083(4)(d) were recorded.</p>
3.	102910	M. Meeks	<p>This service-affecting complaint was passed on February 26, 2008. A response was due on February 29, 2008. WTI provided its initial response after business hours on March 12, 2008.</p> <p>This customer's service was disconnected. Customer alleged no prior notification of impending disconnection was received.</p> <p>Nine violations of WAC 480-120-166(6), one violation of WAC 480-120-083(2) and one violation of 480-120-083(4)(d) were recorded.</p>
4.	102917	N. Paulson	<p>This service-affecting complaint was passed on February 26, 2008. A response was due by 5:00p.m., on February 28, 2008. WTI did not provide its initial response timely. On March 12, 2008, staff notified WTI that additional violations were being recorded and that daily violations would continue to accrue until such time as it responded. WTI responded after business hours that same day. This customer's service was disconnected. Customer alleged no prior notification of disconnection was received.</p> <p>Nine violations of WAC 480-120-166(6) and one violation of WAC 480-120-083(2)(c) were recorded.</p>

Staff Investigation – WTI, LLC

	Complaint Number	Staff Assigned	Comments
5.	102918	N. Paulson / S. Stillwell	<p>This service-affecting complaint was passed on February 26, 2008. A response was due by 5:00p.m., on February 28, 2008. On March 12, 2008, staff notified WTI that nine violations of WAC 480-120-166(6) were being recorded due to WTI's lack of response to the complaint. WTI provided its initial response on March 14, 2008. This customer's multiple-line service was disconnected. Customer alleged no prior notification of disconnection was received.</p> <p>Eleven violations of WAC 480-120-166(6), one violation of WAC 480-120-083(2)(c), one violation of WAC 480-120-083(4)(c) and one violation of WAC 480-120-083(4)(d) were recorded.</p>
6.	102922	M. Meeks	<p>This service-affecting complaint was passed on February 27, 2008. A response was due by 5:00p.m., on February 29, 2008. WTI provided its initial response on March 12, 2008. This customer's service was disconnected. Customer alleged no prior notification of disconnection was received.</p> <p>Eight violations of WAC 480-120-166(6), one violation of WAC 480-120-083(2) and one violation of WAC 480-120-083(4)(d) were recorded.</p>
7.	102924	N. Paulson	<p>This service-affecting complaint was passed on February 27, 2008. A response was due by 5:00p.m., on February 29, 2008. WTI provided its initial response on March 12, 2008. This customer's service was disconnected. Customer alleged no prior notification of disconnection was received.</p> <p>Eight violations of WAC 480-120-166(6) and one violation of WAC 480-120-083(2)(c) were recorded.</p>

Staff Investigation – WTI, LLC

	Complaint Number	Staff Assigned	Comments
8.	102970	G. Griffin-Wallace	<p>This service-affecting complaint was passed on March 3, 2008. A response was due by 5:00p.m., on March 5, 2008. Staff did not receive a response, so on March 7, 2008, staff sent another e-mail requesting a response. That same day Marcos Melendez responded stating he had not received the complaint on March 3, 2008. The complaint was re-passed to Susan Hunich that same day, however, the company did not respond until March 12, 2008. This customer's service was disconnected. Customer alleged no prior notification of disconnection was received.</p> <p>One violation of WAC 480-120-166(6) and one violation of WAC 480-120-083(4)(d) were recorded.</p>
9.	103037	D. Shutler	<p>This service-affecting complaint was passed on March 11, 2008. A response was due by 5:00p.m., on March 13, 2008. On March 17, 2008, staff notified WTI that two violations of WAC 480-120-166(6) had been recorded, and stated that daily violations would be recorded until such time as an initial-response was received. WTI provided its initial response on March 20, 2008. This customer's service was disconnected. Customer alleged no prior notification of disconnection was received.</p> <p>Five violations of WAC 480-120-166(6), one violation of WAC 480-120-083(2)(c), one violation of WAC 480-120-083(4)(c) and one violation of WAC 480-120-083(4)(d) were recorded.</p>

Washington UTC Complaint

102458

Company: WTI, LLC

Customer: Account#

Leo Stefurak

Contact:

2712 49th Ave SW
Seattle, WA 98116

Primary Phone: (206) 923-2233

Complaint: 102458

Serviced by: **Nancy Paulson**

Opened on: 01/10/2008

Grouped by: Disconnect

Closed on: 01/24/2008

Disposition: Company upheld

Description:



Customer received an automated call on 1/9/08 stating the company is no longer able to provide dial tone after another week. Customer spoke with Parana today. She told him that WTI is discontinuing dial tone to residential customers in one week. This change is due to a business change. Parana asked the customer if he still had dial tone and sounded surprised when he said yes, that he was calling on that line. He wonders if dial tone will be disconnected before one week. Customer said he received no notice that the company was ceasing dial tone to residential customers.

Results:

WTI mailed notices to all customers on 1/10/08 notifying that local service will be discontinued to all customers on 2/10/08. WTI also called all customers. The letter offered to assist customers to switch to their preferred carrier. WTI long distance is not affected.

Activity:

Activity Links

*** 01/10/2008 10:50 AM Email: Nancy Paulson >> shunich



Good Morning: Passing new complaint. See complaint activity below for details. Is WTI ceasing dial tone to residential customers? If so, were customers and the commission given at least a thirty day notice? What is the scheduled disconnect date? Please provide copies of notices. Thank you. (sent complaint description).

*** 01/10/2008 11:05 AM Email: Paulson, Nancy (UTC) << Marcos Melendez/WTI



Nancy,

I am looking into this and will be getting you the supporting documentation.

*** 01/15/2008 03:21 PM Email: Nancy Paulson >> mmelendez



Good Afternoon: Do you have an update yet? This was sent as an urgent, and complete responses to urgents are due within two business days. The due date was 1/14/07. I will assess late violations until a response is received. Thank you for your assistance!

*** 01/16/2008 09:42 AM Email: Paulson, Nancy (UTC) << Marcos Melendez



Nancy,

A letter went out to all customers, you should have received a copy. I will

have one forwarded to you ASAP.

***** 01/22/2008 10:06 AM Email: Nancy Paulson >> mmelendez**



Thank you. However, I still have not received a copy of the customer notice. Please email or fax me a copy. My fax number is 360-664-4291.

***** 01/22/2008 11:54 AM Email: Paulson, Nancy (UTC) << Susan Hunich**



SEE ATTACHMENT BELOW.

Nancy Paulson

Attached is the letter notifying our customers that we are no longer providing dial tone service. This letter was sent on January 10, 2008 and several customers received the letter on the 11th and called in. We are also calling each customer to insure that they have a smooth transition to their new provider.

If you require additional information regarding this issue please let me know.

Thank you

Susan J. Hunich

Customer Service Manager

WTI, LLC

425-949-0053 Direct Line

425-415-8370 FAX

email shunich@wtillc.com

***** 01/24/2008 03:33 PM Voice Mail: Nancy Paulson >> customer**



Left detailed voice mail stating that WTI just sent me a copy of the notice it sent to customers, dated 1/10/08. It advised customers that local service only will be disconnected but any long distance with WTI will not be affected. The letter directed customers to call for assistance in switching to another carrier. Since 30 days notice was given to customers, it was in compliance with the rules. Closing the complaint.

***** 01/24/2008 03:37 PM Violation: 480-120-166(6) -**



The company must report the results of its investigation of service-affecting informal complaints to commission staff within two business days from the date commission staff passes the complaint to the company.

***** 01/24/2008 03:53 PM Email: Nancy Paulson >> shunich**



Thank you for the customer notice copy. I am citing three violations for failure to respond to an Urgent complaint. Complaint sent to WTI on 1/10/08, response due 1/14/08. Initial response received 1/16/08. This complaint is now closed. Please note that the UTC Consumer Affairs Section has an internal quality review program and all closed complaints are subject to possible review and/or re-opening. (forwarded above violation).

***** 03/18/2008 02:29 PM Email: Nancy Paulson >> ASAP/WTI**



Good Afternoon: I am making a violation correctly. Previously I recorded three violations for late response. The Urgent complaint was sent to WTI on 1/10/08, response due 1/14/08. Response received 1/16/08. The two violations are for 1/14/08 and 1/15/08.

***** 04/17/2008 05:26 PM Violation: 480-120-083(4)(c) -**



The exiting telecommunications company must provide information to consumers via its customer service number outlining the procedure for obtaining refunds and continue to provide this information for sixty days after the date of cessation of service.

***** 04/17/2008 05:40 PM Email: Nancy Paulson >> mmelendez/WTI**



Upon further review, I am recording a violation of WAC 480-120-083(4)(c) for failure to provide information to consumers via its customer service number outlining the procedure for refunds and continuing to provide this information for sixty days after service cessation. (forwarded above violation).

***** 04/17/2008 05:41 PM Violation: 480-120-083(4)(d)(i) -**



Between ten and thirty days before cessation of service, the exiting telecommunications company must complete one direct call advising every customer of the cessation of service, including the date of cessation of service and a number to call for more information, if necessary. A direct call means a call in which the company leaves a recorded voice message for or speaks directly to the responsible party or its agent on the billing account.

***** 04/17/2008 05:50 PM Email: Nancy Paulson >> mmelendez/WTI**



Upon further review, I am recording a violation of WAC 480-120-083(4)(d)(i) for failing to make a direct call to the customer between ten and thirty days before cessation of service. Company called the customer on 1/9/08 and said he would be disconnected in one week. (forwarded above violation).

***** 07/31/2008 04:20 PM Violation: 480-120-083(2)(c) -**



No telecommunications company may cease the provision of any telecommunications service in all or any portion of the state unless it first provides written notice to the following persons at least 30 days in advance of cessation of service: (c) Each of its customers, including customers that are telecommunications companies.

***** 07/31/2008 04:30 PM Email: Nancy Paulson >> mmelendez/fred rychar**



Upon further review, I am recording a violation of WAC 480-120-083(2)(c) for failure to notify each customer, including customers that are telecommunications companies, of cessation of services.

Washington UTC Complaint

102616

Company: WTI, LLC

Customer: Account# 1500052170-0000

Leslie J. Spotkov

Contact:

124 Juniper Lane
Port Angeles, WA 98362

Primary Phone: (360) 452-8316

E-mail addr: lspotkov@tfon.com

Complaint: 102616

Serviced by: Roger Kouchi

Opened on: 01/29/2008

Grouped by: Customer Service

Closed on: 02/14/2008

Disposition: Consumer upheld

Description:



WTI is ceasing local telephone service as of February 14, 2008. They assisted a conference call with me and Qwest to transfer my service, but have a local freeze on my account so my service cannot be transferred. I cannot reach them through their 1-800-919-1000 number nor the direct line to their customer service manager, Susan Hunich at 426-949-0053. CSM Hunich left a message for me that the local freeze is Qwest's fault. Qwest says they can do nothing until WTI releases the freeze from my account.

Did you speak to a supervisor from your utility or transportation company?

Yes

If 'Yes', what was the result?

WTI does not permit direct contact. I have left messages. They continue to blame Qwest and offer no other resolution.

What do you think the company should do to resolve your complaint?

Clear the freeze from my account; allow me to maintain my present local phone number; allow me to discontinue any service with WTI, LLC.

Results:

Consumer's line was ported to Qwest. Service was discontinued with WTI.

Activity:

Activity Links

*** 01/29/2008 07:49 AM Email: Roger Kouchi >> Susan hunich



Susan Hunich - Please respond to this complaint. Thank you.

*** 01/29/2008 10:17 AM Email: Kouchi, Roger (UTC) << Cortwright, Kathy



Steve will respond to this complaint.

*** 01/31/2008 11:49 AM Email: Kouchi, Roger (UTC) << Oxnevad, Steven



Upon review, this end user of CLEC Marathon Communications is attempting to winback local service to Qwest. Ms Spotkov began the process on 1/15/08, with our LSR initially requesting

a 1/18/08 due date. On 1/17/08, the winback order was put on hold due to local

service freeze being in place on the CLEC account. We advised Ms Spotkov that the freeze needed to be removed by the CLEC. I'm told by our regulatory staff that Marathon Comms began advising their customers on 1/10/08 that they would soon be ceasing operations. Qwest has begun the process of formal disconnection for non-payment, and has been working with commission staff in that regard. The disconnect date has been extended to 2/11/08, so Marathon end users have some time to arrange for a new provider. Our wholesale organization has restricted Marathon's ability to generate service order flow. So if Ms Spotkov had contacted them for freeze removal, Marathon may not have been able to submit an order. However, in this particular case, a record order was somehow generated yesterday, removing the local freeze information from the CLEC account. We have now been able to release the customer's winback order, order number N03837950, due date of 2/5/08. I can follow up for the service order to complete and post as a new Qwest account.

***** 02/05/2008 11:24 AM Email: Roger Kouchi >> susan hunich**



Susan Hunich - Please provide the required initial response by close of business today. Thank you.

***** 02/05/2008 06:43 PM Email: Kouchi, Roger (UTC) << Susan Hunich**



I do apologize for the delay in responding. I was out sick last week due to illness and when I returned my email somehow was corrupted and once restored I received 671 emails all at once. I know you don't care about my problems so the following is my response to this complaint.

This customers Local Freeze was lifted by Qwest on 01/30/2008. The customer was called by WTI notifying them that the Freeze had been removed by Qwest. Qwest then processed the transition order to move the customers Local Service back to Qwest. We have been told by Qwest that the order completed as of today 02/05/2008. One would have thought Qwest would have been more responsive to expedite a simple request.

Please be aware, trying to get Qwest to change a code of LEFV (Local Freeze) from a YES to NO has been an unbelievable experience not only for the End User but also for us. Our goal was to make the transition for our customers as smooth as possible. Trying to obtain clarification from Qwest (multiple individuals) on the information required to make this minor change on their forms has been a nightmare. We did not ignore our customers frustration regarding getting this freeze lifted by Qwest.

If you require additional information, please let me know.

***** 02/07/2008 08:12 AM Email: Roger Kouchi >> steve oxnevad**



Steve - WTI informed me that Qwest was slow to remove the local freeze. Please

comment on that. Does the consumer have Qwest service at this time? Thank you.

***** 02/07/2008 12:09 PM Email: Kouchi, Roger (UTC) << Oxnevad, Steven**



Roger--yes, the customer's Qwest winback order did complete on 2/5/08. I cannot provide any feedback to WTI's comments. This end user had an account with Marathon Comms. Perhaps WTI utilizes Marathon's network. As I'd mentioned in my response last week, Qwest has recently taken action to suspend Marathon's operations, such as the ability to request order activity to remove local freeze from an end user's account. Marathon Comms is set to be disconnected for non-payment on 2/11/08, confirmed again by our regulatory group today. Marathon supposedly notified its end users of this pending action and how to proceed accordingly.

***** 02/12/2008 04:02 PM Email: Roger Kouchi >> consumer**



I understand that Qwest was able to port your number and establish service on February 5, 2008. I am providing a copy of the complaint record for your files. Please let me know if you have any questions. Thank you.

***** 02/14/2008 10:03 AM Voice Mail: Roger Kouchi >> consumer**



Provided consumer my findings. Informed the consumer that I will be closing my investigation. Left my name and toll-free number.

***** 02/14/2008 10:04 AM Email: Roger Kouchi >> susan hunich**



Thank you. This complaint is now closed. Please note that the Consumer Affairs section has an internal quality review program and all closed complaints are subject to possible review and/or re-opening.

***** 03/21/2008 02:57 PM Violation: 480-120-083(2) -**



Company did not provide written notice at least 30 days in advance of cessation of service. Recorded violation of WAC 480-120-083(2)

WAC 480-120-083

Cessation of telecommunications services.

(2) No telecommunications company may cease the provision of any telecommunications service in all or any portion of the state unless it first provides written notice to the following persons at least 30 days in advance of cessation of service:

***** 03/21/2008 02:59 PM Violation: 480-120-083(4)(d) -**



Company failed to include in its notice the following information.

WAC 480-120-083(4)(d)

Cessation of telecommunications services.

(4) The notice to customers required in subsection (2)(c) must include:

(a) The date telecommunications service will cease;

(b) Information on how to contact the exiting telecommunications company by telephone in order to obtain information needed to establish service with another provider;

(c) An explanation of how customers may receive a refund on any unused service. The exiting telecommunications company must provide information to consumers via its customer service number outlining the procedure for obtaining refunds and continue to provide this information for sixty days after the date of cessation of service.

(d) A second notice provided by one of the two options listed below:

(i) Between ten and thirty days before cessation of service, the exiting telecommunications company must complete one direct call advising every customer of the cessation of service, including the date of cessation of service and a number to call for more information, if necessary. A direct call means a call in which the company leaves a recorded voice message for or speaks directly to the responsible party or its agent on the billing account; or

(ii) At least ten days before cessation of service, the exiting telecommunications company must provide a second written notice of cessation of service including the date of cessation of service and a number to call for more information, if necessary;

*** 03/21/2008 03:02 PM Email: Roger Kouchi >> susan hunich



Susan Hunich - I have recorded violations of WAC 480-120-083(2) and WAC 480-120-083(4) for failure to provide proper notice regarding cessation of service and failure to include the proper information in the notice regarding cessation of service. Please let me know if you have questions. Thank you.

WAC 480-120-083

(1) This rule applies to any telecommunications company that ceases the provision of any telecommunications service in all or any portion of the state (exiting telecommunications company). This rule does not apply to:

(a) Services offered by tariff that are subject to the statutory notice requirements of RCW 80.36.110 (Tariff Changes – Statutory Notice – Exception);

(b) Discontinuance of service to an individual customer in compliance with WAC 480-120-172 (Discontinuing service -- Company initiated);

(c) Cessation of a service when the provider replaces the terminated service with comparable service without interruption. For example, the notice requirements of this rule do not apply when a local exchange carrier (LEC) providing Centrex-type service with one group of features replaces that service, without interruption, with a version of Centrex-type service that has a different group of features; and

(d) A service being discontinued that has no subscribers.

Changes in customers' service providers for local exchange and intrastate toll services when there is a cessation of service are also subject to WAC 480-120-147 (Changes in local exchange and intrastate toll services).

(2) No telecommunications company may cease the provision of any telecommunications service in all or any portion of the state unless it first provides written notice to the following persons at least 30 days in advance of cessation of service:

(a) The commission;

(b) The state 911 program, in the instance of local exchange service, private branch exchange service (PBX), Centrex-type service, or private line service used in the provision of emergency services related to the state 911 program;

(c) Each of its customers, including customers that are telecommunications companies;

(d) Incumbent local exchange carriers (ILECs) providing the exiting telecommunications company with unbundled network elements (UNEs) pursuant to the Telecommunications Act of 1996, 47 U.S.C. Section 151 et seq., if UNEs or combinations of UNEs are part of a telecommunications service provided to some or all of the exiting telecommunications company's customers;

(e) Each telecommunications company providing the exiting telecommunications company with resold telecommunications service, if resold service is part of a telecommunications service provided to some or all of the exiting telecommunications company's customers;

(f) The national number administrator authorizing the release of all assigned telephone numbers to other telecommunications companies and releasing all unassigned telephone numbers to the number administrator.

(3) The notice to the commission and the state 911 program required in subsections (2)(a) and (b) must include:

(a) The name of the exiting telecommunications company;

(b) For each category of service, the date each telecommunications service will cease; and

(c) The number of customers for each telecommunications service and their location, described by exchange or by city and county for each telecommunications service being ceased.

(4) The notice to customers required in subsection (2)(c) must include:

(a) The date telecommunications service will cease;

(b) Information on how to contact the exiting telecommunications company by telephone in order to obtain information needed to establish service with another provider;

(c) An explanation of how customers may receive a refund on any unused service. The exiting telecommunications company must provide information to consumers via its customer service number outlining the procedure for obtaining refunds and continue to provide this information for sixty days after the date of cessation of service.

(d) A second notice provided by one of the two options listed below:

(i) Between ten and thirty days before cessation of service, the exiting telecommunications company must complete one direct call advising every

customer of the cessation of service, including the date of cessation of service and a number to call for more information, if necessary. A direct call means a call in which the company leaves a recorded voice message for or speaks directly to the responsible party or its agent on the billing account; or

(ii) At least ten days before cessation of service, the exiting telecommunications company must provide a second written notice of cessation of service including the date of cessation of service and a number to call for more information, if necessary;

Washington UTC Complaint

102910

Company: WTI, LLC

Customer: Account#

Bill Helin

Contact:

13702 SE 141st Street
Newcastle, WA 98059

Primary Phone: (425) 255-5428

Secondary: 206 450 3267 call back.

E-mail addr: b2helin@comcast.net

Complaint: 102910

Serviced by: Mike Meeks

Opened on: 02/26/2008

Grouped by: Disconnect

Closed on: 03/13/2008

Disposition: Consumer upheld

Description:



Customer called to say that his phone service has been disconnected due to WTI terminating the contract with Qwest to be a re-seller. Customer says he received no notice of the change in service. Wants to port his number to Qwest. Does this affect others? Please advise.
Customer wants phone restored in order to port.
Passed to WTI at 11:50 am on 2-26.

Results:

Service restored and ported to Qwest on 2-27.

Activity:

Activity Links

*** 02/26/2008 11:52 AM Email: Mike Meeks >> shunich



----- Forwarded by Mike Meeks/WUTC on 02/26/2008 11:52 AM -----
Washington UTC Complaint
102910

Company: WTI, LLC

*** 02/26/2008 01:13 PM Voice Mail: Mike Meeks << customer



Customer called to say that Qwest called him back and advised that they were working with WTI to get the service ported to them.

*** 02/27/2008 12:06 PM Voice Mail: Mike Meeks << customer



Left message stating Qwest restored his phone service and he is now with Qwest.

*** 03/12/2008 01:19 PM Violation: 480-120-166(6) -



passed complaint on 2-26. Response due 2-28. No response until 3/12.

*** 03/12/2008 07:47 PM Email: Meeks, Mike (UTC) << Susan Hunich



Mike Meeks

In response to Complaint 102910 for Bill & Becky Helin

Please find attached the letter sent out to all Local Service Customers with WTI, LLC. WTI was notified on 02/26/2008 that Bill & Becky Helin had lost their Dial Tone Service. WTI was able to obtain a contact at Qwest to restore Dial Tone Service for those customers that did not respond to our letter of notice. WTI submitted the restoral information to Qwest on 02/26/2008 for Bill & Becky Helin and it is our understanding their Dial Tone service has been restored. If their Dial Tone Service has not been restore please have them contact our Restoral Toll Free Customer Service Number 1-866-508-1152 and we will do everything we can to get Qwest to restore their Dial Tone Service.

Susan Hunich

***** 03/13/2008 08:22 AM Email: Mike Meeks >> WTI**



Susan:

I have closed the complaint with 9 violations of WAC 480-120-166(6) for late response.

Thanks,

Mike Meeks

Consumer Program Specialist

Washington Utilities and Transportation Commission

***** 03/18/2008 01:57 PM Email: Meeks, Mike (UTC) << Hoyt, Sheri (UTC)**



Hi Mike.

Could you please re-check your violation count on the above referenced complaint? The complaint was passed on 2/26/08, therefore, I believe it would be due by 5pm on 2/28/08. You've stated it was due 2/29/08 and recorded 9 violations. I believe it should be 10 violations. What do you think?

Thanks,

Sheri

***** 03/18/2008 03:49 PM Email: Mike Meeks >> shunich**



Susan:

I made a mistake in the number of violations that were alleged. The actual number of violations is 10. I opened the complaint on Feb. 26. The complaint response was due on Feb. 28. I did not receive a response until March 12. I apologize for the previous mis-information.

***** 04/03/2008 09:40 AM Violation: 480-120-083(2) -**



Customer notice was not timely. Notice date is exactly 30 days prior to the discontinuance of service. Did not allow for delivery time.

***** 04/03/2008 10:28 AM Violation: 480-120-083(4)(d) -**



Company provided no evidence of providing a second notice or making phone contact with customer per rule.

***** 04/03/2008 10:38 AM Email: Mike Meeks >> shunich**



Susan:

I have corrected the notation of the violations:

After review, violations are required for improper noticing of the customer about the cessation of service. The violations are:
480-120-147(2) for not allowing the required time for notice to the customers of the cessation of service
480-120-147(4)(D) for not providing second notice or phone contact with the customer.

Sincerely,
Mike Meeks
Consumer Program Specialist
Washington Utilities and Transportation Commission

***** 04/03/2008 01:32 PM Email: Mike Meeks >> shunich**



Susan:

The appropriate violation is 480-120-083(2) and 480-120-083(4)(D)(i)(ii).

Sorry for the confusion.

Mike

***** 08/06/2008 01:06 PM Email: Mike Meeks >> shunich; shunich; ASAP; Frychard**



Susan:

I have corrected the notation of the violations to reflect the correct WAC's.

After review, violations are required for improper noticing of the customer about the cessation of service. The violations are:
480-120-147(2) for not allowing the required time for notice to the customers of the cessation of service
480-120-147(4)(D) for not providing second notice or phone contact with the customer.

Sincerely,
Mike Meeks
Consumer Program Specialist
Washington Utilities and Transportation Commission

***** 08/06/2008 01:53 PM Email: Mike Meeks >> shunich; shunich; ASAP; Frychard**



Susan:

Hopefully this is the last mistake I make in advising you of the violations. The violations on this complaint are:

480-120-166(6)

10 violations - passed complaint on 2-26. Response due 2-28. No response until 3-12

480-120-083(2)

1 violation - For not allowing the required time for notice to the customers of the cessation of service.

480-120-083(4)(d)

1 violation for not providing second notice or phone contact with the customer.

***** 10/22/2008 01:39 PM Action: Sheri Hoyt**



During a review of this complaint during a WTI investigation I am conducting, counsel advised an error was made in changing the violation count for WAC 480-120-166 from nine to ten. Upon review of the complaint, I agreed. The complaint was passed on February 26, 2008, due February 29, 2008. The response was received after close of business on March 12, 2008. The correct count of the violation was nine as originally recorded, therefore, the count has been changed to reflect nine violations.

Washington UTC Complaint

102917

Company: WTI, LLC

Customer: Account#

Radiance Herbs & Massage

Contact: Karen Olsen

113 - 5th Ave

Olympia, WA 98501

Primary Phone: (360) 357-5275

Secondary: 360-791-7273 cell

Complaint: 102917

Serviced by: **Nancy Paulson**

Opened on: 02/26/2008

Grouped by: Disconnect

Closed on: 03/05/2008

Disposition: Company upheld

Description:



SEE Qwest Inquiry 102927

Customer's service was disconnect this morning. She received no notice. I am trying to expedite service with Qwest, as it told her 7 - 10 days. Did you notice this customer? Are you working with Qwest to expedite service?

Passed as Urgent, 2/26/08 @ 4:00.

Results:

WTI sent notice to customers January 10, 2008.

Nine violations issued for late response.

Activity:

Activity Links

*** 02/26/2008 04:01 PM Email: Nancy Paulson >> mmelendez; shunich/WTI



Passing new complaint. See complaint description for details. Thank you. (forwarded complaint description).

*** 03/03/2008 02:15 PM Action: Nancy Paulson



Activity:

*** 02/27/2008 11:16 AM Action: Nancy Paulson

*** 02/26/2008 03:22 PM Email: Nancy Paulson >> 1QWEST COMPLAINTS

Good Afternoon: This is not a complaint against Qwest. I am simply trying to expedite customer's service, if possible. See complaint description.

Thank you. (forwarded complaint description).

*** 02/26/2008 04:02 PM Email: Nancy Paulson << Kathy Cortright/Qwest

Nancy,

I will be out of the office tomorrow, however will be checking my voice mail and email. I placed an urgent call to the Winback center to determine if this can be escalated and will let you know. (oh yes, I am also the handler on this complaint)

*** 02/27/2008 09:39 AM Phone: Nancy Paulson >> customer
Called customer to let her know that Qwest was trying to escalate her service order. Customer said that 360-357-5275 had outgoing capability but not incoming. She said she had two main lines that didn't work at all: 360-352-5250 and 360-352-9470. I said I would notify Qwest right away.

*** 02/27/2008 10:01 AM Email: Nancy Paulson >> Kathy Cortwright
Customer said that 360-357-5275 has outgoing capability but not incoming. She said she has two main lines that are out of service 360-352-5250 and 360-352-9470. Thanks Kathy!

*** 02/27/2008 11:18 AM Phone: Nancy Paulson << Kathy Cortright/Qwest
Kathy said order will complete today.

*** 02/27/2008 11:19 AM Phone: Nancy Paulson >> customer
Let customer know that order will complete today. Will verify later before closing.

*** 02/28/2008 02:15 PM Phone: Nancy Paulson >> customer
Called customer to verify if lines were transferred. She said everything was working, except for one problem on a 'hidden' line she didn't realize she had. She called Malcolm at Qwest and he is addressing that issue. She thanked me for my assistance. Closing the inquiry.

*** 02/28/2008 02:28 PM Email: Nancy Paulson >> Kathy Cortwright
Thank you Kathy. Customer is very happy. This inquiry is closed.

*** 03/05/2008 12:59 PM Violation: 480-120-166(6) -



WAC 480-120-166(6) Commission-referred complaints. (6) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must report its results of its investigation of service-affecting informal complaints to commission staff within two business days from the date commission staff passes the complaint to the company.

*** 03/05/2008 01:38 PM Email: Nancy Paulson >> shunich; mmelendez



I am recording four violations of WAC 480-120-166(6) for failure to respond to a service-affecting complaint within two business days. Complaint emailed to company 2/26/08, response due 2/28/08. To date, no response. (forwarded above violation).

*** 03/05/2008 03:40 PM Email: Nancy Paulson >> shunich; mmelendez



I closed this complaint in error. It is now re-opened. I will continue to record daily violations until I receive a response. Thank you.

*** 03/12/2008 10:14 AM Email: Nancy Paulson >> ASAP/WTI



Good Morning: I passed this complaint 2/26/08 and have not received a response. I will be assessing daily violations until WTI responds.
Thank you. (sent entire complaint record).

***** 03/12/2008 11:31 AM Violation: 480-120-166(6) -**



WAC 480-120-166(6) Commission-referred complaints. (6) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must report its results of its investigation of service-affecting informal complaints to commission staff within two business days from the date commission staff passes the complaint to the company.

***** 03/12/2008 12:01 PM Email: Nancy Paulson >> ASAP**



I am recording five additional violations of WAC 480-120-166(6) for failure to respond to a service-affecting complaint within two business days. Complaint emailed to company 2/26/08, response due 2/28/08. To date, no response. These five violations are for non-response March 5-11.

Previously I sent you the notation that this complaint was closed. That was an error. The complaint is open. (forwarded above violations).

***** 03/12/2008 05:28 PM Email: Paulson, Nancy (UTC) << Fred Rychard**



Nancy,

I'm sorry for the delay in responding. On January 10, 2008 WTI had sent out letters to all of their dial tone customers who are in the areas that Qwest services to let them know that WTI will cease offering local dial tone service to them as of February 10, 2008. We asked them to please contact us ASAP, and that we will help with the process of converting their local service to another provider.

The customers that did not contact WTI or Qwest themselves to move their service were shut off. I'm sure there were some customers who just tossed out the letter without even opening it.

WTI will help the customers in any way we can with getting their service reinstated with another carrier if they contact us.

Please let us know if you need any other information.

Sincerely,
WTI, LLC

***** 03/14/2008 04:59 PM Email: Nancy Paulson >> Fred Rychard [frychard**



Thank you. Customer obtained service with another carrier. This complaint is now closed. Please note that the UTC Consumer Affairs Section has an internal quality review program and all closed complaints are subject to possible review and/or re-opening.

***** 07/31/2008 04:31 PM Violation: 480-120-083(2)(c) -**



No telecommunications company may cease the provision of any telecommunications service in all or any portion of the state unless it first provides written notice to the following persons at least 30 days in advance of cessation of service: (c) Each of its customers, including customers that are telecommunications companies.

***** 07/31/2008 04:38 PM Email: Nancy Paulson >> frychard**



Upon further review, I am recording a violation of WAC 480-120-083(2)(c) for failure to notify each customer, including customers that are telecommunications companies, of cessation of services.

Washington UTC Complaint

102918

Company: WTI, LLC

Customer: Account# 1500010217-0000

Custom Mortgage

Contact: Robin Wood-Yount
15019 Meridian E, A1
Puyallup, WA 98375

Primary Phone: (253) 770-7911
Secondary: 253-906-1797 Cell

Complaint: 102918 Serviced by: **Suzanne Stillwell**
Opened on: 02/26/2008 Grouped by: Disconnect
Closed on: 03/28/2008 Disposition: Consumer upheld

Description:



3/3 customer escalated complaint.

Customer's phone lines were disconnect today without notice. Customer called Qwest and it said it cannot do anything as WTI will not release the lines. Custom Mortgage's lines: Custom Mortgage-Home Office

Acct#1500010217-0000	Acct#1500070723-0000
15019 Meridian E A1	19002 34th Ave E
Puyallup, WA 98375	Tacoma, WA 98446
253-770-7911	253-846-1770
253-770-7582	253-875-8088
253-846-7582	253-875-7727
253-770-7704	
888-770-7911	
877-770-7911	
800-561-8408	

Credit Mitigation Services
1500010295-0000
15019 Meridian E A-2
Puyallup, WA 98375
253-770-7868
253-770-7872

Customer wants to know what WTI is doing to transfer all lines to Qwest immediately.

URGENT complaint passed to company, 2/26/08 @ 4:45pm.

Results:

Customer's lines are all in working order at this time.

Activity:

Activity Links

*** 02/26/2008 04:48 PM Email: Nancy Paulson >> kjones; shunich; mmelendez



Good Afternoon. Passing new complaint. See details in complaint description below. Was customer noticed? How and when? (forwarded description).

***** 02/29/2008 Action: Nancy Paulson**



Activities from an inquiry with Qwest between 2/26 and 2/29.

*** 02/26/2008 04:56 PM Email: Nancy Paulson >> QWEST COMPLAINTS
Good Afternoon: Is there anything you can do to expedite service? See description below. This is not a complaint against Qwest. Thank you! (forwarded complaint description).

*** 02/27/2008 11:18 AM Phone: Nancy Paulson << Kathy Cortwright/Qwest
Kathy said order will complete sometime today.

*** 02/27/2008 11:19 AM Voice Mail: Nancy Paulson >> customer
Left voice mail on cell phone. Order will complete some today. Will check back with her before closing.

*** 02/27/2008 04:15 PM Email: Nancy Paulson << Steve Oxnevad/Qwest
Nancy--an update--the four local business lines under Custom Mortgage Inc, main billing number 253-770-7911, has been set up under service order N06980869, due date today 2/27/08. No tech visit needed. The three toll free numbers shown are apparently still active in the system under WTI. The customer will need to arrange for change of responsibility (resporg forms) with Qwest or their carrier of choice.

The customer contact, Heidi, also requested a winback of the two local lines for Credit Mitigation Services, under 253-770-7868. Our winback group is reviewing the service order information and we're awaiting its release with assigned due date. No tech visit should be necessary.

Regarding the three lines at 19002 34th Ave E in Tacoma, they apparently are residential in nature under Robbin Wood-Yount. No winback or service order activity has been requested as of yet. The customer should again contact Qwest or provider of choice.

We'll keep you posted. Let us know if you have any questions.

*** 02/27/2008 04:23 PM Email: Nancy Paulson >> Steve Oxnevad
Thank you Steve. I'm not clear why the customer must contact Qwest again on the residential lines. I think all lines were affected by the WTI disconnect.

*** 02/27/2008 04:36 PM Email: Nancy Paulson << Steve Oxnevad
Nancy--each of the two business accounts had a WTI disconnect order associated with it, as well as the Qwest business winback order. I'm told the three residence lines were billed individually and each had its own WTI disconnect. The contact person, Heidi, spoke with the small business group but apparently not with the residence business office. Its best they at least call and inquire.

*** 02/28/2008 10:15 AM Phone: Nancy Paulson >> customer
Called to ensure Custom Mortgage's lines are working properly. She said that the fax line is not, 253-770-7704. It and 253-770-4835 need to be 'swapped out'. I advised her that the three toll-free lines are still running under WTI. She must call Qwest to request a change of responsibility (resporg forms). I said I would contact Qwest to find out what those forms are but I wanted to call her first with the next procedure. She must call Qwest to do a service order on the three residential lines. She wanted to know what the UTC is doing

to shut down WTI. I said that our telco staff is working on the WTI issue. She wanted to speak with one of the analysts. John Cupp was not available, so I conferenced her in with Sharyn Bate, and I dropped off the line.

*** 02/28/2008 10:32 AM Email: Nancy Paulson >> Kathy Cortwright
The customer said that the fax line is not working properly, 253-770-7704. It and 253-770-4835 need to be 'swapped out'. What is a resporg form, to change responsibility on the toll-free lines? Is it something that can be done over the phone? She said she will call but wants to know exactly what resporg is. She will call Qwest to do a service order on the three residential lines. Any due date yet on the Credit Mitigation Services lines?

*** 02/28/2008 11:33 AM Email: Paulson, Nancy (UTC) << Cortwright, Kathy
Steve is checking on the Custom Mortgage lines, generally I would refer that portion to repair, however the order is not complete yet. I am checking the credit mitigation orders trying to find the new connect that was in there yesterday and will let you know. The resporg form is a change of responsibility form and yes this can be done over the phone.

*** 02/28/2008 12:01 PM Email: Nancy Paulson >> customer
Good Morning:Qwest is checking on the problems with the fax line and 253-770-4835. They are also checking on the service order for Credit Mitigation Services. The resporg form for the toll-free numbers is a change of responsibility form and it can be done over the phone. As soon as I have more information for you, I will email or call.

*** 02/29/2008 04:15 PM Email: Paulson, Nancy (UTC) << Cortwright, Kathy
Nancy, I am still waiting for the order on Credit Mitigation Services to go back in the system. Hopefully we will have this resolved by Monday. I will reset my follow up.

*** 02/29/2008 05:07 PM Email: Nancy Paulson >> customer
Good Afternoon: Qwest just e-mailed me that it is still waiting for the Credit Mitigation Services lines to go back into the system. Hopefully Qwest will have this resolved by Monday. I will contact you as soon as I have more information.

*** 03/03/2008 11:46 AM Phone: Suzanne Stillwell << customer



Customer escalated to supervisor. 30 days ago said she filed a complaint when she attempted to transfer from WTI to Comcast. WTI had a pic freeze on and wouldn't remove it. She said she filed a complaint with us. (no complaint on file).

By Friday, 2/22, she called us again, talked to Lynda who could not find a complaint and told the customer to call back on Monday (??). She followed up with an emailed complaint. By Tuesday, the phones were dead. Now, its been a full week without phones. She is very unhappy with our services. She was able to get some of the lines back up through Qwest, however, there are still 4 lines dead.

I asked her to clarify exactly which lines need reconnection:
253-770-7868 Credit Mitigation Services.
253-846-1770, 253-875-8088, 253-875-7727 business lines at home.

In addition to having her lines reinstated; why did this happen; why did it take this long?

*** 03/03/2008 12:07 PM Email: Suzanne Stillwell >> kathy.cortwright/Qwest



Forwarded above activity to Kathy.

*** 03/03/2008 12:12 PM Phone: Suzanne Stillwell >> Kathy/Qwest



Talked w/Kathy who is very aware of WTI discontinuing local service. She believes there are about 900 customers affected. Will get right on this and let me know the status. All lines are up except the Credit Mitigation Services lines. Also, I gave her customer's cell phone if they need to call regarding installation.

*** 03/04/2008 02:49 PM Email: Stillwell, Suzanne (UTC) << Cortwright, Kathy



I wanted to get back with you today to advise that I had Robbin in touch with both the Business winback center as well residential yesterday, 3/3/2008 in an effort to provide service for Credit Mitigation services.

There is only one order pending waiting for a Third Party Verification on 253-846-1770, the other three numbers are due to go in today. We had a very difficult time bringing our customer to resolution as she strongly feels that Qwest should have had a process in place should an incident similar to this occur. Ms. Young was equally unhappy with our credit verification process to the point that she threatened at the end of our call with residential yesterday to take her services elsewhere. I advised that credit checks and customer information validation was to protect her privacy apologizing for any misunderstanding or inconvenience that this has caused to her. I will follow up on 3/7/2008 to advise that all services are in place and that I have answered all of our customer's concerns. Thank you for your patience.

*** 03/04/2008 02:55 PM Email: Stillwell, Suzanne (UTC) >> Cortwright, Kathy



Thanks, Kathy. I will look forward to hearing from you on Friday, 3/7.

*** 03/07/2008 11:40 AM Email: Stillwell, Suzanne (UTC) << Cortwright, Kathy



There is still one order pending and due today for 253-846-1770. All other services are in and working. I received a most unusual request from Robbin yesterday asking that I locate the original sales person she worked with as she would like to continue working with that individual. She was given the sales representatives email address, however it came back as undeliverable. I immediately set to finding this person as I feel pretty strongly that if it takes this outstanding representative to make Custom Mortgage happy then I was going to try and fulfill that request. I have had no luck so far however have left a message for the training coordinator in Denver to see if I can locate "Sunny Romero". I will set another follow up for the end of next week at which time I will bring this complaint to a close assuming that all of Custom Mortgage's issues have been resolved.

*** 03/12/2008 02:05 PM Violation: 480-120-166(6) -



WAC 480-120-166(6) Commission-referred complaints. (6) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must report its results of its investigation of service-affecting informal complaints to commission staff within two business days from the date

commission staff passes the complaint to the company.

***** 03/12/2008 02:10 PM Email: Nancy Paulson >> WTI**



I am recording nine violations of WAC 480-120-166(6) for failure to respond to a service-affecting complaint within two business days. Complaint emailed to company 2/26/08, response due 2/28/08. To date, no response. (forwarded above violations).

SS added two violation counts - company responded on 3/14.

***** 03/13/2008 02:31 PM Email: Suzanne Stillwell >> kathy.cortwright/Qwest**



Kathy, can you provide a status to me on this complaint. Thanks, Suzanne

***** 03/13/2008 03:12 PM Email: Stillwell, Suzanne (UTC) << Cortwright, Kathy**



I have been communicating directly with Robbin on remaining issues. As of 3/11/2008 I coordinated with one of our technicians and Mr. and Mrs. Young to correct all remaining service problems at the home office. In speaking with Robbin today, I learned there are still a few issues that we need to address. I am working with repair and testing prior to sending a technician back out. I will set another follow up for Monday 3/17 to get back with you.

***** 03/14/2008 09:06 AM Email: Stillwell, Suzanne (UTC) >> Fred/WTI**



Fred, I have not had a response to this complaint. Violations will continue to accrue until I hear back from the company.

***** 03/14/2008 09:30 AM Email: Stillwell, Suzanne (UTC) << Fred Rychard**



Hi Suzanne, I just went and asked Susan Hunich if she had responded to this complaint? She thought that she had, but will do so right away. Thanks! Fred

***** 03/14/2008 09:32 AM Email: Stillwell, Suzanne (UTC) >> frychard@wtillc.com**



Fred, at this point, the customer has been working with Qwest to get the lines transferred out, however, I still need a response from the company as to why the lines wouldn't port, etc.

***** 03/14/2008 09:36 AM Email: Stillwell, Suzanne (UTC) << Fred Rychard**



Suzanne, Ok, I forwarded your email to Susan. Thanks

***** 03/14/2008 02:54 PM Email: Stillwell, Suzanne (UTC) << Cortwright, Kathy**



I heard back from our technician as well Robbin today. I think we are good to go. The lines were re-configured once again to meet customer's needs. I have added features and/or deleted per Robbin's request so I believe this complaint can be brought to a conclusion. Please let me know if you need any additional information to close. Thank You.

***** 03/14/2008 02:54 PM Email: Stillwell, Suzanne (UTC) << Fred Rychard**



Suzanne, Custom Mortgage was sent the attached (mail merge) letter informing them that WTI, LLC will no longer be offering Local Service. This letter was sent on January 10, 2008 to Custom Mortgage 15019 Meridian Ave #A-2 Puyallup WA

98375 for each Account (1500010217, 1500070723) and one letter was sent Credit Mitigation Services at 15019 Meridian Ave #A-2 Puyallup WA 98375.

Each of the three above accounts in our system reflects the same address for the service address and mailing address. The complaint reflects different service addresses.

Robin Yount called in on 02/08/2008 and notified WTI she had switched her Local Service on 02/01/2008 on 253-875-7727. Robin had also informed us that she would not move her service to Qwest that she was moving her service to COMCAST.

Robin had called in several times very upset to the point where she refused to hang up the phone in order to resolve her problem. Robin would call in with Qwest conferenced on the phone and would refuse to let us work on her problem regarding account 1500070723. Robin even called Dick Hunich on his personal cell phone requesting that Dick take care of her issues. Dick he works for Shamrock Marketing! Dick told Robin that he was sorry, but he couldn't help her. Robin refused to hang up! Robin had called in one time and stated that Qwest hung up on her and refused to help her.

Robin never notified us that she had multiple accounts with different addresses. She only notified us regarding account 1500070723.

From what I can tell Qwest was rejecting the freeze on the lines for 253-875-7727. It is also my understanding that Qwest did release the freeze on line 253-875-7727; we were not notified of the other two lines. We did not submit any release on the other 2 accounts due to not being notified by the customer that there was a problem with the accounts. We had assumed that they were moved to COMCAST and/or Qwest. We were not notified to restore service through our Qwest contact.

In summary I believe the reason there were so many problems with the account was due to incorrect information from the customer on what accounts were hers and their correct address.

Please let me know what other information you require. Thanks, Fred

***** 03/21/2008 04:13 PM Phone: Suzanne Stillwell >> customer**



Left detailed message with receptionist that I'm following up with Ms. about the phone service; and if she has any other concerns please call me back.

***** 03/28/2008 09:56 AM Email: Stillwell, Suzanne (UTC) >> Fred**



Fred, after reviewing the complaint details, I will be recording violations of WAC 480-120-083(4)(c), and (d) as detailed below. The written notice does not tell the customer how they can obtain a refund on any unused portion of their service. And, it doesn't appear as if there was a second notice. The rule says the second notice must come between 10 to 30 days before cessation of service. If this is incorrect, please provide the date, time and outcome of the phone call that was the company's second notice. Sincerely, Suzanne

WAC 480-120-083(4) The notice to customers required in subsection (2)(c) must include:

- (a) The date telecommunications service will cease;
- (b) Information on how to contact the exiting telecommunications company by telephone in order to obtain information needed to establish service with

another provider;

(c) An explanation of how customers may receive a refund on any unused service. The exiting telecommunications company must provide information to consumers via its customer service number outlining the procedure for obtaining refunds and continue to provide this information for sixty days after the date of cessation of service.

(d) A second notice provided by one of the two options listed below:

(i) Between ten and thirty days before cessation of service, the exiting telecommunications company must complete one direct call advising every customer of the cessation of service, including the date of cessation of service and a number to call for more information, if necessary. A direct call means a call in which the company leaves a recorded voice message for or speaks directly to the responsible party or its agent on the billing account; or

(ii) At least ten days before cessation of service, the exiting telecommunications company must provide a second written notice of cessation of service including the date of cessation of service and a number to call for more information, if necessary;...

***** 03/28/2008 09:59 AM Violation: 480-120-083(4)(c) -**



The written notice does not tell the customer how they can obtain a refund on any unused portion of their service.

***** 03/28/2008 10:00 AM Violation: 480-120-083(4)(d) -**



Failed to provide secondard notice of pending disconnection.

***** 07/31/2008 04:33 PM Violation: 480-120-083(2)(c) -**



No telecommunications company may cease the provision of any telecommunications service in all or any portion of the state unless it first provides written notice to the following persons at least 30 days in advance of cessation of service: (c) Each of its customers, including customers that are telecommunications companies.

***** 07/31/2008 04:40 PM Email: Nancy Paulson >> frychard**



Upon further review, I am recording a violation of WAC 480-120-083(2)(c) for failure to notify each customer, including customers that are telecommunications companies, of cessation of services.

Washington UTC Complaint

102922

Company: WTI, LLC

Customer: Account#

Jack Westerman

Contact: Charlen wife
1452 Lincoln Steet
Port Townsend, WA 98368

Primary Phone: (360) 385-2809
Secondary: 360-301-3324 call
E-mail addr: c_westerman@hotmail.com

Complaint: 102922 Serviced by: **Mike Meeks**
Opened on: 02/27/2008 Grouped by: Disconnect
Closed on: 03/13/2008 Disposition: Consumer upheld

Description:



Customer says that service is disconnected. Says that she got no prior notice. Wants service restored to Qwest via port. Says that WTI has stopped providing service. Can Qwest port this number. Passed to WTI with cc to Qwest at 9:57am on 2-27.

Results:

Qwest restored service through port on 3-4.

Activity:

Activity Links

*** 02/27/2008 09:59 AM Email: Mike Meeks >> shunich



----- Forwarded by Mike Meeks/WUTC on 02/27/2008 09:58 AM -----

Washington UTC Complaint
102922

Company: WTI, LLC

*** 02/28/2008 04:15 PM Email: Meeks, Mike (UTC) << Cortwright, Kathy



2/28/2008

Mike,

RE: (360) 385-2809

Please ask Mr. Westerman to accept my sincere apology for any inconvenience related to the provisioning of his service with Qwest.

The former WTI accounts are resold accounts and as long as they are disconnected with WTI, it is simply a matter of Qwest writing a new connect order to place customer back in service once again. I am working on a process with our Winback center to get our WTI customers service reconnected. The details have not been totally worked out as yet. I will set a follow up for tomorrow to get back with you. Thank you for your patience.

*** 02/29/2008 09:28 AM Phone: Roger Kouchi << consumer



Wanted status. I agreed to go to Qwest to check to see what they are doing to get this consumer's service on.

***** 02/29/2008 09:30 AM Email: Roger Kouchi >> qwest**



Qwest - Consumer wanted status. I agreed to follow up for Mike Meeks. Please respond to Mike Meeks on what Qwest is doing to install service for this consumer. Thank you.

***** 02/29/2008 10:26 AM Email: Kouchi, Roger (UTC) << Cortwright, Kathy**



Please ask Mr. Westerman to accept my sincere apology for any inconvenience related to the provisioning of his service with Qwest.

The former WTI accounts are resold accounts and as long as they are disconnected with WTI, it is simply a matter of Qwest writing a new connect order to place customer back in service once again. I am working on a process with our Winback center to get our WTI customers service reconnected. The details have not been totally worked out as yet. I will set a follow up for tomorrow to get back with you. Thank you for your patience.

Incidentally, customer does not need to wait for me to work a process, he can call our local business office at 800-244-1111.

***** 03/04/2008 09:51 AM Email: Meeks, Mike (UTC) << Cortwright, Kathy**



3/4/2008

Mike,

Service will be in and working for Mr. Westerman today, 3/4/2008. I worked through setting up the order with our business office yesterday and with Mrs. Westerman on line. Please let me know if you need any clarification or additional information to close this inquiry. Thank You.

***** 03/12/2008 01:18 PM Violation: 480-120-166(6) -**



passed complaint on Feb. 27. response due on Feb. 29. Response received on March 12.

***** 03/12/2008 07:41 PM Email: Meeks, Mike (UTC) << Susan Hunich**



Mike Meeks

In response to Complaint 102922 for Jack & Charlen Westerman

Please find attached the letter sent out to all Local Service Customers with WTI, LLC. WTI was notified on 02/27/2008 that Jack & Charlen Westerman had lost their Dial Tone Service. WTI was able to obtain a contact at Qwest to restore Dial Tone Service for those customers that did not respond to our letter of notice. WTI submitted the restoral information to Qwest on 02/27/2008 for Jack & Charlen Westerman and it is our understanding their Dial Tone service has been restored. If their Dial Tone Service has not been restore please have them contact our Restoral Toll Free Customer Service Number 1-866-508-1152 and we will do everything we can to get Qwest to restore their Dial Tone Service.

Susan Hunich
Customer Service Manager
WTI, LLC
425-949-0053

*** 03/13/2008 08:26 AM Email: Mike Meeks >> WTI



Hi Susan:

I've closed this complaint with 8 violations of WAC 480-120-166(6) for late response.

Thanks,

Mike Meeks

Consumer Program Specialist

Washington Utilities and Transportation Commission

*** 03/13/2008 08:28 AM Email: Mike Meeks >> Customer



Did Qwest restore your service on 3-4? I have notes from Qwest indicating that is what happened. Please advise.

Thanks,

Mike Meeks

Consumer Program Specialist

Washington Utilities and Transportation Commission

*** 04/03/2008 10:40 AM Violation: 480-120-083(2) -



Customer notice was not timely. Notice date is exactly 30 days prior to the discontinuance of service. Did not allow for delivery time.

*** 04/03/2008 10:40 AM Violation: 480-120-083(4)(d) -



Company provided no evidence of providing a second notice or making phone contact with customer per rule.

*** 04/03/2008 01:35 PM Email: Mike Meeks >> shunich



Susan:

After review, violations are required for improper noticing of the customer about the cessation of service. The violations are:
480-120-083(2) for not allowing the required time for notice to the customers of the cessation of service
480-120-083(4)(D) for not providing second notice or phone contact with the customer.

Sincerely,

Mike Meeks

Consumer Program Specialist

Washington Utilities and Transportation Commission

*** 08/06/2008 01:09 PM Email: Mike Meeks >> shunich; shunich; ASAP; Frychard



Susan:

Again I have updated the violations to reflect the proper citation:

Susan:

After review, violations are required for improper noticing of the customer about the cessation of service. The violations are:

480-120-083(2) for not allowing the required time for notice to the customers of the cessation of service
480-120-083(4)(D) for not providing second notice or phone contact with the customer.

Sincerely,
Mike Meeks
Consumer Program Specialist
Washington Utilities and Transportation Commission

Washington UTC Complaint

102924

Company: WTI, LLC

Customer: Account#

Frances and Martin Neville

Contact: Sheri Coker
142 Literal Road
Chehalis, WA 98532

Primary Phone: (360) 262-0154

Secondary: 360-262-0240 Sheri

Complaint: 102924

Serviced by: **Nancy Paulson**

Opened on: 02/27/2008

Grouped by: Disconnect

Closed on: 03/14/2008

Disposition: Company upheld

Description:



See Qwest Inquiry 102937.

Customer was disconnected without notice, 2/26/08. Customer called Qwest and was told she would be assigned a new number. Customer did not proceed with the Qwest order. This has been her phone number for 25 years, and she wants to retain it. Both customers are elderly and need a phone.

Results:

WTI sent customer notice on January 10, 2008.

Eight violations noted for late response.

Activity:

Activity Links

*** 02/27/2008 10:29 AM Email: Nancy Paulson >> mmelendez; shunich/WTI



Passing new complaint. Customers need transfer of service to Qwest expedited, and to retain same phone number. WTI, was notice given?

Response due by 5pm, 2/29/08. Thank you. (forwarded complaint description).

*** 02/28/2008 08:30 AM Voice Mail: Nancy Paulson << customer's daughter



Called for update.

*** 02/28/2008 12:14 PM Email: Nancy Paulson >> Kathy Cortwright



I meant to 'cc' you on this one yesterday. I didn't so a separate inquiry. Apparently the customer did not do a Qwest service order because she was told her number would be changed. I realize she must call Qwest to start the process but how can she retain her number? Thanks!

*** 02/28/2008 12:52 PM Phone: Nancy Paulson >> customer's daughter



Explained that her mom must call in to order service. However, Qwest & I are working on how best to accomplish this so that her current number is retained. I am calling my Qwest contact at 1:30 pm today to get the process in place. I will call her back. She thanked me.

***** 02/28/2008 04:30 PM Email: Paulson, Nancy (UTC) << Cortwright, Kathy**



2/28/2008

Nancy,

Re: 360-262-0154

There is no reason why customer should not be able to retain her number. I called to talk to Sheri to see if I couldn't at least get an order written and then we can take care of the third party verifications and such later. Her daughter took my message and will get back to me hopefully today. With any luck we will have an in house process tomorrow to help these customer's out in a more expeditious manner.

This communication is the property of Qwest and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

***** 03/04/2008 09:38 AM Email: Paulson, Nancy (UTC) << Cortwright, Kathy**



3/4/2008

Good Morning Nancy,

I worked with Mr. and Mrs. Neville's daughter, Sheri, to get their service back in and working yesterday.

Please let me know if you need any additional information to close this inquiry. Thank You.

***** 03/05/2008 02:30 PM Phone: Nancy Paulson >> customer**



Verified with customer's daughter that service was restored 3/3/08. It was. She thanked me.

***** 03/12/2008 10:17 AM Email: Nancy Paulson >> ASAP; shunich/WTI**



Good Morning: I passed this complaint 2/27/08 and have not received a response. I will be assessing daily violations until WTI responds.

Thank you: (sent entire complaint record).

***** 03/12/2008 12:12 PM Violation: 480-120-166(6) -**



WAC 480-120-166(6) Commission-referred complaints. (6) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must report its results of its investigation of service-affecting informal complaints to commission staff within two business days from the date commission staff passes the complaint to the company.

***** 03/12/2008 12:23 PM Email: Nancy Paulson >> ASAP/WTI**



I am recording eight violations of WAC 480-120-166(6) for failure to respond to a service-affecting complaint within two business days. Complaint emailed to company 2/27/08, response due 2/29/08. To date, no response. These eight violations cover 2/29, 3/3, 3/4, 3/5, 3/6, 3/7, 3/10, 3/11. On 3/5/08 I recorded four violations. However, I issued an incorrect number of violations as I had the wrong date that I passed

the complaint to WTI. Please disregard those entries. The dates are now correct and all the violations are included in this email. Thank you. (forwarded above violations).

***** 03/12/2008 05:49 PM Email: Paulson, Nancy (UTC) << Fred Rychard/WTI**



Nancy,

I'm sorry for the delay in responding. On January 10, 2008 WTI had sent out letters to all of their dial tone customers who are in the areas that Qwest services to let them know that WTI will cease offering local dial tone service to them as of February 10, 2008. We asked them to please contact us ASAP, and that we will help with the process of converting their local service to another provider. This customer did not contact WTI until after their service was shut off. The customer called WTI on February 28, 2008, they left a message stating they wanted their service reinstated, but did not leave a contact number to call back on? Qwest was not able to contact the customer to restore their service. Please let us know if you need any other information.

Sincerely,
WTI, LLC

***** 03/14/2008 05:02 PM Email: Nancy Paulson >> Fred Rychard [frychard**



Thank you. Customer obtained service with another carrier. This complaint is now closed. Please note that the UTC Consumer Affairs Section has an internal quality review program and all closed complaints are subject to possible review and/or re-opening.

***** 07/31/2008 04:34 PM Violation: 480-120-083(2)(c) -**



No telecommunications company may cease the provision of any telecommunications service in all or any portion of the state unless it first provides written notice to the following persons at least 30 days in advance of cessation of service: (c) Each of its customers, including customers that are telecommunications companies.

***** 07/31/2008 04:35 PM Email: Nancy Paulson >> Fred Rychard [frychard**



Upon further review, I am recording a violation of WAC 480-120-083(2)(c) for failure to notify each customer, including customers that are telecommunications companies, of cessation of services.

Washington UTC Complaint

102970

Company: WTI, LLC

Customer: Account#

Edith Preston

Contact:
101 Sherwood Rd.
Sequim, WA 98382

Primary Phone: (360) 683-1914

Complaint: 102970 Serviced by: **Gail Griffin-Wallace**
Opened on: 02/29/2008 Grouped by: Disconnect
Closed on: 03/17/2008 Disposition: Company upheld

Description:



Customer says she was disconnected without notice and then told WTI was no longer providing local service. Customer made advance payment for service .

When did WTI provide notice to UTC it would cease local service in Washington?
When was notice sent to customers? Provide copy.
When will overpayment check be issued? Amount?

passed to wti via email 3/3 @ 7:45am
your response to this service affecting complaint is due by close of business 3/5/08.

Results:

Company provided notice to its customers by mail. Copy was provided. Customer however did not receive. A violation was recorded for failure to respond timely.

Activity:

Activity Links

*** 03/03/2008 07:43 AM Email: Gail Griffin-Wallace >> shunich



Washington UTC Complaint
102970

Company: WTI, LLC

Customer: Account#

Edith Preston

Contact:
101 Sherwood Rd.
Sequim, WA 98382
Primary Phone: (360) 683-1914

Complaint: 102970 Serviced by: Gail Griffin-Wallace
Opened on: 02/29/2008 Grouped by: Disconnect

Description:

Customer says she was disconnected without notice and then told WTI was no

longer providing local service. Customr made advance payment for service .

When did WTI provide notice to UTC it would cease local service in Washington?

When was notice sent to customers? Provide copy.

When will overpayment check be issued? Amount?

passed to wti via email 3/4 @ 7:45am

your response to this service affecting complaint is due by close of business 3/5/08.

Activity:

*** 03/03/2008 07:46 AM Email: Gail Griffin-Wallace >> mmelendez



----- Forwarded by Gail Griffin-Wallace/WUTC on 03/03/2008 07:46 AM -----

Washington UTC Complaint

102970

Company: WTI, LLC

Customer: Account#

Edith Preston

Contact:

101 Sherwood Rd.

Sequim, WA 98382

Primary Phone: (360) 683-1914

Complaint: 102970 Serviced by: Gail Griffin-Wallace

Opened on: 02/29/2008 Grouped by: Disconnect

Description:

Customer says she was disconnected without notice and then told WTI was no longer providing local service. Customr made advance payment for service .

When did WTI provide notice to UTC it would cease local service in Washington?

When was notice sent to customers? Provide copy.

When will overpayment check be issued? Amount?

passed to wti via email 3/4 @ 7:45am

your response to this service affecting complaint is due by close of business 3/5/08.

Activity:

***** 03/07/2008 09:33 AM Email: Gail Griffin-Wallace >> Marcos Melendez**



WTI:

This service affecting complaint was passed to you on March 3, 2008. The due date for the initial response was by close of business March 6, 2008. I have not received your response. I am recording a violation of WAC 480-120-166(6)

WAC 480-120-166

Commission-referred complaints.

(6) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must report the results of its investigation of service-affecting informal complaints to commission staff within two business days from the date commission staff passes the complaint to the company. Service-affecting complaints include, but are not limited to, nonfunctioning or impaired services (i.e., disconnected services or those not functioning properly).

Your response is due immediately. Additional violations will be recorded for each day your response is delayed. Please contact me if you have questions.

***** 03/07/2008 09:46 AM Violation: 480-120-166(6) -**



(6) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must report the results of its investigation of service-affecting informal complaints to commission staff within two business days from the date commission staff passes the complaint to the company. Service-affecting complaints include, but are not limited to, nonfunctioning or impaired services (i.e., disconnected services or those not functioning properly).

Complaint was passed on 3/3/08 and due by close of business 3/5/08. No response received as of this date.

***** 03/07/2008 10:19 AM Email: Griffin-Wallace, Gail (UTC) << Marcos Melendez**



Gail please copy shunich@wtillc.com on all emails also include ASAP@wtillc.com on these emails too.

Is there a formal process to inform the UTC of these email changes?

I did not receive the complaint dated 3/3 - that is why we need to have emails sent to these other to address too.

Also I am not the point person for complaints. I have just been forwarding them on to Susan Hunich.

We will respond to this and the last one I got asap.

FYI

WTI informed all of its customers of it the dial tone change by letter and a

phone call.
Thanks
MM

***** 03/07/2008 10:57 AM Email: Griffin-Wallace, Gail (UTC) >> 'mmelendez@wtillc.com'; 'shunich@wtillc.com'; 'asap@wtillc.com'**



Marcos,

We have updated our records. Please provide a copy of the letter sent to your customers and well as the date of the phone attempt and the results.

Thank you

Gail

***** 03/11/2008 09:44 AM Email: Gail Griffin-Wallace >> Susan Hunich**



Susan,

I have still not received a response for this complaint.

Gail

***** 03/12/2008 06:57 PM Email: Griffin-Wallace, Gail (UTC) << Susan Hunich**



Gail

In response to Complaint 102970 for Edith Preston. (our records reflect the customers name as Edythe Preston) Please find attached the letter sent out to all Local Service Customers with WTI, LLC. WTI was notified on 02/29/2008 that Edith Preston had lost her Dial Tone Service. WTI was able to obtain a contact at Qwest to restore Dial Tone Service for those customers that did not respond to our letter of notice. In order for WTI to request the Dial Tone service to be restore both WTI and Qwest required a contact number to call the customer to restore the customers Dial Tone Service. WTI was unable to obtain a contact number for Edythe Preston, without the contact number we were unable to restore her service.

If the customer could call our Dial Tone Restoral Customer Service Number 1-866-508-1152 we will assist the customer with Qwest to restore her Dial Tone Service.

Susan Hunich
Customer Service Manager
WTI, LLC
425-949-0053

January 10, 2008

<<FIRST_NAME>> <<LAST_NAME>>
<<STREET_ADDRESS>>
<<CITY>>, <<STATE>> <<ZIP>>

Dear <<FIRST_NAME>>,

WTI will cease offering local dialtone service to our customers as of

February 10th, 2008.

To insure that you do not suffer a service interruption, please contact us at 1-800-919-1000 as soon as possible and we will guide you through the process of converting your local service to Qwest, Verizon or whichever available carrier you prefer.

This change applies to local service only. Any long distance service you have through WTI will remain unaffected.

If we have already contacted you about the change in service offerings and/or assisted you in establishing local service with another carrier please feel free to disregard this notice.

Thank you,

WTI Customer Care

***** 03/13/2008 10:51 AM Email: Griffin-Wallace, Gail (UTC) >> 'Susan Hunich'**



Susan,

Would you please verify the mailing address you have for this customer.

Thanks - Gail

***** 03/13/2008 11:35 AM Email: Griffin-Wallace, Gail (UTC) << Susan Hunich**



Gail

The address we have been provided for Edythe Preston for telephone number 360-683-1914 is 101 Sherwood Road, Sequim, WA 98382.

Susan Hunich

***** 03/13/2008 12:50 PM Email: Gail Griffin-Wallace >> Susan Hunich**



called customer -provided update

Customer advised she received another bill that company says it will credit.

Customer was told account was not closed.

Customer now has service with Qwest since 3/10/08.

***** 03/13/2008 12:50 PM Email: Griffin-Wallace, Gail (UTC) >> 'Susan Hunich'**



Susan,

Customer made an advance payment on 2/26 just before her service was terminated. Is WTI providing a credit for that advance payment? In addition customer received an additional bill this week. When she inquired she was told account was still open but that amount would be credited. Please verify date service was terminated and provide appropriate credits.

Please provide a billing any payment history for past 6 months to include date billed, amount, date due, payment amount, and date received.

Thanks - Gail

***** 03/13/2008 02:19 PM Email: Griffin-Wallace, Gail (UTC) << Susan Hunich**


Gail

Regarding Complaint 102970

Customer Account 1500068906 for Edythe Preston for telephone number 360-683-1914:

Her entire March 3, 2008 statement in the amount of \$25.63 which was her per-bill statement for the month of March has been credited. The current balance on this account is \$0.00 and all recurring charges have been removed from the account.

Susan Hunich
Customer Service Manager
WTI, LLC
425-949-0053

***** 03/14/2008 12:20 PM Email: Griffin-Wallace, Gail (UTC) >> 'Susan Hunich'**



Susan,

I am trying to determine if the customer overpaid. Please provide the billing and payment history as requested.

Thanks - Gail

***** 03/14/2008 02:16 PM Email: Griffin-Wallace, Gail (UTC) << Susan Hunich**



Your message

To: Susan Hunich
Subject: RE: WA - UTC request 102970 for Edith Preston
Sent: 3/14/2008 12:20 PM

was read on 3/14/2008 2:18 PM.

***** 03/14/2008 03:38 PM Attachment: Griffin-Wallace, Gail (UTC) << Fred Rychard**



***see attachments for copy of customer March 2008 bill & credit issued.

Gail,

The payment of \$25.62 that Edythe Preston made on 2/27/08 was applied toward her 2/1/08 invoice, which was due on 2/21/08 for services between 2/1/08 - 2/29/08. Customers are billed a month in advance for dial tone service.

I have attached a copy of Edith Prestons 3/3/08 bill. That billing states she owes \$25.63 for service from 3/1/08 - 3/31/08. You can also see the \$25.62 payment that was made on 2/27/08 posted on this billing.

On 3/11/08 the \$25.63 was credited off the account leaving a zero balance due. I have attached a copy of the pending credit. Our billing & payment history only updates once a month at the time of billing. So right now I can only give you a copy of the PENDING credit.

Please let me know if you need any other information.

Thanks,

Fred

Pending (unbilled) AR Entries
Account Name: PRESTON, EDYTHE
Customer # 1500068906-0000

Date	Amount	Type	LEC	Description	Transnum	Entered	User	Initials	ANI (if LEC
03/11/2008	-25.63	DTT	N	Dial Tone Transition Cr	628904	03/11/2008		WGREGORY	
WG	N/A				CP_80				

*** 03/17/2008 11:18 AM Phone: Gail Griffin-Wallace >> customer



called customer - lmtc

*** 03/17/2008 11:45 AM Phone: Gail Griffin-Wallace >> customer



Customer returned call - Explained that she has not overpaid as company bills for month on the 1st of each month. Customer understood. Customer mentioned she had to pay new customer fees w/ Qwest. I provided her with the number to Qwest Exec office to explain her situation. Asked customer to contact me back with results of conversation with Qwest.

*** 03/17/2008 11:48 AM Email: Gail Griffin-Wallace >> Susan Hunich



Susan,
Thanks for the information. This complaint is now closed. Please note that the Consumer Affairs section has an internal quality review program and all closed complaints are subject to possible review and/or re-opening.
Gail

*** 03/21/2008 03:00 PM Email: Gail Griffin-Wallace >> Susan Hunich



Susan:
An initial review of this complaint was conducted and a violation of WAC 480-120-083(4)(d) occurred.

Cessation of telecommunications services.

(4) The notice to customers required in subsection (2)(c) must include:

(a) The date telecommunications service will cease;

(b) Information on how to contact the exiting telecommunications company by telephone in order to obtain information needed to establish service with another provider;

(c) An explanation of how customers may receive a refund on any unused service. The exiting telecommunications company must provide information to consumers via its customer service number outlining the procedure for obtaining

refunds and continue to provide this information for sixty days after the date of cessation of service.

(d) A second notice provided by one of the two options listed below:

(i) Between ten and thirty days before cessation of service, the exiting telecommunications company must complete one direct call advising every customer of the cessation of service, including the date of cessation of service and a number to call for more information, if necessary. A direct call means a call in which the company leaves a recorded voice message for or speaks directly to the responsible party or its agent on the billing account; or

(ii) At least ten days before cessation of service, the exiting telecommunications company must provide a second written notice of cessation of service including the date of cessation of service and a number to call for more information, if necessary;

I have recorded a violation of WAC 480-120-083(4)(ii). Please contact me if you have any questions.

*** 03/21/2008 03:16 PM Violation: 480-120-083(4)(d) -



Customer did not receive a second notice service would end.

Cessation of telecommunications services.

(4) The notice to customers required in subsection (2)(c) must include:

(a) The date telecommunications service will cease;

(b) Information on how to contact the exiting telecommunications company by telephone in order to obtain information needed to establish service with another provider;

(c) An explanation of how customers may receive a refund on any unused service. The exiting telecommunications company must provide information to consumers via its customer service number outlining the procedure for obtaining refunds and continue to provide this information for sixty days after the date of cessation of service.

(d) A second notice provided by one of the two options listed below:

(i) Between ten and thirty days before cessation of service, the exiting telecommunications company must complete one direct call advising every customer of the cessation of service, including the date of cessation of service and a number to call for more information, if necessary. A direct call means a call in which the company leaves a recorded voice message for or speaks directly to the responsible party or its agent on the billing account; or

(ii) At least ten days before cessation of service, the exiting telecommunications company must provide a second written notice of cessation of service including the date of cessation of service and a number to call for more information, if necessary;

*** 08/07/2008 03:17 PM Email: Gail Griffin-Wallace >> WTI



Upon further review of this complaint, it was found that a violation of WAC 480-120-083(2)(c) also occurred. I have recorded this violations in the record. please contact me if you have any questions.

(2) No telecommunications company may cease the provision of any telecommunications service in all or any portion of the state unless it first provides written notice to the following persons at least 30 days in advance of cessation of service: (c) Each of its customers, including customers that are telecommunications companies;

*** 08/07/2008 03:37 PM Violation: 480-120-083(2)(c) -



(2) No telecommunications company may cease the provision of any telecommunications service in all or any portion of the state unless it first provides written notice to the following persons at least 30 days in advance of cessation of service:

(a) The commission;

(b) The state 911 program, in the instance of local exchange service, private branch exchange service (PBX), Centrex-type service, or private line service used in the provision of emergency services related to the state 911 program;

(c) Each of its customers, including customers that are telecommunications companies;

Washington UTC Complaint

103037

Company: WTI, LLC

Customer: Account# 1500070066-0000

Ronald Levin, MD

Contact: 206-349-3771 cell/msg
4033 E Madison, Suite 110
Seattle, WA 98112

Primary Phone: (206) 323-3771

Complaint: 103037

Serviced by: **Dennis Shutler**

Opened on: 03/11/2008

Grouped by: Disconnect

Closed on: 03/20/2008

Disposition: Company upheld

Description:



Mr states on 2/26/08 his telephone service provided by WTI, LLC (WTI) was disconnected without any type of prior notice. Mr states on 2/26/08 he called WTI 4 times requesting a returned call but WTI never returned his calls. On 2/27/08 Mr e-mailed WTI requesting a returned call but again, WTI never returned a call. Mr states that he just received another WTI bill though his telephone line remains disconnected.

Mr contacted Qwest and requested his telephone number (206) 323-3771 be ported away from WTI over to that of Qwest. However, Qwest's customer service representative told Mr that a disconnected telephone number may not be ported and reactivated by Qwest.

Mr does not believe he should be made to pay for a service WTI has not provided. Mr also asks Qwest to port his telephone number away from WTI over to that of Qwest as soon as possible, if at all possible.

Results:

On 1/10/08 WTI sent out letters to all of their dial tone customers in the areas that Qwest services to let them know that WTI will cease offering local dial tone service as of 2/10/08.

WTI asked them to contact WTI ASAP and WTI would help with converting their local service to another provider. Mr only contacted WTI after his service was shut off.

---VIOLATIONS NOTED---

Activity:

Activity Links

*** 03/11/2008 08:32 AM Email: Dennis Shutler >> uswpuc



This is NOT a complaint against Qwest.

Mr requests Qwest port his disconnected telephone number away from WTI over to that of Qwest as soon as possible, if at all possible.

*** 03/11/2008 08:38 AM Email: Dennis Shutler >> hunich; shunich; ASAP



-URGENT- Passing a new complaint. -URGENT-

This is a service-affecting complaint, consequently, in accordance with the commission's response rule in Washington Administrative Code (WAC) 480-120-166(6) Commission-referred complaints, WTI's response is due not later than 5 pm on 3/13/08.

I look forward to your response.

*** 03/11/2008 08:40 AM Email: Shutler, Dennis (UTC) << Cortwright, Kathy



I will respond to this complaint.

***** 03/11/2008 09:50 AM Email: Shutler, Dennis (UTC) << Cortwright, Kathy**



Please ask Mr. Levin to accept my sincere apology for any misunderstanding or inconvenience related to his service request. An order is due today to add service back for Mr. Levin on (206) 323-3771.

The WTI/LLC accounts were resold Qwest numbers therefore we are adding customer's service back with the same facilities that were previously used. There is no dispatch required. Service should be working no later than 5 PM this evening. Please let me know if you have any questions or need clarification. Thank You.

***** 03/11/2008 09:54 AM Voice Mail: Dennis Shutler >> Mr**



I called Mr and left him a voice message stating his service should be up and operable again this afternoon not later than 5 pm.

I asked Mr to give me a call to verify his service was in fact again operable. I told Mr that if I didn't hear from him, I would call him tomorrow to see the service operable.

***** 03/11/2008 12:50 PM Phone: Dennis Shutler << Mr**



Mr called and said he would mail me copies of the recent bill for charges not being provided.

***** 03/12/2008 02:12 PM Phone: Dennis Shutler >> Mr**



Mr called and said his phone is now working perfectly.

Mr thanked me for my assistance in reinstating his service.

I told Mr I was closing his complaint but he should feel free to give me a call in the future should he experience further issues.

***** 03/17/2008 08:34 AM Violation: 480-120-166(6) -**



VIOLATION: Five (5) violations of Washington Administrative Code (WAC) 480-120-166(6) Commission-referred complaints, against WTI, LLC (WTI) for failing to provide staff an initial response to this consumer's complaint in a timely manner. This is a service-affecting complaint and WTI has failed to respond as required by commission rule. Staff passed this consumer's complaint to WTI on 3-11-08, and WTI's initial response was due not later than 5 p.m. on 3-13-08. Staff has not yet received WTI's initial response.

On 3/20/08, I revised the violation count against WTI for failing to respond in a timely manner from 2 to that of now 5.

***** 03/17/2008 08:43 AM Email: Dennis Shutler >> hunich; shunich; ASAP; Sheri Hoyt**



Susan Hunich, WTI, LLC (WTI):

This is a service-affecting complaint and WTI has failed to respond as required by commission rule. Staff passed this consumer's complaint to WTI on 3-11-08, and WTI's initial response was due not later than 5 p.m. on 3-13-08.

Staff has not yet received WTI's initial response.

Consequently, I have recorded a violation of the commission's rule in Washington Administrative Code (WAC) 480-120-166(6) Commission-referred complaints, against WTI, as follows:

Two (2) violations of WAC 480-120-166(6) Commission-referred complaints, against WTI for failing to provide staff an initial response to this consumer's complaint in a timely manner.

WAC 480-120-166(6) Commission-referred complaints. (6) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must report its results of its investigation of service-affecting informal complaints to commission staff within two business days from the date commission staff passes the complaint to the company.

NOTE: Additional violations will be recorded for every business day until staff receives WTI's initial response.
Please respond.

***** 03/20/2008 02:31 PM Email: Dennis Shutler >> shunich; ASAP**



Ms Susan Hunich, and Mr Fred Rychard, WTI, LLC (WTI):

This is a service-affecting complaint and WTI has failed to respond as required by commission rule. Staff passed this consumer's complaint to WTI on 3-11-08, and WTI's initial response was due not later than 5 p.m. on 3-13-08.

Staff has not yet received WTI's initial response.

Consequently, I have recorded a violation of the commission's rule in Washington Administrative Code (WAC) 480-120-166(6) Commission-referred complaints, against WTI, as follows:

Five (5) violations of WAC 480-120-166(6) Commission-referred complaints, against WTI for failing to provide staff an initial response to this consumer's complaint in a timely manner.

WAC 480-120-166(6) Commission-referred complaints. (6) Unless another time is specified in this rule or unless commission staff specifies a later date, the company must report its results of its investigation of service-affecting informal complaints to commission staff within two business days from the date commission staff passes the complaint to the company.

NOTE: Additional violations will be recorded for every business day until staff receives WTI's initial response.
Please respond.

***** 03/20/2008 04:09 PM Email: Shutler, Dennis (UTC) << Fred Rychard**



On January 10, 2008 WTI had sent out letters to all of their dial tone customers who are in the areas that Qwest services to let them know that WTI will cease offering local dial tone service to them as of February 10, 2008.

We asked them to please contact us ASAP, and that we will help with the process of converting their local service to another provider.

This customer only contacted WTI after their service was shut off.

Please let us know if you need any other information.

***** 03/20/2008 04:27 PM Email: Shutler, Dennis (UTC) >> 'frychard@wtillc.com'**



Thank you for your response regarding this consumer's prior service with WTI.

On 3/12/08 Mr called me and stated his service was back up and operating smoothly with Qwest.

I told Mr then that I was closing his complaint and you too may now consider this consumer's complaint closed as well.

Again, I thank you.

NOTE: Please note that the Consumer Affairs section has an internal quality review program and all closed complaints are subject to possible review and/or

re-opening.

***** 03/21/2008 02:55 PM Email: Dennis Shutler >> frychard**



Please provide me a copy of the notice that WTI sent out to its customers regarding its cessation of services.

***** 03/21/2008 03:09 PM Email: Shutler, Dennis (UTC) << Fred Rychard**



Here you go. The letters were sent out in a mail merge using this attached letter document. I believe I attached this letter to my response to you yesterday?

SEE ATTACHED CUSTOMER LETTER:

***** 03/21/2008 03:12 PM Email: Shutler, Dennis (UTC) >> 'frychard@wtillc.com'**



Yes you did, I simply overlooked it.

***** 03/21/2008 03:39 PM Email: Shutler, Dennis (UTC) >> 'frychard@wtillc.com'**



Question, On what date were these letters printed and then mailed?
If they were printed and then mailed on the date of the letter, January 10, 2008, the customers would clearly not have been given the full 30-days as is required by commission rule.
I look forward to your response.

***** 03/21/2008 03:53 PM Email: Shutler, Dennis (UTC) << Fred Rychard**



The letters were sent January 10, 2008. This customer is stating at their service was shutoff February 26, 2008. " Mr states on 2/26/08 his telephone service provided by WTI, LLC (WTI) was disconnected without any type of prior notice".

That figures out to be 47 days, which is more then the required 30 days.

***** 03/24/2008 09:51 AM Violation: 480-120-083(4)(c) -**



VIOLATION: One (1) violation of Washington Administrative Code (WAC) 480-120-083(4)(c) Cessation of telecommunications services, against WTI, LLC (WTI) for failing to list on its cessation of services notice, an explanation of how customers may receive a refund on any unused service.

***** 03/24/2008 11:26 AM Violation: 480-120-083(2)(c) -**



VIOLATION: One (1) violation of Washington Administrative Code (WAC) 480-120-083(2)(c) Cessation of telecommunications services, against WTI, LLC (WTI) for failing to provide its customers a 30-day written notice of the pending cessation of service at least 30 days in advance of cessation of service date. WTI printed and then mailed its 30-day written notice of the pending cessation of service to its customers on January 10, 2008, stating in its notice: "WTI will cease offering local dialtone service to our customers as of February 10th, 2008." Though this customer's service was not disconnected until on 2/26/08, the intent of the notice shows service was set to cease on February 10th, 2008, clearly the customers were not allowed the full 30 days as is required by the rule.

***** 03/24/2008 11:49 AM Violation: 480-120-083(4)(d) -**



VIOLATION: One (1) violation of Washington Administrative Code (WAC) 480-120-083(4)(d)(i) or (ii) Cessation of telecommunications services, against WTI, LLC (WTI) for failing to provide its customers a

second notice provided by one of the two options listed in WAC 480-120-083(4)(d)(i) or (ii). In WTI's e-mailed response to staff dated 3/20/08, WTI addressed in the letter it mailed to its customers on 1/10/08, where WTI requested its customers contact WTI for assistance in converting their local service. WTI noted this customer only contacted WTI after his service was shut off, stating, in part: "On January 10, 2008 WTI had sent out letters to all of their dial tone customers who are in the areas that Qwest services to let them know that WTI will cease offering local dial tone service to them as of February 10, 2008. We asked them to please contact us ASAP, and that we will help with the process of converting their local service to another provider. This customer only contacted WTI after their service was shut off." Because WTI disclosed no other communications between WTI and the customer, staff believes WTI failed to provide a second notice to this customer as is required by commission rule.

*** 03/24/2008 01:47 PM Email: Shutler, Dennis (UTC) >> 'frychard@wtillc.com'



Ms Susan Hunich, and Mr Fred Rychard, WTI, LLC (WTI):

Thank you for providing me a copy of WTI's cessation of service notice. During the course of my investigation into this consumer's complaint, I found WTI violated commission rules and I documented those violations, as follows:

WTI printed and then mailed its 30-day written notice of the pending cessation of service to its customers on January 10, 2008, stating in its notice: "WTI will cease offering local dialtone service to our customers as of February 10th, 2008."

Though this customer's service was not disconnected until on 2/26/08, the intent in WTI's notice shows service was set to cease on February 10th, 2008, clearly the customers were not allowed the full 30 days by WTI's notice as is required by the rule.

Consequently, I have recorded a violation of the commission's rule in Washington Administrative Code (WAC) 480-120-083(2)(c) Cessation of telecommunications services, against WTI, as follows:

One (1) violation of WAC 480-120-083(2)(c) Cessation of telecommunications services, against WTI for failing to provide its customers a 30-day written notice of the pending cessation of service at least 30 days in advance of cessation of service date.

WAC 480-120-103(2)(c) No telecommunications company may cease the provision of any telecommunications service in all or any portion of the state unless it first provides written notice to the following persons at least 30 days in advance of cessation of service: (a) The commission; (b) The state 911 program, in the instance of local exchange service, private branch exchange service (PBX), Centrex-type service, or private line service used in the provision of emergency services related to the state 911 program; (c) Each of its customers, including customers that are telecommunications companies.

In addition, in WTI's e-mailed response to staff dated 3/20/08, WTI addressed in its letter it mailed to its customers on 1/10/08, where WTI requested its customers contact WTI for assistance in converting their local service that this customer only contacted WTI after his service was shut off, stating, in part: "On January 10, 2008 WTI had sent out letters to all of their dial tone customers who are in the areas that Qwest services to let them know that WTI will cease offering local dial tone service to them as of February 10, 2008. We asked them to please contact us ASAP, and that we will help with the process of converting their local service to another provider. This customer only contacted WTI after their service was shut off."

Because WTI disclosed no other communications between WTI and the customer,

staff finds WTI failed to provide a second notice to this customer as is required by commission rule.

Consequently, I have recorded a violation of the commission's rule in WAC 480-120-083(4)(d)(i) or (ii) Cessation of telecommunications services, against WTI, as follows:

One (1) violation of WAC 480-120-083(4)(d)(i) or (ii) Cessation of telecommunications services, against WTI for failing to provide its customers a second notice provided by one of the two options listed in WAC 480-120-083(4)(d)(i) or (ii).

WAC 480-120-083(4)(d)(i) or (ii) Cessation of telecommunications services. (4) The notice to customers required in subsection (2)(c) must include: (d) A second notice provided by one of the two options listed below: (i) Between ten and thirty days before cessation of service, the exiting telecommunications company must complete one direct call advising every customer of the cessation of service, including the date of cessation of service and a number to call for more information, if necessary. A direct call means a call in which the company leaves a recorded voice message for or speaks directly to the responsible party or its agent on the billing account; or (ii) At least ten days before cessation of service, the exiting telecommunications company must provide a second written notice of cessation of service including the date of cessation of service and a number to call for more information, if necessary.

Further, WTI's notice of cessation of service failed to provide an explanation of how customers may receive a refund on any unused service.

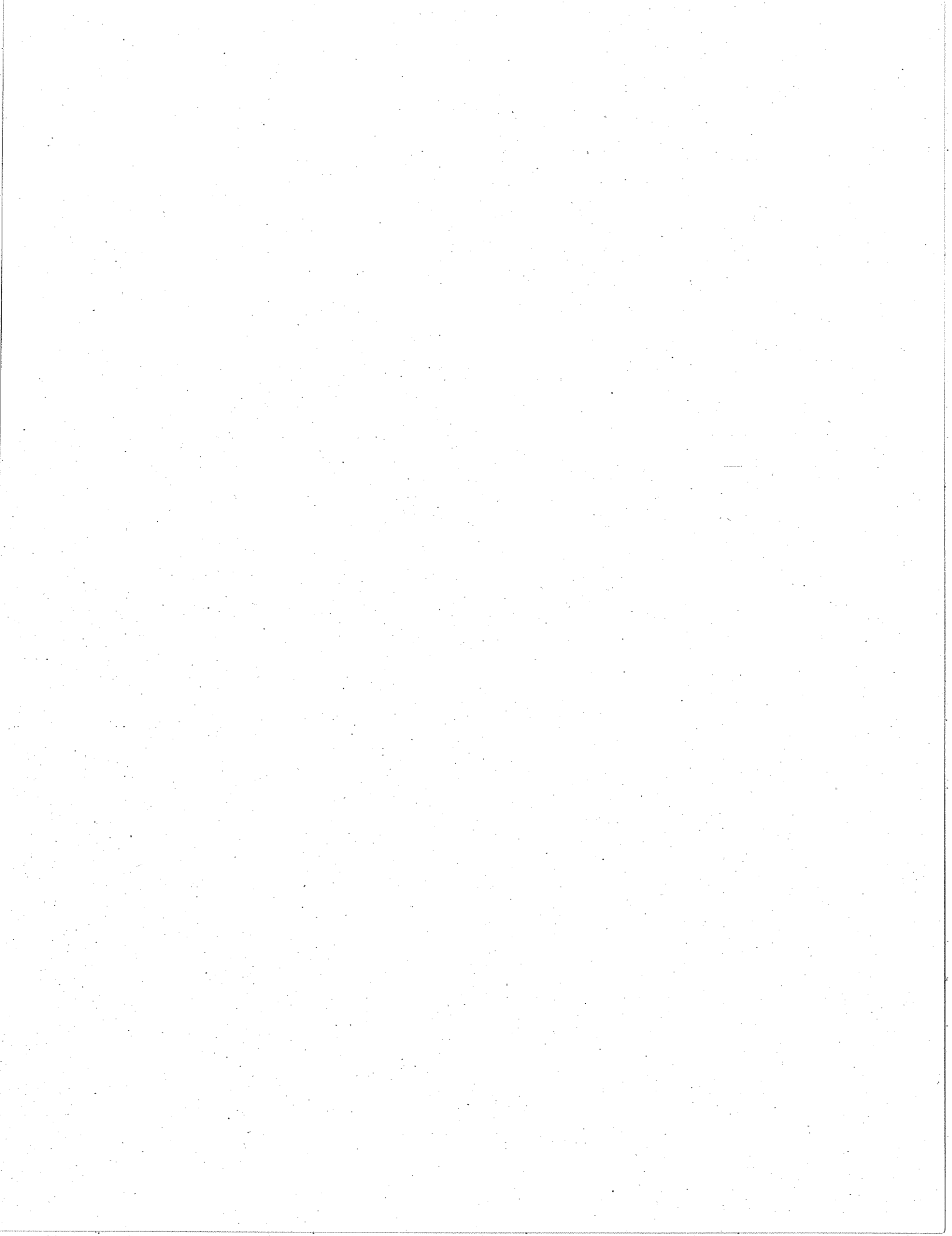
Consequently, I have recorded a violation of the commission's rule in WAC 480-120-083(4)(c) Cessation of telecommunications services, against WTI, as follows:

One (1) violation of WAC 480-120-083(4)(c) Cessation of telecommunications services, against WTI for failing to list on its cessation of services notice, an explanation of how customers may receive a refund on any unused service.

WAC 480-120-103(4)(c) Cessation of telecommunications services. (4) The notice to customers required in subsection (2)(c) must include: (c) An explanation of how customers may receive a refund on any unused service. The exiting telecommunications company must provide information to consumers via its customer service number outlining the procedure for obtaining refunds and continue to provide this information for sixty days after the date of cessation of service.

Should WTI find it needs to send out future notices such as the one sent to Qwest service area customers, please revise the notice to meet the terms and conditions set forth in the rules listed above, and ensure the customer is afforded a full 30-day period after receiving the notice prior to disconnection of said service.

You may now consider this customer's informal complaint reclosed.



APPENDIX F

Hoyt, Sheri (UTC)

From: Trisha Smith [tsmith@wtillc.com]
Sent: Thursday, March 27, 2008 10:22 AM
To: Hoyt, Sheri (UTC)
Subject: RE: WTI, LLC annual reports

Sheri-

Of those 55, some were coded as service levels other than local resale in our billing system and so did not turn up in a printout of the customers, some were on our reseller account but did not have WTI accounts, some had left WTI and transferred their service back to Qwest but had never been taken off our account by Qwest, and some did not respond to our attempts to contact them.

Trisha

-----Original Message-----

From: Hoyt, Sheri (UTC) [mailto:SHoyt@utc.wa.gov]
Sent: Thursday, March 27, 2008 9:24 AM
To: Trisha Smith
Subject: RE: WTI, LLC annual reports

Trisha,

Upon further review of your response, I have one more clarifying question. You said there were "55 customers who lost dialtone service that we were unaware of..." What does that mean? In what way was WTI unaware of its own customers?

Thank you,
Sheri

-----Original Message-----

From: Trisha Smith [mailto:tsmith@wtillc.com]
Sent: Wednesday, March 26, 2008 11:39 AM
To: Hoyt, Sheri (UTC)
Subject: RE: WTI, LLC annual reports

To my understanding that is how it works.

-----Original Message-----

From: Hoyt, Sheri (UTC) [mailto:SHoyt@utc.wa.gov]
Sent: Wednesday, March 26, 2008 11:33 AM
To: Trisha Smith
Subject: RE: WTI, LLC annual reports

So, if I understand this correctly, WTI purchases service directly from Qwest (and Verizon) and then repackages and bills WTI customers? There's no other company in the middle? The reason I ask is that information we received indicates there's another company in the middle. I wondered if that's why WTI stated on its annual report that it did not provide dial-tone services.

Thanks,
Sheri

Staff Investigation - WTI, LLC

-----Original Message-----

From: Trisha Smith [mailto:tsmith@wtillc.com]
Sent: Wednesday, March 26, 2008 11:33 AM
To: Hoyt, Sheri (UTC)
Subject: RE: WTI, LLC annual reports

Regional Bell Operating Company ie. Qwest and Verizon.

-----Original Message-----

From: Hoyt, Sheri (UTC) [mailto:SHoyt@utc.wa.gov]
Sent: Wednesday, March 26, 2008 11:25 AM
To: Trisha Smith
Subject: RE: WTI, LLC annual reports

Ms. Smith.

Thank you for your quick response. Can you clarify one point for me, please. You say WTI resells "RBOC" dial-tone services. What is "RBOC"?

Thank you,
Sheri

-----Original Message-----

From: Trisha Smith [mailto:tsmith@wtillc.com]
Sent: Wednesday, March 26, 2008 11:25 AM
To: Hoyt, Sheri (UTC)
Cc: Robert Manning
Subject: WTI, LLC annual reports

Sheri Hoyt-

To the best of my ability here is our count as to how many customers were affected in Qwest's and Verizon's territory:

Qwest - 451 customers switched their dialtone service back to Qwest using transition.
68 went with another provider of their choice.
8 customers cancelled - either switched to another provider or decided to use cell phones.
23 customers we were unable to contact, either they did not have voicemail or would not return our calls.
55 customers who lost dialtone service that we were unaware of, we assisted getting their dialtone service restored with Qwest.

Verizon - 159 customers were identified.

In regards to the annual reports stating that WTI does not provide dial-tone service, it appears there may have been some confusion regarding how we should answer. Our customers that are being billed for dialtone, we do not provide it off our switch, but rather resell RBOC dialtone services.

They provide the service, bill us for it and we bill the customers, but for technical issues, outages, etc we have to put in a trouble ticket with the RBOC. So, when asked how many lines we provide local exchange service to, the person filling this form out answered that we did not provide local exchange service.

Staff Investigation – WTI, LLC

There have been three Seattle area business clients who connect via T-1 to our switch but those exceptions are by special arrangement. To someone thinking of our local service customers as being the standard WTI Qwest & Verizon local service resale accounts one might understand why they would say that we don't provide local exchange services, we only invoice for services provided by others.

I hope this answers your questions, please let us know how to proceed from here.

Thank you,

Trisha Smith
Controller
WTI, LLC
22722 29th Dr. SE #120
Bothell, WA 98021
P (425) 949-0051
F (425) 350-7426
tsmith@wtillc.com

Hoyt, Sheri (UTC)

From: Hoyt, Sheri (UTC)
Sent: Monday, March 24, 2008 1:54 PM
To: 'rmanning@wtillc.com'
Subject: WTI, LLC annual reports
Attachments: WTI LLC 2006 Annual Report.pdf; WTI LLC 2005 Annual Report.pdf
Importance: High

Good afternoon Mr. Manning,

You are listed on WTI, LLC's (WTI) 2005 and 2006 annual reports as the person inquiries regarding the reports should be directed to. As you may know, the Utilities and Transportation Commission's Consumer Affairs Office has received numerous consumer complaints in the last few months regarding WTI's cessation of dial-tone service. I understand that the WTI customers that reside in Qwest Corporation's (Qwest) territory were disconnected at the end of February and that customers in Verizon Northwest, Inc.'s (Verizon) territory are due to be disconnected mid-April.

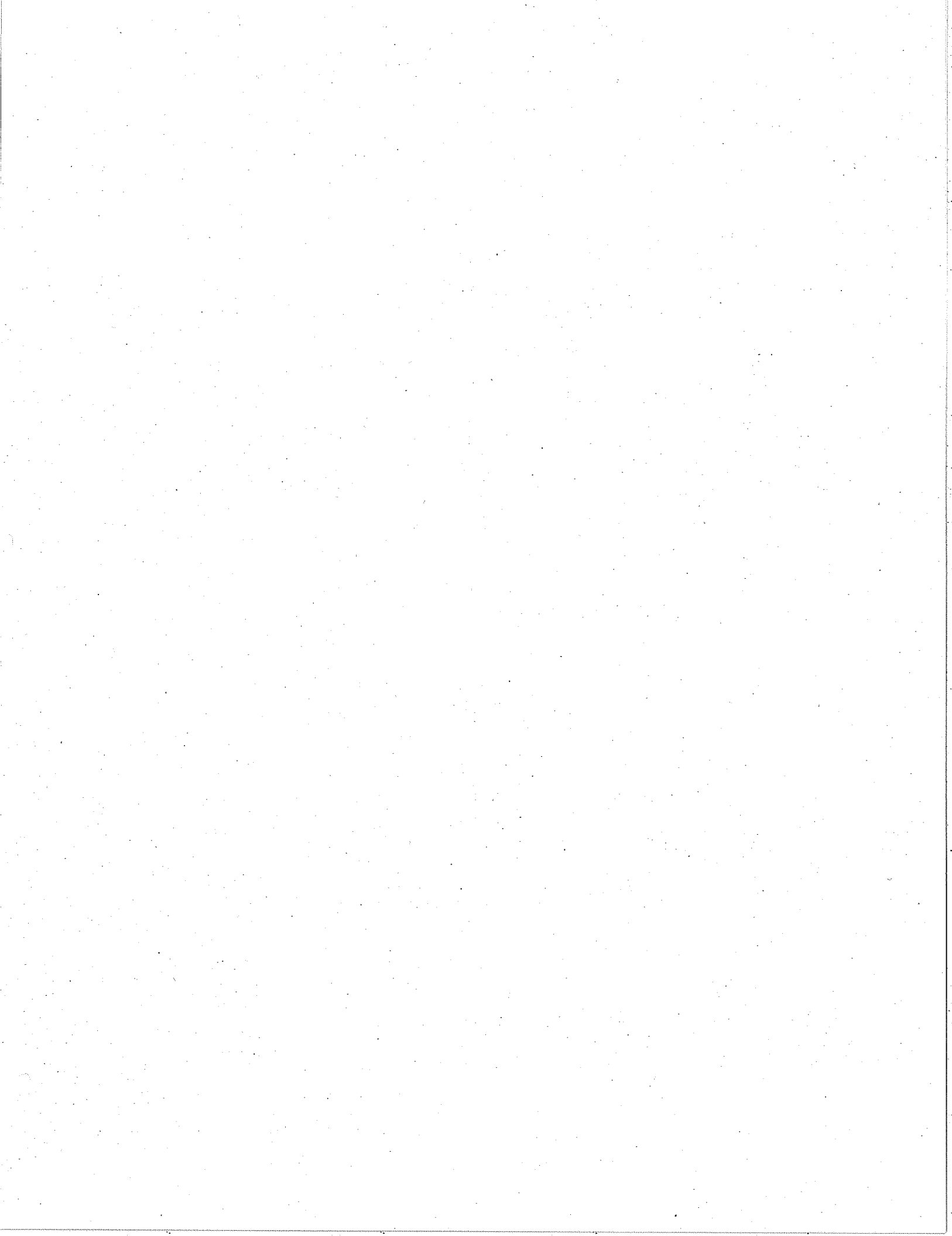
With this communication, I'm requesting information from WTI as to how many customers were affected in Qwest's territory and how many were affected in Verizon's territory. In addition, are there other Washington customers that will be affected by WTI's cessation of providing dial-tone service?

To this communication I have attached the last two annual reports filed by you on behalf of WTI (years 2005 and 2006). Can you please explain why the annual reports say WTI does not provide dial-tone service (section three, number four), yet WTI customers have been receiving dial-tone service and the letters WTI has sent out regarding the cessation of dial-tone service surely indicate WTI has been providing dial-tone service in Washington?

You may direct your response to me, I can be reached by phone at (360) 664-1149 or via e-mail at shoyt@utc.wa.gov. I look forward to receiving your reply within the week. If that is not ample time to respond to my questions, please provide me a date by which you will respond to this inquiry.

Sincerely,

Sheri Hoyt
Compliance Specialist
Business Practices Investigations
Washington Utilities and Transportation Commission
Phone: (36) 664-1149
Fax: (360) 586-1150
E-mail: shoyt@utc.wa.gov



APPENDIX G



March 13, 2008

Customer
Address
City, State, Zip Code

WTI will cease reselling Verizon local dial tone service to our customers as of April 15th, 2008. Our records show that you have dial tone service with us at one or more locations that will be affected by this decision.

To insure that you do not suffer a service interruption or lose your phone number, please contact us at 1-800-919-1000 as soon as possible so that we may guide you through the process of converting your local service to Verizon or an available carrier of your choosing.

This change applies to local service only. Any long distance services you may have through WTI will remain unaffected, though we remind you that active dial tone service is required to place and receive calls.

If we have already assisted you in establishing local service with another carrier or you no longer have local dial tone service through WTI, please disregard this notice.

Thank you,

WTI Customer Care

