



**STATE OF WASHINGTON**  
**UTILITIES AND TRANSPORTATION COMMISSION**  
*1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250*  
*(360) 664-1160 • [www.utc.wa.gov](http://www.utc.wa.gov)*

October 22, 2018

**NOTICE OF OPPORTUNITY TO SUBMIT WRITTEN COMMENTS**  
**(By Friday, December 7, 2018)**  
**and**  
**NOTICE OF WORKSHOP**  
**(Set for Monday, January 7, 2019, at 9:30 a.m.)**

Re: Rulemaking to Consider Possible Changes to Rules in Chapter 480-120 WAC,  
Relating to Service Obligations of Telephone Companies, Docket UT-180831

TO ALL INTERESTED PERSONS:

On October 22, 2018, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to consider possible additions or modifications to certain sections in Washington Administrative Code (WAC) Chapter 480-120, Telephone Companies. The Commission believes that revisions are necessary to address companies' obligations to provide basic local exchange service upon request, particularly when a line extension is necessary as currently required by WAC 480-120-071.

The CR-101, as filed with the Code Reviser, is available for inspection on the Commission's website at [www.utc.wa.gov/180831](http://www.utc.wa.gov/180831).

**WRITTEN COMMENTS**

The Commission invites comments on the subject of the proposed rulemaking. Comments in response to the following questions and issues will be most helpful to the Commission:

- (1) RCW 80.36.090 provides, in relevant part, "Every telecommunications company shall, upon reasonable notice, furnish to all persons and corporations who may apply therefor and be reasonably entitled thereto suitable and proper facilities and connections for telephonic communication and furnish telephone service as demanded."
  - a. Under what circumstances are persons "reasonably entitled" to "suitable and proper facilities and connections for telephonic communication"?

- b. Should the Commission require local exchange companies (LECs) to furnish residential basic local telecommunications service to any applicant who resides within that company's service territory in Washington? If not, why not?
  - c. Should all LECs have the same obligation to furnish residential basic local telecommunications service upon request from an applicant within the company's service territory in Washington? If not, what obligations should different LECs have, and what is the basis for the varying obligations?
  - d. Should the Commission promulgate a rule that establishes the circumstances under which a company must furnish basic local telecommunications service upon request other than, or in addition to, WAC 480-120-071?
- (2) What is a "carrier of last resort"? Should the Commission designate a carrier of last resort in each LEC's service territory in Washington? If so, what criteria, factors, or other considerations should the Commission use to make such a designation?
- (3) Are there any populated areas in Washington in which a LEC is the only source of reliable basic local telecommunications service? If so, where?
- (4) WAC 480-120-071(4) requires each LEC that receives federal high-cost universal service support to "allow for an extension of service within its service territory up to one thousand feet at no charge to the applicant. The company may allow for an extension of service for distances over the allowance," but "[t]he applicant is responsible for the cost of that portion of the extension of service, if any, that exceeds the allowance."
- a. Should the Commission continue to require these or any other LECs to provide an extension of service for up to 1,000 feet at no charge to the applicant? If not, why not? Would a different distance be more appropriate? If so, why?
  - b. Under what circumstances should an applicant be responsible for the costs of an extension of service?
  - c. Should the Commission continue to exclude "developments," as that term is defined in the rule, from extensions of service? If so, under what terms and conditions? If not, why not, and should the Commission modify the definition of "developments"?
  - d. Should the Commission revise its rules to require all LECs to keep records of instances in which they have denied requests for residential basic local telecommunications service due to lack of facilities?
  - e. Should the Commission otherwise modify WAC 480-120-071? If so, how and why?

- (5) Should the Commission modify or repeal any other rules in chapter 480-120 WAC with respect to telecommunications companies' obligation to provide service on demand or request? If so, please identify those rules and explain how and why the Commission should modify or repeal them.

Written comments must be submitted to the Commission for filing no later than **5 p.m., on December 7, 2018**. Pursuant to WAC 480-07-250(3), written comments must be submitted in electronic form, specifically in searchable .pdf format (Adobe Acrobat or comparable software). As provided in WAC 480-07-140(5), those comments must be submitted via the Commission's web portal at [www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing). If you are unable to submit documents via the portal, you may submit your comments by email to the Commission's Records Center at [records@utc.wa.gov](mailto:records@utc.wa.gov) or by mailing or delivering an electronic copy to the Commission's Records Center on a flash drive, DVD, or compact disc that includes the filed document(s). Comment submissions should include:

- The docket number of this proceeding (UT-180831).
- The commenting party's name.
- The title and date of the comment or comments.

The Commission will post all written comments on its website at the following URL address: [www.utc.wa.gov/180831](http://www.utc.wa.gov/180831).

If you have questions regarding this rulemaking, you may contact staff lead, Gregory J. Kopta, at (360) 664-1355, or by email at [gregory.kopta@utc.wa.gov](mailto:gregory.kopta@utc.wa.gov).

### **STAKEHOLDER WORKSHOP**

Interested persons are invited to attend a stakeholder workshop on **January 7, 2019, beginning at 9:30 a.m., in Room 206, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

Stakeholders will have further opportunity for comment. Information about the schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's website as it becomes available. If you wish to receive further information on this rulemaking you may:

- Call the Commission's Records Center at (360) 664-1234
- Email the Commission at [records@utc.wa.gov](mailto:records@utc.wa.gov)
- Mail written comments to the address below

When contacting the Commission, please refer to Docket UT-180831 to ensure that you are placed on the appropriate service list. The Commission's mailing address is:

Executive Director and Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive SW  
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Olympia, WA 98504-7250

**NOTICE**

**If you do not want to comment now, but do want to receive future information about this rulemaking, please notify the Executive Director and Secretary in one of the ways described above and ask to be included on the mailing list for Docket UT-180831. If you do not do this, you might not receive further information about this rulemaking.**

MARK L. JOHNSON  
Executive Director and Secretary