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7 **BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

8 In the Matter of the Petition of Asotin
9 Telephone Company d/b/a TDS Telecom,
10 Consolidated Communications of Washington
11 Company, LLC, Hat Island Telephone
12 Company, Hood Canal Telephone Co. Inc.,
13 Inland Telephone Company, Kalama
14 Telephone Company, Lewis River Telephone
15 Company d/b/a TDS Telecom, Mashell
16 Telecom, Inc. d/b/a Rainier Connect,
17 McDaniel Telephone Company d/b/a TDS
18 Telecom, Pioneer Telephone Company, Pend
19 Oreille Telephone Company d/b/a RTI Pend
20 Oreille Telecom, Skyline Telecom, Inc., St
21 John Telephone, Inc., Tenino Telephone
22 Company, The Toledo Telephone Co., Inc.,
23 Western Wahkiakum County Telephone
24 Company and Whidbey Telephone Company
25 d/b/a Whidbey Telecom To Establish an
26 Alternative Form of Regulation

DOCKET NO. UT- _____

PETITION TO ESTABLISH AN
ALTERNATIVE FORM OF REGULATION

21 Asotin Telephone Company d/b/a TDS Telecom, Consolidated Communications of
22 Washington Company, LLC, Hat Island Telephone Company, Hood Canal Telephone Co. Inc.,
23 Inland Telephone Company, Kalama Telephone Company, Lewis River Telephone Company d/b/a

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26 PETITION TO ESTABLISH AN
ALTERNATIVE FORM OF REGULATION - 1

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1 TDS Telecom, Mashell Telecom, Inc. d/b/a Rainier Connect, McDaniel Telephone Company d/b/a
2 TDS Telecom, Pioneer Telephone Company, Pend Oreille Telephone Company d/b/a RTI Pend
3 Oreille Telecom, Skyline Telecom, Inc., St John Telephone, Inc., Tenino Telephone Company, The
4 Toledo Telephone Co., Inc., Western Wahkiakum County Telephone Company and Whidbey
5 Telephone Company d/b/a Whidbey Telecom (collectively "WITA Members") hereby file this
6 Petition to Establish an Alternative Form of Regulation ("Petition"). This Petition is filed pursuant
7 to RCW 80.36.135.
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9 Under RCW 80.36.135(3) a petition to establish an alternative form of regulation ("AFOR")
10 must include a plan. The plan is to contain a proposal for a transition to the AFOR and proposed
11 duration of the plan. The WITA Members are proposing the plan as set out in the next section of
12 this Petition.
13

14 PLAN FOR ALTERNATIVE FORM OF REGULATION

15 The plan for the AFOR consists of the following elements:

- 16 1. The plan is voluntary and an incumbent local exchange carrier that is a WITA Member (the
17 "Company") must affirmatively elect to be subject to the plan. The election would be through a
18 written notice of not less than thirty days filed with the Commission.
19
- 20 2. The duration of the plan will be set out in the Company's notice to the Commission, but can
21 be perpetual or until terminated by the Company.
- 22 3. The Company is still subject to the Commission's regulations regarding customer quality of
23 service.
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1 4. The Commission will have continuing authority to regulate the Company as necessary to
2 implement the Federal Communications Act of 1996, including, but not limited to, intercarrier
3 operations and requests for interconnection under Section 251 of the Federal Communications Act
4 of 1996.

5 5. The Company is still subject to customer disconnect rules as set out in Commission rules.

6 6. The Company must price list its local service rates and miscellaneous charges. Access rates
7 will remain tariffed.
8

9 7. The Company has the right to increase or decrease any rates that it has for any price listed
10 service by filing a rate change with the Commission on a minimum of ten (10) business days notice;
11 provided, however, that for the first three years of the plan, the Company may not raise stand-alone
12 basic local exchange service rates for residential service more than ten percent (10%) in any one
13 calendar year. Any such filing may be made without providing cost support.

14 8. A minimum ten (10) business day notice of an increase in rates will be provided to
15 customers affected by the price list change.
16

17 9. The Company may offer new services and products in its price list without providing cost
18 support for such filings. Such new services and products shall be effective upon filing.

19 10. The Company is still subject to the Commission rules related to form and provision of bills
20 and payment practices.

21 11. The Company is still subject to any Commission rule not specifically waived.
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1 THE PROPOSED AFOR IS IN THE PUBLIC INTEREST

2 Under RCW 80.36.135(2), the Commission is to consider certain elements in determining
3 the appropriateness of any proposed AFOR. This portion of the Petition will address those items set
4 forth in statute.

5 RCW 80.36.135(2)(a): This plan will facilitate the broad deployment of technological
6 improvements and advanced telecommunications services to underserved areas or underserved
7 customer classes by allowing the Company that elects to participate in the plan pricing flexibility
8 and the ability to reduce its costs of operations for regulatory considerations.

9
10 RCW 80.36.135(2)(b): This plan will improve the efficiency of the regulatory process by
11 allowing the Company that elects to participate in the plan to have reduced filing periods for rate
12 changes and to have fewer reporting requirements.

13 RCW 80.36.135(2)(c): By continuing to have oversight of intercarrier interconnection and
14 related matters, the plan will preserve the development of effective competition and protect against
15 the exercise of market power during its development.

16
17 RCW 80.36.135(2)(d): By maintaining service quality rules, the plan will preserve service
18 quality and protect against the degradation of the quality or availability of efficient
19 telecommunications services.

20 RCW 80.36.135(2)(e): Given that the Commission still has the authority under RCW
21 80.04.110(1)(b) to file complaints, the plan will provide rates and charges that are fair, just,
22 reasonable, sufficient, and not unduly discriminatory or preferential.
23

1 This plan is consistent with the policies set out in RCW 80.36.300 since many aspects of the
2 Commission oversight are still retained. Flexibility is provided to the Company that opts into the
3 plan to allow it to be able to provide better service to its customers and increased efficiency in the
4 provision of those services.

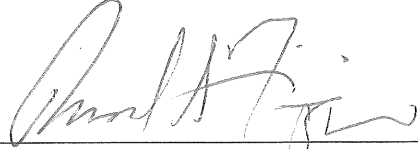
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WAIVERS

Pursuant to RCW 80.36.135(5), the Commission may waive regulatory requirements under
Title 80 for a company subject to an AFOR. On that basis, the WITA Members request that the
following provisions be waived for a Company that elects to participate in the AFOR:

- 1) RCW 80.04.130;
- 2) RCW 80.04.150;
- 3) RCW 80.04.360
- 4) RCW 80.36.080;
- 5) RCW 80.36.090;
- 6) RCW 80.36.100;
- 7) RCW 80.36.110(1)(a);
- 8) RCW 80.36.130;
- 9) WAC 480-07-500 through 540;
- 10) WAC 480-120-071;
- 11) WAC 480-120-339; and

1 12) Chapter 480-80 WAC (except customer notice requirements which are modified as
2 provided in the plan).

3 Respectfully submitted this 2nd day of November, 2020.

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6 RICHARD A. FINNIGAN, WSB #6443
7 Attorney for the Asotin Telephone Company
8 d/b/a TDS Telecom, Consolidated
9 Communications of Washington Company,
10 LLC, Hat Island Telephone Company, Hood
11 Canal Telephone Co. Inc., Inland Telephone
12 Company, Kalama Telephone Company, Lewis
13 River Telephone Company d/b/a TDS
14 Telecom, Mashell Telecom, Inc. d/b/a Rainier
15 Connect, McDaniel Telephone Company d/b/a
16 TDS Telecom, Pioneer Telephone Company,
17 RTI Pend Oreille Telecom, Skyline Telecom,
18 Inc., St John Telephone, Inc., Tenino
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