

SERVICE DATE

MAR 23 1994

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition )  
of )  
ELECTRIC LIGHTWAVE, INC., )  
for an Order Granting Amendment )  
to Registration Application and )  
Authorizing the Provision of )  
Intra-exchange Switched )  
Telecommunications Services )  
. . . . . )

DOCKET NO. UT-940119

ORDER GRANTING AMENDMENT TO  
REGISTRATION APPLICATION  
AND AUTHORIZING THE  
PROVISION OF INTRA-EXCHANGE  
SWITCHED TELECOMMUNICATIONS  
SERVICES

On January 27, 1994, Electric Lightwave, Inc. (ELI), filed with the Commission a petition to amend the company's registration to include authority to provide intrastate intra-exchange switched telecommunications services. ELI was registered as a telecommunications company in Docket No. UT-901029. The order authorizing registration was based upon ELI providing non-switched private line and special access telecommunications services. ELI has been previously classified by the Commission as a competitive telecommunications company.

ELI proposes to provide intrastate intra-exchange switched telecommunications services utilizing existing company-owned and/or leased network facilities. According to Exhibit A, attached to the petition, ELI plans to initially offer services targeted to the business customer market including, but not limited to, centrex-type services, switched data services, standard business line services, and shared tenant services.

ELI has submitted information showing that it is technically competent to provide the proposed services. CU Capital Corp., a wholly owned subsidiary of Citizens Utilities Company, owns 98% of ELI. ELI has provided balance sheet and income statement information showing it has adequate financial resources to provide the proposed services.

Although this petition by ELI is the first of its kind before the Washington Utilities and Transportation Commission, it has been anticipated since ELI first petitioned for authority to provide inter-/intra-exchange private line services in Docket No. UT-901029. The matter of local exchange competition has been a frequent focus of debate, and on March 17, 1994, the Washington State Supreme Court in In Re Consolidated Cases Concerning the Registration of Electric Lightwave, Inc., and the Registration of and Classification of Digital Direct of Seattle, Inc., Supreme Court Docket No. 59999-8, held that the Commission lacks authority to grant monopolies or other exclusive rights to telecommunications companies to provide telecommunications services within a given exchange.

FINDINGS

## THE COMMISSION FINDS:

1. Electric Lightwave, Inc., is a public service company subject to the jurisdiction of this Commission under the provisions of chapter 80.36 RCW.

2. Electric Lightwave, Inc., has provided sufficient information to show that it is financially and technically capable to provide the services proposed.

3. It appears, upon investigation, that the request for authority to amend the application for registration and provide switched intrastate intra-exchange telecommunications services should be approved.

ORDER

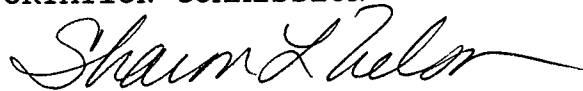
## THE COMMISSION ORDERS THAT:

1. After the effective date of this Order, and subject to the conditions ordered by the Commission, the petition of Electric Lightwave, Inc., to amend its application for registration and provide intrastate intra-exchange switched telecommunications services is granted.

2. This Order shall in no way affect the authority of this Commission over the rates, services, accounts, evaluations, estimates, or determination of cost, or any matters whatsoever that may come before it, nor shall this Order be construed as an acquiescence in any estimate or determination of cost or any valuation of property claimed or asserted.

DATED at Olympia, Washington, and effective this 23<sup>rd</sup> day of March 1994.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



SHARON L. NELSON, Chairman



RICHARD D. CASAD, Commissioner



RICHARD HEMSTAD, Commissioner