



**PREPROPOSAL STATEMENT OF
INQUIRY**
(RCW 34.05.310)

CR-101 (7/10/97)
Do **NOT** use for expedited repeal or adoption

Agency: WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Subject of possible rule making: Exploring the need to impose upon interexchange carriers a competitively-neutral obligation to serve all areas of the state. The Commission in Docket UT-990976 eliminated the obligation of U S WEST Communications to provide local toll service in areas of the state where it does not provide local exchange service. At the same time it initiated this inquiry, in Docket No. UT-991573, whether it is necessary to impose a similar but competitively-neutral obligation on carriers generally in order to ensure that all customers of the state have access to toll services at affordable rates.

(a) Statutes authorizing the agency to adopt rules on this subject: RCW 80.01.040.

(b) Reasons why rules on this subject may be needed and what they might accomplish: A rule may be needed to prevent consumers in some parts of the state from losing access to long-distance services and/or having to pay excessive rates for such service. Long-distance service is classified as competitive by the Commission because there are multiple toll service providers, which ensures adequate service at reasonable prices. However, there may be circumstances where effective competition alone does not protect consumers.

(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Federal Communications Commission regulates telecommunications services provided across state or national boundaries and some services provided within states. In particular, the FCC has a rule that limits the extent to which long-distance carriers can charge different prices to consumers in different parts of a single state. The Commission will study the FCC requirements to assure that any state provisions are not foreclosed by the federal requirements.

(d) Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The Commission will ask for initial written comments, and will provide the opportunity for additional comments, including workshops or other opportunities for dialogue in pursuit of consensus.

(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:
(List names, addresses, telephone, fax numbers of persons to contact; describe meetings, other exchanges of information, etc.) **SEE THE ATTACHED SHEET.**

CODE REVISER USE ONLY

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October 20, 1999 @ 11:26 a.m.
WSR No. 99-21-101*

NAME (TYPE OR PRINT)
CAROLE J. WASHBURN

SIGNATURE

TITLE
SECRETARY

DATE
10-20-99

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
CR-101 - ATTACHMENT
DOCKET NO. UT-991573**

(e) Interested persons may contact the Secretary by writing to the Washington Utilities and Transportation Commission, P. O. Box 47250, Olympia, Washington, 98504-7250, or by calling 360-664-1174 (Fax: 360-586-1150).

WRITTEN COMMENTS:

Written comments in response to the CR-101 from interested persons in the subject matter of this proposed rulemaking may be filed with the Commission Secretary, referencing Docket No. UT-991573, not later than **November 12, 1999**. All commenters are encouraged to file written comments by electronic mail at records@wutc.wa.gov. Any commenter who prefers to file by other means is asked, but not required, to file an original and 10 copies of their written comments. The Commission also requests, but does not require, that comments be provided on a 3½ inch IBM formatted high-density disk, in WordPerfect version 5.1 or later, labeled with the docket number of this proceeding, the date of the submission, the commenter's name, and type of software used. The Commission may offer additional opportunities to provide written comments. Interested persons may file additional written comments in response to any such invitation. Interested persons may also attend and participate in any workshop, should one or more be scheduled. The Commission will provide written notice of any preproposal workshops to all commenters and to any other persons specifically asking to receive such notices in this rulemaking proceeding.

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NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULEMAKING -

- The Commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but want to remain on the mailing list for this rulemaking, please advise the Records Center by any one of the following methods: (1) send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket No. UT-991573, and the words "Please keep me on the mailing list"; or (2) E-mail your name, address, telephone and fax numbers, referencing Docket No. UT-991573, and the words "Please keep me on the mailing list" to records@wutc.wa.gov. Please note that all information in the mailings will be accessible through the Commission's Internet web site at <http://www.wutc.wa.gov>. **THOSE PARTIES WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ABOUT THIS RULEMAKING.**