

**UT-100148 Rulemaking  
Adoption Written Comment Summary Matrix  
June 23, 2010**

Section	Commenter	Comments	Staff Response
<p>WAC 480-120-264(5)(a)(iii)</p>	<p>Thomas F. Dixon on behalf of <i>MCI Communications Services Inc. d/b/a Verizon Business Services</i> (“Verizon-MCI”)</p>	<p>Verizon-MCI initially points out in its June 7, 2010, comments that the current rule does not require disclosure of the maximum charge per billing increment for <b>international</b> calls in WAC 480-120-264(5)(a)(iii). Verizon-MCI nonetheless does recognize that the Commission has proposed to adopt Verizon-MCI’s March 22, 2010, recommendation for WAC 480-120-264(5)(a)(iv) regarding the disclosure of information for consumers to determine the number of minutes purchased by dividing the value of the service by the rates from which the minutes may be derived.</p> <p>Verizon-MCI recommends that the Commission amend proposed subsection WAC 480-120-264(5)(a)(iii) to read as follows:</p> <p style="padding-left: 40px;">(iii) The maximum charge per billing increment. A PPCS provider charging varying rates for intrastate, <del>((and))</del> interstate, <u>and international</u> calls must disclose all applicable rates <b><u>OR PROVIDE A TOLL-FREE CUSTOMER SERVICE NUMBER ON THE PREPAID CALLING CARD OR PACKAGING WHERE A CONSUMER MAY OBTAIN THE RATES FOR INTERNATIONAL OR OTHER OUT-OF-STATE CALLS PRIOR TO PURCHASING THE PREPAID CALLING CARD;</u></b></p> <p>Verizon-MCI recommends this amendment because there is insufficient space on the card or its packaging for every international combination.</p>	<p><b>Staff clarifies intent.</b> The comments provided by Verizon-MCI are well taken, but not unanticipated. By proposing to adopt Verizon-MCI’s March 22, 2010, recommendation, the Commission proposed to add <b>international</b> to the disclosure of charges per billing increment so that consumers would be able to determine the number of minutes they would be purchasing. This intent underlies the entire purpose of this rulemaking.</p> <p>Staff agrees with the availability of a toll-free customer service number, but that is already a provision of the current rule under WAC 480-120-264(5)(b)(i); and as long as the advertising is not inconsistent with the quoted rates. Indeed, WAC 480-120-266(1)(c) also applies. With respect to the prior disclosure of international rates, Staff has developed the consensus approach which addresses international rates through clarification of WAC 480-120-264(5)(d).</p>

Section	Commenter	Comments	Staff Response
<p>WAC 480-120-264(5)(a)(iii)</p> <p>WAC 480-120-264(5)(d)</p>	<p>David Collier on behalf of <i>AT&amp;T Communications of the Pacific Northwest, Inc.</i> (“AT&amp;T”)</p>	<p>AT&amp;T expresses a similar concern as Verizon-MCI does above regarding the disclosure of rates for <b>international</b> calls in WAC 480-120-264(5)(a)(iii).</p> <p>Specifically, AT&amp;T commented that the proposed addition of “international” proposed in WAC 480-120-264(5)(a)(iii) combined with the addition of a new section, WAC 480-120-264(5)(d) creates an untenable situation whereby all international calling rates would have to be disclosed on a calling card or its packaging.</p> <p>AT&amp;T’s prepaid calling cards allow customers to use AT&amp;T’s international calling service to and from over 200 countries. The rates that customers pay for international calling depends on a number factors. In addition, international rates tend to change frequently thus making it impractical to print all of the rates on the card packaging. To address these practical issues while at the same time making sure that customers know the applicable international rates for the card, AT&amp;T includes a website on its cards, <a href="http://www.att.com/prepaid">www.att.com/prepaid</a>. Further, AT&amp;T prints the following information on its cards:</p> <p><b><i>Int’l rates are higher than state-to-state rates, differ according to area called and can change. Call Customer Care for int’l calling information before leaving the U.S.</i></b></p> <p>AT&amp;T therefore recommends that the Commission not require PPCS providers to list all international calling card rates on the card or its packaging. Instead AT&amp;T recommends that the Commission simply require that the cards contain a toll free number (and a website where the provider has a website) that lists all of the international rates.</p>	<p><b>Staff clarifies intent.</b></p> <p>Staff agrees with the availability of a toll-free customer service number, but that is already a provision of the current rule under WAC 480-120-264(5)(b)(i); as long as the advertising is not inconsistent with the quoted rates. Indeed, WAC 480-120-266(1)(c) also applies.</p> <p>With respect to the prior disclosure of international rates, Staff has developed the consensus approach which addresses international rates through clarification of WAC 480-120-264(5)(d).</p> <p>Staff disagrees with the option to include a website in lieu of a toll free number because many potential customers will not have readily available access to the internet at the time of purchase. Although the use of a website should still be permissive, the toll free number is the only option recognized as acceptable for compliance with the consensus approach.</p>

<p>WAC 480-120-264(5)(a)(vi)</p>	<p>AT&amp;T</p>	<p>AT&amp;T does not believe it is necessary to make the proposed change from “card” to “service” in WAC 480-120-264(5)(a)(vi). The proposed changes to this section would mean that the service, not the card expires. This simply does not make sense to AT&amp;T. According to AT&amp;T the card enables the customer to use the service and when the card expires the customer can no longer utilize the service. As no comments were submitted to address this change, AT&amp;T is unclear of the rationale for this change.</p>	<p><b>Staff disagrees.</b>          The rule covers more services than just “cards” alone and the proposed rule language is consistent with the current rule language throughout the remainder of the subsections. Also, the use of the word “service” enables more comprehensive consumer protection for prepaid services such as those purchased over the internet where a “card” might not ever be issued.</p> <p>The rationale for this change to the current rule was to keep the rule aligned with the intent of the rule as expressed in subsection (1) and throughout the remainder of the rule. Essentially, it was an anomaly that needed typographical correction.</p> <p>AT&amp;T’s comment does not take into account the fact that some services provided over a card can also be recharged without the issuance of a brand new card.</p>
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