

March 24, 2003

Ms. Carole Washburn, Secretary  
Washington Utilities and Transportation Commission  
P.O. Box 47250  
1300 South Evergreen Park Dr. S.W.  
Olympia, WA 98504-7250

**Re: AT&T Communications of the Pacific Northwest v. Verizon Northwest, Inc.; Docket No. UT-020406**

Dear Ms. Washburn:

On Wednesday, March 20, 2003, Judge Schaer issued a Notice Clarifying Dates in this proceeding. The notice identifies issues that the Commission would seek to resolve at or after its April 3, 2003, conference and states that these issues should be resolved before “the public hearing is firmly scheduled and notice is accepted.” Notice Clarifying Dates at 3.

Staff respectfully requests that the Commission clarify that the notice need not be accepted by the Commission and that Verizon is permitted to proceed with notice to its customers of the proposed settlement before the April 3 conference. The customer notice can proceed without resolution of the issues identified in Judge Schaer’s list, and it would be in all parties’ interest to avoid further delay in the process of notifying customers.

The proposed settlement provides for Verizon to notify customers of the rate increases proposed in the settlement and suggests that the Commission refrain from acting on the settlement until 30 days after customers have been notified. The proposed settlement also recommends that the Commission hold at least one public hearing. The proposed settlement does not contemplate that the customer notice would include information relating to the public hearing or hearings. The Commission’s Sixth Supplemental Order, however, requires that Verizon give customers “actual notice . . . of the date upon which a public hearing will be held . . . .” Sixth Supplemental Order ¶ 48.

The Staff proposal is the same one that is required when a company files a tariff to increase rates. The Commission's customer notice rule, WAC 480-120-194, requires posting or customer notice, but it allows the company to use its own language in notices or use "Commission-suggested language." Moreover, the customer notice rule does *not* require that the notice provide specific information on the date of the open meeting at which public comment will be received. Rather, the company's notice must explain how "to be notified of the scheduled open meeting at which the proposal will be considered by the commission."

Verizon and Staff already have consulted with the Commission's public involvement staff to develop a clear notice to customers of the proposed increases. Staff is informed by Verizon that, once the notice is perfected, it will take at least six weeks for the company to print the notice and distribute it in customer bills. A stand-alone direct mailing could be completed in less time but at greater expense.

Allowing the notice to proceed without the public hearing date or dates included is not only more timely, it also will give the Commission more flexibility in structuring its public involvement process. The Commission might choose the number and location of public hearings based on the comments that it receives in response to the customer notice. This flexibility is lost if the hearings must be specified in the notice itself.

Staff therefore requests that the Commission permit Verizon to proceed with customer notice before hearing dates are established and before awaiting the April 3, 2003, conference and any decisions that may follow that conference.

Thank you for your consideration. Your prompt attention to this matter is greatly appreciated.

Very truly yours,

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SES:kll

cc: All Parties  
Marjorie Schaer  
Glenn Blackmon