

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**Utilities General – Tariffs, Price Lists,  
and Contracts Chapter 480-80 WAC;  
Part B – Comprehensive Review,  
Part C - Customer Notices  
and Part D – Price Lists**

**DOCKET NO. U-991301**

**COMMENTS OF QWEST CORPORATION  
ON  
PROPOSED CUSTOMER NOTICE RULES**

**August 14, 2001**

## **I. INTRODUCTION**

Qwest Corporation ("Qwest") provides the following comments on the draft rules for Chapter 480-120-043 Notice to Public of Tariff Changes - Telecommunications Companies that the Commission distributed by its July 24, 2001 notice in this docket. Qwest supports the draft rules to the extent they clarify and better organize existing regulatory requirements. Qwest appreciates the revisions in the July 24, 2001 proposed rules that improve upon the prior draft. The previous concerns raised by Qwest with respect to a number of issues have been addressed in this recent draft and resolved in the latest proposed rule. Qwest does have some proposed revisions to further clarify the proposed rules.

In the following comments, Qwest proposes further revisions to the following proposed rules:

- Posting of tariffs for public inspection and review: WAC 480-120-04U(1)(a) and (2)
- Notice of tariff changes other than increases in recurring charges and restrictions in access to services: WAC 480-120-04W(2)(b)
- Formal hearing notice: WAC 480-120-04X(1)
- Customer notice requirements - competitively classified telecommunications companies or services: WAC 480-120-X15(d)
- Customer notice requirements - petition for competitive classification of a service: WAC 480-120-X04(b)(iii) and (b)(iv)

The proposed revisions are intended to clarify the intent of the proposed language, as discussed and for the most part previously reviewed with the Commission staff at the August 3, 2001 workshop.

## **II. COMMENTS ON SPECIFIC DRAFT RULES**

**WAC 480-120-04U Posting of tariffs for public inspection and review.**

WAC 480-120-04U(1)(a) includes a requirement to maintain all current cancelled sheets on an intranet web site accessible to the public. WAC 480-120-04U(2) also includes a comparable requirement. This requirement diminishes if not eliminates the exciting new options offered under this rule. Retention of cancelled sheets on the web site requires the storage of data that would make such a web site prohibitive and costly. The same requirement in subsection (2) would require a library of files at each office in each county where a company offers service. Qwest rarely receives a request for such information and can easily furnish such information upon request. Qwest respectfully requests the rule be modified to exclude this requirement or revised to require companies to furnish such information upon request.

**WAC 480-120-04W Notice of tariff changes other than increases in recurring charges and restrictions in access to services.**

Qwest continues to oppose the requirement in WAC 480-120-04W(2)(b) concerning notice requirements for local taxes. Local tax changes are not initiated by the Company but are initiated by the local jurisdiction. The Company performs a "pass-through" mechanism by collecting the taxes and remitting them to the appropriate jurisdiction. The tax is not assessed by telephone number but rather by customer address. Therefore a customer notice requirement cannot be done in the same fashion as a telecommunications service rate change. The Company would have to write a local tax specific software program specific to the customer address to accomplish the notice

obligations required under proposed WAC 480-120-04W(3). This requirement is burdensome, requires resources and will create a new cost not previously incurred by the Company for a rate change not initiated by the Company. Qwest respectfully requests the Commission omit WAC 480-120-04W(2)(b).

**WAC 480-120-04X Formal hearing notice.**

Qwest respectfully requests the original language be retained that qualified the application of the rule to only one notice. The Commission staff previously qualified the number of notices required by the proposed rules to a single notice. The original qualifying proposed language needs to be retained.

In addition WAC 480-120-04X(1) requires notice in the bill package. There may be situations in which a direct mail piece is more appropriate because not all customers subscribe to the service at issue. Qwest respectfully suggests the rule be modified to require customer notices included in the bill package to meet the timeline specified in the proposed rule. The rule should provide for other notice provisions, or at least a direct mail provision, as well.

**WAC 480-120-X15 Customer notice requirements - competitively classified telecommunications companies or services.**

WAC 480-120-X15(d) should be clarified to allow the additional methods in lieu of those offered in WAC 480-120-X15(c). As currently drafted the proposed rule suggests the methods are in addition to those available under WAC 480-120-X15(c). The proposed WAC 480-120-X15(d) language may be read to require a notice option offered

in WAC 480-120-X15(c) in addition to a notice option in WAC 480-120-X15(d). In other words, two options would be required.

**WAC 480-120-X04 Customer notice requirements - petition for competitive classification of a service.**

The distinction between what is required in WAC 480-120-X04(b)(iii) and (b)(iv) is unclear. WAC 480-120-X04(b)(iv) seems to address the requirement at WAC 480-120-X04(b)(iii). If not, clarifying language is necessary. Perhaps WAC 480-120-X04(b)(iv) could be offered as an example of the requirement at WAC 480-120-X04(b)(iii).