

Agenda Date: October 22, 2003
Item Number: C1

Docket: UT-030964
Company: Qwest Corporation

Staff: Tom Wilson, Telecommunications Analyst
Karen Caillé, Administrative Law Judge

Recommendation:

Continue until December 10, 2003, the rule adoption hearing in Docket No. UT-030964, Register No. WSR #03-16-063, changing from one local exchange company to another.

Background:

On June 17, 2003, Qwest Corporation (Qwest) filed a petition to amend WAC 480-120-146, concerning changing service providers from one local exchange company to another. WAC 480-120-146 became effective on July 1, 2003, following the Commission's comprehensive review and revision of Chapter 480-120 WAC.

Staff worked with Qwest to develop the proposed language amending WAC 480-120-146 that is included in the Qwest petition. AT&T, Time Warner and XO were also included in the discussions, and were also granted temporary waivers until January 1, 2004.

On July 31, 2003, the Commission issued a Notice of Proposed Rulemaking (CR-102) with an intended adoption date of October 22, 2003. The Notice invited stakeholder comments and set a date for a Stakeholder Discussion.

Sprint, AT&T, Verizon, and Eschelon, submitted written comments on the rule proposal. On October 2, 2003, the Commission held a meeting of stakeholders to discuss the proposed rule. While the Qwest method, as proposed in the original CR-1021, complies with national rules, as well as with this Commission's decisions, the national standards permit flexibility to carriers by offering several different methods to achieve LEC migration via LNP. Various stakeholders have implemented their own national processes according to their own choice of method, which may or may not be the same as the method used by Qwest. By revising the rule to reference the FCC rule, the Commission would permit flexibility to carriers so that they can continue with the method they have implemented or are implementing.

The stakeholders agreed that the original CR-102 proposal should be rewritten to reflect national standards adopted by the FCC. The stakeholder group and Staff are not finished collaboratively drafting a new proposal.

Conclusion

Staff requests that the Commission continue until December 10, 2003, the rule adoption hearing in Docket No. UT-030964, Register No. WSR #03-16-063, changing from one local exchange company to another.