

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET NO. UT-030296
)	
ComTech21, LLC, d/b/a ComTech21)	ORDER NO. 01
)	
Petitioner,)	
)	
For Exemption from WAC 480-120-139.)	ORDER GRANTING EXEMPTION
.....)	

BACKGROUND

- 1 On March 4, 2003, ComTech21, LLC, d/b/a ComTech21 (ComTech21) filed with the Commission a petition requesting exemption from WAC 480-120-139 for the transfer of intrastate intraLATA and interLATA toll customers from Alliance Group Services, Inc., (AGSi) to ComTech21.

- 2 The reason for this request is prompted by the Petitioner’s agreement to transfer the customer base of AGSi, whose accounts are comprised of both intraLATA and interLATA toll service. Under WAC 480-120-139, “Changes in local exchange and intrastate toll services,” ComTech21 would not be able to submit a change in a customer’s intrastate toll service without confirming the customer’s authorization in accordance with requirements.

- 3 The request for waiver of WAC 480-120-139 is limited specifically to the transfer of AGSi’s customer base. Customer notices have been reviewed by Commission Staff and will be mailed to all affected customers informing them of their options. ComTech21’s products and services are similar to those offered by AGSi. ComTech21’s customer rates are the same or lower than AGSi’s existing rates. ComTech21 will provide to customers notice of changes in rates and services.

FINDINGS AND CONCLUSIONS

- 4 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunication companies. *RCW 80.01.040; Chapter 80.04 RCW, and Chapter 80.36 RCW.*
- 5 (2) ComTech21 and AGSi are engaged in the business of providing telecommunication services within the state of Washington and are public service companies subject to the jurisdiction of the Commission under the provisions of Chapter 80.36 RCW.
- 6 (3) ComTech21 is subject to the provisions of WAC 480-120-139, requiring telecommunication companies to obtain customer authorization prior to switching a customer's service.
- 7 (4) WAC 480-120-015 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-120 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 8 (5) Commission Staff reviewed the request and recommended granting ComTech21's request for exemption, subject to the mailing of the customer notice.
- 9 (6) This matter was brought before the Commission at its regularly scheduled meeting on March 26, 2003.
- 10 (7) After review of the petition filed in Docket UT-030296 by ComTech21 on March 4, 2003, and giving due consideration, the Commission finds that

the exemption from WAC 480-120-139 is consistent with the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

- 11 (1) After the effective date of this Order, ComTech21, LLC, d/b/a ComTech21 is granted an exemption from WAC 480-120-139, Changes in local exchange and intrastate toll services, for the initial transfer of intraLATA and interLATA toll customers from Alliance Group Services, Inc.
- 12 (2) This exemption is subject to ComTech21, LLC, d/b/a ComTech21's mailing of customer notices.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 26th day of March, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary