January 25, 2010

TO: Senior Management Team (SMT)

David Danner, Executive Director (ED)

Chairman Goltz, Commissioner Oshie, Commissioner Jones

FROM: Anne Solwick, Director – Regulatory Services

Bill Weinman, Assistant Director – Telecommunications

Tim Zawislak, Regulatory Analyst – Telecommunications

SUBJECT: Work Plan for WAC 480-120-264 (Prepaid Calling Card Services) Rulemaking

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**RECOMMENDATION:**

Obtain preliminary approval from the SMT, the ED, and the Commissioners to obtain a docket number from Records Center and commence a Rulemaking Proceeding regarding, “Prepaid calling services.”

**BACKGROUND**:

On December 29, 2009, Utilities and Transportation Commission (UTC) Chairman Jeffrey Goltz received a letter from State Representative Zachary Hudgins (Majority Floor Leader) requesting that the UTC consider updating its rules, “governing prepaid calling providers contained in WAC 480-120-26[4].”

Specifically, the representative was interested in adding provisions that would require that:

1. The disclosure of rates, terms, and conditions be made in the language in which the card is advertised; and
2. The number of minutes contained on the card to be disclosed on the card or its packaging.

On January 8, 2010, the UTC chairman responded with a letter that indicated that a review of the rule would be appropriate and that he had already asked the Staff to begin a rulemaking soon (by preparing a CR-101), during the first quarter of 2010. The letter to the representative also indicated that the UTC would inform him when this step was taken and encouraged his office to consider participating during the ensuing rulemaking process.

On January 14, 2010, the Telecommunications Section A.D. and the Regulatory Services Division Director were informed of the need to begin a rulemaking proceeding. The team lead and team members anticipated are depicted in the following table:

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| TEAM LEAD: | Tim Zawislak |
| ALD Member: | Patricia Clark |
| Staff Member: | Sharyn Bate |
| Staff Member: | Jing Liu |
| Public Affairs | John Cupp |
| AG Member: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Sally Brown or delegate) |
| Sponsors: | Bill Weinman, Anne Solwick, Jeff Goltz |

As of today’s date no Docket Number has been assigned by Records Center, yet.

**ANTICIPATED SCHEDULE:**

On January 22, 2010, the Team Lead met with the Rules Coordinator and some of the anticipated team members to sketch out a workable schedule that anticipates events under reasonable assumptions. **Under this scenario we anticipate that a CR-101 could be filed by February 17, 2010, and that a Stakeholder Workshop could be held on March 24, 2010**.

The remainder of the rulemaking schedule has been drafted with expected adoption (if changes are ultimately desired) within the one-year guideline that has been self-imposed by the UTC (unless circumstances allow for earlier adoption or necessitate a longer process).

If you have any questions please feel free to contact Tim Zawislak directly at (360) 664-1294 or [tim@utc.wa.gov](mailto:tim@utc.wa.gov) .

cc: Kippi Walker, UTC Rules Coordinator – ALD

Suzanne Stillwell, Deputy Assistant Director - Consumer Protection

Sharon Wallace, Assistant Director – Consumer Protection and Communications