

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

AMERIVISION COMMUNICATIONS,
INC.,

Petitioner,

Seeking Exemption from the Provisions of
WAC 480-120-382 Requiring
Competitively Classified
Telecommunications Companies to File the
2015 Annual Report no later than May 1,
2016

DOCKET UT-160301

ORDER 01

ORDER GRANTING EXEMPTION
FROM RULE; GRANTING COMPANY
ADDITIONAL TIME TO FILE
ANNUAL REPORT

BACKGROUND

- 1 On March 15, 2016, Amerivision Communications, Inc. (Amerivision Communications or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition for an extension of time to file its annual report for 2015 as required by WAC 480-120-382. According to Amerivision Communications, it is unable to prepare the report due to year-end financial statements that will not be finalized and approved by the due date. Amerivision Communications seeks an extension until July 1, 2016. The Company understands that the annual regulatory fee must be paid on or before May 1, 2016.
- 2 Commission Staff reviewed the request and recommends granting Communications' request for exemption.

FINDINGS AND CONCLUSIONS

- 3 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate public service companies, including competitively classified telecommunications companies. RCW 80.01.040, RCW 80.04, and RCW 80.36.

- 4 (2) Amerivision Communications is a competitively classified telecommunications
company and a public service company subject to Commission jurisdiction.
- 5 (3) Amerivision Communications is subject to WAC 480-120-382, which requires
competitively classified telecommunications companies to file an annual report no
later than May 1 of each year.
- 6 (4) Under WAC 480-120-015, the Commission may grant an exemption from any
rule in WAC 480-120, if consistent with the public interest, the purposes
underlying regulation and applicable statutes. See also WAC 480-07-110.
- 7 (5) This matter came before the Commission at its regularly scheduled meeting on
April 7, 2016.
- 8 (6) After review of the petition in Docket UT-160301 by Amerivision
Communications filed on March 15, 2016, and giving due consideration, the
Commission finds that the exemption is in the public interest and is consistent
with the purposes underlying the regulation and applicable statutes and should be
granted.

ORDER

THE COMMISSION ORDERS:

- 9 (1) The request by Amerivision Communications, Inc. for an exemption from WAC
480-120-382 and for an extension until July 1, 2016, to file its 2015 annual report
is granted.
- 10 (2) Failure by Amerivision Communications, Inc. to file its annual report by July 1,
2016, may result in the Commission invoking RCW 80.04.405, which allows the
Commission to assess penalties for violations of statute, rules and Commission
orders.
- 11 (3) The Commission retains jurisdiction over the subject matter and Amerivision
Communications, Inc. to effectuate the provisions of this Order.

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 April 7, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary