

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

COMMON POINT LLC,

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-160306

ORDER 01

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

BACKGROUND

- 1 On March 16, 2016, Common Point LLC (Common Point 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 Common Point, it is unable to prepare the report due to year-end financial statements that will not be finalized and approved by the due date. Common Point 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 Common Point's 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) Common Point is a competitively classified telecommunications company and a public service company subject to Commission jurisdiction.
- 5 (3) Common Point 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-160306 by Common Point filed on March 16, 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.

O R D E R

THE COMMISSION ORDERS:

- 9 (1) The request by Common Point LLC 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 Common Point LLC 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 Common Point LLC 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