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

8 IN RE

9
10 THE PETITION OF THE TOLEDO
11 TELEPHONE CO., INC. FOR A RULE
EXEMPTION

DOCKET NO.

PETITION FOR EXEMPTION FROM WAC
480-123-110(5)

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13 COMES NOW, The Toledo Telephone Co., Inc. (the "Company" or "Toledo"), by and
14 through its attorney, Richard A. Finnigan, and petitions for an exemption from the August 2nd
15 filing date contained in WAC 480-123-110(5). This Petition is being filed pursuant to WAC 480-
16 07-110.

17 **BASIS FOR EXEMPTION**

18 The rules set forth in WAC 480-123-110(5) establishes August 2nd as the filing date to file a
19 petition for support from the State Universal Service Communications Program fund. Due to an
20 unfortunate set of circumstances and miscommunications both internally and with its outside
21 consultant, Toledo missed the August 2nd filing date.

22 Toledo was unaware that it could request an exemption from the filing date until Toledo was
23 contacted by its attorney. Mr. Finnigan had been contacted by Commission Staff inquiring as to
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1 why Toledo had not filed a petition for support. Mr. Finnigan was not aware that Toledo had not
2 filed a petition for support until he was contacted by Commission Staff.

3 On the basis of obtaining information from Commission Staff, Mr. Finnigan contacted the
4 Company employees and learned that because of communication errors a petition was not timely
5 filed. Mr. Finnigan informed the Company that there was a process that was available to request an
6 exemption from the rule deadline. The Company then instructed Mr. Finnigan to move forward and
7 the Company finished its petition for support.

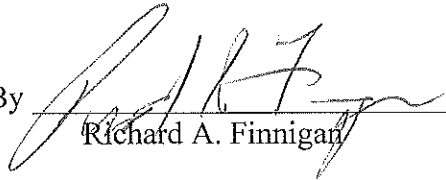
8 The petition for support is attached as Exhibit 1 to this Petition and has been filed at the
9 Commission on an electronic basis.

10 This Petition is consistent with the public interest since if Toledo's petition for support is
11 allowed, funding will be made available to Toledo for furthering broadband service. The
12 furtherance of broadband service in rural Washington is clearly within the public interest. While
13 Toledo has built a fiber network that reaches one hundred percent of its current customers, it has a
14 substantial debt repayment obligation and ongoing maintenance requirements. In addition, Toledo
15 is a growing community, largely in part because the attractiveness of its broadband service, and as
16 new homes are built, additional extensions must be made to maintain a one hundred percent
17 coverage of the Toledo service area. See the Declaration of Mr. Merten attached as Exhibit 2.

REQUEST FOR RELIEF

Based on the foregoing, Toledo respectfully requests that it be granted an exemption from the August 2nd filing date contained in WAC 480-123-110(5). Toledo also requests that the Commission consider the Petition for Support on its merits.

Respectfully submitted this 6th day of September 2020.

By 
Richard A. Finnigan