

SERVICE DATE

NOV 25 1998

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Application and Petition)	
of)	DOCKET UT-981393
)	
SPRINT PAYPHONE SERVICE, INC.,)	
d/b/a SPRINT)	ORDER AUTHORIZING
)	REGISTRATION AND GRANTING
)	PETITION FOR COMPETITIVE
For Registration as a Telecommunications)	CLASSIFICATION AND
Company and Classification as a Competitive)	APPROVING PRICE LIST
Telecommunications Company.)	

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By petition filed November 3, 1998, in Docket UT-981393, Sprint Payphone Service, Inc., d/b/a Sprint, seeks registration as a telecommunications company, classification as a competitive telecommunications company, and approval of its proposed price list pursuant to RCW 80.36.350 and 80.36.320.

Sprint proposes to offer payphone service to the public. In support of its petition, Sprint alleges inter alia that its services compete with other interexchange carriers' telecommunication services. Sprint states that customers have readily available equivalent alternatives and that there are no captive customers of the company's services.

Sprint is a Florida corporation, headquartered in Fairway, Kansas, and is owned by Sprint Corporation. Rates, terms, and conditions set forth in the proposed price list are structured similarly to rates filed by other interexchange carriers for calls placed in the relevant market.

Sprint has provided information showing that it meets the requirements of RCW 80.36.350. Applicant does not propose to collect advance payments or deposits from customers.

In conjunction with classification, the company is seeking waiver of:

- | | |
|---------------|--|
| RCW 80.04.300 | Budgets to be filed by companies--Supplementary budgets |
| RCW 80.04.310 | Commission's control over expenditures |
| RCW 80.04.320 | Budget rules |
| RCW 80.04.330 | Effect of unauthorized expenditure--Emergencies |
| RCW 80.04.360 | Earnings in excess of reasonable rate--Consideration in fixing rates |
| RCW 80.04.460 | Investigation of accidents |
| RCW 80.04.520 | Lease of utility facilities |
| RCW 80.36.100 | Tariff schedules to be filed and open to public |
| RCW 80.36.110 | Tariff changes--Statutory notice--Exception |

Chapter 80.08 RCW	Securities (except RCW 80.08.140)
Chapter 80.12 RCW	Transfers of Property
Chapter 80.16 RCW	Affiliated interests
Chapter 480-80 WAC	Tariffs
Chapter 480-140 WAC	Budgets
Chapter 480-143 WAC	Transfers of Property
Chapter 480-146 WAC	Securities and affiliated interests
WAC 480-120-026	Tariffs
WAC 480-120-031	Accounting
WAC 480-120-032	Accounting-Political information and political education activities
WAC 480-120-036	Finance--Securities, affiliated interest, transfers of property
WAC 480-120-046	Services offered
WAC 480-120-131	Reports of accidents

Rules invoked include WAC 480-120-022, WAC 480-120-023, WAC 480-120-024, and WAC 480-120-025. Statutes invoked include RCW 80.36.320, and RCW 80.36.350. The ultimate issues are whether Sprint should be registered as a telecommunications company, classified as a competitive telecommunications company, its proposed price list should be approved, and the extent to which it should be relieved of regulatory requirements to which it would otherwise be subject.

FINDINGS OF FACT

1. Sprint filed an application for registration as a telecommunications company and a petition for classification as a competitive telecommunications company pursuant to the provisions of RCW 80.36.350 and 80.36.320, to provide payphone services to the public.
2. As to form, the application and petition meet the requirements of RCW 80.36.350 and 80.36.320, and the Commission's rules and regulations.
3. The registration of Sprint as a telecommunications company is not inconsistent with the public interest.
4. In this proceeding, the Commission in no way endorses the financial viability of applicant nor the investment quality of any securities it may issue.
5. Alternative providers of service to that of Sprint include, but are not limited to, AT&T Communications of the Pacific Northwest, Inc., GTE Communications Corporation, MCI Communications Corporation, and Sprint Communications Company. All services are fully available from alternative providers in the relevant market.

- 6. The relevant market is the state of Washington.
- 7. Sprint has no captive customer base.
- 8. The services offered are subject to effective competition.
- 9. Sprint should be permitted to provide services under its proposed price list.
- 10. Sprint requested waivers of certain laws and rules relating to telecommunications services. The laws and rules for which waivers should be granted are listed on Appendix A, incorporated by this reference and made a part of this Order.

CONCLUSIONS OF LAW

- 1. The Washington Utilities and Transportation Commission has jurisdiction over the subject matter of this classification proceeding and the parties.
- 2. Sprint should be registered as a telecommunications company pursuant to RCW 80.36.350 and classified as a competitive telecommunications company pursuant to RCW 80.36.320(1).
- 3. Sprint should be permitted to provide services under price lists pursuant to RCW 80.36.320 (2). These services will not include alternate operator services as defined in WAC 480-120-141.
- 4. Sprint should be granted waiver of the laws and rules listed in Appendix A; waiver of laws and rules requested that are not included in Appendix A should be denied.

ORDER

THE COMMISSION ORDERS:

- 1. After the effective date of this Order and subject to any conditions imposed, the application of Sprint Payphone Services, Inc., d/b/a Sprint, requesting an Order authorizing registration as a telecommunications company to provide service to the public in this state is approved.

2. The petition of Sprint Payphone Services, Inc., d/b/a Sprint, for classification as a competitive telecommunications company is approved; waiver of the laws and rules listed in the attached Appendix A is granted.

3. The proposed price list of Sprint Payphone Services, Inc., d/b/a Sprint, for rates and services, is approved.

4. Registration of Sprint Payphone Services, Inc., d/b/a Sprint, as a telecommunications company shall not be construed as an endorsement of financial viability nor of the investment quality of any securities it may issue.

5. As a telecommunications company providing service to the public in this state, Sprint Payphone Services, Inc., d/b/a Sprint is subject to the jurisdiction of this Commission under the provisions of Title 80 RCW and all rules and regulations adopted by the Commission.

6. Sprint Payphone Services, Inc., d/b/a Sprint shall not collect advance payments or deposits without first showing that it has a satisfactory arrangement to protect customer monies as stated in WAC 480-121-040.

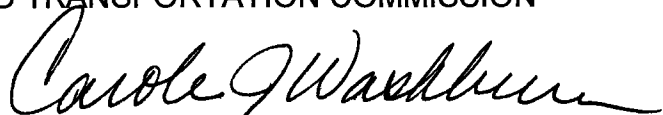
7. Sprint Payphone Services, Inc., d/b/a Sprint is authorized to offer rates and services pursuant to price list in the format prescribed by the Commission; the price list approved in this proceeding, and subsequent changes to that price list, become effective only after ten days notice to the Commission and to customers. In the event of a price list reduction or of a change in terms and conditions which do not have rate impact, personal notice to customers will not be required. To comply with the statutory notice requirement, Sprint Payphone Services, Inc., d/b/a Sprint will have the option to publish notice of price reductions or changes in terms and conditions of service which do not have rate impact by a display advertisement in such newspaper(s) as are geographically situated to be circulated over the company's service area.

8. The services offered by Sprint Payphone Services, Inc., d/b/a Sprint are not to include alternate operator services as defined in WAC 480-120-141.

9. The Commission retains jurisdiction over the subject matter and the parties to effectuate the terms of this Order.

DATED at Olympia, Washington, and effective this 25th day of November, 1998.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION


CAROLE J. WASHBURN
Secretary

DOCKET UT-981393

APPENDIX A

RCW 80.04.300	Budgets to be filed by companies--Supplementary budgets
RCW 80.04.310	Commission's control over expenditures
RCW 80.04.320	Budget rules
RCW 80.04.330	Effect of unauthorized expenditure--Emergencies
RCW 80.04.360	Earnings in excess of reasonable rate--Consideration in fixing rates
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RCW 80.36.100	Tariff schedules to be filed and open to public
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