

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

WASHINGTON UTILITIES AND	)	DOCKET NO. UT-050606
TRANSPORTATION	)	
COMMISSION,	)	ORDER NO. 01
	)	
Complainant,	)	
	)	
v.	)	
	)	
Inland Telephone Company,	)	
	)	COMPLAINT AND ORDER
Respondent.	)	SUSPENDING TARIFF REVISIONS
.....	)	

**BACKGROUND**

1 On April 19, 2005, Inland Telephone Company, (Inland or Company) filed with the Commission revisions to its currently effective Tariff WN U-5, designated as Third Revised Sheet 386. The stated effective date is July 1, 2005. The tariff revisions add territory to Inland’s service area north of the Roslyn exchange, and remove from Inland’s service area territory comprising the Suncadia Resort (Suncadia) on the southern edge of the Roslyn exchange. The territory to be added has one residence with more planned; the territory to be removed will have 2,800 residences, three golf courses, and other commercial activity when Suncadia completes its plans. Some of this development has already occurred.

2 On May 10, 2005, Suncadia stated its opposition to the boundary change by letter. On June 7, 2005, Inland filed a contract with the Commission between Suncadia and itself for the provision of telecommunications services that is effective on “approval” of the tariff filing in UT-050606. Commission Staff contacted Suncadia and confirmed that it no longer opposes Inland’s tariff. The contract limits Inland’s obligation to provisioning of services on the present 100-pair cable at current tariff rates; Inland may, at its option, provide other services at tariff rates, but is specifically protected against building new plant to do so;

and if Suncadia needs additional services that are not in the current tariff, then the parties will negotiate in good faith reasonable rates for the additional services. The contract requires Inland to submit a tariff to the Commission for the service that carries Suncadia's E-911 calls, including ALI and ANI; is for a term of 10 years; and requires Suncadia to support fully the tariff in UT-050606.

- 3 On May 5, 2005, Intelligent Community Services, Inc. (ICS), a competitive local exchange company (CLEC) registered with the Commission, stated its opposition to the boundary change by letter. ICS is a vendor for Suncadia Resort and it has informed Commission Staff that it will need services from Inland in order to provide telecommunications services to Suncadia. ICS has not yet provided detailed information about what services it will provide and what services will be needed from Inland. At this time, ICS has informed Commission Staff that its position has not changed since it protested the alteration to the Roslyn Exchange.
- 4 Inland has installed facilities in the Suncadia area proposed for removal from the Roslyn Exchange. There is one occupied dwelling in the area; nine single-family residences in varying stages of construction; and over 400 lots platted and sold. Because owners of houses and lots may want telephone service and may have purchased lots and made investments based on an expectation that Inland has an obligation to serve, Inland's proposed tariff revisions have the potential to injuriously affect the rights and interests of the public.
- 5 Inland has not demonstrated that the changes are fair, just, reasonable and sufficient. Therefore, the Commission suspends the tariff filing and will set this matter for hearing and hold public hearings if necessary to determine whether the proposed revisions are fair, just, reasonable and sufficient and in the public interest.

6 We base our findings and conclusions on the staff memorandum in Docket  
UT-050606 dated June 29, 2005, and the statements of interested persons at the  
Open Meeting of the same date.

### FINDINGS AND CONCLUSIONS

- 7 (1) The Washington Utilities and Transportation Commission is an agency of  
the State of Washington vested by statute with the authority to regulate  
rates, regulations, practices, accounts, securities, and transfers of public  
service companies, including telecommunications companies, and to  
prescribe exchange area boundaries for telecommunications companies.  
*RCW 80.01.040; RCW 80.36.230; Chapter 80.04 RCW; and Chapter 80.36  
RCW.*
- 8 (2) Inland is a telecommunications company and is a public service company  
subject to the jurisdiction of the Commission.
- 9 (3) This matter was brought before the Commission at its regularly scheduled  
meeting on June 29, 2005.
- 10 (4) The tariff revisions filed by Inland on April 19, 2005, would remove  
customers from the exchange service area provided by Inland, and might  
injuriously affect the rights and interest of the public.
- 11 (5) Inland has not yet demonstrated that the tariff revisions are in the public  
interest.
- 12 (6) In order to carry out the duties imposed on it by law, the Commission  
believes it is necessary to set this matter for hearing pursuant to RCW  
80.04.130.

- 13 (7) Inland may be required to pay the expenses reasonably attributable and allocable to such an investigation to the extent the requirements for such payment are in accordance with the provisions of Chapter 80.20 RCW.

## ORDER

### THE COMMISSION ORDERS:

- 14 (1) The tariff revision filed on April 19, 2005, is suspended.
- 15 (2) The Commission will hold hearings at such times and places as may be required.
- 16 (3) Inland Telephone Company must not change or alter the tariffs filed in this docket during the suspension period, unless authorized by the Commission.
- 17 (4) Inland Telephone Company shall pay the expenses reasonably attributable and allocable to the Commission's investigation to the extent the requirements for such payment are in accordance with the provisions of Chapter 80.20 RCW.

DATED at Olympia, Washington, and effective this 29<sup>th</sup> day of June, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner