

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the)
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Telecommunication Act Fee Rule Making)
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Docket No. UT-990873

MCI WORLDCOM, INC. STATEMENT
OF POSITION

STATEMENT OF POSITION

MCI WorldCom (“MCIW”) submits this Statement of Position in response to the Commission’s Notice of Opportunity to File Comments dated October 11, 1999.

MCIW appreciates the opportunity to submit this statement and looks forward to continue working with the Commission and other parties to address the resource issues addressed by the Commission in its initial notice. MCIW filed comments on August 11, 1999, and will not repeat those comments here.

MCIW agrees with the comments of other parties that assessing a new fee pursuant to RCW 80.36.610 is not the way to go at this juncture. As several commentators have suggested, it is critical to the continued development of competition that the Commission not impose a fee structure that discourages competitive local exchange carriers (“CLECs”) from seeking Commission intervention when disputes arise between CLECs and Incumbent Local Exchange Carriers (“ILECs”). For the foreseeable future, CLECs will continue to be dependent upon the facilities and services provided by ILECs. Moreover, the Commission should be wary of initiating any fee that discourages CLECs from availing themselves to their rights under the Telecommunications Act of 1996 (“1996 Act”) to arbitration and mediation by the Commission. *47 U.S.C. § 253(a)*.

If at the conclusion of the process undertaken in this rule making proceeding the

Commission determines that it needs additional resources, it should go to the Legislature and seek an increase in the current revenue-based funding mechanism authorized by RCW 80.24. Such a increase will be based on revenues, allocated on an equitable basis, and insure that the Commission does not run afoul of the 1996 Act.

Dated the 20th day of October, 1999.

MCI WORLDCOM, INC.

By: _____
Rogelio E. Peña
Nichols & Peña, LLP
2060 Broadway, Suite 200
Boulder, CO 80302
Telephone: 303-442-4300
Facsimile: 303-443-6764

Its Attorneys