

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

In the Matter of the Petition of)	DOCKET NO. UT-031053
)	
QWEST CORPORATION,)	ORDER NO. 01
)	
Petitioner,)	
)	
Seeking Temporary Exemption)	
from WAC 480-120-172(7), Relating)	ORDER GRANTING
to Company Initiated Service)	TEMPORARY
Discontinuation Notices.)	EXEMPTION
.....)	

BACKGROUND

- 1 On June 30, 2003, Qwest Corporation (Qwest) filed a petition requesting a temporary exemption from WAC 480-120-172(7), relating to company-initiated disconnection notices.

- 2 WAC 480-120-172(7) requires that disconnection notices include the company's TTY number for the hearing impaired, as well as information about how to avoid a disconnection under the medical emergency provisions of WAC 480-120-172(6). Qwest is seeking a temporary (three months) exemption from this rule subsection until September 30, 2003.

- 3 The Company states that it seeks an exemption from the rule subsections discussed above because its technical programming staff can not put the changes into place prior to July 1, 2003. Qwest has been working with Commission staff on drafting appropriate language for the disconnect. Staff reviewed Qwest's final draft of the notice in April 2003.

- 4 Commission Staff reviewed the petition and recommends granting Qwest's request for an exemption.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunications companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.36 RCW.*
- 6 (2) Qwest is engaged in the business of providing telecommunications services within the state of Washington and is a public service company subject to the jurisdiction of the Commission under the provisions of Chapter 80.36 RCW.
- 7 (3) Qwest is subject to the provisions of WAC 480-120-172, which requires specific notices for company-initiated disconnection of service.
- 8 (4) WAC 480-120-015 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-120 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 9 (5) This matter was brought before the Commission at its regularly scheduled meeting on July 9, 2003.
- 10 (6) After review of the petition filed in Docket UT-031053 by Qwest on June 30, 2003, and giving due consideration, the Commission finds that the exemption requested is reasonable and should be granted temporarily until September 1, 2003.

ORDER

THE COMMISSION ORDERS:

- 11 (1) After the effective date of this Order, Qwest Corporation is granted an exemption from WAC 480-120-172(7), related to company-initiated disconnection notices, for a temporary amount of time (three months), until September 30, 2003.
- 12 (2) The Commission retains jurisdiction over the subject matter and Qwest Corporation 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 this 9th day of July, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary