

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

In the Matter of the Petition of)	DOCKET NO. UT-031995
)	
VERIZON NORTHWEST, INC.,)	ORDER NO. 01
)	
Petitioner,)	
)	
Seeking Exemption from the)	ORDER GRANTING
Provisions of WAC 480-120-560)	TEMPORARY
Relating to Collocation.)	EXEMPTION FROM RULE
.....)	

BACKGROUND

- 1 On December 3, 2003, Verizon Northwest Inc., filed with the Commission, pursuant to WAC 480-120-015, a petition requesting exemption from WAC 480-120-560 (2) and (3) regarding implementation intervals for requests for collocation in UT-031995.
- 2 Verizon requested an exemption from WAC 480-120-560(2) and (3) as a result of the attached multi-jurisdictional settlement agreement among Verizon, Sprint, Covad, and AT&T entered into on August 27, 2003. Specifically, Verizon requested that the Commission grant an exemption from those provisions of WAC 480-120-560(2) and (3) that conflict with the terms and conditions set forth in the settlement agreement. Provisions vary from the intervals in WAC 480-120-560(2) and (3.) The variant between the settlement agreement and the Washington rule is the actual provisioning interval and some settlement intervals are shorter than those in WAC 480-120-560 (2) and (3.)

FINDINGS AND CONCLUSIONS

- 3 (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.*

- 4 (2) Verizon 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.
- 5 (3) Verizon is subject to the provisions of WAC 480-120-560, requiring incumbent telecommunications companies to allow competitive telecommunications companies the ability to place equipment within or upon the premises of the incumbent.
- 6 (4) Verizon requests the Commission grant an exemption from WAC 480-120-560(2) and (3) to allow the company to apply the implementation intervals for requests for collocation set forth in the collocation settlement agreement between Verizon, Covad, AT&T and Sprint entered into on August 27, 2003.
- 7 (5) 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.
- 8 (6) This matter was brought before the Commission at its regularly scheduled open meeting on January 14, 2004.

- 9 (7) After reviewing the request filed in Docket UT-031995 by Verizon and giving due consideration, the Commission finds that granting the exemption is reasonable on a temporary basis until August 26, 2006.

ORDER

THE COMMISSION ORDERS:

- 10 (1) After the effective date of this Order, Verizon Northwest, Inc., is granted an exemption from WAC 480-120-560(2) and (3), relating to collocation provisioning, on a temporary basis until August 26, 2006.
- 11 (2) The Commission retains jurisdiction over the subject matter and Verizon Northwest, Inc., to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective this 14th day of January, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner