

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

In the Matter of the Petition of	)	DOCKET NO. UT-041781
	)	
MCI WORLDCOM	)	ORDER NO. 01
COMMUNICATIONS, INC.,	)	
	)	
Petitioner,	)	
	)	
Seeking Exemption from the	)	ORDER GRANTING TEMPORARY
Provisions of WAC 480-100-161(2)	)	EXEMPTION
.....	)	

**BACKGROUND**

- 1     On October 1, 2004, MCI WorldCom Communications, Inc., (MCI) filed a petition requesting a temporary exemption from WAC 480-120-161(2), relating to length of time for payment of a bill.
  
- 2     WAC 480-120-161(2) requires that each bill list a due date, which at a minimum allows a customer fifteen days from the date of mailing for payment. MCI is seeking a temporary exemption from this rule until March 31, 2005. The purpose of this exemption is to allow MCI time to implement the billing system enhancements that will produce bills that include the proper due date.
  
- 3     When an MCI customer receives an initial bill, the due date is correct. If the customer pays the bill within the required timeframe, the due date on the subsequent bill is correct. However, if the customer fails to pay by the date listed, the subsequent bill, which includes current and past due charges, states that the bill is due "upon receipt" and does not list a date which allows fifteen days for payment.
  
- 4     Although the payment date listed on a bill with past due charges is "upon receipt," in practice MCI allows the customer at least fifteen days for payment before it takes any action on the unpaid bill. The only problem with MCI's

current bill and billing practices is that the bill itself does not list the proper due date.

- 5 Commission Staff reviewed the petition and recommends granting MCI's request for a temporary exemption from WAC 480-120-161(2) through March 31, 2005.

### FINDINGS AND CONCLUSIONS

- 6 (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.*
- 7 (2) MCI 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.
- 8 (3) MCI is subject to the provisions of WAC 480-120-161(2), requiring telecommunications companies to list a due date on each bill, which at a minimum, allows a customer fifteen days from the date of mailing for payment.
- 9 (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.

- 10 (5) This matter was brought before the Commission at its regularly scheduled meeting on November 10, 2004.
- 11 (6) After review of the request for an exemption through March 31, 2005, filed by MCI on October 1, 2004, and giving due consideration, the Commission finds that allowing the temporary exemption is reasonable and should be granted.

### ORDER

#### THE COMMISSION ORDERS:

- 12 (1) WorldCom Communications, Inc., is granted a temporary exemption from WAC 480-120-161(2) effective from the date of this order through March 31, 2005.
- 13 (2) The Commission retains jurisdiction over the subject matter and WorldCom Communications, Inc., 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 10<sup>th</sup> day of November, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary