

only for nonpayment of interexchange charges, or if the company properly discontinues basic service.

- 4 WAC 480-120-172(7)(a)(ii) requires that written discontinuation notice must include separately the amount(s) owing for the service(s) that is subject to discontinuation or restriction. WAC 480-120-172(7)(a)(iii) requires that the notice must include a statement that clearly indicates the amount a customer must pay to maintain basic service or restricted basic service, regardless of the full amount owed by the customer.
- 5 The Company seeks an exemption from the rule subsections discussed above because given the way that customer payments have been tracked on an historical basis in the old billing system (legacy system), there is a problem identifying the historical amount that may be owed on basic and non- basic service on the date of conversion. Ellensburg will not be able to track, for disconnection purposes, the difference between basic and non-basic amounts that may exist prior to the date of the billing conversion.
- 6 In order to accommodate the tracking problem Ellensburg will commit to the following:
 - All amounts owed as of the final bill on the legacy system will be classified as “non-basic”.
 - Customers will not be disconnected from basic service for failure to pay these historical amounts.

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, 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.*
- 8 (2) Ellensburg 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.
- 9 (3) Ellensburg is subject to the provisions of WAC 480-120-172 which requires a statement in the required notice for disconnection of service that clearly indicates the amount a customer must pay to maintain basic service or restricted basic service, regardless of the full amount owed by the customer.
- 10 (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.
- 11 (5) This matter was brought before the Commission at its regularly scheduled meeting on December 29, 2004.
- 12 (6) After review of the petition filed in Docket UT-042087 by Ellensburg on November 30, 2004, and giving due consideration, the Commission finds that the temporary exemption is reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 13 (1) After the effective date of this Order, Ellensburg Telephone Company is granted a temporary exemption from WAC 4890-120-172(4)(b) and (c), and WAC 480-102-172 (7)(a)(ii) and (iii) related to the tracking of historical amounts owed up to the date of conversion of its new billing system.
- 14 (2) The exemption is subject to the following conditions: The Company will classify all amounts owed as of the final bill on the legacy system as “non-basic”. The company will not disconnect basic service for failure to pay these historical amounts. The temporary exemption shall not exceed six months.
- 15 (3) The Commission retains jurisdiction over the subject matter and 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 29th day of December, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary