

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PETITION OF QWEST
CORPORATION FOR WAIVER OF
WAC 480-120-104, INFORMATION
TO CONSUMERS

Docket No.

QWEST CORPORATION'S
PETITION FOR WAIVER OF
WAC 480-120-104

1 Pursuant to WAC 480-120-015, Qwest Corporation (“Qwest”) hereby petitions the Washington Utilities and Transportation Commission (“Commission”) for an exemption from certain provisions of WAC 480-120-104. Qwest respectfully requests that the Commission expedite this matter for consideration.

THE RULE

2 WAC 480-120-104¹ became effective on July 1, 2003. It contains requirements for providing information to consumers including welcome letters and confirmation notices.

3 As adopted, WAC 480-120-104 reads:

¹ *In the Matter of Amending, Adopting and Repealing Chapter 480-120 WAC Relating to Telephone Companies*, Docket UT-990146, General Order No. R-507, Order Amending, Adopting and Repealing Rules Permanently, filed with the Code Reviser's Office December 12, 2002.

(1) Except for services provided under contract pursuant to WAC 480-80-241 (Filing contracts for services classified as competitive), each company must provide an applicant for initial service with a confirming notice or welcome letter, either in writing or with permission of the customer, electronically. The confirming notice or welcome letter must be provided to the applicant or customer no later than fifteen days after installation of service and must provide, at a minimum:

(a) Contact information for the appropriate business office, including a toll-free telephone number, a TTY number, mailing address, repair number, electronic address if applicable, and business office hours, that the customer can contact if they have questions;

(b) Confirmation of the services being provided to the customer by the company, and the rate for each service. If the service is provided under a banded rate schedule, the current rate, including the minimum and maximum at which the customer's rate may be shifted; and

(c) If the application is for local exchange service, the LEC must either provide information required in WAC 480-120-251 (6)(a) through (f) or must inform the customer that additional information pertaining to local exchange service may be found in the consumer information guide of the local telephone directory as required in WAC 480-120-251.

(2) Except for services provided under contract pursuant to WAC 480-80-241 (Filing contracts for services classified as competitive), each company must provide each customer a confirming notice, either in writing or, with permission of the customer, electronically, within fifteen days of initiating a material change in service which results in the addition of a service, a change from one rate schedule to another, or a change in terms or conditions of an existing service. The confirming notice must provide at a minimum, the following information in clear and conspicuous language:

(a) Contact information for the appropriate business office, including a toll-free telephone number, a TTY number, and business office hours, that customers can contact if they have questions; and

(b) The changes in the service(s), including, if applicable, the rate for each service.

(3) When a LEC is acting as an executing carrier under WAC 480-120-147, it must make the following information available upon request:

(a) The name of the intraLATA and interLATA interexchange company to which the customer's account is currently subscribed; and

(b) A minimum of six months' account history, when available, including the date of the changes and the name of the interexchange company.

(4) When an applicant or customer contacts the LEC to select or change an interexchange company, the LEC must notify the carrier of the customer's selection or recommend that the customer contact the chosen interexchange company to confirm that an account has been or is being established by the interexchange carrier for the applicant.

RELIEF REQUESTED

- 4 Qwest seeks a permanent waiver of WAC 480-120-104 regarding the welcome letters or confirming notices required for adding a service, changing from one rate schedule to another, or changing the terms or conditions of a currently subscribed service for Qwest's large business and institutional customers that have been assigned dedicated account representatives.
- 5 Qwest also seeks a permanent waiver of WAC 480-120-104(1)(b) pertaining to the requirement to identify minimum and maximum rates in welcome letters and confirming notices to Qwest customers if a service is provided under a banded rate schedule.

DISCUSSION

- 6 On July 10, 2003, the Commission granted Qwest a two-year exemption from WAC 480-120-104 for business customers with more than five lines who were served by an account manager on the condition that Qwest continue to assign direct-dial account managers to work directly with these business customers. Further, Qwest was granted a two-year exemption from WAC 480-120-104(1)(b), though Qwest was required to provide information about the initial rates in its welcome letter and to provide customers 15 days' notice of any rate changes within a banded rate schedule.
- 7 Qwest currently provides a confirming notice or welcome letter to new residential and small business customers in Washington within 48 hours after the customer has placed an order for new service. This letter includes the customer's assigned telephone number, a list of services ordered by the customer, a brochure explaining the service(s), information regarding how

customers can reach Qwest if they have questions concerning their new service, and other information required by the rule. A confirmation notice, which includes similar information, is also sent when additional services are ordered

8 Qwest seeks a permanent waiver of the WAC 480-120-104 requirement regarding welcome letters and confirming notices as it pertains to Qwest's large business and institution (i.e., state and local governmental agencies and school districts) customers. These customers have designated Qwest account managers who issue all of their telecommunication service orders to facilitate service additions, deletions and changes. The Qwest account managers have frequent, often daily, communications with these customers and meet regularly with them to review the their current telecommunications service needs. Qwest's large business and institutional accounts are sophisticated telecommunication users that make many more changes to their communications systems than residential or smaller business customers. To issue a confirming notice every time these customers makes a material change in their service would be extremely burdensome and would result in customer confusion.

9 Qwest also requests a permanent waiver of WAC 480-120-104(1)(b) which requires minimum and maximum rate band information in welcome letters and confirming notices when service is provided under a banded rate structure. Banded rate minimum and maximum rates are not programmed into Qwest's billing databases today, only the current rate is available. To reprogram Qwest's billing databases to add Washington-only minimum and maximum rate information would be a massive undertaking, potentially costing millions of dollars. Banded rate minimum and maximum rates are reflected in Qwest's tariffs or price lists and are available to customers by accessing Qwest's tariff website at www.qwest.com. Furthermore, in accordance with WAC 480-120-196, any customers directly affected by any changes to rate bands would receive a notice of prior to the effective date of such changes.

CONCLUSION

- 10 The need for welcome letters and confirmation notices to Qwest's large business and institutional customers is obviated by the direct interaction and involvement such customers have with their Qwest account managers. These customers are sophisticated telecommunications users that generate many more service orders than small business and residential customers. To issue a confirming notice every time a large private business or institutional account customer makes a material change in service will be extremely burdensome to Qwest and confusing for the customer. Consequently, Qwest asks that the Commission permanently waive WAC 480-120-104 for Qwest's large business and institution customers that have assigned account representatives.
- 11 The cost to modify Qwest's billing systems to report maximum and minimum rates will potentially cost millions of dollars. Qwest believes that incurring this expense is not an effective use of resources when Qwest will notify customers of the current rate for the product and can refer the customer to a website that provides rate band information for the product.

DATED this _____ day of June, 2005.

QWEST

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