BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of)	DOCKET UT-090582
THRESHOLD COMMUNICATIONS, INC.,))	ORDER 01
Petitioner,)	
Seeking Exemption from the Provisions of WAC 480-120-382 Requiring Competitively Classified Telecommunications Companies to File the 2008 Annual Report no later than May 1, 2009)))))	ORDER GRANTING EXEMPTION FROM RULE; GRANTING COMPANY ADDITIONAL TIME TO FILE ANNUAL REPORT
BACKGROUND		
On April 23, 2009, Threshold Communic Washington Utilities and Transportation extension of time to file its annual report According to Threshold, it is unable to preadily available at this time. Threshold	Comm for 20 repare	08 as required by WAC 480-120-382. the report due to information not being

2 Commission Staff reviewed the request and recommended granting Threshold's request for exemption.

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FINDINGS AND CONCLUSIONS

- The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate public service companies, including competitively classified telecommunications companies. *RCW* 80.01.040, *RCW* 80.04 and *RCW* 80.36.
- 4 (2) Threshold is a competitively classified telecommunications company and a public service company subject to Commission jurisdiction.
- 5 (3) Threshold is subject to WAC 480-120-382, which requires competitively classified telecommunications companies to file an annual report no later than May 1 of each year.

6 (4) Under WAC 480-120-015, the Commission may grant an exemption from any rule in WAC 480-120, if consistent with the public interest, the purposes underlying regulation and applicable statutes. *See also WAC 480-07-110*.

- 7 (5) This matter came before the Commission at its regularly scheduled meeting on May 14, 2009.
- After reviewing the petition Threshold filed in Docket UT-090582 on April 23, 2009, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.

ORDER

THE COMMISSION ORDERS:

- 9 (1) The request by Threshold Communications, Inc., for an exemption from WAC 480-120-382 and for an extension until May 31, 2009, to file its 2008 annual report is granted.
- 10 (2) Failure by Threshold Communications, Inc., to file its annual report by May 31, 2009, may result in the Commission invoking RCW 80.04.405, which allows the Commission to assess penalties for violations of statute, rules and Commission orders.
- 11 (3) The Commission retains jurisdiction over the subject matter and Threshold Communications, Inc., to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Executive Director and Secretary to enter this Order.

DATED at Olympia, Washington, and effective May 14, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION