

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

In the Matter of the Petition of)	DOCKET UT-100608
)	
UMPQUA INDIAN DEVELOPMENT CORPORATION D/B/A RIO NETWORKS,)	ORDER 01
)	
Petitioner,)	
)	
Seeking Exemption from the Provisions of WAC 480-120-382 Requiring Competitively Classified Telecommunications Companies to File the 2009 Annual Report no later than May 1, 2010)	ORDER GRANTING EXEMPTION FROM RULE; GRANTING COMPANY ADDITIONAL TIME TO FILE ANNUAL REPORT
.....)	

BACKGROUND

- 1* On April 13, 2010, Umpqua Indian Development Corporation d/b/a Rio Networks (Umpqua or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition for an extension of time to file its annual report for 2009 as required by [WAC 480-120-382](#). The agent for Umpqua is waiting for the necessary information from the company to complete the annual report. Umpqua seeks an extension until May 31, 2010.
- 2* Commission Staff reviewed the request and recommended granting Umpqua’s request for exemption.

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 public service companies, including competitively classified telecommunications companies. *RCW 80.01.040, RCW 80.04 and RCW 80.36.*
- 4* (2) Umpqua is a competitively classified telecommunications company and a public service company subject to Commission jurisdiction.

- 5 (3) Umpqua 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 April 29, 2010.
- 8 (6) After review of the petition in Docket UT-100608 by Umpqua filed on April 13, 2010, 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.

O R D E R

THE COMMISSION ORDERS:

- 9 (1) The request by Umpqua Indian Development Corporation d/b/a Rio Networks for an exemption from WAC 480-120-382 and for an extension until May 31, 2010, to file its 2009 annual report is granted.
- 10 (2) Failure by Umpqua Indian Development Corporation d/b/a Rio Networks to file its annual report by May 31, 2010, 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 Umpqua Indian Development Corporation d/b/a Rio Networks 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 April 29, 2010.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary