

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	)	DOCKET UT-130611
	)	
FIRST COMMUNICATIONS, LLC,	)	ORDER 01
	)	
Petitioner,	)	
	)	
Seeking Exemption from the Provisions	)	
of WAC 480-120-382 Requiring	)	
Competitively Classified	)	ORDER GRANTING EXEMPTION
Telecommunications Companies to File	)	FROM RULE; GRANTING COMPANY
the 2012 Annual Report no later than	)	ADDITIONAL TIME TO FILE
May 1, 2013	)	ANNUAL REPORT
.....	)	

**BACKGROUND**

- 1     On April 25, 2013, First Communications, LLC (First Communications or Company), filed with the Washington Utilities and Transportation Commission (Commission) a petition for an extension of time to file its annual report for 2012 as required by [WAC 480-120-382](#). According to First Communications, audited financial statements will not be completed by their accountants by the due date. First Communications seeks an extension until July 1, 2013. The Company paid its annual regulatory fee on May 1, 2012.
  
- 2     Commission Staff reviewed the request and recommends granting First Communications’ 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) First Communications is a competitively classified telecommunications company and a public service company subject to Commission jurisdiction.
  
- 5     (3) First Communications 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 9, 2013.
- 8 (6) After review of the petition in Docket UT-130611 by First Communications filed on  
April 25, 2013, 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 First Communications, LLC, for an exemption from WAC 480-120-  
382 and for an extension until July 1, 2013, to file its 2012 annual report is granted.
- 10 (2) Failure by First Communications, LLC, to file its annual report by July 1, 2013,  
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 First  
Communications, LLC, 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 May 9, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Acting Executive Director and Secretary