

February 2, 2005

Via Electronic Mail

Ms. Carole J. Washburn, Executive Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Docket No. UT-041629 – CR 101 Considering Amendment of WAC 480-120-450

Dear Ms. Washburn:

This responds to the January 14, 2005 Notice of Opportunity to Comment in the above described docket. MCI provides the following responses to the questions posed by the Commission Staff.

Question No. 1.

What are the policy reasons for treating wireline and wireless carriers differently or alike for purposes of recovery from PSAPs of the cost of transport to the selective router (WITA page 2)?

MCI Response No. 1.

There should be no basis upon which any distinction should be made between wireline and wireless service for purposes of recovery from PSAPs of the cost of transport to the selective router. All carriers require such connections, as the requirements for wireline and wireless providers to connect to the tandem are identical. Policies permitting the recovery of an expense for one carrier but not for another result in artificial competitive advantages and distort the operation of competitive retail markets.

Question No. 2.

How is the recovery of E 911 implementation costs and specifically transport to the selective router, presently handled with respect to customers of competitively classified telecommunications companies?

MCI Response No. 2.

MCI understands that no recovery mechanism is currently available to CLECs in Washington. Thus, CLECs are at a comparative disadvantage as they incur costs that they cannot recover.

Question No. 2a.

What are the policy reasons for treating ILECs and CLECs differently or alike for purposes of recovery of the cost of transporting E 911 calls to the selective router?

MCI Response No. 2a.

There should be no disparate treatment as discussed in response to Question 1.

Question No. 2b.

Do competitive considerations favor treating CLECs and ILECs alike with respect to recovery of E 911 service costs?

MCI Response No. 2b.

Yes.

Question No. 2c.

Should CLECs be entitled to charge PSAPs for the cost of transport to the Selective Router? If so, would those charges be subject to tariff or price list regulation; what kind of regulation should they be subject to?

MCI Response No. 2c.

Yes, for the reasons discussed in response to Question 1. MCI envisions that CLECs' charges would likely be subject to price list regulation and that their charges for such cost recovery would be equal to or a percentage of the comparable ILEC charges for the dedicated trunks. CLECs should not be required to submit a cost study to support their charges, to the extent that the charges do not exceed the relevant ILEC tariff rates.

Question No. 3.

Please comment on EMD's statement at page 3 that:

Technology has changed and new providers have entered the telecommunications market, each making decisions on market service territory and call transport technology. These new providers may have switches in other states and ILECs have consolidated SRs to the point that only ten SRs serve Washington State. Therefore, the PSAPs should not have to pay for any connections on the telecommunications company side of the SR.

MCI Response No. 3.

MCI does not agree that PSAPs should not be responsible for the costs of connections on the telecommunications company's side of the SR, as that cost is incurred solely in the provision of 9-1-1 capability. Because ILECs recover these costs via their tariffs, CLECs should be entitled to charge PSAPs for transport to the selective router, inasmuch as ILECs are currently reimbursed for the same facilities.

Question No.4.

In reference to the statement in EMD's comments on page 2 that

The WUTC has established access to emergency services (E911) as a basic service to be supplied for voice grade telecommunications customers.

Question No. 4a.

Could ILECs recover the cost of transport to the selective router (SR) as part of basic service costs in the general rate base?

MCI Response No. 4a.

MCI, as a CLEC, has no comment.

Question No. 4b.

Assuming that the cost of transport to the selective router was no longer recoverable through PSAP tariffs, could rural carriers obtain reimbursement from Universal Service Funds for transport to the selective router as part of the Basic Services requirement? (State Universal Service Fund)

MCI Response No. 4b.

MCI, which is not a rural carrier, has no comment.

Question No. 5.

In reference to the statement in EMD's comments on page 2:

The Federal Communications Commission has also established E911 as the standard for access to emergency services (Attachments A&C). These standards apply to carriers offering local services regardless of the nature of the technology utilized or the regulatory classification of the company.

What cost reimbursement is there for access to emergency 911 services as part of the FCC's basic service requirements as part of the high cost support under the federal Universal Service Fund?

MCI Response No. 5.

MCI has no comment at this time but reserves the right to file reply comments.

Question No. 6.

For your company (or companies), how much of the cost of E 911 service is attributable to transport from the end office to the selective router (either in terms of total dollars in Washington, or as a percentage of costs that you currently recovery through rates and charges paid by PSAPs)?

MCI Response No. 7.

MCI incurs costs for each dedicated 911 trunk. The approximate cost would be in excess of \$1400.00 per-month, based on the current network configuration in Washington (approximately 70 DS0 circuits) connecting MCI's Class 5 switches to the various ILEC selective routers. We currently do not recover any 911 costs so there are no charges paid by the PSAP to MCI.

Question No. 7.

Please address the comments filed by others in the docket.

MCI Response No. 7.

CLECs should be permitted to recover E911 costs, specifically in the area of transport to the selective router, as discussed in response to Question 1. This cost recovery should then be passed along to the PSAP. Such a competitively neutral policy would be consistent with rules previously adopted by the California and Texas Public Utility Commissions.

Thank you for the opportunity to file comments. Please contact me with additional questions or comments on what is stated herein.

Sincerely,

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