

AMENDATORY SECTION (Amending Order R-242, filed 11/7/85)

WAC 480-120-011 Application of rules. ~~((These))~~ (1) ~~The rules ((and regulations shall govern the furnishing of intrastate telecommunications service and facilities to the public by telecommunications companies)) in this chapter apply to any company that is subject to the jurisdiction of the commission((, such public service company hereinafter referred to as "utility." The purpose of these rules is to set forth reasonable service standards to the end that modern, adequate, efficient and sufficient telecommunications service will be rendered to the public)) under RCW 80.04.010 and chapter 80.36 RCW.~~

(2) ~~The effective tariff provisions filed by ((utilities)) companies shall conform to these rules. ((In event of)) The commission's acceptance of a tariff ((which is in conflict)) that conflicts with these rules((, such acceptance will not be deemed)) does not constitute a waiver of these rules. Tariffs ((which are in)) that conflict with these rules are ((hereby)) superseded by these rules unless the commission authorizes the deviation in writing.~~

~~((Cases of erroneous or doubtful interpretation of these rules by a utility or subscriber are subject to appeal to the commission by any interested and proper party affected.~~

~~Upon proper showing of any utility, the commission may waive or modify, as to that utility, the provisions of any rules herein, except when such provisions are fixed by statute.)~~ (3) Any affected person may ask the commission to review the interpretation of these rules by a customer by posing an informal complaint under WAC 480-09-150, Informal complaints, or by filing a formal complaint under WAC 480-09-420, Pleading and briefs--Application for authority--Protests.

~~No deviation ((of)) from these rules ((will be)) is permitted without written authorization by the commission. Violation((s)) will be subject to ((the)) penalty provisions of chapter 80.04 RCW.~~

NEW SECTION

WAC 480-120-015 Exemptions from rules. (1) The commission may grant an exemption from the provisions of any rule in this chapter, if consistent with the public interest, the purposes underlying regulation and applicable statutes.

(2) To request a rule exemption, a person must file with the commission a written request identifying the rule for which an exemption is sought, giving a full explanation of the reason for requesting the exemption.

(3) The commission will assign the request a docket number, if it does not arise in an existing docket, and will schedule the request for consideration at one of its regularly scheduled open meetings or, if appropriate under chapter 34.05 RCW, in an adjudication. The commission will notify the person requesting the exemption, and other interested persons, of the date of the hearing or open meeting when the commission will consider the request.

(4) In determining whether to grant the request, the commission may

consider whether application of the rule would impose undue hardship on the requesting person, of a degree or a kind different from hardships imposed on other similarly situated persons, and whether the effect of applying the rule would be contrary to the purposes of the rule.

(5) The commission will enter an order granting or denying the request, or setting it for hearing, pursuant to chapter 480-09 WAC.

AMENDATORY SECTION (Amending Order R-25, filed 5/5/71)

WAC 480-120-016 (~~((Saving clause.))~~) **Additional requirements.** (~~((The adoption of these rules shall in no way preclude the commission from altering or amending the same, in whole or in part, or from requiring any other or additional service, equipment, facility or standards, not otherwise herein provided for, either upon complaint or upon its own motion, or upon the application of any party, and further, these rules shall in no way relieve any utility from any of its duties under the laws of the state of Washington.))~~) (1) These rules do not relieve any company from any of its duties and obligations under the laws of the state of Washington.

(2) The commission retains the authority to impose additional or different requirements on any company in appropriate circumstances, consistent with the requirements of law.

AMENDATORY SECTION (Amending Order R-25, filed 5/5/71)

WAC 480-120-026 **Tariffs and price lists.** (~~((Rate schedules, and rules and regulations governing services of a utility shall be published in accordance with chapter 480-80 WAC Utilities general Tariffs.))~~) Companies must file tariffs and price lists in accordance with chapter 480-80 WAC, Utilities general--Tariffs, price lists, and contracts.

NEW SECTION

WAC 480-120-028 **Registration.** Companies must file registration applications as required by RCW 80.36.350 and in accordance with chapter 480-121 WAC, Registration, competitive classification and price lists of telecommunications companies.

NEW SECTION

WAC 480-120-029 Accounting requirements for competitively classified companies. Competitively classified companies must keep accounts using generally accepted accounting principles (GAAP), or any other accounting method acceptable to the commission. In addition, the accounts must allow for identification of revenues for Washington intrastate operations subject to commission jurisdiction.

AMENDATORY SECTION (Amending Order R-251, filed 2/5/86)

WAC 480-120-032 (~~(Accounting—Political—information—and—political education activities.)~~) Expenditures for political or legislative activities. (~~((1) As used in this rule the term "political information and political education activities" includes, but is not limited to, newsletters, employee seminars, public meetings, advertising, employee or customer notices or mailings, or other forms of communication which (a) encourage support of or opposition to legislation, candidates for public office, or office holders; (b) solicit support for political action committees; (c) gather data for political mailing lists; or (d) solicit political contributions or recruit political volunteers.~~

~~(2) In addition to accounting for lobbying and other political expenses in accordance with the applicable system of accounts, every public service company incurring any direct or indirect expense associated with or in furtherance of any political information or political education activity, shall account for such costs separately in a nonoperating expense account. No such expense shall be permitted for ratemaking purposes.)) (1) The commission will not allow either direct or indirect expenditures for political or legislative activities for rate-making purposes.~~

(2) For purposes of this rule political or legislative activities include, but are not limited to:

(a) Encouraging support or opposition to ballot measures, legislation, candidates for a public office, or current public office holders;

(b) Soliciting support for or contributing to political action committees;

(c) Gathering data for mailing lists that are generated for the purposes of encouraging support for or opposition to ballot measures, legislation, candidates for public office, or current office holders, or encouraging support for or contributions to political action committees;

(d) Soliciting contributions or recruiting volunteers to assist in the activities set forth in (a) through (c) of this subsection.

(3) Political or legislative activities do not include activities directly related to appearances before regulatory or local governmental bodies necessary for the utility's operations.

AMENDATORY SECTION (Amending Order R-313, filed 12/15/89, effective 1/15/90)

WAC 480-120-033 ((Accounting and)) Reporting requirements for ((competitive telecommunications)) competitively classified companies.
((Competitive telecommunications companies shall, at a minimum, keep accounts according to generally accepted accounting principles and file annually, on a form prescribed by the commission, a certified consolidated financial statement which specifies revenues from intrastate operations. This annual report is due by May 1st of the succeeding year. Competitive telecommunications companies shall also make available, at the time and place the commission may designate, such accounting records as the commission may request. Such companies shall also keep on file at the commission current price lists and service standards.)) The commission will distribute an annual report form including a regulatory fee form. A competitively classified company must:

- (1) Complete both forms, file them with the commission, and pay its regulatory fee, no later than May 1st of each year;
- (2) Provide total number of access lines as required on the annual report form;
- (3) Provide income statement and balance sheet for total company; and
- (4) Provide revenues for Washington and Washington intrastate operations subject to commission jurisdiction.

AMENDATORY SECTION (Amending Order R-343, filed 4/15/91, effective 5/16/91)

WAC 480-120-136 Retention and preservation of records and reports.
((1) "Volume X, Part 42, Preservation of Records of Communication Common Carriers" adopted and published by the FCC effective January 1, 1991, is hereby prescribed as the preservation of records requirements of telephone utilities in the state of Washington.

(2) All records and reports required by these rules shall be retained on file in the office of the utility or in such other place as may be approved by the commission, for such time as is specifically provided in paragraph (1) and where no time is specified, for a period of three years.

(3) No records shall be destroyed prior to the expiration of such time or period specified in paragraphs (1) and (2) above, except by prior written permission of this commission.)) (1) Companies must keep all records and reports required by these rules or commission order for three years unless otherwise specified in subsection (2) of this section. No records may be destroyed before the expiration of three years or the time specified in subsection (2) of this section, whichever is applicable.

(2) Companies must adhere to the retention requirements of Title 47, Code of Federal Regulations, Part 42, Preservation of Records of Communication Common Carriers published by the Federal Communications Commission. The effective date is stated in WAC 480-120-999.

AMENDATORY SECTION (Amending Order R-428, filed 4/6/95, effective 5/7/95)

WAC 480-120-530 Emergency services. (1) At least once every twenty-four hours, each local exchange company and each interexchange ~~((telecommunications))~~ company owning, operating, or maintaining any portion of any dedicated 911 circuit ~~((shall))~~ must manually test, for continuity ~~((such)),~~ the portion of the 911 circuit which it owns, operates, or maintains ~~((; provided, however, that the foregoing requirement shall)).~~ This section does not apply to any dedicated 911 circuit, or portion thereof, ~~((with respect to which))~~ if either (a), (b), or (c) of this subsection ~~((, or any combination thereof,))~~ is satisfied:

(a) The circuit is carried by a transmission system (e.g., T-1 carrier) that is equipped with one or more alarms to detect loss of signal continuity; ~~((or))~~

(b) The circuit is equipped with one or more alarms to detect loss of signal continuity; or

(c) The circuit is automatically tested for signal continuity at least once every twenty-four hours.

(2) Any dedicated 911 circuit found to be defective ~~((shall))~~ must be immediately reported to the primary public safety answering point (PSAP) manager, and repairs ~~((shall))~~ must be undertaken promptly and pursued diligently by the ~~((telecommunications))~~ company ~~((which))~~ that has responsibility for operating ~~((and/))~~ or maintaining the circuit, or both. ~~((Nothing in this section shall be construed to require any telecommunications company))~~ Companies are not required to ~~((test or))~~ repair any portion of any dedicated 911 circuit ~~((which is))~~ that they do not ~~((owned, operated,))~~ own, operate, or ~~((otherwise maintained by it))~~ maintain.

~~((2))~~ ~~Each local exchange company shall develop and institute by April 1, 1993, a circuit identification and protection program for dedicated 911 circuits. The program shall be fully implemented by July 1994. This program shall)~~ (3) Each company must ensure that all dedicated 911 circuits and associated electronic equipment serving governmental emergency response agencies are clearly identified ~~((as such))~~ in ~~((every))~~ the central office and the remote switch.

NEW SECTION

WAC 480-120-531 Emergency operation. (1) All companies must maintain, revise, and provide to the commission the following:

(a) The titles and telephone numbers of the company's disaster services coordinator and alternates; and

(b) Upon request of the commission, the company's current plans for emergency operation, including current plans for recovery of service to governmental disaster recovery response agencies within the state of Washington.

(2) For coordination of disaster response and recovery operations, each company must maintain on file with the Washington state emergency management division the titles and telephone numbers of the managers of the company's:

- (a) Local network operations center;
- (b) Regional network operations center; or
- (c) Emergency operations center.

NEW SECTION

WAC 480-120-545 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 480-120-036	Finance--Securities, affiliated interests, transfer of property.
WAC 480-120-076	Underground.
WAC 480-120-091	Farmer lines.
WAC 480-120-096	Grounded circuits.