

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re the Petition of	)	
	)	DOCKET NO. UT-020667
	)	
WASHINGTON INDEPENDENT	)	
TELEPHONE ASSOCIATION	)	ORDER ESTABLISHING PROCESS
	)	AND CLOSING DOCKET
For a Declaratory Order on the Use of	)	
Virtual NPA/NXX Calling Patterns.	)	
.....	)	

1 **Background.** On August 19, 2002, the Commission entered an Order declining the request of the Washington Independent Telephone Association (WITA) request for entry of a declaratory order on the use of Virtual NPA/NXX calling patterns because a necessary party to such a proceeding, whose rights might be substantially prejudiced by a declaratory order, refused to consent to determination of the matter by a declaratory order proceeding. *RCW 34.05.240(8)*. The Order directed interested participants to meet and seek agreement on the appropriate procedural vehicle to resolve the issues raised in WITA’s petition.

2 The participants met and failed to reach consensus on an appropriate process. WITA, Level 3, Commission Staff, Joint CLECs<sup>1</sup>, and Verizon submitted separate process proposals. Among others, the proposals included:

- A formal complaint brought by the Commission acting on its own motion or by another person.
- A generic proceeding similar to the Generic Cost Docket.
- An interpretive or policy statement resulting from one or more workshops.

---

<sup>1</sup> The Joint CLECs include AT&T Communications of the Pacific Northwest, Inc., TCG Oregon and TCG Seattle, AT&T Wireless Services, Inc., Focal Communications Corporation of Washington, Fox Communications Corp., International Telecom, Inc., Pac-West Telecomm, Inc., Time Warner Telecom of Washington, LLC, and XO Washington, Inc.

- 3 **Commission Decision.** In light of the parties' inability to come to an agreement on the appropriate process for exploration of the issues raised by WITA's petition, the Commission selects the less formal and less adversarial process of developing an interpretive and policy statement to address those issues. *RCW 34.05.230, WAC 480-09-200*. The Commission will open a new docket for the process of developing an interpretive and policy statement and will issue notice to interested persons. Docket No. UT-020667 is now closed.

DATED at Olympia, Washington, and effective this \_\_\_\_ day of October, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner