

UT-990146

Chapter 480-120

Telecommunications Operations

Discussion Draft

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1 **480-120-021 Definitions.**

2 The definitions in this section apply throughout the chapter except where there is an
3 alternative definition in a specific section, or where the context clearly requires
4 otherwise.

5
6 "**Access charge**" means a rate charged by a local exchange carrier to an
7 interexchange carrier for the origination, transport, or termination of a call to or from a
8 customer of the local exchange carrier. Such origination, transport, and termination
9 may be accomplished either through switched access service or through special or
10 dedicated access service.

11
12 "**Access line**" means a circuit providing exchange service between a customer's
13 Standard Network Interface and a serving switching center.

14
15 "**Ancillary services**" means all local service features excluding basic service.

16
17 "**Applicant**" means any person applying to a telecommunications company for new
18 service or reconnection of discontinued service.

19
20 "**Basic service**" means, for the purposes of universal service, service that includes
21 the following:

- 22 (1) Single-party service;
- 23 (2) Voice grade access to the public switched network;
- 24 (3) Support for local use;
- 25 (4) Dual tone multifrequency signaling (touch-tone);
- 26 (5) Access to emergency services (911);
- 27 (6) Access to operator services;
- 28 (7) Access to interexchange services;
- 29 (8) Access to directory assistance; and
- 30 (9) Toll limitation services

31
32 "**Business**" means a for profit or not for profit organization, including, but not limited to,
33 corporations, partnerships, sole proprietorships, limited liability companies, government
34 agencies, and other entities or associations.

35
36 "**Business days**" means days of the week excluding Saturdays, Sundays, and official
37 state holidays.

38
39 "**Business office**" means an office or service center provided and maintained by a
40 company.

41
42 "**Business service**" means service other than residential service.

43
44 "**Call aggregator**" means any corporation, company, partnership, or person, who, in
45 the ordinary course of its operations, makes telephones available to the public or to

46 users of its premises for telephone calls using a provider of operator services, including
47 but not limited to hotels, motels, hospitals, campuses, and pay phones (see also pay
48 phone service providers).

49
50 **“Central office”** means a company facility that houses the switching and trunking
51 equipment serving a defined area.

52
53 **“Centrex”** means a telecommunications service providing a customer with direct inward
54 dialing to telephone extensions and direct outward dialing from them.

55
56 **“Class A company”** means a local exchange company with two percent or more of the
57 access lines within the state of Washington.

58
59 **“Class B company”** means a local exchange company with less than two percent of
60 the access line within the state of Washington.

61
62 **“Commission (agency)”** in a context meaning a state agency, means the Washington
63 utilities and transportation commission.

64
65 **“Company”** means any telecommunications company as defined in 80.04.010.

66
67 **“Competitively classified company”** means a company that is classified as
68 competitive by the commission pursuant to RCW 80.36.320.

69
70 **“Customer”** means a person to which the company is currently providing service.

71
72 **“Customer premises equipment (CPE)”** is equipment located on the customer side of
73 the SNI (other than a carrier) and used to originate, route, or terminate
74 telecommunications.

75
76 **“Customer proprietary network information (CPNI)”** is:

77 (a) Information that relates to the quantity, technical configuration, type,
78 destination, and amount of use of a telecommunications service subscribed to by a
79 customer of a company, and that is made available to the company by the customer
80 solely by virtue of the customer-company relationship; and

81 (b) Information contained in a customer’s bill pertaining to local exchange service
82 or long distance service received by a customer of a company. Customer proprietary
83 network information does not include subscriber list information.

84
85 **“Discontinue; discontinuation; discontinued”** mean the termination of service to a
86 customer.

87
88 **“Drop facilities”** means company-supplied wire and pedestals placed between a
89 premise and the company distribution plant at the applicant's property line.

90

91 “**Due date**” means the date an action is required to be completed by rule or, when
92 permitted, the date chosen by a company and provided to a customer as the date to
93 complete an action.
94
95 “**Exchange**” means a geographic area established by a company for
96 telecommunications service within that area.
97
98 “**Extended Area Service (EAS)**” means telephone service extending beyond a
99 customer’s exchange, for which the customer may pay an additional flat-rate amount
100 per month.
101
102 “**Facility or facilities**” means lines, conduits, ducts, poles, wires, cables, cross-arms,
103 receivers, transmitters, instruments, machines, appliances, instrumentalities and all
104 devices, real estate, easements, apparatus, property and routes used, operated, owned
105 or controlled by a telecommunications company to facilitate the provision of
106 telecommunications service.
107
108 “**Force Majeure**” means natural disasters, including fire, flood, earthquake, windstorm,
109 avalanche, mudslide, and other similar events; acts of war or civil unrest when an
110 emergency has been declared by appropriate governmental officials; acts of civil or
111 military authority; embargoes; epidemics; terrorist acts; riots; insurrections; explosions;
112 and nuclear accidents.
113
114 “**Held orders**” means orders for exchange access lines where the company is unable
115 to provide service by the due date.
116
117 “**Interexchange**” means telephone calls, traffic, facilities or other items that originate in
118 one exchange and terminate in another.
119
120 “**Interexchange company**” means a company, or division thereof, that provides long
121 distance (toll) service.
122
123 “**Interoffice facilities**” means facilities connecting two or more telephone switching
124 centers.
125
126 “**InterLATA**” is a term used to describe services, revenues, functions, etc., that relate
127 to telecommunications originating in one LATA and terminating outside of the originating
128 LATA.
129
130 “**IntraLATA**” is a term used to describe services, revenues, functions, etc., that relate
131 to telecommunications that originate and terminate within the same LATA.
132
133 “**Local Access and Transport Area (LATA)**” means a local access transport area as
134 defined by the commission in conformance with applicable federal law.
135

136 “**Local calling area**” means the area where a person can place a call without incurring
137 long-distance (toll) charges.

138
139 “**Local exchange company (LEC)**” means a company providing local exchange
140 telecommunications service.

141
142 “**Major outages**” means one thousand customer hours lost; total loss of service to a
143 public safety answering point or governmental emergency response agency;
144 intercompany trunks or toll trunks not meeting service requirements for four hours or
145 more; or an intermodal link blockage (no dial tone) in excess of ten per cent for more
146 than one hour in any switch or remote switch.

147
148 “**Pay phone**” or “**pay telephone**” means any telephone made available to the public
149 on a fee-per-call basis independent of any other commercial transaction. A pay phone
150 or pay telephone includes telephones that are coin-operated or are activated by calling
151 collect or using a calling card.

152
153 “**Public access line (PAL)**” means an access line equipped with features to detect
154 coins, permit the use of calling cards, and such other features as may be used to
155 provision a pay phone.

156
157 “**Pay phone services**” means provision of pay phone equipment to the public for
158 placement of local exchange, interexchange, or operator service calls.

159
160 “**Pay phone service provider (PSP)**” means any corporation, company, partnership,
161 or person who owns or operates and makes pay phones available to the public.

162
163 “**Payment agency**” means a physical location established by a local exchange
164 company, either on its own premises or through a subcontractor, for the purpose of
165 receiving cash and urgent payments from customers.

166
167 “**Person**” means an individual, or an organization such as a firm, partnership, corporation,
168 municipal corporation, agency, association or other entity.

169
170 “**Public safety answering point (PSAP)**” means an answering location for enhanced
171 911 (E-911) calls originating in a given area. PSAPs are designated as primary or
172 secondary. Primary PSAPs receive E-911 calls directly from the public; secondary
173 PSAPs receive E-911 calls only on a transfer or relay basis from the primary PSAP.
174 Secondary PSAPs generally serve as centralized answering locations for a particular
175 type of emergency call.

176
177 “**Residential service**” means basic service to a domicile.

178

179 **“Restricted basic service”** means either the ability to receive incoming calls, make
180 outgoing calls, or both through voice grade access to the public switched network,
181 including 911 access, but not including other services that are a part of basic service.
182

183 **“Results of operations”** means a fiscal year financial statement concerning regulated
184 operations that include revenues, expenses, taxes, net operating income, and rate
185 base. The rate of return is also included as part of the results of operations. The rate of
186 return is the percentage of net operating income to the rate base.
187

188 **“Service interruption”** means a loss of or impairment of service that is not due to, and
189 is not, a major outage.
190

191 **“Service provider”** means any business that offers a product or service to a customer,
192 the charge for which appears on the customer’s telephone bill.
193

194 **“Special circuit”** means an access line specially conditioned to give it characteristics
195 suitable for handling special or unique services.
196

197 **“Standard network interface (SNI)”** means the protector that generally marks the
198 point of interconnection between company communications facilities and customer’s
199 terminal equipment, protective apparatus, or wiring at a customer’s premises. The
200 network interface or demarcation point is located on the customer’s side of the
201 company’s protector, or the equivalent thereof in cases where a protector is not
202 employed.
203

204 **“Station”** means a telephone instrument installed for the use of a subscriber to provide
205 toll and exchange service.
206

207 **“Support structure”** means the trench, pole, or conduit used to provide a path for
208 placement of drop facilities.
209

210 **“Toll restriction”** or **“toll restricted”** means a service that prevents the use of a local
211 access line to initiate a long distance call using a presubscribed interexchange
212 company.
213

214 **“Traffic”** means telecommunications activity on a telecommunications network,
215 normally used in connection with measurements of capacity of various parts of the
216 network.
217

218 **“Trouble report”** means a report of service affecting network problems either reported
219 by customers or detected by the company, and does not include problems on the
220 customer’s side of the SNI.
221

222 “Trunk” means, in a telecommunications network, a path connecting two switching
223 systems used to establish end-to-end connection. In some circumstances, both of its
224 terminations may be in the same switching system.

225
226

227 **480-120-031 Accounting requirements for companies not competitively**
228 **classified.**

229 (1) Companies with two percent or more of state access lines and companies with less
230 than two percent of state access lines are classified as follows:

231

232	Class	Number of Access Lines as of
233		December 31 from prior year’s
234		annual report

235

236	A	2% or more of state access
237		lines

238	B	Less that 2% of state access
239		lines

240

241 For example:

242	Company X access lines as of 12/31/98	33,823
-----	---------------------------------------	--------

243

244	Divided by	_____
-----	------------	-------

245

246	Total state access lines as of 12/31/98	3,382,320
-----	---	-----------

247

248	Equals company access lines as a percentage	
249	of total access lines.	1%

250

251 Therefore, company X is a Class B company.

252 (2) For accounting purposes companies not competitively classified must use the
253 *Uniform System of Accounts (USOA) for Class A and Class B Telephone Companies*
254 published by the Federal Communications Commission (FCC) and designated as Title
255 47, Code of Federal Regulations, Part 32, (47 CFR 32, or Part 32). The effective date
256 for Part 32 is stated in WAC 480-120-999. Companies not competitively classified
257 wishing to adopt changes to the USOA made by the FCC that have an annual revenue
258 effect of more than one percent, after the date specified in WAC 480-120-999, must
259 petition for and receive commission approval. Class B companies may use Class A
260 accounting.

261 (3) The commission modifies Part 32 as follows:

262 (a) Any reference in Part 32 to “Commission,” “Federal Communications
263 Commission,” or “Common Carrier Bureau” means the Washington Utilities and
264 Transportation Commission.

265 (b) Companies not competitively classified must keep subsidiary records to
266 reflect Washington intrastate differences when the commission imposes accounting or

267 ratemaking treatment different from the accounting methods required in WAC 480-80-
268 031(2). Companies not competitively classified must maintain subsidiary accounting
269 records for:

- 270 (i) Residential basic service revenues;
 - 271 (ii) Business basic service revenues;
 - 272 (iii) Access revenues for each universal service rate element;
 - 273 (iv) Special access revenues; and
 - 274 (v) Switched access revenues.
- 275 (c) Part 32 section 24, compensated absences, is supplemented as follows:
- 276 (i) Companies not competitively classified must record a liability and
277 charge the appropriate expense accounts for sick leave in the year in which the sick
278 leave is used by employees.
 - 279 (ii) Companies not competitively classified must keep records for:
 - 280 (A) Compensated absences that are actually paid; and
 - 281 (B) Compensated absences that are deductible for federal income
282 tax purposes.
 - 283 (d) Companies not competitively classified that have multistate operations must
284 keep accounting records that provide Washington results of operations. The methods
285 used to determine Washington results of operations must be acceptable to the
286 commission.
 - 287 (e) Part 32 section 32.11(a) is replaced by subsection (1).
 - 288 (f) Part 32 section 32.11(d) and (e) are replaced by subsection (1).
 - 289 (g) The commission does not require Part 32 section 32.2000(b)(4).

290 This rule does not supersede any accounting requirements specified in a commission
291 order, nor will it be construed to limit the commission's ability to request additional
292 information on a company specific basis. This rule does not dictate intrastate
293 ratemaking.

294
295

296 **480-120-X02 Reporting requirements for companies not competitively classified.**

297 (1) Annual Reports for companies not competitively classified. The commission will
298 distribute an annual report form as specified in subsection (c)(i), (ii), and (iii), and a
299 regulatory fee form. A company not competitively classified must:

- 300 (a) Complete both forms, file them with the commission, and pay its regulatory
301 fee, no later than May 1 of each year;
- 302 (b) Provide total number of access lines as required on the annual report form;
303 and
- 304 (c) Provide income statement and balance sheet for total company and results of
305 operations for Washington and Washington intrastate.
 - 306 (i) Class A companies that the FCC classified as Tier 1
307 telecommunications companies in Docket No. 86-182 must file annual report forms
308 adopted by the FCC.
 - 309 (ii) All other Class A companies must file annual reports on the form
310 prescribed by the commission.

311 (iii) Class B companies must file annual reports as prescribed by RCW
312 80.04.530(2).

313 (2) Quarterly Reports for companies not competitively classified:

314 (a) All Class A companies must file results of operations quarterly.

315 (b) Each report will show monthly and twelve-months-ended data for each month
316 of the quarter reported.

317 (c) The reports are due ninety days after the close of the period being reported,
318 except for the fourth-quarter report which is due no later than May 1 of the following
319 year.

320 (3) Methods used to determine Washington intrastate results of operations must
321 be acceptable to the commission.

322 (4) This rule does not supersede any reporting requirements specified in a
323 commission rule or order, or limit the commission's authority to request additional
324 information.

325

326

327 **480-120-041 Availability of information.**

328 (1) Except for services provided under contract pursuant to WAC 480-80-035, each
329 company must provide an applicant for initial service with a confirming notice or
330 welcome letter, either in writing or with permission of the customer, electronically. The
331 confirming notice or welcome letter must be provided to the applicant or customer no
332 later than five business days after installation of service and must provide, at a
333 minimum:

334 (a) Contact information for the appropriate business office, including a toll-free
335 telephone number, mailing address, repair number, electronic address if applicable, and
336 business office hours, that the customer can contact if they have questions;

337 (b) Confirmation of the services being provided to the customer by the company,
338 and the rates for each service. If the service is provided under a banded rate schedule
339 the current rate, including the minimum and maximum at which the customer's rate may
340 be shifted;

341 (c) If the application is for local exchange service, the local exchange company
342 (LEC) must include the name and toll-free telephone numbers of the customer's
343 presubscribed interLATA and intraLATA carriers, if applicable; and

344 (d) If the application is for local exchange service, the LEC must either provide
345 information required in WAC 480-120-042(6)(a) through (f) or must inform the customer
346 that additional information pertaining to local exchange service may be found in the
347 consumer information guide of the local telephone directory as required in WAC 480-
348 120-042.

349 (2) Except for services provided under contract pursuant to WAC 480-80-035,
350 each company must provide each customer a confirming notice, either in writing or, with
351 permission of the customer, electronically, within five business days initiating a change
352 in service which results in the addition of a service, a change from one rate schedule to
353 another, or a material change in an existing service. The confirming notice must
354 provide at a minimum, the following information in clear and conspicuous language:

355 (a) Contact information for the appropriate business office, including a toll-free
356 telephone number and business office hours, that customers can contact if they have
357 questions; and

358 (b) The changes in the service(s) and the material effects of the change(s),
359 including, if applicable, a comparison between a previous rate and current rate.

360 (3) When a LEC is acting as an executing carrier under WAC 480-120-139, it
361 must make the following information available upon request:

362 (a) The name and telephone number for the intraLATA and interLATA
363 interexchange company to which the customer's account is currently subscribed; and

364 (b) A minimum of six months' account history reflecting changes of an
365 interexchange company, providing the name and telephone number for each
366 interexchange company.

367 (4) When an applicant or customer contacts the LEC to select or change an
368 interexchange company, the company must notify the carrier of the customer's selection
369 or recommend that the customer contact the chosen interexchange company to confirm
370 that an account has been or is being established by the interexchange carrier for the
371 applicant.

372

373

374 **480-120-042 Directory service.**

375 (1) A local exchange company (LEC) must ensure that a telephone directory is regularly
376 published for each local exchange it serves, listing the name, address (unless omission
377 is requested), and primary telephone number for each of its customers who can be
378 called in that local exchange. This requirement does not apply to nonlisted,
379 nonpublished, wide area telephone service (WATS), and cellular telephone numbers.

380 (2) Any residential customer may request from the LEC a dual-name primary
381 directory listing that contains, in addition to the customer's surname, the customer's
382 given name or initials (or combination thereof) and either one other person with the
383 same surname who resides at the same address or a second name, other than
384 surname, by which the customer is also known, including the married name of a person
385 whose spouse is deceased.

386 (3) A LEC must provide each customer a copy of the directory for the customer's
387 local exchange area if the directory provided for in subsection (2) does not contain
388 information for all listings that can be called toll free from a customer's local exchange,
389 excluding nonlisted, nonpublished, WATS, and cellular telephone numbers, the
390 company must provide a copy of the directory or directories required for that coverage
391 upon request at no charge.

392 (4) Telephone directories published at the direction of a LEC must be revised at
393 least once every fifteen months, except when it is known that impending service
394 changes require rescheduling of directory revision dates. To keep directories correct
395 and up to date, companies may revise the directories more often than specified.

396 (5) Each LEC that publishes a directory, or contracts for the publication of a
397 directory, must print an informational listing (LEC name and telephone number) when
398 one is requested by any other LEC providing service in the area covered by the
399 directory. The LEC to whom the request is made may impose reasonable requirements

400 on the timing and format of informational listings, provided that these requirements do
401 not discriminate between LECs.

402 (6) Any LEC whose “welcome letter” or “confirming notice” required by WAC 480-
403 120-041(1), does not contain the information contained in subsection (a) through (f),
404 must publish or have published in the directory provided to its customers, a consumer
405 information guide that details the rights and responsibilities of its customer. The guide
406 must describe the:

407 (a) Process for establishing credit and determining the need and amount for
408 deposits;

409 (b) Procedure by which a bill becomes delinquent;

410 (c) Steps that must be taken by the company to disconnect service;

411 (d) Washington telephone assistance program (WTAP);

412 (e) Federal enhanced tribal lifeline program; and

413 (f) Right of the customer to pursue any dispute with the company, including the
414 appropriate procedures within the company and then to the commission by informal or
415 formal complaint.

416

417

418 **480-120-X31 Intercept services.**

419 (1) Directory error. In the event of an error in the listed number of any customer, the
420 customer's local exchange company (LEC) must, until a new directory is published,
421 intercept all calls to the incorrectly listed number to give the calling party the correct
422 number of the called party, provided it is permitted by existing central office equipment
423 and the incorrectly listed number is not a number presently assigned to another
424 customer. In the event of an error or omission of a customer's white page listing, the
425 company must maintain the customer's correct name and telephone number in the files
426 of its directory assistance operator, and it must furnish the correct name and telephone
427 number to a calling party upon request. The company may not charge a customer for
428 intercept services under these circumstances.

429 (2) Company-directed telephone number change. When a company must
430 change a customer's telephone number, for any reason after a directory is published,
431 and the change is made at the LEC's direction, the LEC must, at no charge, intercept all
432 calls to the former number, if existing central office equipment will permit, for thirty days
433 or until a new directory is published that reflects the customer's new number. The
434 company must provide a calling party the new number for that customer unless the
435 customer has requested that such referral not be made.

436 (3) Number changes related to changes in service. When a company must
437 change a telephone number to complete a move, change, addition, or deletion of
438 service, except as provided for in this subsection, the LEC must intercept all calls to the
439 former number at no charge, if existing central office equipment will permit, for a
440 minimum period of thirty days or until a new directory is published. The company must
441 provide a calling party the new number for that customer unless the customer has
442 requested that such referral not be made.

443 Companies are not required to provide intercept service at no charge when the
444 change is requested by a customer at the customer's existing address for reasons other
445 than harassing or misdirected calls.

446 (4) A company may provide and may bill for intercept services, other than those
447 described in subsections (1) through (3), that are requested by the customer.

448 (5) When the company schedules additions or changes to plant or records that
449 necessitate a large group of number changes that are not addressed by a specific
450 commission order, the company must give a minimum of six months' notice to all
451 customers then of record and so affected even though the additions or changes may
452 coincide with a new directory being issued.

453
454

455 **480-120-045 Local calling areas.**

456 (1) The commission may expand local calling areas only under the most exceptional
457 circumstances. The commission will generally rely on long distance competition, local
458 competition, and optional calling plans that assess additional charges only to
459 participating customers, to meet customer demand for alternate or expanded calling.

460 (2) In evaluating requests for expanded local calling, the commission will
461 consider whether the local calling area is adequate to allow customers to call and
462 receive calls from community medical facilities, police and fire departments, city or town
463 government, elementary and secondary schools, libraries, and a commercial center.
464 The commission will consider the overall community-of-interest of the entire exchange,
465 and may consider other pertinent factors such as customer calling patterns, the
466 availability and feasibility of optional calling plans, and the level of local and long
467 distance competition.

468 (3) Customers must make requests for expanded local calling areas under RCW
469 80.04.110 (the commission's complaint statute).

470
471

472 **480-120-046 Service offered.**

473 (1) Classes of service. Each company must file with the commission, as part of its tariff
474 or price list, a description of the classes and types of service available to customers.
475 Local exchange companies must record for each access line whether local exchange
476 service is residential or business.

477 (2) Types of service. Local exchange companies must offer, at a minimum, flat-
478 rate local exchange service. In addition, companies may offer service alternatives, such
479 as measured service.

480 (3) Grade of service. Local exchange service offered by companies must be only
481 one-party service.

482
483

484 **480-120-051 Application for service.**

485 (1) At the time of application, a company must:

486 (a) Accept and process applications when an applicant for service for a particular
487 location has met all tariff or price list requirements or applicable commission rules;

488 (b) Inform an applicant of the specific date when service will be provided; and
489 (c) Maintain a record in writing, or in electronic format, of each application for
490 service, including requests for a change of service.

491 (2) If the company does not provide the applicant with a due date for installation
492 or activation at the time of application as required in subsection (1)(b), the company
493 must state the reason for the delay. Within five business days of the date of the
494 application, the company must provide the applicant with a due date for installation or
495 activation. The credit requirements of WAC 480-120-X08 are not altered by this
496 subsection.

497 (3) When installation of new service orders requires on-premise access by the
498 company, the company must specify the time of day for installation within a four-hour
499 period.

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502 **480-120-X09 Service transfer from one local exchange company to another.**

503 When a local exchange company processes a service order transferring a customer's
504 service to another local exchange company, the company transferring the service must
505 not discontinue service unless the customer specifically requests that service be
506 discontinued before the accepting company provides confirmation.

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509 **480-120-056 Establishment of credit--Residential services.**

510 (1) **Basic service deposit.** A local exchange company (LEC) may, if provided for in its
511 tariff or price list, require an applicant or customer of basic service to pay a local service
512 deposit under the following circumstances:

513 (a) If the applicant or customer has received two or more delinquency notices for
514 basic service during the last twelve-month period with that company or another
515 company;

516 (b) If the applicant or customer has had basic service discontinued for
517 nonpayment during the prior twelve months;

518 (c) If the applicant or customer has an unpaid, overdue balance owing to a
519 company for basic service charges; or

520 (d) If the applicant's or customer's service is being restored following a
521 discontinuation under WAC 480-120-081(1)(a)(i) or (ii).

522 (2) **Ancillary services deposit.** A LEC may require an applicant or customer of
523 ancillary services to demonstrate satisfactory credit by reasonable means or pay a
524 deposit consistent with subsections (4) and (5).

525 (3) **Interexchange services deposit.** An interexchange company may require
526 an applicant or customer of interexchange services to demonstrate satisfactory credit by
527 reasonable means or pay a deposit consistent with subsections (4) and (5).

528 (4) **Amount of deposit.** When a company requests a deposit from an applicant
529 or customer, the amount of the deposit may not exceed two months' customary use for
530 an applicant or customer with previous verifiable service of the same class, or two
531 months' estimated use for an applicant or customer without previous verifiable service.
532 Customary use is calculated using charges for the previous three months' service.

533 (5) **Deposit payment arrangements.** When an applicant or customer is
534 required to pay a deposit, but is unable to pay the entire amount in advance of
535 connection or continuation of service, the following will apply:

536 (a) **Basic service.** The customer may pay fifty percent of the deposit amount
537 before installation or continuation of service, with the remaining amount payable in
538 equal amounts over the following two months.

539 (b) Where technically feasible, the applicant or customer may accept toll-
540 restricted basic service until satisfactory credit is established, in lieu of payment of the
541 deposit, or until a deposit is paid. A company must not charge for toll restriction when it
542 is used as an alternative to a deposit.

543 (c) **Interexchange services.** The customer may pay fifty percent of the deposit
544 amount before installation or continuation of service, with the remaining amount payable
545 in equal amounts over the following two months.

546 (d) **Ancillary services.** A company is not required to allow extended payment
547 on ancillary services (e.g., custom calling services, caller identification). A company
548 may require an applicant or customer to pay a deposit equal to two months' charges for
549 ancillary service before providing or continuing ancillary services.

550 (6) **Post-service deposits.** When a company finds that service was provided
551 initially without a deposit based on incorrect information and the customer otherwise
552 would have been required to pay a deposit, the company may require a deposit.

553 (7) **Deposit requirement notice.**

554 (a) When a company requests a new deposit or a larger deposit amount after
555 service has been established, the company must provide a written notice to the
556 customer listing the reason(s) for the request, the date the deposit must be paid, and
557 the actions the company may take if the deposit is not paid.

558 (b) Except for circumstances described in subsection (8), the deposit or
559 additional deposit amount may not be due and payable before 5:00 p.m. of the sixth
560 business day after notice of the deposit requirement is mailed or 5:00 p.m. of the
561 second business day following delivery, if the notice is delivered in person to the
562 customer.

563 (8) **Deposit request for high toll.**

564 (a) A company authorized by the commission to collect deposits or advanced
565 payments may require a customer to pay unbilled toll charges or pay a new or additional
566 deposit amount when the customer's toll charges exceed thirty dollars, or exceed
567 customary use over the previous six months by twenty dollars or by twenty percent,
568 whichever is greater. A company may toll restrict a customer's services if the customer
569 is unable pay the toll or deposit amount.

570 (b) When a customer has exceeded the toll levels outlined in (a) of this
571 subsection, the company may require payment before the close of the next business
572 day following receipt of either written or oral notice to the customer indicating that failure
573 to pay one of the following may result in toll restriction of the customer's service. The
574 company must give the customer the option to pay one of the following:

575 (i) All outstanding toll charges specified in the notice;

576 (ii) All toll charges accrued to the time of payment providing the customer

577 was notified the customer would be liable for all unbilled toll charges that accrued
578 between the time of the notice and time of the payment; or

579 (iii) Payment of a new or additional deposit in light of the customer's actual
580 use based upon two months' customary use.

581 (c) At the time application is made, a company may ask an applicant to estimate
582 the greatest monthly toll amount the applicant expects to use during next the six
583 months. If the company asks for an estimate, it must explain the following to the
584 applicant:

585 (i) If the estimate is exceeded within the first six months by twenty percent
586 or the unbilled toll exceeds fifty dollars, the company may require the customer to make
587 payment of toll prior to the customer's normally scheduled billing cycle or to pay a
588 deposit.

589 (ii) If after six months, the customer exceeds the customer's customary
590 use by twenty percent or fifty dollars, whichever is greater, the company may require the
591 customer to make payment of toll prior to the customer's normally scheduled billing
592 cycle or to pay a deposit.

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595 **480-120-X10 Guarantee in lieu of deposit.**

596 When a residential applicant or customer cannot establish credit or cannot pay a
597 deposit or extended payments, the applicant or customer may furnish a guarantor who
598 will secure payment of bills for service requested in a specified amount not to exceed
599 the amount of required deposit. The company may require that the guarantor:

- 600 (1) Reside in the state of Washington;
601 (2) Currently have service with the company requesting the deposit; and
602 (3) Have an established payment history for each class of service being
603 guaranteed.

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606 **480-120-X21 Establishment of credit--Business services.**

607 (1) A company having authority under its tariff or price list may require a business
608 applicant or customer to demonstrate satisfactory credit by reasonable means
609 appropriate under the circumstances.

610 (2) **Amount of deposit.** When a company requests a deposit from an applicant
611 or customer, the amount of the deposit may not exceed two months' customary use for
612 an applicant or customer with previous verifiable service of the same class, or two
613 months' estimated use for an applicant or customer without previous verifiable service.
614 Customary use is calculated using charges for the previous three months' service.

615 (3) **Deposit payment.** Companies may withhold regulated services until the
616 deposit amount associated with regulated services is paid in full.

617 (4) **Deposit requirement notice.**

618 (a) When a company requests a new deposit or a larger deposit amount after
619 service has been established, the company must provide a written notice of the reasons
620 for the request in writing to the customer, state the date the deposit must be paid, and
621 the actions the company may take if the deposit is not paid.

622 (b) Except for circumstances described in subsection (5), the deposit or
623 additional deposit amount may not be due and payable before 5:00 p.m. of the sixth
624 business day after notice of the deposit requirement is mailed or 5:00 p.m. of the
625 second business day following delivery if the notice is delivered in person to the
626 customer.

627 (5) **Deposit request for high toll.**

628 (a) A company authorized by the commission to collect deposits or advanced
629 payments may require a customer to pay a new or additional deposit amount to
630 advanced toll charges when the customer's toll charges exceed the amount currently
631 held as an interexchange deposit, or exceed customary use over the previous six
632 months by twenty dollars or by twenty percent, whichever is greater. A company may
633 toll restrict a customer's services if the customer is unable pay the toll or deposit
634 amount.

635 (b) When a customer has exceeded the toll levels outlined in (a) of this
636 subsection, the company may require payment before the close of the next business
637 day following receipt of either written or oral notice to the customer indicating that failure
638 to pay one of the following may result in toll restriction of the customer's service. The
639 customer must be given the option to pay one of the following:

640 (i) All outstanding toll charges specified in the notice;

641 (ii) All toll charges accrued to the time of payment providing the customer
642 was notified the customer would be liable for all unbilled toll charges that accrued
643 between the time of the notice and time of the payment; or

644 (iii) Payment of a new or additional deposit in light of the customer's actual
645 use based upon two months' customary use.

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648 **480-120-X11 Deposit administration.**

649 (1) **Transfer of deposit.** A company must transfer a customer's deposit, less any
650 outstanding balance, from one service address to another when a customer moves to a
651 new address and continues to receive service from that company.

652 (2) **Interest on deposits.** Interest will be compounded annually. Interest on
653 deposits must:

654 (a) Accrue at a rate based upon a simple average of the effective interest rate for
655 new issues of one-year treasury bills, computed from December 1 of each year
656 continuing through November 30 of the following year;

657 (b) Earn that interest rate during January 1 through December 31 of the
658 subsequent year; and

659 (c) Be computed from the time of deposit to the time of refund or total application
660 of the deposit.

661 (3) **Refunding deposits for residential services.** Companies must refund
662 deposits, plus accrued interest, less any outstanding balance, to a customer when:

663 (a) A customer terminates service or services for which a deposit is being held.
664 A company is not required to refund an amount held on deposit when a customer
665 requests a discontinuation of service or services but requests to establish similar
666 service with a company for which the current deposit holder also provides billing and

667 collection service. The new provider must have authority with the commission to collect
668 deposits.

669 (b) The customer has paid for service for twelve consecutive months in a prompt
670 and satisfactory manner as evidenced by the following:

671 (i) The company has not initiated discontinuation proceedings against the
672 customer's account for nonpayment during the last twelve months; and

673 (ii) The company has sent no more than two delinquency notices to the
674 customer in the last twelve months.

675 (c) A company may apply a deposit refund to a customer's account or, upon
676 customer request, must provide the refund in the form of a check issued and mailed to
677 the customer no longer than fifteen days after satisfactory payment history is
678 established or service is terminated.

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681 **480-120-057 Deposit or security--Telecommunications resellers.**

682 A telecommunications company may be required to pay a reasonable deposit to another
683 telecommunications company if it is unable to demonstrate satisfactory credit.

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686 **480-120-061 Refusal of service.**

687 (1) A company may refuse to connect with, or provide service to, an applicant when
688 service will adversely affect the service to other existing customers, the installation is
689 considered hazardous, or the applicant has not complied with state codes, county
690 codes, or municipal codes concerning the provision of telecommunications service.

691 (2) A local exchange telecommunications company is not required to connect
692 with or render service to an applicant unless all necessary rights-of-way, easements,
693 and permits have been secured. The company is responsible for securing all public
694 rights-of-way, easements, and permits, including rights-of-way on every highway as
695 defined in RCW 36.75.010(11) or created under RCW 36.75.070 or 080. The applicant
696 is responsible for securing all rights-of-way or easements on private property including
697 private roads or driveways as defined in RCW 36.75.010(10). A private road or
698 driveway is one that has been ascertained by the company not to be public.

699 (3) A company may deny installation of, or continued service to, an applicant or
700 customer when the company is unable to substantiate the identity of the individual
701 requesting or receiving service.

702 (a) Companies must allow the applicant or customer to substantiate identity with
703 one piece of identification chosen from a list, provided by the company, of at least five
704 sources of identification. The list must include a current driver's license or other picture
705 identification.

706 (b) Company-listed business offices and payment agencies, required under WAC
707 480-120-510, must provide a means for applicants to provide identification at no charge
708 to the applicant. Applicants may refuse to provide a social security number to establish
709 identity.

710 (4) A company may deny installation of, or continued service to, an applicant or
711 customer when the applicant or customer has received service from the company by

712 deception, including, but not limited to, false statements of credit references or
713 employment, false statement of premise address, use of an alias or false name with
714 intent to deceive, or rotation of service among roommates or persons living together for
715 the purpose of avoiding the debts of one or more persons.

716 (5) A company may deny service to an applicant or customer who owes an
717 overdue, unpaid prior obligation to the company for the same class of service at the
718 same or different location until the obligation is paid or satisfactory arrangements are
719 made.

720 (6) A company may deny regulated services at an address where a former
721 customer is known to reside with an overdue, unpaid prior obligation to the same
722 company for the same class of service at that address until the obligation is paid or
723 satisfactory arrangements are made.

724 (7) Applicants, excluding telecommunications companies as defined in RCW
725 80.04.010, are entitled to, and a company must allow, a one-time option to pay a prior
726 obligation over not less than a six-month period. A "prior obligation" means an amount
727 owed to a local exchange company or an interexchange company for regulated services
728 at the time the company physically toll-restricts, interrupts, or discontinues service for
729 nonpayment. The company must restore service upon payment of the first installment if
730 an applicant is entitled to the payment arrangement provided for in this section and, if
731 applicable, the first half of a deposit is paid as provided for in WAC 480-120-056. The
732 company can discontinue service or institute toll restriction pursuant to WAC 480-120-
733 081, if an applicant or customer defaults on a payment agreement.

734 (8) A company may not deny service to an applicant or customer who is not in
735 arrears to the company and requests service at a premise where another customer has
736 vacated the premise leaving unpaid charges owed at that premise.

737 (9) A telecommunications company must deny service to a nonregistered
738 telecommunications company that intends to use the service requested to provide
739 telecommunications for hire, sale, or resale to the general public within the state of
740 Washington. Any telecommunications company requesting service from another
741 telecommunications company must state in writing whether the service is intended to be
742 used for intrastate telecommunications for hire, sale, or resale to the general public. If
743 the service is intended for hire, sale, or resale on an intrastate basis, the company must
744 certify in writing, in the same manner as required by RCW 9A.72.085, that it is properly
745 registered with the commission to provide the service.

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748 **480-120-081 Discontinuation of service--Company initiated.**

749 (1)(a) A company may discontinue service without notice or without further notice when
750 after conducting a thorough investigation, it determines:

751 (i) The customer has tampered with the company's property;

752 (ii) The customer has used service through an illegal connection;

753 (iii) The customer has vacated the premise;

754 (iv) The customer, in response to a delinquency notice as described in

755 subsection (6), pays the delinquent balance with a check or electronic payment that is
756 subsequently dishonored by the bank or other financial institution;

757 (v) The customer failed to keep payment arrangements agreed upon in response
758 to a delinquency notice as described in subsection (6); or

759 (vi) The customer has obtained service by providing false or deceptive
760 information.

761 (b) **Restoring service after first occurrence.** The company must restore
762 service once the customer has corrected the deceptive practice, has paid the estimated
763 amount of service that was taken through deceptive means, all costs resulting from the
764 deceptive use, any applicable deposit, and payment in full of all delinquent balance
765 owed to the company by the customer for the same class of service. A company is not
766 required to allow six-month arrangements on a delinquent balance as provided for in
767 WAC 480-120-061(7) when it can demonstrate that a customer obtained service
768 through deceptive means in order to avoid payment of a delinquent amount owed to that
769 company.

770 (c) **Restoring service after second occurrence.** A company may refuse to
771 restore service to a customer who has been discontinued twice for deceptive practices,
772 subject to appeal by the customer to the commission.

773 (2) A company may discontinue service for any of the following reasons after
774 providing proper notice:

775 (a) For violation of rules, statutes, service agreement, filed tariff(s), or price list(s);

776 (b) For unlawful use of service for unlawful purposes by the customer;

777 (c) For use of customer equipment that adversely affects the company's service
778 to its other customers; or

779 (d) For nonpayment of any regulated charges including deposit, as provided in
780 the tariff or price list of the company. Service may not be discontinued, in whole or in
781 part, for nonpayment of charges incurred from information delivery services as provided
782 for in WAC 480-120-089 or disputed third party-billed charges.

783 (3) A company may only discontinue or restrict services for nonpayment of
784 charges owed to the company or to a company with which it has a billing and collection
785 agreement. Services may only be discontinued or restricted under the following
786 circumstances:

787 (a) Basic service may only be discontinued or restricted for nonpayment of basic
788 service charges;

789 (b) Ancillary services may only be discontinued for nonpayment of ancillary
790 charges or if a delinquent balance results in discontinuation of basic service;

791 (c) Interexchange access may only be discontinued or restricted for nonpayment
792 of interexchange charges or if a delinquent balance results in discontinuation of basic
793 service.

794 (i) At its discretion, the company may permit access to toll-free numbers
795 while a customer's service is toll restricted.

796 (ii) The company may not charge fees for toll restriction when
797 implemented as a result of a discontinuation action.

798 (d) Companies are prohibited from using a shift in rate plan as a discontinuation
799 method.

800 (4) Upon any complete discontinuation of service to a customer, the company
801 must discontinue charges for service as of the date of the discontinuation.

802 **(5) Medical Emergencies.** (a) When a local exchange company (LEC) has
803 cause to discontinue residential basic service or has discontinued service it must
804 postpone total service discontinuation or reinstate restricted basic service that permits
805 both making and receiving calls and access to 911 for a grace period of five business
806 days after receiving either oral or written notice from any source of the existence of a
807 medical emergency. The LEC cannot require payment of a reconnection charge or
808 deposit before reinstating service but may bill the charges at a later date. The LEC must
809 restore service within the following periods after receiving notice of the medical
810 emergency:

811 (i) If the customer's service has been discontinued within the last
812 forty-eight hours, and the customer does not currently have access to 911, restricted
813 service must be reinstated as soon as possible, but no later than four hours after notice;
814 or

815 (ii) If a discontinued customer has access to 911 emergency services
816 or, if basic service or restricted basic service has been discontinued for a period that
817 exceeds forty-eight hours, the company must restore service as soon as possible but no
818 later than twelve hours after notice.

819 (b) The LEC may require that the customer submit written certification from a
820 qualified medical professional, within five business days, stating that the discontinuation
821 of basic service or restricted basic service would aggravate an existing medical
822 condition of a resident of the household. "Qualified medical professional" means a
823 licensed physician, nurse practitioner, or physician's assistant authorized to diagnose
824 and treat the medical condition without supervision of a physician. Nothing in this
825 subsection precludes a company from accepting other forms of certification, but the
826 maximum the company can require is written certification. If the company requires
827 written certification, it may not require more than the following information:

828 (i) Residence address location;

829 (ii) An explanation of how the current medical condition will be aggravated
830 by the discontinuation of basic service or restricted basic service;

831 (iii) A statement of how long the condition is expected to last; and

832 (iv) The title, signature, and telephone number of the person certifying the
833 condition.

834 (c) The medical certification is valid only for the length of time the health
835 endangerment is certified to exist, but no longer than sixty days unless renewed.

836 (d) A medical emergency does not excuse a customer from paying delinquent
837 and ongoing charges. The company may require that, within the five-business-day
838 grace period, the customer pay a minimum of twenty-five percent of the delinquent
839 basic service balance or ten dollars whichever is greater and enter into an agreement to
840 pay the remaining delinquent basic service balance within sixty days, and agree to pay
841 subsequent bills when due.

842 Nothing in this subsection precludes the company from agreeing to an alternate
843 payment plan, but the company must not require the customer to pay more than this
844 section prescribes and must send a notice to the customer confirming the payment
845 arrangements within two business days.

846 (e) The company may discontinue basic service or restricted basic service
847 without further notice if, within the five-business-day grace period, the customer fails to
848 provide an acceptable medical certificate or pay twenty-five percent of the delinquent
849 basic service balance. The company may discontinue basic service or restricted basic
850 service, without further notice, if the customer fails to abide by the terms of the payment
851 agreement.

852 (6) **Discontinuation notice requirements.** The company must provide the
853 customer notice before discontinuing service except as described in subsection (1).
854 Notice consists of the following requirements:

855 (a) Each company must provide a written discontinuation notice to the customer
856 either by first class mail, personal delivery to the customer's service address, or
857 electronically delivered when the company has the technical capability and the
858 customer consented to this delivery method. Delivered notice will be deemed effective
859 if handed to a person of apparent competence in the residence, handed to a person
860 employed at the place of business of the customer, if it is a business account, or
861 attached to the primary door of the residence unit or business office where service is
862 provided if no person is available to receive notice. Each discontinuation notice must, at
863 a minimum, include:

864 (i) A discontinuation date that is not less than eight business days after the
865 date the notice is mailed, transmitted electronically, or personally delivered;

866 (ii) The amount(s) owing for the service(s) that is subject to discontinuation
867 or restriction;

868 (iii) A statement that indicates the amount a customer must pay to
869 maintain basic service or restricted basic service;

870 (iv) Instructions on how to correct the problem to avoid the
871 discontinuation;

872 (v) Information about any discontinuation or restoration charges that may
873 be assessed; and

874 (vi) The company's name, address, and a toll-free number where the
875 customer may contact the company to discuss the pending discontinuation of service.

876 (b) If the company discovers that the information provided on the notice failed to
877 meet the minimum requirements of (a) of this subsection, or if it discovers it provided
878 incorrect information on the notice, the company must restore services, and reissue a
879 second notice with accurate information as described in this section.

880 (c) If the company has not discontinued service within ten business days of the
881 first day the discontinuation may be implemented, the discontinuation notice is void,
882 unless the customer and the company have entered into a mutually acceptable payment
883 agreement with payment dates that exceed the ten-business-day period. Upon a void
884 notice, the company must provide a new discontinuation notice to the customer if it
885 intends to discontinue service at a later date.

886 (7) In addition to the notice required in subsection (6), a company must attempt
887 to make personal contact with a customer prior to discontinuing service. Any of the
888 following methods will satisfy the personal contact requirement:

889 (a) **Delivered notice.** Delivered notice will be deemed effective if handed to a
890 person of apparent competence in the residence, handed to a person employed at the

891 place of business of the customer, if it is a business account, or attached to the primary
892 door of the residence unit or business office where service is provided if no person is
893 available to receive notice. The notice must state a scheduled discontinuation date that
894 is not earlier than 5:00 p.m. of the next business day after the date of delivery; or

895 (b) **Electronically-issued notice.** If the company has the technical capability to
896 provide electronic notice and the customer has agreed to receive notice in electronic
897 form, the notice sent by the company must state a scheduled discontinuation date that
898 is not earlier than 5:00 p.m. of the second business day after the date of delivery; or

899 (c) **Mailed notice.** The notice sent by the company may not include a scheduled
900 discontinuation date that is earlier than 5:00 p.m. of the third business day after the date
901 of mailing. The date of mailing is not the first day of the notice period; or

902 (d) **Telephone notice.** The company must attempt at least two times to contact
903 the customer during regular business hours. If the company is unable to reach the
904 customer, the company must attempt to contact the customer using any business or
905 message number provided. The company must keep a log or record of the calls for a
906 minimum of ninety calendar days showing the telephone number called, the time of the
907 call, and details of the results of each attempted call.

908 (e) A company need not attempt personal contact as provided for in (a) through
909 (d) of this subsection when the company has had cause, in any two previous billing
910 periods during a consecutive twelve-month period, to attempt such contact and the
911 company has notified the customer in writing that such contact will not be attempted in
912 the future before effecting a discontinuation of services.

913 (8) Except in case of danger to life or property, companies may not discontinue
914 service on days that it is not fully staffed to discuss discontinuation and reestablish
915 service to the customer on the same or the following day.

916 (9) When the company has reasonable grounds to believe that service is to other
917 than the party of record, the company must take reasonable efforts to inform the
918 occupants at the service address of the impending discontinuation. Upon request of
919 one or more service users, the company must allow a minimum period of five business
920 days to permit the service user to arrange for continued service.

921 The company is not required to allow the additional five days when a thorough
922 investigation indicates there is deceptive activity at the service address.

923 (10) LECs must provide notice of pending local service discontinuation to the
924 secretary, Washington state department of social and health services, and to the
925 customer, where it provides service to a facility with resident patients, including but not
926 limited to hospitals, medical clinics, or nursing homes. Upon request from the secretary
927 or a designee, the company must allow a delay in discontinuation of no less than five
928 business days from the date of notice so that the department may take whatever steps
929 are necessary in its view to protect the interests of patients living within the facilities.

930 (11) **Remedy and appeals.** The company must not discontinue or restrict
931 service while a customer is pursuing any remedy or appeal provided for by these rules,
932 if the customer pays any amounts not in dispute when due, and the customer corrects
933 any conditions posing a danger to health, safety, or property. The company must inform
934 the customer of these provisions when the customer is referred to a company's
935 supervisor or the commission.

936 During a dispute a company may, upon authorization from commission staff,
937 discontinue service when a customer's toll charges substantially exceed the amount of
938 any deposit or customary use and it appears the customer may incur excessive,
939 uncollectible toll charges while an appeal is being pursued. A customer whose service
940 is subject to discontinuation may maintain service pending resolution of any dispute
941 upon payment of outstanding toll charges subject to refund if the dispute is resolved in
942 the customer's favor.

943 (12) **Payment at a payment agency.** Payment of any past-due amounts to a
944 designated payment agency of the company constitutes payment to the company when
945 the customer informs the company of the payment and the company verifies the
946 payment.

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949 **480-120-X07 Restoring service after discontinuation.**

950 (1) A company must restore a discontinued service when:

951 (a) The causes of discontinuation not related to a delinquent balance have been
952 removed or corrected;

953 (b) Payment or satisfactory arrangements for payment of all proper charges due
954 from the applicant, including any proper deposit, have been made;

955 (c) Payment or satisfactory arrangements for payment of proper reconnection
956 fees due from the applicant have been made; or

957 (d) The commission staff directs restoration pending resolution of any dispute
958 between the company and the applicant or customer over the propriety of
959 discontinuation.

960 (2) After the customer notifies the company that the causes for discontinuation
961 have been corrected, and the company has verified the correction, the company must
962 restore service(s) within the following periods:

963 (a) Service(s) that do not require a premise visit for reconnection must be
964 restored within one business day; and

965 (b) Service(s) that requires a premise visit for reconnection must be restored
966 within two business days.

967 (c) For purposes of this section Saturdays are considered business days.

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970 **480-120-X32 Restoring service based on Washington telephone assistance
971 program (WTAP) or federal enhanced tribal lifeline program eligibility.**

972 Local exchange companies (LECs) must restore service for any customer who has had
973 basic service discontinued for non-payment under WAC 480-120-081 "Discontinuation
974 of service--Company initiated," if the customer was not a participant in either
975 Washington telephone assistance program (WTAP) or the federal enhanced tribal
976 lifeline program at the time service was discontinued and if the customer is eligible to
977 participate in WTAP or the federal enhanced tribal lifeline program at the time the
978 restoration of service is requested.

979 A customer whose service is restored under this section must agree to
980 participate in WTAP or the federal enhanced tribal lifeline program, agree to pay unpaid

981 local service and ancillary service amounts due to the LEC in six monthly installments,
982 and agree to toll restriction, and ancillary service restriction if the company requires it,
983 until the unpaid amounts are paid. Companies must not charge for toll restriction when
984 restoring service under this section. This one-time six-month payment arrangement is
985 subject to the same conditions as those described in WAC 480-120-061.
986

987

988 **480-120-X22 Discontinuation of service--Customer requested.**

989 (1) This section applies to residential, business, and resale services discontinued at the
990 customer's request. The customer must notify the company of the date the customer
991 wishes to discontinue service. If the customer moves from the service address and fails
992 to request discontinuation of service, the customer must pay for service taken at the
993 service address until the company can confirm that the customer has vacated the
994 premise or a new party has taken responsibility for the service.

995 (2) A company must stop a customer's monthly recurring or minimum charges
996 effective on the requested discontinuation date. The customer may be held responsible
997 for use charges incurred after the requested discontinuation date when the company
998 can prove that the calls were made or authorized by the customer of record. This
999 section does not preclude a company from collecting minimum service commitment
1000 penalties when a customer disconnects service prior to fulfilling the tariff, price list, or
1001 contract commitment.

1002 (3) When a customer indicates that, in addition to stopping recurring monthly
1003 charges, the customer requires that the service be physically disconnected, the
1004 company must physically disconnect service within the time frames below:

1005 (a) For services that do not require a field visit, the company must disconnect
1006 service not later than one business day from the requested disconnect date; and

1007 (b) For services that require a premise visit to complete the request, the
1008 company must disconnect service no later than two business days from the requested
1009 disconnect date.

1010 (4) The company must treat the customer's service as continuing through a
1011 change in location from one premise to another within the same exchange, where
1012 facilities exist, if a request for service at the new premise is made before discontinuation
1013 of service at the old premise and service is not subject to discontinuation for cause. A
1014 customer is entitled to the same type of service at the new premise unless precluded by
1015 the tariff or price list of the company.

1016 (5) When a customer directs the local exchange company (LEC) to discontinue
1017 service, the LEC must either notify the customer's presubscribed interLATA and
1018 intraLATA toll carriers of the discontinuation or inform the customer that it is the
1019 customer's obligation to contact those carriers directly.
1020

1021

1022 **480-120-087 Telephone solicitation.**

1023 (1) Local exchange companies (LECs) must notify customers of their rights under RCW
1024 80.36.390 with respect to telephone solicitation.

1025 (2) For purposes of this section, "telephone solicitation" means the unsolicited
1026 initiation of a telephone call by a commercial or nonprofit company to a residential
1027 customer for the purpose of encouraging that person to purchase property, goods, or
1028 services or soliciting donations of money, property, goods, or services. "Telephone
1029 solicitation" does not include:

1030 (a) Calls made in response to a request or inquiry by the called party. This
1031 includes calls regarding an item that has been purchased by the called party from the
1032 company or organization during a period not longer than twelve months prior to the
1033 telephone contact;

1034 (b) Calls made by a not-for-profit organization to its own list of bona fide or active
1035 members of the organization;

1036 (c) Calls limited to polling or soliciting the expression of ideas, opinions, or votes;
1037 or

1038 (d) Business-to-business contacts.

1039 (3) Each LEC must provide notice by annual bill inserts mailed to its residential
1040 customers or conspicuous publication of the notice in the consumer information pages
1041 of its directories that clearly informs customers, at a minimum, of the following rights
1042 under the law:

1043 (a) Within the first thirty seconds, solicitors must identify themselves, their
1044 company or organization, and the purpose of the call;

1045 (b) If, at any time during the conversation, the customer requests to not be called
1046 again and to have the customer's name and telephone number removed from the
1047 calling list, the company or organization must not have a solicitor call the customer for at
1048 least one year;

1049 (c) Companies or organizations may not sell or give the customer's name and
1050 telephone number to another company or organization;

1051 (d) Under Washington law residential customers have the right to keep telephone
1052 solicitors from calling back; and

1053 (e) The office of the attorney general is authorized to enforce this law. In
1054 addition, individuals may sue the solicitor for a minimum of one hundred dollars per
1055 violation. If the lawsuit is successful, the individual may also recover court and
1056 attorney's fees.

1057 (i) To file a complaint, or request more information on the law, the
1058 customer may write to the Consumer Protection Division of the Attorney General's
1059 Office at 900 fourth Ave, Suite 2000, Seattle, Washington 98164-1012 or by email at
1060 protect@atg.wa.gov. Consumers may also call the division weekdays between 9:00
1061 a.m. and 4:00 p.m. at 1-800-551-4636.

1062 (ii) When the customer files a complaint, the customer should include the
1063 name and address of the individual, business, group, or organization, the time the calls
1064 were received, the nature of the calls, and any additional information available.

1065

1066

1067 **480-120-088 Automatic dialing-announcing device (ADAD).**

1068 (1) An automatic dialing and announcing device (ADAD) is a device that automatically
1069 dials telephone numbers and plays a recorded message once a connection is made.

1070 (2) "Commercial solicitation" means an unsolicited initiation of a telephone
1071 conversation for the purpose of encouraging a person to purchase property, goods, or
1072 services.

1073 (3) This rule regulates the use of ADADs for purposes other than commercial
1074 solicitation. RCW 80.36.400 prohibits the use of an ADAD for purposes of commercial
1075 solicitation intended to be received by telephone customers within the state.

1076 (4) This rule does not apply to the use of ADADs by government agencies to
1077 deliver messages in emergency situations.

1078 (5) **Use of an ADAD.** Except for emergency notification as provided in
1079 subsection (6), an ADAD may be used for calls to telephone customers within the state
1080 only if:

1081 (a) The recorded message states the nature of the call, identifies the individual,
1082 business, group, or organization for whom the call is being made, and telephone
1083 number to which a return call can be placed; and

1084 (b) It automatically disconnects the telephone connection within two seconds
1085 after the called party hangs up the receiver.

1086 (c) The ADAD does not dial unlisted telephone numbers (except as provided in
1087 this subsection), designated public service emergency telephone numbers as listed in
1088 published telephone directories, or any telephone number before 8:30 a.m. or after 9:00
1089 p.m. An ADAD may dial an unlisted number if the ADAD is being used to deliver the
1090 name, telephone number, or brief message of a calling party to a called party when the
1091 called party's line was busy or did not answer.

1092 (6) **Use of an ADAD for emergency notification.** An emergency ADAD may be
1093 connected to the telephone network and used only if:

1094 (a) The ADAD contains sensors that will react only to a steady tone of at least
1095 four seconds duration, broadcasts only on frequencies allocated by the FCC for
1096 emergency services, and is designed to prevent accidental triggering of emergency
1097 calls;

1098 (b) The ADAD provides some audible tone or message that alerts the user that
1099 the device has been activated and will automatically dial the preprogrammed
1100 emergency number unless manually deactivated within thirty to forty-five seconds;

1101 (c) The ADAD provides for disconnection within two seconds when the called
1102 party performs a predetermined function;

1103 (d) The ADAD satisfies applicable state safety requirements; and

1104 (e) The user registers the instrument with, and receives written approval for, its
1105 use from the emergency service entity to which an automatic call would be directed,
1106 secures from such entity an approved telephone number or numbers to be programmed
1107 into the instrument, and does not program the instrument to dial unlisted numbers, law
1108 enforcement numbers, or 911 emergency response numbers.

1109 (7) **Notification of the LEC.**

1110 (a) Before any ADAD may be operated while connected to the telephone
1111 network, the potential ADAD user, unless it is a facilities-based LEC using its own
1112 facilities, must notify, in writing, the LEC whose facilities will be used to originate calls.
1113 The notice must include the intended use of the ADAD equipment, the calendar days
1114 and clock hours during which the ADADs will be used, an estimate of the expected

1115 traffic volume in terms of message attempts per hour and average length of completed
1116 message, and written certification that the equipment can effectively preclude calls to
1117 unlisted telephone numbers, designated public service emergency numbers, or any
1118 number or series of numbers on a list of telephone customers that may be in the future
1119 designated by tariff, regulation, or statute, as customers who are not to receive ADAD
1120 calls.

1121 (b) The ADAD user must notify the LEC in writing within thirty days of any
1122 changes in the ADAD operation that would result in either an increase or decrease in
1123 traffic volume.

1124 (c) For new applications for ADADs, the LEC must review the statement of
1125 intended use of ADAD equipment to determine whether there is a reasonable probability
1126 that use of the equipment will overload its facilities and may refuse to provide
1127 connections for the ADADs or may provide them subject to conditions necessary to
1128 prevent an overload.

1129 (8) **Suspension or termination of service to ADAD users.**

1130 (a) A LEC may suspend or terminate service to an ADAD user if the LEC
1131 determines that the volume of calling originated by the ADAD is degrading the service
1132 furnished to others. The LEC must provide at least five days' notice before suspending
1133 or terminating service, unless the ADAD creates an overload in the LEC's switching
1134 office, in which case it may terminate service immediately, with no prior notice.

1135 (b) If a LEC learns that a customer is using an ADAD in violation of the
1136 provisions of this rule, the LEC must suspend or terminate the service of any ADAD
1137 user five days after the ADAD user receives a termination notice or immediately, with no
1138 prior notice, if use of the ADAD creates overloading in a LEC's switching office.

1139 (9) **Records of ADAD equipment in use.** Each LEC must maintain records of
1140 any ADAD equipment a user reports to the LEC as being connected to its facilities. If
1141 requested by the commission, the LEC must provide the name of the individual
1142 business, group, or organization using the ADAD, the address, and the telephone
1143 number or numbers associated with the ADAD.

1144
1145

1146 **480-120-089 Information delivery services.**

1147 (1) For purposes of this section:

1148 "Information delivery services" means telephone recorded messages, interactive
1149 programs, or other information services that are provided for a charge to a caller
1150 through an exclusive telephone number prefix.

1151 "Information provider" means the persons or corporations that provide the
1152 information, prerecorded message, or interactive program for the information delivery
1153 service.

1154 "Interactive program" means a program that allows a caller, once connected to
1155 the information provider's announcement machine, to access additional information by
1156 using the caller's telephone.

1157 (2) Local exchange companies (LECs) offering information delivery services must
1158 provide each residential customer the opportunity to block access to all information
1159 delivery services offered by that company. Companies must fulfill an initial request for

1160 blocking free of charge. Companies may charge a tariffed or price listed fee for
1161 subsequent blocking requests (i.e., if a customer has unblocked his or her access).

1162 (3) The LEC must inform residential customers of the blocking service through a
1163 single-topic bill insert and publication of a notice in a conspicuous location in the
1164 consumer information pages of the local white pages telephone directory. The LEC
1165 must include in the notice and bill insert the residential customers' rights under the law,
1166 the definition of "information delivery services" as defined in subsection (1), and a
1167 statement that these services often are called "900" numbers. The LEC must include
1168 notice that customers have the right under Washington law to request free blocking of
1169 access to information delivery services on their residential telephone lines, that blocking
1170 will prevent access to information delivery services from their residential telephone line,
1171 that customers may request free blocking of access to information delivery services on
1172 their residential telephone lines by calling the LEC at a specified telephone number, that
1173 the Washington utilities and transportation commission is authorized under RCW
1174 80.36.500 to enforce this law, and that customers may contact the commission for
1175 further information. The LEC must include the commission's address, toll-free
1176 telephone number, and website:

1177
1178 Washington Utilities and Transportation Commission
1179 Consumer Affairs Section
1180 1300 South Evergreen Park Drive, SW
1181 P.O. Box 47250
1182 Olympia, WA 98504-7250
1183 1-800-562-6150
1184 www.wutc.wa.gov
1185

1186 (4) Any company that provides billing, customer service, or collection services for
1187 an information provider must require, as a condition of that service, that the information
1188 provider include in any advertising or promotion a prominent statement of the cost to the
1189 customer of the information service.

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1192 **480-120-101 Complaints and disputes.**

1193 (1) When a company receives an oral or written complaint from an applicant or
1194 customer regarding its service or regarding another company's service for which it
1195 provides billing, collection, or responses to inquiries, the company must acknowledge
1196 the complaint as follows:

1197 (a) Provide the name of the company's contact to the complainant;

1198 (b) Investigate the complaint promptly;

1199 (c) Report the results of the investigation to the complainant;

1200 (d) Take corrective action, if warranted, as soon as appropriate under the
1201 circumstances;

1202 (e) Inform the complainant that the decision may be appealed to a supervisor at
1203 the company; and

1204 (f) Inform the complainant, if still dissatisfied after speaking to a supervisor, of the
1205 right to file a complaint with the commission and provide the commission address and
1206 toll-free telephone number.

1207 (2) When a company receives a complaint from an applicant or customer
1208 regarding another company's service for which it provides only billing service, the
1209 company must provide the complainant a toll-free number to reach the appropriate
1210 office for the other company that is authorized to investigate and take corrective action
1211 to resolve the dispute or complaint.

1212

1213

1214 **480-120-X33 Customer complaints--Responding to commission.**

1215 (1) Applicants, customers, or their authorized representatives, may file with the
1216 commission an informal complaint as described in WAC 480-09-150 or a formal
1217 complaint against a company when there are alleged violations of statutes,
1218 administrative rules, or tariffs as provided by WAC 480-09-420 and WAC 480-09-500.

1219 (2) When the commission staff refers an informal complaint to a company, the
1220 company must:

1221 (a) Hold any pending action involving the issues raised in the complaint provided
1222 any amounts not in dispute are paid when due (e.g., if the complaint involves a
1223 disconnect threat, the disconnect action must be stopped if all nondisputed amounts are
1224 paid in full);

1225 (b) Receive permission from the commission staff person handling the complaint
1226 before attempting further contact with the complainant;

1227 (c) Thoroughly investigate all issues raised in the complaint and provide a
1228 complete report of the results of its investigation to the commission, including, if
1229 applicable, information that demonstrates that the company's action was in compliance
1230 with commission rules; and

1231 (d) Take corrective action, if warranted, as soon as appropriate under the
1232 circumstances.

1233 (3) The company must report the results of its investigation as follows:

1234 (a) The company must report the results of service-affecting complaints to
1235 commission staff within two business days. Service-affecting complaints include, but
1236 are not limited to, impaired services (those services which are not operating properly or
1237 disconnected services).

1238 (b) The company must report the results of non-service-affecting complaints to
1239 commission staff within five business days. Non-service-affecting complaints include,
1240 but are not limited to, billing disputes and rate quotes.

1241 (4) Unless another time is specified in this rule or unless commission staff
1242 specifies a later date, the company must provide complete responses to requests from
1243 commission staff for additional information on pending complaints within three business
1244 days.

1245 (5) The company must keep commission staff informed when relevant changes
1246 occur in what has been previously communicated to the commission and when there is
1247 final resolution of the complaint.

1248 (6) Each company must keep a record of all complaints concerning service or
1249 rates for at least three years and, on request, make them readily available for
1250 commission review. The records must contain complainant's name and address, date
1251 and the nature of the complaint, action taken, and final result.

1252 (7) Each company must have personnel available during regular business hours
1253 to address customer complaints or inquiries and to respond to commission staff.
1254 Regular business days mean Monday through Friday, excluding official state holidays.
1255

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1257 **480-120-X30 Company responsibility.**

1258 When a customer informs the commission that the customer has identified a problem
1259 with service or billing or other matters and the customer has been told by two or more
1260 companies that the problem is not that company's responsibility but another company's
1261 responsibility, commission staff will inform the companies.

1262 Once the commission has contacted the companies, the companies must confer
1263 with each other within two business days and determine which company will take the
1264 lead responsibility to resolve the customer's problem. The company accepting lead
1265 responsibility must contact the commission and begin resolution of the problem within
1266 one business day of the two business days allotted by this subsection for a conference
1267 between the companies.

1268 Companies must confer, allocate responsibility between the companies, and
1269 contact the commission, as required by this section. The commission may penalize one
1270 or more of the involved companies.
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1274 **480-120-106 Form of bills.**

1275 (1) **Bill frequency.** Companies must offer customers, at a minimum, the opportunity to
1276 receive billings on a monthly interval, unless subsection (11) of this section applies..

1277 (2) **Length of time for payment of a bill.** Bill due dates must reflect a date
1278 which at a minimum allows a customer fifteen days from the date of mailing for
1279 payment.

1280 (a) Upon showing of good cause, a customer may request and the company
1281 must allow the customer to pay by a customer-chosen due date that is not the normally
1282 designated payment date on their bill. Good cause may include, but is not be limited to,
1283 adjustment of the billing cycle to parallel receipt of income.

1284 (i) A company may not assess late payment fees for the period between
1285 the regularly scheduled due date and the customer-chosen due date so long as the
1286 customer makes payment in full by the customer-chosen due date.

1287 (ii) A company may refuse to establish a preferred payment date that
1288 would extend the payment date beyond the next normally scheduled payment or due
1289 date.

1290 (b) Should charges be delayed beyond a regularly scheduled billing interval and
1291 the customer indicates that payment of the delayed charges in addition to regularly
1292 billed charges causes a hardship, a company must offer and must allow the customer
the same length of time to pay the delayed charges as it took the company to include

1293 the charges on the bill (e.g., if the bill includes two months delayed charges, the
1294 customer must be allowed to pay the charges over two months).

1295 Companies may not charge a customer late payment fees on the delayed
1296 charges during the extended payment period.

1297 (3) **Form of bill.** With the consent of the customer, a company may provide
1298 regular billings in electronic form if the bill meets all the requirements of this rule. The
1299 company must maintain a record of the customer's request, and the customer may
1300 change from electronic to printed billing upon request.

1301 (4) **Bill organization.** Telephone bills must be clearly organized, and must
1302 comply with the following requirements:

1303 (a) Bills may only include charges for services that have been requested by and
1304 provided to the customer;

1305 (b) The name of the service provider associated with each charge must be
1306 clearly and conspicuously identified on the telephone bill;

1307 (c) Where charges for two or more carriers appear on the same telephone bill,
1308 the charges must be separated by service provider; and

1309 (d) The telephone bill must clearly and conspicuously identify any change in
1310 service provider, including identification of charges from any new service provider.

1311 For purposes of this subsection "new service provider" means a service provider
1312 that did not bill the subscriber for service during the service provider's last billing cycle.
1313 This definition shall include only providers that have continuing relationships with the
1314 subscriber that will result in periodic charges on the subscriber's bill, unless the service
1315 is subsequently canceled.

1316 For purposes of this subsection, "clearly and conspicuously" means notice that
1317 would be apparent to the reasonable customer.

1318 (5) **Descriptions of billed charges.** Charges contained on telephone bills must
1319 be accompanied by a brief, clear, non-misleading, plain language description of the
1320 service or services rendered. The description must be sufficiently clear in presentation
1321 and specific enough in content so that customers can accurately determine that the
1322 services for which they are billed correspond to those that they have requested and
1323 received, and that the charges shown for those services conform to their understanding
1324 of the price charged.

1325 Bills must identify and set out separately any access or other charges imposed
1326 by order of or at the direction of the Federal Communications Commission (FCC). In
1327 addition, all bills for telephone service within jurisdictions where taxes are applicable
1328 must clearly delineate the amount, or the percentage rate at which the tax is computed.

1329 (6) **Charges for which service can be discontinued.** Where a bill contains
1330 charges for basic service, in addition to other charges, the bill must distinguish between
1331 charges for which non-payment will result in loss of basic service. The bill must include
1332 telephone numbers by which subscribers may inquire or dispute any charges on the bill.
1333 A carrier may list a toll-free number for a billing agent, clearinghouse, or other third
1334 party, provided such party possesses sufficient information to answer questions
1335 concerning the subscriber's account and is fully authorized to resolve the consumer's
1336 complaints on the carrier's behalf. Where the subscriber does not receive a paper copy
1337 of the customer's telephone bill, but instead accesses that bill only by e-mail or internet,

1338 the carrier may comply with this requirement by providing on the bill an e-mail or web
1339 site address. Each carrier must make a business address available upon request from
1340 a consumer.

1341 (7) **Itemized statement.** A company must provide an itemized statement of all
1342 charges when requested by a customer, including, but not limited to the following:

1343 (a) Rates for individual services;

1344 (b) Calculation of any charges based on a percentage of calls made;

1345 (c) Calculations of time or distance charges for calls, and calculations of any
1346 credit or other account adjustment; and

1347 (d) When itemizing the charges of information providers, the name, address,
1348 telephone number, and toll-free number, if any, of the providers.

1349 (8) **Methods of payment.**

1350 (a) Companies must, at a minimum, allow the following methods of payment:
1351 cash, certified funds (e.g., cashier check or money order), and personal checks.

1352 (b) Upon written notice to a customer, companies may refuse to accept personal
1353 checks when that customer has tendered two or more non-sufficient-funds checks
1354 within the last twelve months.

1355 (9) **Billing companies.** A company may bill regulated telecommunications
1356 charges only for companies properly registered to provide service within the state of
1357 Washington or for billing aggregators. The billing agent must, in its contractual
1358 relationship with the billing aggregator, require the billing agent to certify that it will
1359 submit charges only on behalf of properly registered companies; and that it will, upon
1360 request of the billing agent, provide a current list of all companies for which it bills,
1361 including the name and telephone number of each company. The billing agent must
1362 provide a copy of this list to the commission for its review upon request.

1363 (10) **Crediting customer payments.** Unless otherwise specified by the
1364 customer, payments that are less than the total bill balance must be credited first to
1365 basic service, with any remainder credited to any other charges on the bill.

1366 For purposes of this subsection, basic service includes associated fees and
1367 surcharges such as FCC access charges. Basic service does not include ancillary
1368 services such as caller identification and custom calling features.

1369 (11) **Exemptions from this rule.** Prepaid calling card services (PPCS) are
1370 exempt from subsections (1) through (10).

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1373 **480-120-X34 Pro-rata credits.**

1374 Every telecommunications company must provide pro-rata credits to customers of a
1375 service whenever that service is billed on a monthly basis and is not available for more
1376 than a total of twenty-four hours in a billing cycle. Pro-rata credits are not required
1377 when force majeure is the proximate cause for the unavailability of a service.

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1380 **480-120-116 Refund for overcharge.**

1381 A company must refund overcharges to the customer with interest, retroactive to the
1382 time of the overcharge, up to a maximum of two years, as set forth in RCW 80.04.230

1383 and 80.04.240. This rule does not limit other remedies available to customers.

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1386 **~~480-120-121 Responsibility for delinquent accounts.~~**

1387 ~~A utility shall not refuse or discontinue service to an applicant or subscriber, who is not~~
1388 ~~in arrears to the utility, even though there are unpaid charges due from the premises~~
1389 ~~occupied by the applicant or subscriber, on account of the unpaid bill of a prior tenant,~~
1390 ~~unless there is evidence of intent to defraud.~~

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1393 **~~480-120-131 Reports of accidents.~~**

1394 ~~Each utility shall give prompt notice to the commission of every accident resulting in~~
1395 ~~death or serious injury to any person, employee or member of the public occurring in its~~
1396 ~~plants or through contact with any of its facilities. The report shall give the name of the~~
1397 ~~person, extent of injuries, place of accident and brief explanation of same, and shall be~~
1398 ~~verified in writing if not originally reported by letter.~~

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1401 **480-120-138 Pay phone service providers (PSPs).**

1402 “Presubscribed operator service provider” means the provider of operator services to
1403 which the customer is connected when the customer places a call using a provider of
1404 operator services without dialing an access code.

1405 (1) A local exchange company (LEC) within the state of Washington must allow pay
1406 phone service providers (PSPs) to connect pay phones to its network, and a LEC must
1407 file a tariff or price list with the commission to include the rates and conditions applicable
1408 to providing service to pay phones via its network.

1409 **(2) Registration and application of rules.**

1410 (a) PSPs operating a pay phone within the state of Washington must register by:

1411 (i) Submitting a master business application to the master license service,
1412 department of licensing; and

1413 (ii) Obtaining a unified business identifier (UBI) number. A PSP that
1414 already has a UBI number need not reapply.

1415 (b) Except where pay phone services or PSPs are specifically referenced, the
1416 rules of general applicability to public service companies or telecommunications
1417 companies do not apply to pay phone services. This does not exempt PSPs from rules
1418 applicable to complaints and disputes (WAC 480-120-101), or remedies or sanctions for
1419 violations of rules applicable to PSP operations.

1420 (3) **Access.** At no charge to the calling party, pay phones must provide access
1421 to:

1422 (a) Dial tone;

1423 (b) Emergency services by dialing 911 without the use of a coin or entering
1424 charge codes;

1425 (c) Operator;

1426 (d) Telecommunications relay service calls for the hearing-impaired;

1427 (e) All available toll-free services; and

- 1428 (f) All available interexchange companies, including the LEC.
 1429 (4) **Disclosure.** PSPs must post clearly and legibly, in an unobstructed location
 1430 on or near the front of the pay phone:
 1431 (a) The rate for local calls, including any restrictions on the length of calls in thirty
 1432 point or larger type print and contrasting color;
 1433 (b) Notice that directory assistance charges may apply, and to ask the operator
 1434 for rates;
 1435 (c) Notice that the pay phone does not make change, if applicable;
 1436 (d) The emergency number (911);
 1437 (e) The name, address, phone number, and unified business identifier (UBI)
 1438 number of the owner or operator;
 1439 (f) A toll-free number to obtain assistance if the pay phone malfunctions, and
 1440 procedures for obtaining a refund;
 1441 (g) The name, address, and toll-free number of all presubscribed operator
 1442 service providers (OSPs), as registered with the commission. This information must be
 1443 updated within thirty days of a change in the OSP. Refer to WAC 480-120-141 for OSP
 1444 definition and rules;
 1445 (h) Notice to callers that they can access other long distance companies;
 1446 (i) The phone number of the pay phone, including area code. When the pay
 1447 phone is in an area that has had an area code change, the area code change must be
 1448 reflected on the pay phone within thirty days of the area code conversion; and
 1449 (j) In contrasting colors, the commission compliance number for customer
 1450 complaints, to include the following information:

1451 "If you have a complaint about service from this pay
 1452 phone and are unable to resolve it by calling the repair
 1453 or refund number or operator, please call the
 1454 commission at 1-888-333-WUTC (9882)."
 1455
 1456

- 1457 (5) **Operation and functionality.** A PSP must order a separate public access
 1458 line (PAL) for each pay phone installed. The commission may waive this requirement if
 1459 a company demonstrates that technology accomplishes the same result as a one-to-
 1460 one ratio by means other than through a PAL, that the service provided to customers is
 1461 fully equivalent, and that all emergency calling requirements are met. This PAL must
 1462 pass the appropriate screening codes to the connecting company to indicate that the
 1463 call is originating from a pay phone. In addition:
 1464 (a) The pay phone, if coin operated, must return coins to the caller in the case of
 1465 an incomplete call and must be capable of receiving nickels, dimes, and quarters.
 1466 (b) Pay phone keypads must include both numbers and letters.
 1467 (c) Where enhanced 911 is operational, the address displayed to the public
 1468 safety answering point (PSAP) must be that of the phone instrument if different from the
 1469 public access line demarcation point and the phone number must be that of the pay
 1470 phone.
 1471 (d) Extension telephones may be connected to a PAL only for the purpose of
 1472 monitoring emergency use. The pay phone must be clearly labeled to indicate that "911

1473 calls are monitored locally." An extension phone must be activated only when 911 is
1474 dialed from the pay phone, and must be equipped with a "push to talk" switch or other
1475 mechanism to prevent inadvertent interruption of the caller's conversation with the
1476 PSAP.

1477 (e) Cordless and tabletop pay phones may be connected to the telephone
1478 network only when the bill is presented to the user before leaving the premise where the
1479 bill was incurred, unless the customer requests that the call be alternatively billed.

1480 (f) Pay phones may not restrict the number of digits or letters that can be dialed.

1481 (g) Pay phones may provide credit-only service, or coin and credit service.

1482 (h) Pay phones must provide two-way service, and no charge may be imposed
1483 by the PSP for incoming calls. Exceptions to two-way service are allowed under the
1484 following circumstances:

1485 (i) Service provided to hospitals and libraries where a telephone ring might
1486 cause undue disturbance;

1487 (ii) Service provided within a building on the premises of a private
1488 business establishment, at the discretion of the business owner. For purposes of this
1489 section, premises where people have access to public transportation such as airports,
1490 bus and train stations are not considered private business establishments; and

1491 (iii) Service at locations where local governing jurisdictions or law
1492 enforcement find that incoming calls may be related to criminal or illicit activities and
1493 have provided proper notice under subsection (6) of this section. Each pay phone
1494 restricted to one-way service must be clearly marked on or near the front of the pay
1495 phone with information detailed in subsection (6).

1496 (6) **Restrictions.** A PSP may only limit the operational capabilities of a pay
1497 phone when a local governing jurisdiction or other governmental agency submits a
1498 notice to the commission using prescribed forms a minimum of ten days prior to the
1499 restriction. Restrictions may include, but are not limited to, blocking incoming calls,
1500 limiting touch-tone capabilities, and coin restriction during certain hours. The notice
1501 must be signed by an agent of the local governing jurisdiction in which the pay phone is
1502 located who has authority to submit the request, and must state the jurisdiction's
1503 reasons for the restriction. A copy of the notice must also be served on the PSP no
1504 later than ten days prior to the restriction.

1505 The requestor must post a notice prominently visible at the pay phone(s) ten
1506 days prior to the proposed restriction. The notice must explain what is proposed and
1507 how to file an objection with the governing agency.

1508 Once the restriction is in place, the PSP must post on or near each restricted pay
1509 phone, in legible and prominent type, a description of each limitation in effect, the times
1510 when the restrictions will be in effect, and the name and toll-free number of the
1511 governmental agency recommending the restriction.

1512 (7) **Telephone directories.** The provider of the PAL must furnish without charge
1513 one current telephone directory each year for each PAL. The PSP must ensure that a
1514 current directory is available at every pay phone.

1515 (8) **Malfunctions and rule violations.** The PSP must correct, within five days,
1516 malfunctions of the pay phone or rule violations reported to the repair or refund number
1517 or the commission.

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480-120-139 Changes in local exchange and intrastate toll services.

(1) **Verification of orders.** A local exchange or intrastate toll carrier that requests on behalf of a customer that the customer's carrier be changed, and that seeks to provide retail services to the customer ("submitting carrier"), may not submit a change order for local exchange or intrastate toll service until the order is confirmed in accordance with one of the procedures in subsections (a) through (c):

(a) The company has obtained the customer's written or electronic authorization to submit the order (letter of agency). The letter of agency must be a separate electronic form or document (or easily separable document) containing only the authorizing language described in (a)(i) through (vi) of this subsection, having the sole purpose of authorizing a telecommunications carrier to initiate a preferred carrier change. The letter of agency must be signed and dated by the customer of the telephone line(s) requesting the preferred carrier change. The letter of agency shall not be combined on the same document with inducements of any kind; however, it may be combined with checks that contain only the required letter of agency language as prescribed in (a)(i) through (vi) of this subsection, and the necessary information to make the check a negotiable instrument. The check may not contain any promotional language or material. It must contain, in easily readable, boldface type on the front of the check, a notice that the customer is authorizing a preferred carrier change by signing the check. Letter-of-agency language must be placed near the signature line on the back of the check. Any carrier designated in a letter of agency as a preferred carrier must be the carrier directly setting the rates for the customer. If any portion of a letter of agency is translated into another language, then all portions must be translated into that language, as well as any promotional materials, oral descriptions or instructions provided with the letter of agency. The letter of agency must confirm the following information from the customer:

(i) The customer billing name, billing telephone number and billing address and each telephone number to be covered by the change order;

(ii) The decision to change;

(iii) The customer's understanding of the change fee;

(iv) That the customer designates (name of carrier) to act as the customer's agent for the preferred carrier change;

(v) That the customer understands that only one telecommunications carrier may be designated as the customer's interstate preferred carrier; that only one telecommunications carrier may be designated as the customer's intraLATA preferred carrier; and that only one telecommunications carrier may be designated as the customer's local exchange provider, for any one telephone number. The letter of agency must contain a separate statement regarding the customer's choice for each preferred carrier, although a separate letter of agency for each choice is not necessary; and

(vi) Letters of agency may not suggest or require that a customer take some action in order to retain the current preferred carrier.

1562 (b) The submitting carrier has obtained the customer's authorization, as
1563 described in (a) of this subsection, electronically, by use of an automated, electronic
1564 telephone menu system. This authorization must be placed from the telephone
1565 number(s) for which the preferred carrier is to be changed and must confirm the
1566 information required in (a)(i) through (vi).

1567 Telecommunications companies electing to confirm sales electronically must
1568 establish one or more toll free telephone numbers exclusively for that purpose.

1569 Calls to the number(s) must connect a customer to a voice response unit, or
1570 similar device, that records the required information regarding the change, including
1571 automatically recording the originating automatic number identification (ANI).

1572 (c) An appropriately qualified and independent third party operating in a location
1573 physically separate from the telemarketing representative has obtained the customer's
1574 oral authorization to submit the change order that confirms and includes appropriate
1575 verification data (e.g., the customer's date of birth). The independent third party must
1576 not be owned, managed, controlled or directed by the carrier or the carrier's marketing
1577 agent; and must not have any financial incentive to confirm preferred carrier change
1578 orders for the carrier or the carrier's marketing agent. The content of the verification
1579 must include clear and unambiguous confirmation that the customer has authorized a
1580 preferred carrier change.

1581 (2) Where a telecommunications carrier is selling more than one type of
1582 telecommunications service (e.g., local exchange, intraLATA-intrastate toll, interLATA-
1583 interstate toll, and international toll), that carrier must obtain separate authorization, and
1584 separate verification, from the customer for each service sold, although the
1585 authorizations may be made within the same solicitation.

1586 (3) The documentation regarding a customer's authorization for a preferred
1587 carrier change must be retained by the submitting carrier, at a minimum, for two years
1588 to serve as verification of the customer's authorization to change his or her
1589 telecommunications company. The documentation must be made available to the
1590 customer and to the commission upon request. Documentation includes, but is not
1591 limited to, entire third-party-verification conversations and, for written verifications, the
1592 entire verification document.

1593 (4) **Implementing order changes.** An executing carrier may not verify directly
1594 with the customer the submission of a change in a customer's selection of a provider
1595 received from a submitting carrier. The executing carrier must comply promptly, without
1596 any unreasonable delay, with a requested change that is complete and received from a
1597 submitting carrier. An executing carrier is any telecommunications carrier that effects a
1598 request that a customer's carrier be changed.

1599 This section does not prohibit any company from investigating and responding to
1600 any customer-initiated inquiry or complaint.

1601 (5) **Preferred carrier freezes.** A preferred carrier freeze prevents a change in a
1602 customer's preferred carrier selection unless the customer gives the carrier from whom
1603 the freeze was requested express consent. Express consent means direct, written,
1604 electronic, or oral direction by the customer. All local exchange companies (LECs) must
1605 offer preferred carrier freezes. Such freezes must be offered on a nondiscriminatory
1606 basis to all customers. Offers or solicitations for such freezes must clearly distinguish

1607 among telecommunications services subject to a freeze (e.g., local exchange,
1608 intraLATA-intrastate toll, interLATA-interstate toll and international toll). The carrier
1609 offering the freeze must obtain separate authorization for each service for which a
1610 preferred carrier freeze is requested. Separate authorizations may be contained within
1611 a single document.

1612 (a) All LECs must notify all customers of the availability of a preferred carrier
1613 freeze, no later than the customer's first telephone bill, and once per year must notify all
1614 local exchange service customers of such availability on an individual customer basis
1615 (e.g., bill insert, bill message, or direct mailing).

1616 (b) All carrier-provided solicitation and other materials regarding freezes must
1617 include an explanation, in clear and neutral language, of what a preferred carrier freeze
1618 is, and what services may be subject to a freeze; a description of the specific
1619 procedures to lift a preferred carrier freeze; an explanation that the customer will be
1620 unable to make a change in carrier selection unless he or she lifts the freeze; and an
1621 explanation of any charges incurred for implementing or lifting a preferred carrier freeze.

1622 (c) No local exchange carrier may implement a preferred carrier freeze unless
1623 the customer's request to impose a freeze has first been confirmed in accordance with
1624 the procedures outlined for confirming a change in preferred carrier, as described in
1625 subsections (1) and (2) of this section.

1626 (d) All LECs must offer customers, at a minimum, the following procedures for
1627 lifting a preferred carrier freeze:

1628 (i) A customer's written or electronic authorization stating the customer's
1629 intent to lift the freeze;

1630 (ii) A customer's oral authorization to lift the freeze. This option must
1631 include a mechanism that allows a submitting carrier to conduct a three-way conference
1632 call with the executing carrier and the customer in order to lift the freeze. When
1633 engaged in oral authorization to lift a freeze, the executing carrier must confirm
1634 appropriate verification data (e.g., the customer's date of birth), and the customer's
1635 intent to lift the freeze.

1636 (e) A LEC may not change a customer's preferred carrier if the customer has a
1637 freeze in place, unless the customer has lifted the freeze in accordance with this
1638 subsection.

1639 (6) **Remedies.** In addition to any other penalties provided by law, a submitting
1640 carrier that requests a change in a customer's carrier without proper verification as
1641 described in this rule shall receive no payment for service provided as a result of the
1642 unauthorized change and shall promptly refund any amounts collected as a result of the
1643 unauthorized change. The customer may be charged, after receipt of the refund, for
1644 such service at a rate no greater than what would have been charged by its authorized
1645 telecommunications company, and any such payment shall be remitted to the
1646 customer's authorized telecommunications company.

1647 (7) **Exceptions.** Companies transferring customers as a result of a merger,
1648 purchase of the company, or purchase of a specific customer base are exempt from
1649 subsections (1) through (6) if the companies comply with the following conditions and
1650 procedures:

1651 (a) The acquiring company must provide a notice to each affected customer at
1652 least thirty days before the date of transfer. Such notice must include the following
1653 information:

1654 (i) The date on which the acquiring company will become the customer's
1655 new provider;

1656 (ii) The rates, terms, and conditions of the service(s) to be provided upon
1657 transfer, and the means by which the acquiring company will notify the customer of any
1658 change(s) to those rates, terms, and conditions;

1659 (iii) That the acquiring company will be responsible for any carrier change
1660 charges associated with the transfer;

1661 (iv) The customer's right to select a different company to provide the
1662 service(s);

1663 (v) That the customer will be transferred even if the customer has selected
1664 a "freeze" on his/her carrier choices, unless the customer chooses another carrier
1665 before the transfer date;

1666 (vi) That, if the customer has a "freeze" on carrier choices, the freeze will
1667 be lifted at the time of transfer and the customer must "re-freeze" carrier choices;

1668 (vii) How the customer may make a complaint prior to or during the
1669 transfer; and,

1670 (viii) The toll-free customer service telephone number of the acquiring
1671 carrier.

1672 (b) The acquiring company must provide a notice to the commission at least thirty
1673 days before the date of the transfer. Such notice must include the following information:

1674 (i) The names of the parties to the transaction;

1675 (ii) The types of services affected;

1676 (iii) The date of the transfer; and

1677 (iv) That the company has provided advance notice to affected customers,
1678 including a copy of such notice.

1679 (c) If after filing notice with the commission any material changes develop, the
1680 acquiring company must file written notice of those changes with the commission no
1681 more than ten days after the transfer date announced in the prior notice. The
1682 commission may, at that time, require the company to provide additional notice to
1683 affected customers regarding such changes.

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1686 **480-120-141 Operator service providers (OSPs).**

1687 (1) For purposes of this section:

1688 "Consumer" means the party paying for a call using operator services. For collect
1689 calls, a consumer is both the originating party and the party who receives the call.

1690 "Customer" means the call aggregator or pay phone service provider (PSP)
1691 contracting with an OSP for service, such as hotel, motel, hospital, correctional facility,
1692 prison, campus, or similar entity.

1693 "Operator service provider (OSP)" means any corporation, company, partnership,
1694 or person providing a connection to intrastate or interstate long-distance or to local
1695 services from locations of call aggregators.

1696 "Operator services" means any telecommunications service provided to a call
1697 aggregator location that includes automated or live assistance to customers in billing or
1698 completing (or both) telephone calls, other than those billed to the number from which
1699 the call originated or those completed through an access code used to bill a customer's
1700 account previously established with the company.

1701 This section applies to OSPs providing operator services from pay phones and
1702 other call aggregator locations. Each OSP must maintain a current list of the customers
1703 it serves in Washington and the locations and telephone numbers where the service is
1704 provided. No OSP may provide service to a PSP that is not fully in compliance with
1705 commission rules.

1706 (2) **Posted disclosure.** OSPs must post clearly, legibly, and unobstructed, on or
1707 near the front of the pay phone the presubscribed OSP's name, address, and toll-free
1708 number, as registered with the commission. This information must be updated within
1709 thirty days after a change of OSPs. OSPs must post a notice to consumers that they
1710 can access other long distance companies and, in contrasting colors, the commission
1711 compliance number for consumer complaints and the following information:

1712
1713 "If you have a complaint about service from this pay phone
1714 and are unable to resolve it by calling the repair or refund
1715 number or operator, please call the commission at 1-888-
1716 333-WUTC (9882).
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1718 (3) **Oral disclosure of rates.** This subsection applies to all calls from pay
1719 phones or other call aggregator locations, including, but not limited to, prison phones
1720 and store-and-forward pay phones or "smart" phones. When a collect call is placed,
1721 both the consumer placing the call and the consumer receiving the call must be given
1722 the rate quote options required by this section.

1723 (a) **Oral rate disclosure message required.** Before an operator-assisted call
1724 from a call aggregator location can be connected by a presubscribed OSP, the OSP
1725 must first provide a oral rate disclosure message to the consumer. If the charges to the
1726 consumer do not exceed the benchmark rate in subsection (3)(f), the oral rate
1727 disclosure message must comply with the requirements of subsection (3)(b). In all other
1728 instances, the oral rate disclosure message must comply with the requirements of
1729 subsection (3)(c).

1730 (b) **Rate disclosure method when charges do not exceed benchmark.** The
1731 oral rate disclosure message must state that the consumer may receive a rate quote
1732 and explain the method of obtaining the quote. The method of obtaining the quote may
1733 be by pressing a specific key or keys, but no more than two keys, or by staying on the
1734 line. If the consumer follows the directions to obtain the rate quote, the OSP must state
1735 all rates and charges that will apply if the consumer completes the call.

1736 (c) **Rate disclosure method when rates exceed benchmark.** The oral rate
1737 disclosure message must state all rates and charges that will apply if the consumer
1738 completes the call.

1739 (d) **Charge must not exceed rate quote.** If the OSP provides a rate quote
1740 pursuant to either subsection (3)(b) or subsection (3)(c), the charges to the user must

1741 not exceed the quoted rate. If a consumer complains to the commission that the
1742 charges exceeded the quoted rate, and the consumer states the exact amount of the
1743 quote, there will be a rebuttable presumption that the quote provided by the complaining
1744 consumer was the quote received by the consumer at the time the call was placed or
1745 accepted.

1746 (e) **Completion of call.** Following the consumer's response to any of the above,
1747 the OSP must provide oral information advising that the consumer may complete the
1748 call by entering the consumer's calling card number.

1749 (f) **Benchmark rates.** An OSP's charges exceed the benchmark rate if the sum
1750 of all charges, other than taxes and fees required by law to be assessed directly on the
1751 consumer, exceeds:

1752 (i) Three dollars and fifty cents for a one-minute call;

1753 (ii) Five dollars and fifty cents for a five-minute call; or

1754 (iii) Eight dollars for a ten-minute call.

1755 (4) **Access.** Pay phones must provide access to the services identified in WAC
1756 480-120-138(3).

1757 (5) **Branding.** The OSP must identify audibly and distinctly the OSP providing
1758 the service at the beginning of every call, including an announcement to the called party
1759 on collect calls. The OSP must ensure that the call begins no later than immediately
1760 following the prompt to enter billing information on automated calls and on live and
1761 automated operator calls, when the call is initially routed to the operator. The OSP must
1762 state the name of the company as registered with the commission (or its registered
1763 "doing business as" name) whenever referring to the OSP. When not necessary to
1764 identify clearly the OSP, the company may omit terms such as "Company,"
1765 "Communications," "Incorporated," or "Of the Northwest."

1766 (6) **Billing.** The OSP must provide to the billing company applicable call detail
1767 necessary for billing purposes and an address and toll-free number for consumer
1768 inquiries. The OSP must ensure that consumers are not billed for calls that are not
1769 completed. For billing purposes calls must be itemized, identified, and rated from the
1770 point of origination to the point of termination. An OSP may not transfer a call to
1771 another company unless the call can be billed from the point of origin. The OSP must
1772 provide specific call detail upon request, in accordance with WAC 480-120-106, Form of
1773 bills. Charges billed to a credit card need not conform to the call detail requirements of
1774 that section.

1775 (7) **Operational capabilities.** The OSP must answer at least ninety percent of
1776 all calls within ten seconds of the time the call reaches the company's switch. The OSP
1777 must maintain adequate facilities in all locations so the overall blockage rate for lack of
1778 facilities, including the facilities for access to consumers' preferred interexchange
1779 companies, does not exceed one percent in the time-consistent busy hour. Should
1780 excessive blockage occur, the OSP must determine what caused the blockage and take
1781 immediate steps to correct the problem. The OSP must reoriginate calls to another
1782 company upon request and without charge when technically able to accomplish
1783 reorigination with screening and allow billing from the point of origin of the call. If
1784 reorigination is not available, the OSP must provide dialing instructions for the
1785 consumer's preferred company.

1786 (8) **Emergency calls.** For purposes of emergency calls, every OSP must be
1787 able to transfer the caller into the appropriate E-911 system and to the public safety
1788 answering point (PSAP) serving the location of the caller with a single keystroke from
1789 the operator's console, to include automatic identification of the exact location and
1790 address from which the call is being made. The OSP must be able to stay on the line
1791 with the emergency call until the PSAP representative advises the operator that they are
1792 no longer required to stay on the call. The OSP must provide a toll-free number for
1793 direct access to PSAPs should additional information be needed when responding to a
1794 call for assistance from a phone using the provider's services. That emergency contact
1795 information must not be considered proprietary.

1796 (9) **Fraud protection.**

1797 (a) A company may not bill a call aggregator for:

1798 (i) Charges billed to a line for originating calls using company access
1799 codes, toll-free access codes, or originating calls that otherwise reach an operator
1800 position if the originating line subscribed to outgoing call screening or pay phone
1801 specific ANI coding digits and the call was placed after the effective date of the outgoing
1802 call screening or pay phone specific ANI coding digits order; or

1803 (ii) Collect or third-number-billed calls if the line serving the call that was
1804 billed had subscribed to incoming call screening (also termed "billed number screening")
1805 and if the call was placed after the effective date of the call screening service order.

1806 (b) The access line provider must remove from the call aggregator's bill any calls
1807 billed through the access line provider in violation of this subsection. If investigation by
1808 the access line provider determines that the pertinent call screening or pay phone
1809 specific ANI coding digits was operational when the call was made, the access line
1810 provider may return the charges for the call to the company as not billable.

1811 (c) Any call billed directly by an OSP, or through a billing method other than the
1812 access line provider, which is billed in violation of this subsection, must be removed
1813 from the call aggregator's bill. The company providing the service may request an
1814 investigation by the access line provider. If the access line provider determines that call
1815 screening or pay phone specific ANI coding digits (which would have prevented the call)
1816 was subscribed to by the call aggregator and was not operational at the time the call
1817 was placed, the OSP must bill the access line provider for the call.

1818 (10) **Suspension.** The commission may suspend the registration of any
1819 company providing operator services if the company fails to meet minimum service
1820 levels or to provide disclosure to consumers of protection available under chapter 80.36
1821 RCW and pertinent rules.

1822 Except as required by federal law, no provider of pay phone access line service
1823 may provide service to any OSP whose registration is suspended.

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1826 **480-120-144 Use of privacy listings for telephone solicitation.**

1827 (1) A local exchange company may not make telephone solicitation or telemarketing
1828 calls using its list of customers with nonpublished or unlisted numbers unless it has
1829 notified each such customer at least once in the past year that the company makes

1830 such calls to its customers with nonpublished or unlisted numbers and that the customer
1831 has a right to request that the company make no such calls.

1832 (2) When the company provides the notice required in subsection (1) in writing,
1833 the notice must include a toll-free number and an e-mail address the customer may use
1834 to state that solicitation should not be made.

1835 (3) When the company provides the notice in subsection (1) by phone call, the
1836 customer must be informed that inclusion in a solicitation list may be declined and if
1837 declined, the company must not make any additional solicitation.

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1840 **480-120-340 Enhanced 9-1-1 (E911) obligations of local exchange companies.**

1841 "Private branch exchange (PBX)" means customer premises equipment installed on the
1842 subscriber's premises that functions as a switch, permitting the subscriber to receive
1843 incoming calls, to dial any other telephone on the premises, to access a tie trunk leading
1844 to another PBX or to access an outside trunk to the public switched telephone network.

1845 (1) Local exchange companies (LECs) must provide enhanced 9-1-1(E911) services
1846 including:

1847 (a) For single line service, the ability for customers to dial 911 with the call and
1848 caller's phone number transmitted to the E911 system serving the location of the point
1849 of presence for that line;

1850 (b) For multi-line customers, the capability to identify the location of individual
1851 telephone stations at PBXs or similar equipment served by E911 service, where the
1852 PBX or similar equipment generates and forwards appropriate number identification
1853 information;

1854 (c) For pay phones, the capability for the address to be displayed to the public
1855 safety answering point (PSAP). The address must be that of the phone instrument if it
1856 is different from the public access line demarcation point. The phone number must be
1857 that of the pay phone.

1858 (2) LECs must supply to the database of the E911 system customer information
1859 in a nationally accepted format with that data updated within twenty-four hours of any
1860 customer information changes.

1861 (3) LECs wishing to provide E911 services including selective routing, data base
1862 management and transmission of the call to a PSAP must file with the commission
1863 tariffs or price lists, whichever applies, and supporting cost studies that specify the
1864 charges and terms for E911 services.

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1867 **480-120-350 Reverse search by enhanced 9-1-1 (E911) public safety answering**
1868 **point (PSAP) of ALI/DMS data base--When permitted.**

1869 (1) A public safety answering point (PSAP) may make a reverse search of information in
1870 the automatic location identification (ALI/DMS) data base when, in the judgment of the
1871 PSAP representative, an immediate response to the location of the caller or to the
1872 location of another telephone number reported by the caller is necessary because of an
1873 apparent emergency.

1874 (2) Reverse search must not be used for criminal or legal investigations or other
1875 non-emergency purposes.

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1878 ~~480-120-500 Telecommunications service quality—General requirements.~~

1879 ~~(1) The facilities of telecommunications companies shall be~~
1880 ~~designed, constructed, maintained, and operated to ensure reasonable~~
1881 ~~continuity of service, uniformity in the quality of service furnished, and~~
1882 ~~the safety of persons and property.~~

1883 ~~—(2) Telecommunications companies shall employ prudent management and~~
1884 ~~engineering practices, including reasonable procedures for forecasting~~
1885 ~~demand for service, to ensure that sufficient facilities and an adequate~~
1886 ~~operating force are available to meet reasonable demands under normal~~
1887 ~~operations.~~

1888 ~~(3) These rules are not intended to establish a standard of care owed~~
1889 ~~by a telecommunications company to any consumer(s) or subscriber(s).~~

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1892 **480-120-505 Operator services.**

1893 (1) An operator service provider must protect the confidentiality of all communications it
1894 carries, processes, or transmits unless otherwise authorized by law.

1895 (2) Each operator service provider must develop procedures its employees must
1896 follow to provide operator assistance to customers, ensure that when automated
1897 operator services are provided by it, customers can access a live operator, ensure that
1898 call timing for operator-assisted calls provided by its operators is accurately recorded,
1899 and ensure that its operators receiving 0- and 911 calls are capable of routing calls in a
1900 manner that will allow access to the proper local emergency service agency and
1901 connecting calls twenty-four-hours a day.

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1904 **480-120-510 Business offices.**

1905 Each company must provide business offices or customer service centers that are
1906 accessible by telephone or in person. A business office or customer service center that
1907 serves more than one exchange must provide toll-free calling from each exchange to
1908 the office. Each business office or customer service center must be staffed by qualified
1909 personnel who can provide information relating to all services and rates, accept and
1910 process applications for service, explain charges on customers' bills, adjust charges
1911 made in error, and generally act as representatives of the company.

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1914 **480-120-X12 Response time for calls to business office.**

1915 (1) Responses to calls placed to the business office may be by a live representative or
1916 an automated call answering system. Each company must ensure that:

1917 (a) The average speed of answer for calls to a business office during business
1918 hours must not exceed thirty seconds.

1919 (b) All automated call answering systems will provide customers the opportunity
1920 to speak to a live representative; and

1921 (c) It will route calls received during business hours and completed with an
1922 automated call answering system to a live representative within sixty seconds when
1923 customers indicate they wish to speak to a live representative.

1924 (2) Companies must measure their compliance with subsection (1)(a) and (c) on
1925 a monthly calendar basis. Station busies and unanswered calls must not be counted as
1926 completed calls when measuring compliance.

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1929 **480-120-X13 Cash and urgent payments.**

1930 (1) Each local exchange company (LEC) must establish and maintain payment
1931 agencies for receipt of cash and urgent payments. For purposes of this section, a
1932 payment agency may be a business office of the company that accepts customer
1933 payments. An urgent payment is a payment that the company requires upon threat of
1934 discontinuation of service. Each LEC must use the following criteria when determining
1935 the number of payment agencies required:

1936 (a) Exchanges serving over seventy-five thousand access lines must have a
1937 minimum of one payment agency within the exchange for every fifty thousand access
1938 lines.

1939 (b) Exchanges serving twenty-five thousand to seventy-five thousand access
1940 lines must have a minimum of one payment agency within the exchange.

1941 (c) LECs that do not have exchanges that meet the criteria in (a) or (b) of this
1942 subsection must have at least one payment agency.

1943 (2) The payment agency must clearly post and maintain regular business hours
1944 and may be supported by the same personnel as the business office or customer
1945 service center. It must not assess a charge from the applicant or customer for
1946 processing a payment.

1947 (3) A LEC may request a waiver of subsection (1). At a minimum, as a condition
1948 for waiver, the petitioner must demonstrate that applicants and customers have a
1949 reasonable opportunity to make cash and urgent payments.

1950 (4) At least thirty days before closing any payment agency, business office, or
1951 customer service center that accepts cash and urgent payments, a LEC must provide
1952 the commission, in writing, the exchange(s) and communities affected by the closing,
1953 the date of the closing, a list of other methods and locations available for making cash
1954 and urgent payments, and a list of other methods and locations for obtaining business
1955 office and customer service center services.

1956 (5) A LEC may not close a payment location until alternatives for making cash
1957 and urgent payments have been provided to affected customers.

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1960 **480-120-515 Network performance standards.**

1961 (1) All companies must meet the applicable network performance standards set forth in
1962 this section. The standards applied to each service quality measurement are the
1963 minimum acceptable quality of service under normal operating conditions. All

1964 performance standards apply to each central office individually and must be measured
1965 at or below that level. The performance standards do not apply to abnormal conditions,
1966 including, but not limited to work stoppage, holidays, force majeure, or major outages
1967 caused by persons or entities other than the local exchange company (LEC) or its
1968 agents.

1969 (2) **Switches.** End-office switches, in conjunction with remote switches where
1970 deployed, must meet the following standards:

1971 (a) **Dial service.** For each switch, companies must provide adequate equipment
1972 to meet the following minimum standards during the normal busy-hour:

1973 (i) Dial tone must be provided within three seconds on at least ninety-eight
1974 percent of calls placed; and

1975 (ii) Ninety-eight percent of calls placed must not encounter an intra-switch
1976 blocking condition within the central office, or blocking in host-remote, or interoffice local
1977 trunks.

1978 (b) **Intercept.** Central office dial equipment must provide adequate access to an
1979 operator or to a recorded announcement intercept to all vacant codes and numbers.
1980 Less than one percent of intercepted calls may encounter busy or no-circuit-available
1981 conditions during the average busy-hour, busy-season service levels.

1982 (3) **Interoffice facilities.** Blocking performance during average busy-hour for
1983 trunk groups for any month must be less than one-half of one percent for intertoll and
1984 intertandem facilities and less than one percent for local and EAS interoffice trunk
1985 facilities. The blocking standard for 911 dedicated interoffice trunk facilities must be
1986 less than one percent during average busy-hour for any week.

1987 (4) **Outside plant.**

1988 (a) **Local loops.** Each LEC must design, construct, and maintain subscriber
1989 loops to the standard network interface or demarcation point as follows:

1990 (i) For voice grade, local exchange service loops must meet all
1991 performance characteristics specified in Section 4 of the Institute of Electrical and
1992 Electronic Engineers (IEEE) Standard Telephone Loop Performance Characteristics.
1993 Information about this standard regarding the version adopted and where to obtain it is
1994 set forth in WAC 480-120-999.

1995 (ii) For voice grade service, the circuit noise level on customer loops
1996 measured at the customer network interface must be equal to or less than 20.0 dBrnC,
1997 except that loops in excess of 18,000 feet must have noise levels less than 25.0 dBrnC,
1998 and digitized loops using customer loop carrier systems must have noise levels less
1999 than 30 dBrnC.

2000 (b) **Special circuits.** Off-premise station circuit loss must not exceed 5.0 dB at
2001 1004 Hz when measured between the customer switch demarcation and the customer
2002 station demarcation. LECs with over fifty thousand access lines must maintain design
2003 criteria for special circuits. Companies must make channel performance criteria
2004 available to customers upon request.

2005 (c) **Digital services.** LECs must meet the availability objectives for digital private
2006 line circuit performance specified in the American National Standards for
2007 Telecommunications, "Network Performance Parameters for Dedicated Digital Services
2008 - Specifications." Information about this standard regarding the version adopted and

2009 where to obtain it is set forth in WAC 480-120-999. Upon request of a customer, a LEC
2010 may provide to that customer digital services that do not meet the performance
2011 standards set forth in subsection (4)(b).

2012 (5) **Service to interexchange carriers.** LECs must provide service to
2013 interexchange carriers at the grade of service ordered by the interexchange carrier.

2014 (6) Companies must measure network activity on equipment they own, operate,
2015 or share at sufficient intervals so that adequate facilities are in place when needed to
2016 accommodate growth in traffic.

2017 (7) Each Class A LEC must arrange and design incoming trunks to the primary
2018 repair service center so that traffic overflows during service interruptions can be
2019 redirected or forwarded to an alternate repair or maintenance service center location.

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2022 **480-120-520 Major outages.**

2023 (1) All companies must make reasonable provisions to minimize the effects of major
2024 outages, including those caused by force majeure, and inform and train pertinent
2025 employees to prevent or minimize interruption or impairment of service.

2026 (2) **Notice to commission and public safety answering point (PSAP).** When
2027 a company receives notice of or detects a major outage, it must notify the commission
2028 and any PSAP serving the affected area as soon as possible.

2029 (3) **Notice to county and state emergency agencies and coordination of
2030 efforts.** When a major outage affects any governmental emergency response facility, a
2031 company must notify immediately the county 911 coordinator and the state emergency
2032 management division, and provide periodic updates on the status of the outage. The
2033 company must coordinate service restoration with the state emergency management
2034 division if requested to do so and, if requested to do so, report daily to the commission
2035 the progress of restoration efforts until the company achieves full network recovery.

2036 (4) **Major outages repair priorities.**

2037 (a) Outages affecting PSAPs, law enforcement facilities, fire department facilities,
2038 and hospitals must receive attention first and be repaired as soon as possible.

2039 (b) Companies must restore other services within twelve hours unless conditions
2040 beyond a company's control prevent service restoration within twelve hours.

2041 (c) Companies must restore outages to their facilities affecting intercompany
2042 trunk and toll trunk service within four hours after the problem is reported unless
2043 conditions beyond a company's control prevent service restoration within four hours. If
2044 the problem is not corrected within four hours, the company must keep all other affected
2045 companies advised of the status of restoration efforts on a twice-daily basis.

2046 (5) **Information to public.** During major outage recovery efforts, all companies
2047 must implement procedures to disseminate information to the public, public officials, and
2048 news media. All companies must provide a statement about the major outage that
2049 includes the time, the cause, the general location and number of affected access lines,
2050 and the duration.

2051 (6) **Notice of intentional outage.** When a company intends to interrupt service
2052 to such an extent that it will cause a major outage, it must notify all customers who are
2053 affected and the state emergency management division not less than seven days in

2054 advance if circumstances permit or as soon as it plans to interrupt service if
2055 circumstances do not permit seven days' advance notice.

2056 (7) **Records.** All companies must keep a record of each major outage and a
2057 statement about the interruption that includes the time, the cause, the location and
2058 number of affected access lines, and the duration.

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2061 **480-120-X16 Service interruptions, excluding major outages.**

2062 (1) For service interruptions that are not part of a major outage, a company must repair
2063 ninety percent of service interruptions or impairments within twenty-four hours from the
2064 time a customer initially reports the problem to the company and one hundred percent
2065 within forty-eight hours from the time of the initial report.

2066 For the purposes of this section, companies may exclude Sundays and legal
2067 holidays from the twenty-four hour and forty-eight-hour periods.

2068 (2) In instances when repair requires construction work, the twenty-four hour and
2069 forty-eight hour periods begin when a company has met all legal requirements imposed
2070 by an applicable governing body associated with the repair (e.g., utility location services
2071 are completed and, if applicable, a permit is granted). For purposes of this section, oral
2072 approval of a permit request by the permitting authority is considered the same as
2073 written approval. Upon receiving an outage report that requires construction work, a
2074 company must immediately contact the appropriate authorities to request applicable
2075 utility location services and permits.

2076 (3) When a company plans a service interruption, it must notify customers
2077 that will be affected not less than seven days in advance or, if seven days' notice is not
2078 possible, as soon as the interrupted service is planned.

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2081 **480-120-525 Network maintenance.**

2082 (1) Each local exchange company (LEC) must:

2083 (a) Provide adequate maintenance to ensure that all facilities are in safe and
2084 serviceable condition;

2085 (b) Correct immediately hazardous conditions endangering persons, property, or
2086 the continuity of service when found, reported, or known to exist;

2087 (c) Promptly repair or replace broken, damaged, or deteriorated equipment, when
2088 found to be no longer capable of providing adequate service; and

2089 (d) Correct promptly transmission problems on any channel when located or
2090 identified, including noise induction, cross-talk, or other poor transmission
2091 characteristics.

2092 (2) Each LEC must install and maintain test apparatus at appropriate locations to
2093 determine the operating characteristics of network systems and provide sufficient
2094 portable power systems to support up to the largest remote subscriber carrier site. For
2095 the safe and continuous operation of underground cables, each LEC must establish air
2096 pressurization policies and an air pressurization alarm-monitoring program where
2097 appropriate.

2098 (3) Central offices equipped with automatic start generators must have three
2099 hours' reserve battery capacity. Central offices without automatic start generators must
2100 have a minimum of five hours' reserve battery capacity. Central offices without
2101 permanently installed emergency power facilities must have access to readily
2102 connectable mobile power units with enough power capacity to carry the load and that
2103 can be delivered within one half of the expected battery reserve time.
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2106 **480-120-X14 Trouble report standard.**

2107 Trouble reports by central office must not exceed four trouble reports per one hundred
2108 access lines per month for two consecutive months, or per month for four months in any
2109 one twelve-month period. This standard does not apply to trouble reports related to
2110 customer premise equipment, inside wiring, force majeure, or major outages of service
2111 caused by persons or entities other than the local exchange company.
2112

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2114 **480-120-X15 Response time for repair calls.**

2115 (1) Responses to calls placed to the company's repair center may be by a live
2116 representative or an automated call answering system. Each company must ensure
2117 that:

2118 (a) The average speed of answer for repair calls will not exceed thirty seconds
2119 measured on a calendar month basis;

2120 (b) All automated call answering systems will provide customers the opportunity
2121 to speak to a live representative; and

2122 (c) It will route calls received during business hours and completed with an
2123 automated call answering system to a live representative within sixty seconds when
2124 customers indicate they wish to speak to a live representative; and

2125 (2) Companies must measure their compliance with subsection (1)(a) and (c) on
2126 a monthly calendar basis. Station busies and unanswered calls must not be counted as
2127 completed calls when measuring compliance.
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2130 **480-120-535 Service quality performance reports.**

2131 (1) Local exchange companies with two percent or more of the access lines in the state
2132 of Washington must report monthly the information required in subsections (3), (4), and
2133 (6) through (10). Companies must report within thirty days after the end of the month in
2134 which the activity reported on takes place (e.g., a report concerning missed
2135 appointments in December must be reported by January 30).

2136 (2) Companies that are exempted from financial reporting requirements by RCW
2137 80.04.530 need not report to the commission as required by subsection (1). However,
2138 these companies must retain, for at least three years from the date they are created, all
2139 records that would be relevant, in the event of a complaint or investigation, to a
2140 determination of the company's compliance with the service quality standards
2141 established by WAC 480-120-X08, WAC 480-120-XXX, WAC 480-120-XXY, WAC 480-
2142 120-X16, WAC 480-120-510, WAC 480-120-515, and WAC 480-120-525.

2143 (3) **Missed appointment report.** The report must include the number of
2144 appointments missed for which missed appointment credits were required by WAC 480-
2145 120-X08.

2146 (4) **Held orders for installation or activation of basic service report.**
2147 *(This subsection will be completed after the Commission workshop to be held on*
2148 *September 19, 2001.)*

2149 (5) **Major outages report.** Notwithstanding subsections (1) and (2), any
2150 company experiencing a major outage that lasts more than forty-eight hours must
2151 provide a major outage report to the commission within ten business days of the major
2152 outage. The major outages report must include a description of each major outage and
2153 a statement that includes the time, the cause, the location and number of affected
2154 access lines, and the duration of the interruption or impairment. When applicable, the
2155 report must include a description of preventive actions to be taken to avoid future
2156 outages. This reporting requirement does not include company-initiated major outages
2157 that are in accordance with the contract provisions between the company and its
2158 customers or other planned interruptions that are part of the normal operational and
2159 maintenance requirements of the company.

2160 The commission staff may request oral reports from companies concerning major
2161 outages at any time and companies must provide the requested information.

2162 (6) **Summary trouble reports.** Any company experiencing trouble reports in
2163 excess of the standard established in WAC 480-120-X14, must report summaries of
2164 trouble reports that include the number of reports by exchange of impairment or loss of
2165 service, and an explanation of causes for each central office that exceeds the service
2166 quality standard established in WAC 480-120-X14. The reports, including repeated
2167 reports, must be presented as a ratio per one hundred lines in service. The reports
2168 caused by customer-provided equipment or inside wiring should not be included in this
2169 report.

2170 (7) **Switching report.** Any company experiencing switching problems in excess
2171 of the standard established in WAC 480-120-515(2)(a), must report the problems to the
2172 commission. The report must identify the location of every switch that is performing
2173 below the standard.

2174 (8) **Interoffice, intercompany and interexchange trunk blocking report.**
2175 Companies that experience trunk blocking in excess of the standard in WAC 480-120-
2176 515(3) must report each trunk group that does not meet the performance standards.
2177 For each trunk group not meeting the performance standards, the report must include
2178 the peak percent blocking level experienced during the preceding month, the number of
2179 trunks in the trunk group, and the busy hour when peak blockage occurs. The report
2180 must include an explanation of steps being taken to relieve blockage on any trunk
2181 groups that do not meet the standard for two consecutive months.

2182 (9) **Repair report.** For service-interruptions repairs subject to the requirements
2183 of WAC 480-120-X16, companies must report the number of service interruptions
2184 reported each month, the number repaired within twenty-four hours, and the number
2185 repaired more than forty-eight hours after the initial report.

2186 (10) **Business office and repair answering system reports.** When requested,
2187 companies must report compliance with the standard required in WAC 480-120-X12

2188 and WAC 480-120-X15. If requested, companies must provide the same reports to the
2189 commission that company managers receive concerning average speed of answer,
2190 transfers to live representatives, station busies, and unanswered calls.

2191 (11) The commission may choose to investigate matters to protect the public
2192 interest, and may request further information from companies that details geographic
2193 area and type of service, and such other information as the commission requests.
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2196 **480-120-540 Terminating access charges.**

2197 (1) For purposes of this section:

2198 "Terminating access service" includes transport only to the extent that the
2199 transport service is bundled (priced) with end office or tandem switching service.
2200 Dedicated transport unbundled (priced separately) from switching services is not subject
2201 to subsection (2) of this section.

2202 "Bill and keep" (also known as "mutual traffic exchange" or "payment in kind") is
2203 a compensation mechanism where traffic is exchanged between companies on a
2204 reciprocal basis. Each company terminates the traffic originating from other companies
2205 in exchange for the right to terminate its traffic on that company's network.

2206 (2) Except for any universal service rate allowed pursuant to subsection (3) of
2207 this section, the rates charged by a local exchange company (LEC) for terminating
2208 access service must not exceed the lowest rate charged by the LEC for the comparable
2209 local interconnection service (in each exchange), such as end office switching or
2210 tandem switching. If a LEC does not provide local interconnection service (or does so
2211 under a bill and keep arrangement), the rates charged for terminating access service
2212 must not exceed the cost of the terminating access service being provided.

2213 (3) The cost of the terminating access service must be determined based on the
2214 total service long-run incremental cost of terminating access service plus a reasonable
2215 contribution to common or overhead costs. Local loop costs are considered "shared" or
2216 "joint" costs and must not be included in the cost of terminating access service.
2217 However, nothing in this rule prohibits recovery of local loop costs through originating
2218 access charges (including switched, special, and dedicated as defined in subsection (1)
2219 of this section).

2220 (4) If a LEC is authorized by the commission to recover any costs for support of
2221 universal access to basic telecommunications service through access charges, it must
2222 recover such costs as an additional, explicit universal service rate element applied to
2223 terminating access service.

2224 (5) The requirement of subsection (2) of this section that any terminating rate be
2225 based on cost does not apply to any LEC that is a small business, or to any LEC that is
2226 competitively classified, if it concurs in the terminating rate of any LEC that has filed a
2227 terminating rate that complies with the requirements of subsection (2) of this section.
2228 For the purposes of this subsection, "small business" has the same meaning as it does
2229 in RCW 19.85.020.

2230 (6) Any LEC that is required to lower its terminating access service rates to
2231 comply with this section may file tariffs or price lists (as appropriate) to increase or
2232 restructure its originating access service charges. The commission will approve the

2233 revision as long as it is consistent with this section, in the public interest and the net
2234 effect is not an increase in revenues.

2235 (7) Prior commission authorization is not required for competitively classified
2236 LECs to charge up to, but no more than, the sum of the incumbent LEC's subsection (2)
2237 and subsection (4) rate elements in each respective exchange.
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2240 **480-120-X01 Universal service cost recovery authorization.**

2241 (1) The commission may authorize local exchange companies (LECs) to establish
2242 explicit rate additives or elements to recover costs for support of universal service in
2243 high-cost locations. In determining high-cost locations and the amount that may be
2244 recovered, the commission will consider the cost of providing service in rural areas and
2245 urban areas. The commission will also consider the comparability of rates between
2246 urban and rural areas. The commission may also consider per-customer revenue, and
2247 such other factors as it considers necessary to arrive at sufficient support.

2248 (2) When determining the amount a competitively classified company may
2249 recover for support of universal service, the commission may use an incumbent LEC's
2250 cost of providing service in a high cost location as a proxy for the cost of the
2251 competitively classified company.
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2254 **480-120-541 Access charge and universal service reporting.**

2255 (1) **Intrastate mechanism reporting.**

2256 (a) Until legislation creating a new universal service fund is adopted and effective
2257 and commission rules to implement the legislation are adopted and effective, each
2258 Class A telecommunications company in the state of Washington and the Washington
2259 Exchange Carrier Association, must provide annually:

2260 (i) The actual demand units for the previous calendar year for each
2261 switched access tariff rate element (or category of switched access tariff rate elements,
2262 both originating and terminating) it has on file with the commission.

2263 (ii) Primary toll carriers (PTCs) must file, in addition to (a) of this
2264 subsection, the annual imputed demand units for the previous calendar year that the
2265 company would have had to purchase from itself if it had been an unaffiliated toll carrier
2266 using feature group D switched access service (including intraLATA and interLATA,
2267 both originating and terminating demand units). For purposes of this subsection, a PTC
2268 means a local exchange company offering interexchange service(s) to retail customers
2269 using feature group C switched access service for the origination and termination of any
2270 such service(s).

2271 (b) The report containing the information required in (a) of this subsection
2272 must be filed by July 1 of each year.

2273 (c) Each company providing information required by this section must include
2274 complete workpapers and sufficient data for the commission to review the accuracy of
2275 the report.

2276 (2) **Annual state certification requirements for interstate (federal)**
2277 **mechanism.** Each eligible telecommunications carrier (ETC) in Washington receiving

2278 federal high-cost universal service support funds must provide the following to the
2279 commission not later than August 31 of each year:
2280 (a) A certification that, during the calendar year preceding the year in which
2281 certification is made, the ETC provided the supported services required by 47 U.S.C. §
2282 214(e) and described in the commission order granting it ETC status;
2283 (b) A certification that, during the calendar year preceding the year in which
2284 certification is made, the ETC advertised the availability of supported services and the
2285 charges for them as required by 47 U.S.C. § 214(e) and as described in the commission
2286 order granting it ETC status;
2287 (c) A certification that funds received by it from the federal high-cost universal
2288 service support fund will be used only for the provision, maintenance, and upgrading of
2289 the facilities and services for which the support is intended;
2290 (d) The amount of federal high-cost universal service fund support received for
2291 the calendar year preceding the year in which the filing must be made;
2292 (e) The quarterly loop counts on which federal high-cost universal service
2293 support was based for support received during the calendar year preceding the year in
2294 which the filing must be made.
2295 The certifications required in (a) through (e) of this subsection must be made in
2296 the same manner as required by RCW 9A.72.085.

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2299 **480-120-542 Washington Exchange Carrier Association (WECA).**

2300 (1) The Washington Exchange Carrier Association (WECA) may:
2301 (a) File petitions with the commission;
2302 (b) Publish and file tariffs with the commission; and
2303 (c) Represent before the commission those members that so authorize. WECA's
2304 rules of procedure are on file with the commission under Docket No. UT-920373, and
2305 may be obtained by contacting the commission's records center.
2306 (2) Subject to all the procedural requirements and protections associated with
2307 company filings before the commission, WECA must submit to the commission:
2308 (a) All initial WECA tariffs; and
2309 (b) All changes to the tariffs.
2310 (3) A member of WECA may file directly with the commission:
2311 (a) Tariffs;
2312 (b) Revenue requirement computations;
2313 (c) Revenue objectives;
2314 (d) Universal service support cost calculations;
2315 (e) Total service long run incremental cost studies;
2316 (f) Competitive classification petition;
2317 (g) Other reports; or
2318 (h) Any other item it or the commission deems necessary.
2319 (4) The commission has the authority to supervise the activities of WECA.
2320 However, such supervision will not compromise the independent evaluation by the
2321 commission of any filing or proposal that must be submitted to the commission for
2322 approval.

2323 (5) To the extent that WECA is involved in the collection and redistribution of
2324 funds under commission orders authorizing certain revenue sharing arrangements
2325 under common tariff, it must maintain, provide, and report to the commission annual
2326 financial reports, by July 1 of each year, relating to the arrangements. Annual financial
2327 reports must include:

- 2328 (a) Actual fund collections and distributions to each member company;
- 2329 (b) The basis upon which the collection and distribution is made;
- 2330 (c) Board membership;
- 2331 (d) Special committee membership; and
- 2332 (e) The status and description of any open WECA docket proceedings.

2333 (6) Each local exchange company in the state of Washington has the option of
2334 using WECA as its filing agent, tariff bureau, or both. Companies using WECA
2335 collectively may file intrastate rates, tariffs, or service proposals.

2336 (7) Nothing in this section will be construed as amending or modifying WECA's
2337 current methods of administration. WECA's access charge pooling administration plan
2338 is on file with the commission and may be obtained by contacting the commission's
2339 records center and requesting the "Ninth Supplemental Order in Docket UT-971140 with
2340 Attachment" dated June 28, 2000.

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2343 **480-120-543 Caller identification service.**

2344 For purposes of this section, "primary rate interface services" means an ISDN service
2345 that uses a digital rate of one thousand five hundred forty-four Mbits per second,
2346 whether used like business trunks for digital PBXs with up to twenty-four circuits at a
2347 rate of sixty-four kbits per second per circuit, or used as a single circuit at the DS1 rate.
2348 A company may offer caller identification service if the company complies with this
2349 section.

2350 (1) The company that provides caller identification service must provide its retail
2351 customers the capability of blocking the delivery of their numbers, names, or locations
2352 both on a per call basis and on a per line basis. The company must not charge a
2353 monthly fee or per call fee for caller identification blocking. The company must not
2354 charge a nonrecurring fee for caller identification blocking:

- 2355 (a) When the service is requested at the time an access line is connected;
- 2356 (b) The first time the service is added to an access line; or
- 2357 (c) The first time the service is removed from an access line.

2358 (2) At least ninety days before offering caller identification services the
2359 company must send notice to its customers. The notice must explain caller
2360 identification per call blocking, caller identification line blocking, a customer's right to
2361 have the numbers blocked one-time free of charge, and an explanation that call
2362 blocking does not apply to the delivery of caller numbers, name, or locations to a 911 or
2363 enhanced 911 service, other emergency service, or a customer-originated trace. The
2364 notice must include an explanation that call blocking will not work on all services,
2365 including, but not limited to 800 and 900 numbers, long distance, and primary rate
2366 interface service.

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480-120-544 Streamlined filing requirements for Class B telecommunications company rate increases.

(1) A Class B company, as defined in WAC 480-120-031(1), may use the streamlined treatment described in this section for seeking a general rate increase, as an alternative to the requirements in WAC 480-09-330.

(2) **General information required.** A Class B company seeking streamlined treatment for a proposed general rate increase must submit the following information at the time of filing or prior to its first notice to customers, whichever occurs first:

(a) A copy of its customer notice as specified in subsection (6).

(b) A results-of-operations statement, on a commission basis, demonstrating that the company is not presently exceeding a reasonable level of earnings. If the company is exceeding a reasonable level of earnings, the proposed increase must be reduced accordingly.

(c) All supporting documentation used to develop the results-of-operations statement, including supporting documentation for all adjustments.

(d) The results-of-operations statement filed under this subsection must include Washington intrastate results of operations. If a company cannot provide Washington intrastate results of operations with reasonable accuracy, the commission may consider the total Washington results of operations including the interstate jurisdiction.

(3) **Adjustments provided for in the results of operations.**

(a) The results-of-operations statement must provide restating actual adjustments and proforma adjustments in accordance with (b) of this subsection.

(b) Before the achieved return is calculated a company must adjust the booked results of operations for restating actual and proforma adjustments, including the following:

(i) Nonoperating items;

(ii) Extraordinary items;

(iii) Nonregulated operating items; and

(iv) All other items that materially distort the test period.

(4) **Rate of return.** The authorized overall rate-of-return (for purposes of this section only) is eleven and twenty-five one-hundredths percent.

(5) **Rate design.** A Class B company filing pursuant to this section must clearly describe the basis for allocating any revenue requirement change proposed by customer class (e.g., residential, business, and interexchange).

(6) **Customer notice.** The company must notify customers consistent with the manner outlined in **WAC 480-120-04X**, and must include the following information:

(a) The proposed increase expressed in (a) total dollars and average percentage terms, and (b) the average monthly increases the customers in each category or subcategory of service might reasonably expect;

(b) The name and mailing address of the commission and public counsel;

(c) A statement that customers may contact the commission or public counsel with respect to the proposed rate change; and

(d) The date, time, and place of the public meeting, if known.

2412 (7) **Public meeting(s).** The commission will ordinarily hold at least one public
2413 meeting in the area affected by the rate increase within forty-five days after the date of
2414 filing.

2415 (8) **Final action.** The commission will ordinarily take final action on a filing under
2416 this section within ninety days after the date of filing.

2417 (9) The commission may decline to apply the procedures outlined in this section
2418 if it has reason to believe that:

2419 (a) The quality of the company's service is not consistent with its public service
2420 obligations; or

2421 (b) A more extensive review is required of the company's results of operations or
2422 proposed rate design.

2423 (10) Nothing in this rule will be construed to prevent any company, the
2424 commission, any customer, or any other party from using any other procedures that are
2425 otherwise permitted by law.

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2428 **480-120-999 Adoption by reference.**

2429 In this chapter, the commission adopts by reference all or portions of regulations and
2430 standards identified below. They are available for inspection at the commission branch
2431 of the Washington state library. The publications, effective dates, references within this
2432 chapter, and availability of the resources are as follows:

2433 (1) American National Standards for Telecommunications – “Network
2434 Performance Parameters for Dedicated Digital Services – Specifications” (ANSI
2435 T1.510-1999) is published by the American National Standards Institute (ANSI).

2436 (a) The commission adopts the version in effect on December 29, 1999.

2437 (b) This publication is referenced in WAC 480-120-515.

2438 (c) The American National Standards for Telecommunications “Network
2439 Performance Parameters for Dedicated Digital Services – Specifications” is a
2440 copyrighted document. Copies are available from the publisher and third-party vendors.

2441 (2) The Institute of Electrical And Electronic Engineers (IEEE) Standard
2442 Telephone Loop Performance Characteristics (ANSI/IEEE Std 820-1984) is published
2443 by the ANSI and the IEEE.

2444 (a) The commission adopts the version in effect on March 22, 1984 and
2445 reaffirmed September 16, 1992.

2446 (b) This publication is referenced in WAC 480-120-515.

2447 (c) The IEEE Standard Telephone Loop Performance Characteristics is a
2448 copyrighted document. Copies are available from the publishers.

2449 (3) The National Electrical Safety Code is published by the IEEE, and the
2450 National Fire Protection Agency (NFPA).

2451 (a) The commission adopts the version in effect in 1997.

2452 (b) This publication is referenced in WAC 480-120-126.

2453 (c) The National Electrical Safety Code is a copyrighted document. Copies are
2454 available from the publishers and from third-party vendors.

2455 (4) Title 47 Code of Federal Regulations, cited as 47 CFR, is published by the
2456 United States Government Printing Office.

- 2457 (a) The commission adopts the version in effect on October 1, 1998.
2458 (b) This publication is referenced in WAC 480-120-031 and 136.
2459 (c) Copies of Title 47 Code of Federal Regulations are available from the
2460 Government Printing Office and from third-party vendors.
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2463 **480-120-X05 Responsibility for maintenance and repair of facilities and support**
2464 **structures.**

2465 (1)(a) Companies are responsible for all work, materials, and costs associated with
2466 reinforcing existing distribution plant, and repairing and maintaining existing facilities
2467 and support structures up to and including the Standard Network Interface (SNI).

2468 (b) The customer is responsible for maintaining facilities on the customer's side
2469 of the SNI.

2470 (2) A company, in its sole discretion, may determine to replace or reinforce any
2471 existing facilities or support structures for which it is responsible for maintenance or
2472 repair. If the company decides to replace existing facilities or support structures, all the
2473 work and materials associated with the installation of facilities and support structures is
2474 considered repair and maintenance, and not new construction.

2475 (3) With respect to cost, subsection (1)(a) does not apply when damage has
2476 been caused by a customer or third party, in which case, the company may charge that
2477 individual the cost of repair, maintenance, or replacement of company facilities. Nothing
2478 in this subsection is intended to limit the company's ability to recover damages as
2479 otherwise permitted by law.
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2482 **480-120-X20 Responsibility for drop facilities and support structure.**

2483 (1) "Drop facilities" means a telecommunications company-supplied wire and pedestal
2484 placed between an applicant or customer's premises and the company distribution plant
2485 at the applicant or customer's property line.

2486 "Support structure" means a trench, pole, or conduit used to provide a path for
2487 placement of drop facilities.

2488 (2) **Initial provision of service to a premise.** Companies are responsible for
2489 designating the route of the drop facility and the type of support structure.

2490 (a) Provision of drop facilities. The company is responsible for all work and
2491 materials associated with drop facilities except as provided in subsection (2)(b).

2492 (b) Provision of support structure. The company may require the applicant to
2493 provide a support structure that meets company standards. Once the customer
2494 provides a support structure that meets company standards, ownership of the support
2495 structure and maintenance responsibilities vests in the company. Nothing in this rule
2496 prohibits the company from offering the applicant an alternative to pay the company a
2497 tariffed or price listed rate for provision of the support structure.

2498 (3) **Requests for additional service to premises when all pairs within**
2499 **existing drop facilities are in use.**

2500 (a) The company is responsible for all costs, including the costs of work and
2501 materials, associated with placement of additional drop facilities.

2502 (b) The company is responsible for all costs, including the costs of work and
2503 materials, associated with placement of a support structure except when:
2504 (i) There is no existing support structure for use by the company;
2505 (ii) The existing support structure follows a route that no longer follows a
2506 logical engineering path (e.g., land has been short platted);
2507 (iii) The existing support structure is at capacity (e.g., additional cable or
2508 wire cannot be placed); or
2509 (iv) The existing support structure is damaged and unusable. The
2510 company must allow the customer the option of repairing the damaged support structure
2511 or placing a new structure that meets company standards.
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2514 **480-120-X08 Service quality credits for customers.**

2515 *(This section will be completed after the Commission workshop to be held on*
2516 *September 19, 2001.)*
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2519 **480-120-XXX Installation or activation of retail basic service.**

2520 *(This section will be completed after the Commission workshop to be held on*
2521 *September 19, 2001.)*
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2524 **480-120-XXY Orders for non-basic retail services.**

2525 *(This section will be completed after the Commission workshop to be held on*
2526 *September 19, 2001.)*