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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

REQUEST FOR WAIVER OF
WAC 480-80-206(3)(a) and (b) and WAC 480-
120-193(1)(d)

Docket No. UT- 020631

QWEST'S AMENDED/CORRECTED
PETITION FOR WAIVER

Pursuant to WAC 480-80-010(2), Qwest Corporation ("Qwest") hereby petitions the Washington Utilities and Transportation Commission ("WUTC" or "Commission") for a waiver of certain provisions of WAC 480-80-206(3), a rule pertaining to price list availability to customers and WAC 480-120-193(1)(d), a rule pertaining to posting of tariffs for public inspection and review¹. Qwest is seeking a waiver of WAC 480-80-206(3)(a) only as it applies to the requirement to include the company's Internet address on each notice, and to (3)(b) only as it applies to the requirement to include a statement on each customer bill and notice that "there is no charge for the price list copy." Qwest is also seeking a waiver of WAC 480-120-193(1)(d) only as it applies to the requirement to include the "tariff website" (Internet address) on each customer notice.

This waiver will allow Qwest to avoid unnecessary expense and focus resources on more urgent

¹ WAC 480-80-015 requires a "request for exemption" be filed with the Commission. However, that rule is not yet effective and it is therefore unclear that relief should be sought under that provision. Qwest does not believe that a "request for exemption" is necessarily different from a request for waiver.

1 customer needs. In the alternative, it will provide Qwest with the time necessary to modify its billing
2 systems to include the newly introduced required statement on bills and notices as well as the Internet
3 address on notices.

4 **WAC 480-80-206 (3)(a) and (b)**

5 On May 14, 2002, the Commission filed with the Code Reviser the Rulemaking for Tariffs, Price
6 Lists and Customer Notices. WAC 480-80-206(3) contains the following language:

7 (3) Each telecommunications company offering service under a price
list must include in each customer bill or notice:

8 (a) The Internet address (uniform resource locator) of the
website containing its price list; and

9 (b) The toll-free telephone number to use in requesting price
10 list copies and a statement that there is no charge for the price list copy.

11 Qwest currently provides its toll-free telephone number on each customer bill and notice. The
12 Internet address is also on each customer bill. Qwest does not currently include a statement on each bill
13 or notice that there is no charge for a copy of the price list.

14 The requirement to include the above referenced statement on each bill or notice requires a
15 modification to the bill format and the notice format produced by current Qwest data systems. This
16 modification will take up to 200 hours of programming time for each bill or notice modification, with a
17 total estimated cost of up to \$50,000 for each format change. Qwest currently has approximately 26
18 different forms of standardized notice for residence customers alone. Attached hereto is a list of a sample
19 of the current standardized notices Qwest transmits to certain residence customers. In addition, Qwest
20 also will need to modify bills and notices for those telecommunications carriers that subscribe to Qwest
21 billing and collections services and request such a modification. Qwest currently provides this service to
22 approximately 21 telecommunication carriers.

23 Qwest requests a permanent waiver of the requirement to add this statement to each bill and
24 notice. Customers generally do not know whether a service is offered under a price list or a tariff, nor do
25 they necessarily understand the significance or difference of each. Therefore the proposed statement is
26 not likely to be meaningful to a customer. Furthermore, very few if any customers request a copy of a
section of a tariff or price list or the entire document. In addition, as previously stated, Qwest bills on

1 behalf of other carriers that are also required to include this statement on their bill page or section of the
2 Qwest bill. These carriers have contacted Qwest to arrange for this additional language to include with
3 their portion of the Qwest bill. Thus a customer may see this statement several times on the same bill.

4 Currently Qwest customers call the toll-free number on the bill or notice to request copies of
5 tariffs or price lists. This existing arrangement has proven to be satisfactory. Qwest has found that, since
6 it began publishing its tariffs and price lists on its website, the requests for copies of such documents have
7 almost stopped. Qwest also recently modified its Internet home page to include a direct link to Qwest's
8 tariffs and price lists. In addition, the Commission's own consumer web site is linked to the Qwest's tariff
9 and price list website.

10 Qwest also cannot currently comply with the obligation to include the Internet address on each
11 customer notice. This is not an issue for bill inserts or direct letters that may be sent in the future but it
12 does require modification of standardized notices such as late payment notices, disconnect notices, etc.
13 Qwest is currently modifying its disconnect notice to include Qwest's Internet address and should have
14 this change made by September 2002. The other notices will also require modification. However,
15 Qwest requests a permanent waiver of the requirement to add the Internet address to each notice. The
16 toll free number is included with each notice and has proven to be sufficient. In addition, the Internet
17 address is published on each bill and is readily available to customers.

18 In the alternative, Qwest is willing to advise customers annually of their right to obtain copies of a
19 section of a tariff or price list or the entire document(s) for no charge. Qwest would include such notice
20 as part of its annual "customer consumer bill of rights" notice. Should the Commission decide the
21 statement is necessary on a more frequent basis, Qwest respectfully requests the statement obligation be
22 limited to the bill only. This would reduce the estimated cost significantly. Qwest would be able to
23 implement this obligation to be effective with the November 2002 bill cycle.

24 **WAC 480-120-193 (1)(d)**

25 Proposed WAC 480-120-193(1) reads as follows:

- 26 (1) Web, telephone, and mail access. The company must:

- (a) Maintain a complete copy of its tariff or tariffs and all proposed tariff changes on an Internet website accessible to the public using generally available browser software;
- (b) Provide a toll-free telephone number by which customers and applicants can obtain assistance during normal business hours from a company agent qualified to assist the customer in locating, interpreting, and applying tariff provisions;
- (c) Upon written or oral request by any customer or applicant, deliver at no charge a copy of any current, proposed or most recently canceled tariff page that relates to the customer's or applicant's service; and
- (d) Include on each customer bill and notice the address of the tariff website and the toll-free telephone number.

These provisions specifically apply to tariffs. As previously stated with regard to price lists, Qwest cannot currently comply with the obligation to include the Internet address on each customer notice. This is not an issue for bill inserts or direct letters that may be sent in the future but it does require modification of standardized notices such as late payment notices, disconnect notices, etc. Qwest is currently modifying its disconnect notice to include Qwest's Internet address and should have this change available by September 2002. The other notices will also require modification. Qwest respectfully requests a permanent waiver of the requirement to add the Internet address to all other notices. The toll free number is include with each notice and has proven to be sufficient. In addition, the Internet address is published on each bill and is readily available to customers.

Should the Commission decide the Internet address is necessary on all notices, Qwest respectfully requests a waiver until the change can be made to each notice format. Qwest would be able to implement this obligation to be effective with any notice distributed as of November 2002.

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WAC 480-80-015

Proposed WAC 480-80-015 states the following:

- (1)The commission may grant an exemption from the provisions of any rule in this chapter, if consistent with the public interest, the purposes underlying regulation, and applicable statues.
- (2) To request a rule exemption, a person must file with the commission a written request identifying the rule for which an exemption is sought, giving a full explanation of the reason for requesting the exemption.

1 In accordance with proposed WAC 480-80-015(1), if that rule is deemed applicable, Qwest
2 requests an exemption for the above rule provisions in order to avoid unnecessary expense and to allow
3 Qwest to focus resources on more urgent customer needs. The exemption requested above is consistent
4 with the public interest because no customer will be harmed since Qwest already has existing business
5 practices that provide relevant tariff or price list information at no charge to the customer and also has had
6 such documents available over the Internet for quite some time. Qwest is not aware of any complaints on
7 this issue in Washington.

8 The purpose of the regulation is to ensure that customers are aware that they can receive or
9 access this information at no charge. As previously stated, Qwest is willing to advise customers annually
10 of their right to obtain copies of a section of a tariff or price list or the entire document(s) for no charge.
11 Qwest would include such notice as part of its annual "customer consumer bill of rights" notice.

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19 **CONCLUSION**

20 For the reasons cited above, Qwest requests that the Commission grant a waiver of and/or
21 exemption from the requirements of WAC 480-80-206(3)(a) and 480-120-193(1)(d) which pertain to
22 the need for the Internet address on every notice, and WAC 480-80-206(3)(b) which pertains to the
23 need for a statement on every bill and notice.

24 Respectfully submitted this 30th day of May, 2002.

25 Qwest

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By _____
Lisa A. Anderl, WSBA #13236

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Sample of Standardized Collection Letters for Residence Subscribers Only:

- Disconnect Notice (Letter 001)
- Confirmation Denial Notice (Letter 002)
- Deposit Confirmation Denial Notice (Letter 003)
- UBIC Deposit Disconnect Notice (Letter 004)
- UBIC Deposit or Advanced Payment Disconnect Notice (Letter 018)
- UBIC Advance Payment Confirmation Denial Notice (Letter 019)
- Return Check Letter (Letter 007)
- Treatable Return Check Letter (Letter 008)
- Return Check Letter Final Account (Letter 009)
- Final Notice - Final Accounts Only (Letter 014)
- Confirmation Final Notice - Final Accounts Only (Letter 015)
- Confirmation Final Notice - FUBAK Accounts Only (Letter 015)
- Pay Final Bill or Disconnect Other Working Service-(Letter 016) and (Letter 016A)
- NAI-Advance Payment or Deposit Letter (Letter 020)
- NAI-Deposit Letter (Letter 021)
- NAI-High Toll Please Call (Letter 022)
- Confirming Final Notice when Customer has OSR (Letter 023)
- Please Pay Letter (Letter 025)