

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

In the Matter of the Petition of

NUI TELECOM, INC.,

For Waiver of WAC 480-120-139

DOCKET UT-020759  
ORDER GRANTING WAIVER OF  
RULES

**BACKGROUND**

- 1 On June 13, 2002, NUI Telecom, Inc., (NUI) filed with the Commission a petition requesting exemption from WAC 480-120-139 for the transfer of intrastate intraLATA and interLATA toll customers from Telcorp. Ltd., (Telcorp).
- 2 The reason for this request is prompted by NUI's purchase of the customer base of Telcorp, whose accounts comprise both intraLATA and interLATA toll service. Under WAC 480-120-139, "Changes in local exchange and intrastate toll services," NUI would not be able to submit a change in a customer's intrastate toll service without confirming the customer's authorization in accordance with requirements in the rule.
- 3 This request is limited specifically to the transference of Telcorp's customer base. Customer notices have been reviewed by Commission Staff and will be mailed to all affected customers informing them of their options. NUI will credit any charge imposed by local exchange carriers for changing the customers' primary interexchange carriers to NUI. NUI's products and services are similar to those offered by Telcorp. NUI will provide Telcorp's customers rates that are the same or lower than NUI's existing rates. NUI will provide notice to Telcorp's customers of any changes in rates and services.
- 4 This matter was brought before the Commission at its regularly scheduled open meeting on August 14, 2002. The Commissioners, having determined the following order to be consistent with the public interest, directed the Secretary to enter the following order and related provisions.

**FINDINGS**

- 5 (1) NUI Telecom, Inc., and Telcorp, Ltd., are public service companies subject to the jurisdiction of this Commission under the provisions of chapter 80.36 RCW.

- 6 (2) The waiver of WAC 480-120-139 as described above, is reasonable and consistent with the public interest, subject to the mailing of the customer notice, and should therefore be approved.

**O R D E R**

- 7 After the effective date of this Order, NUI Telecom, Inc., is granted a waiver of WAC 480-120-139, for the initial transfer of intraLATA and interLATA toll customers from Telcorp, Ltd., subject to the mailing of the customer notice.

DATED at Olympia, Washington, and effective this 14th day of August, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary