

1 **BEFORE THE**
2 **WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

3
4 In the Matter of the Petition of)
5 TEL WEST COMMUNICATIONS, LLC) Docket No. UT - 033016
6 For Designation as an Eligible Telecommunications Carrier) Amended Petition of Tel West
7 Under 47 U.S.C. § 214(e)(2)) Communications, LLC For
8) Designation as an Eligible
9) Telecommunications Carrier
10)

11 Tel West Communications, LLC (“Tel West”) hereby submits to the Commission this Amended
12 Petition for Designation as an Eligible Telecommunications Carrier (“ETC”) pursuant to Section
13 214(e)(2) of the Telecommunications Act of 1934, as amended (“Act”), 47 U.S.C. § 214(e)(2),
14 and Section 54.201 of the rules of the Federal Communications Commission (“FCC”), 47 C.F.R.
15 § 54.201. Tel West requests that it be designated as eligible to receive all available support from
16 the federal Universal Service Fund (“USF”) including, but not limited to, support for low income
17 consumers. In support of its Petition, Tel West provides the following:

18 **I. Name and Address of Petitioner**

19 The name and address of Petitioner are Tel West Communications, LLC, 3701 S. Norfolk
20 Street, Suite 300, Seattle, WA 98118.

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22 **II. Applicable Statutes and Rules**

23 The statutes and rules pertaining to this Petition are as follows: 47 U.S.C. §§ 153(44),
24 214(e), 253(b), and 254(d); C.F.R. §§ 51.5, 54.5, 54.101, 54.201, 54.207, and 54.307.

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26 **III. Authorization and Service Area**

1. Tel West was granted authority to provide local exchange services by the Commission

1 in its order dated October 28, 1998, in Docket UT-981258;

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3 2. Tel West is a telecommunications carrier as defined in 47 U.S.C. § 153(44) and 47
4 C.F.R. § 51.5, and for the purposes of Part 54 of the FCC's rules. Tel West is
5 therefore considered a common carrier under the Act.

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7 3. A telecommunications carrier may be designated as an ETC and receive universal
8 service support through its designated service area if it agrees to: a) offer services that
9 are supported by federal universal support mechanisms; and b) advertise the availability
10 of such services [(47 U.S.C. § 214(e)1)].

11
12 4. Section 214(e)(2) of the Act provides that ETC designations shall be made for a
13 "Service Area" as designated by the state commission. Accordingly, Tel West
14 requests that its Service Area be designated as the Washington local service exchanges
15 of Qwest Corporation ("Qwest"), United Telephone Company of the Northwest
16 ("Sprint"), and Verizon Northwest Inc. ("Verizon"), which are the incumbent local
17 exchange carriers ("ILECs") with whom Tel West has comprehensive interconnection
18 agreements in the state of Washington. As shown on Exhibit A to this Petition, in sixty
19 (60) exchanges of Qwest, Tel West currently provides service through the use of
20 Unbundled Network Elements – Platform ("UNE-P"), and therefore qualifies as a
21 telecommunications carrier as defined in 47 U.S.C. § 153(44) and 47 C.F.R. § 51.5.
22 In eleven (11) other Qwest exchanges, Tel West does not yet provide service, but
23 service to any future customers in these exchanges will be provisioned as UNE-P.

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25 All service in the exchanges of Verizon (shown on Exhibit A) is currently provided as
26 resold service. However, Tel West and Verizon have a project underway to convert
resold services to UNE-P beginning May 30, 2003.

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All service in the exchanges of Sprint (shown on Exhibit A) is currently provided as resold service. Tel West is planning to convert resold Sprint services to UNE-P, but has not yet initiated a conversion project with Sprint.

IV. Tel West Offers the Services to Qualify for Federal USF Support

1. Section 214(e)(1) of the Act and Section 54.201(d) of the FCC’s rules provide that carriers designated as ETCs shall, throughout their service areas, a) offer the services that are supported by federal universal service support mechanisms, either using their own facilities or a combination of their own facilities and resale of another carrier’s services, and b) advertise the availability of such services and the charges therefore using media of general distribution. The services supported by the federal USF are [(47 C.F.R. § 54.101(a)] are:

- (a) Voice grade access to the public switched network
- (b) Local usage
- (c) Dual tone multi-frequency signaling or its functional equivalent
- (d) Single party service or its functional equivalent
- (e) Access to emergency services
- (f) Access to operator services
- (g) Access to interexchange services
- (h) Access to directory assistance
- (i) Toll limitation for qualifying low-income consumers

Exhibit A lists the exchanges where Tel West provides all of these supported services, either through resold ILEC services, Unbundled Network Elements (“UNEs”) obtained

1 from the ILECs, or its own facilities. Exchanges where Tel West's service is currently
2 provided as UNE-P are identified in the "Service Status" column in Exhibit A as "UNE-
3 P." In these exchanges Tel West already satisfies the requirements of Section 214(e)(1) of
4 the Act, and qualifies as a telecommunications carrier under the provisions of 47 C.F.R. §
5 54.201(f). For exchanges where Tel West either does not yet provide service, or where
6 Tel West provides only resold service, the "Service Status" column in Exhibit A is marked
7 "Resale / UNE-P Planned." Tel West plans to provide UNE-P based service in these
8 exchanges as soon as conversion projects can be arranged with the appropriate ILECs.
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10 2. Description of each of these supported services follows:

- 11 (a) Voice Grade Access: Tel West provides voice grade access (300 – 3,000
12 Hz) to the public switched network either through resale, interconnection
13 arrangements with the ILECs (UNE-P), or through use of its own equipment
14 and facilities.
- 15 (b) Local Usage: Tel West will comply with any and all minimum local usage
16 requirements when or if adopted by the FCC.
- 17 (c) DTMF Signaling: In the case of resold services of ILECs, signaling is
18 provided by the ILECs from whom Tel West obtains its resold services. In
19 the provision of service via UNE-P or its own facilities, Tel West uses
20 DTMF-compliant network signaling throughout its service area.
- 21 (d) Single Party Service: Tel West provides only single party service throughout
22 its service area.
- 23 (e) Access to Emergency Services: Tel West provides access to emergency
24 services throughout its service area.
- 25 (f) Access to Operator Services: Tel West provides access to operator
26 services throughout its service area.
- (g) Access to Interexchange Services: Tel West has signed interconnection

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agreements with Qwest, Sprint and Verizon in Washington, thereby providing access to interexchange services throughout its service area.

(h) Access to Directory Assistance: Tel West provides access to directory assistance service throughout its service area.

(i) Toll Limitation: Tel West has, or has access to, toll blocking capabilities which will provide toll blocking service for Lifeline customers.

3. Pursuant to Section 54.201 of the FCC’s rules, Tel West will advertise the availability of each of the supported services detailed above, throughout its service area, by media of general distribution.

V. Statement of Need

Tel West currently provides significantly discounted local telephone service to over 6,900 low income consumers in Washington via the Washington Telephone Assistance Plan (WTAP). Designation as an ETC will allow Tel West to provide additional discounts of certain federal surcharges, will allow Tel West to expand its service offerings to include LifeLine and Link Up, which are federal USF programs, and to file claims with the federal USF administrators. With ETC designation, Tel West will also be able to offer services to tribal areas and receive appropriate compensation from the federal USF.

VI. Granting Tel West’s Petition Would Serve the Public Interest

Granting of Tel West’s Petition for Designation as an ETC would serve the public interest by promoting competition among service providers of local exchange services to low income consumers. Without support from the federal USF, Tel West is unable to offer such programs as LifeLine, Link Up, and services to tribal areas, thus reducing the choices low income consumers have for providers of such services.

WHEREFORE, pursuant to Section 214(e)(2) of the Act, Tel West respectfully requests

1 that the Commission enter an order designating Tel West as an Eligible Telecommunications
2 Carrier.

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4 I hereby certify or declare under penalty of perjury under the laws of the State of
5 Washington that the foregoing is true and correct.

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9 _____
Jeff Swickard
President

_____ Date
Seattle, Washington

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