## **BEFORE THE WASHINGTON**

## **UTILITIES AND TRANSPORTATION COMMISSION**

|  |  |  |
| --- | --- | --- |
| In the Matter of the Petition of INTEGRA TELECOM OF WASHINGTON, INC., ELECTRIC LIGHTWAVE, LLC, ESCHELON TELECOM OF WASHINGTON, INC., ADVANCED TELCOM, INC., SHARED COMMUNICATIONS SERVICES, INC., OREGON TELECOM, INC., UNITED COMMUNICATIONS, INC., AND WORLD COMMUNICATIONS, INC. (COLLECTIVELY *“ELECTRIC LIGHTWAVE”*),  Petitioner,  Seeking Exemption from the Provisions of WAC 480-120-382 Requiring Competitively Classified Telecommunications Companies to File the 2016 Annual Report no later than May 1, 2017 |  | DOCKET UT-170302 ORDER 01  ORDER GRANTING EXEMPTION FROM RULE; GRANTING COMPANY ADDITIONAL TIME TO FILE ANNUAL REPORT |

## **BACKGROUND**

1. On April 26, 2017, Integra Telecom of Washington, Inc., Electric Lightwave, LLC, Eschelon Telecom of Washington, Inc., Advanced TelCom, Inc., Shared Communications Services, Inc., Oregon Telecom, Inc., United Communications, Inc., and World Communications, Inc. (collectively “Electric Lightwave” or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition for an extension of time to file its 2016 annual report as required by WAC 480-120-382. According to Electric Lightwave, it is unable to prepare the report due to a recent acquisition (including the associated integration activities) that has changed the processes and people compiling the data required for the reports. Electric Lightwave seeks an extension until May 15, 2017. The Company paid its annual regulatory fee on May 1, 2017.
2. Commission Staff (Staff) reviewed the petition and finds that the Company’s request is reasonable. Accordingly, Staff recommends granting Electric Lightwave’s request for exemption.

### FINDINGS AND CONCLUSIONS

1. (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate public service companies, including competitively classified telecommunications companies.
2. (2) Electric Lightwave is a competitively classified telecommunications company and a public service company subject to Commission jurisdiction.
3. (3) Electric Lightwave is subject to WAC 480-120-382, which requires competitively classified telecommunications companies to file an annual report no later than May 1 of each year.
4. (4) Under WAC 480-120-015, the Commission may grant an exemption from any rule in WAC 480-120, if consistent with the public interest, the purposes underlying regulation, and applicable statutes. See also WAC 480-07-110*.*
5. (5)This matter came before the Commission at its regularly scheduled meeting on

May 11, 2017.

1. (6) After reviewing the petition in Docket UT-170302 filed by Electric Lightwave on April 26, 2017, and giving due consideration, the Commission finds that the exemption is in the public interest, is consistent with the purposes underlying the regulation and applicable statutes, and therefore should be granted.

## **ORDER**

**THE COMMISSION ORDERS:**

1. (1) Integra Telecom of Washington, Inc., Electric Lightwave, LLC, Eschelon Telecom of Washington, Inc., Advanced TelCom, Inc., Shared Communications Services, Inc., Oregon Telecom, Inc., United Communications, Inc., and World Communications, Inc.’s petition for an exemption from WAC 480-120-382 and for an extension until May 15, 2017, to file its 2016 annual report is granted.
2. (2) If Integra Telecom of Washington, Inc., Electric Lightwave, LLC, Eschelon Telecom of Washington, Inc., Advanced TelCom, Inc., Shared Communications Services, Inc., Oregon Telecom, Inc., United Communications, Inc., and World Communications, Inc. fail to file their annual reports by May 15, 2017, the Commission will assess penalties pursuant to RCW 80.04.405.
3. (3) The Commission retains jurisdiction over the subject matter and Integra Telecom of Washington, Inc., Electric Lightwave, LLC, Eschelon Telecom of Washington, Inc., Advanced TelCom, Inc., Shared Communications Services, Inc., Oregon Telecom, Inc., United Communications, Inc., and World Communications, Inc. to effectuate the terms of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective May 11, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary