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WT-920393

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April 3, 1992

OF COUNSEL
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RECEIVED
RECORDS MANAGEMENT
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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

Mr. Paul Curl, Secretary
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 9022
Olympia, WA 98504-9022

Re: Tariff Bureau Rules

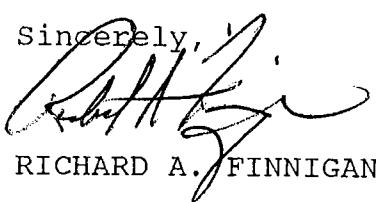
Dear Mr. Curl:

Enclosed you will find the original and 19 copies of a Petition for Approval of Rules of Procedure Governing the Joint Consideration by Washington Exchange Carrier Association (WECA) of Proposals for Publication, Amendment or Cancellation of Tariff Schedules or Related Orders, Rules, Regulations and Agreements Governing Washington Intrastate Telecommunications Services. These are the governing rules of procedures for the WECA Tariff Bureau which was authorized under WAC 480-80-048.

The purpose of these rules is to set out the governing rules for the Tariff Bureau. These rules are expressly subject to Commission approval under the terms of WAC 480-80-048.

An objective of WECA is to have the Tariff Bureau in operation in time so that it may assist member companies in complying with the requirements of WAC 480-80-047 for a July 1, 1992 filing. To meet that objective will need Commission consideration of these Rules of Procedure at the earliest convenience of the Commission.

If you have any questions regarding the foregoing, please contact the undersigned.

Sincerely,

RICHARD A. FINNIGAN

RAF/jmb
Enclosures
cc: WECA Board Members

BEFORE THE
 WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

IN RE THE PETITION OF THE)	
WASHINGTON EXCHANGE CARRIER)	DOCKET NO.
ASSOCIATION FOR APPROVAL OF)	
RULES OF PROCEDURE GOVERNING)	PETITION
TARIFF BUREAU ACTIVITIES)	
.)	

COMES NOW the Washington Exchange Carrier Association ("WECA") and files this Petition for approval of the attached Rules of Procedure Governing the Joint Consideration by Washington Exchange Carrier Association (WECA) of Proposals for Publication, Amendment or Cancellation of Tariff Schedules or Related Orders, Rules, Regulations and Agreements Governing Washington Intrastate Telecommunications Services ("Rules of Procedure") of the WECA Tariff Bureau.

BACKGROUND

On February 19, 1992, the Washington Utilities and Transportation Commission ("Commission") adopted a new WAC 480-80-048. This new rule recognized WECA as an authorized tariff bureau, subject to approval of WECA's rules of procedure by the Commission.

Following the Commission's adoption of WAC 480-80-048, WECA developed a draft set of rules which were discussed with several interested parties, including both U S West and AT&T (both of whom had filed comments during the rule making docket which led to the adoption of WAC 480-80-048).

Following those discussions, WECA's Board of Directors adopted the attached Rules of Procedure on April 2, 1992 and authorized their filing on April 3, 1992.

ACTION REQUESTED

The purpose of this petition is to request that the Commission issue an order approving the attached Rules of Procedure.

Without any intent to foreclose the Commission from following the procedures it deems appropriate for consideration of the attached Rules of Procedure, WECA respectfully suggests that a procedure which may accomplish the requirements of notice and an opportunity to comment is to mail the attached Rules of Procedure to all interested parties under Docket UT-918056, the proposed rule making which led to the adoption of WAC 480-80-048 and set the matter for comment at an open meeting.

Respectfully submitted this 3rd day of April, 1992.

VANDEBERG & JOHNSON

By: 

RICHARD A. BINNIGAN
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(206) 383-3791
Attorney for Washington Exchange
Carrier Association (WECA)

RULES OF PROCEDURE
GOVERNING THE JOINT CONSIDERATION BY
WASHINGTON EXCHANGE CARRIER ASSOCIATION (WECA)
OF PROPOSALS FOR PUBLICATION, AMENDMENT OR CANCELLATION
OF TARIFF SCHEDULES OR RELATED ORDERS, RULES, REGULATIONS
AND AGREEMENTS GOVERNING WASHINGTON INTRASTATE
TELECOMMUNICATIONS SERVICES

RULE 1

These Rules of Procedure are adopted pursuant to General Order No. R-370 of the Washington Utilities and Transportation Commission in its Docket No. UT-910856 and WAC 480-80-048. These Rules of Procedure shall not apply to WECA's current methods of administering the NTS/USF pools or WECA's methods of administering the community calling fund under WAC 480-120-400, et seq.

RULE 2

As used in these rules, the term Interested Party means any person or entity whose name is included on the Interested Party List maintained by WECA pursuant to Rule 10.

RULE 3

All proposals within the scope of these Rules of Procedure for joint consideration of the publication, amendment or cancellation of tariff schedules or related orders, rules, regulations or agreements governing Washington intrastate telecommunications services that the proponent desires to have considered by WECA

shall be submitted to WECA in writing, stating clearly and concisely the proposed action. Such proposals shall be submitted on the form set forth in Appendix A to these Rules of Procedure, or on such other form as may be prescribed from time to time by WECA for such purpose.

RULE 4

Proposals may be made by any WECA member, by any subscriber of a WECA member, or by any other party having an interest in the proposed action, provided, however, that no employee of WECA may submit a proposal. Proposals may be submitted individually, or collectively through a league, association, or any other formally or informally organized group. Any member of a league, association or group may also submit proposals individually and independently. The formulation of proposals and submission to WECA of data and grounds in support thereof are the responsibility of the party or parties desiring to initiate the docket process.

RULE 5

Upon receipt of a proposal as provided in Rules 3 and 4, the WECA Administrator shall assign a docket number to the proposal and record the date the proposal was received. Within five (5) business days of WECA's receipt of a docket proposal, WECA shall issue a bulletin to all Interested Parties, WECA members and members of WECA's Board of Directors setting forth the docket number assigned to the docket proposal, the date the docket proposal was received by WECA and a short description of the docket proposal.

RULE 6

Each new proposal that is timely received by WECA in accordance with Rule 8 shall be included on the next regular scheduled docket meeting of the WECA Board of Directors or on the next special docket meeting of the WECA Board of Directors, as provided for in Rule 7.

RULE 7

(A) Regular scheduled docket meetings of the WECA Board of Directors shall be held pursuant to a schedule adopted by the WECA Board of Directors.

(B) The President of WECA may, or upon the request of five (5) or more WECA members or five (5) or more members of the WECA Board of Directors shall, schedule a special docket meeting for the purpose of considering one or more proposals prior to a regular scheduled docket meeting. The special docket meeting will be subject to the same rules as are applicable to consideration of docket proposals at a regular scheduled docket meeting.

RULE 8

All proposals which are to be considered at a regular or special docket meeting must be received in the WECA office not less than twenty (20) business days prior to the date on which such regular or special docket meeting is to be held.

RULE 9

WECA shall issue a notice of regular or special docket meeting setting forth the time and place for the docket meeting and an

agenda listing all docket proposals that will be considered at the docket meeting. Such notice shall be mailed or telefaxed by WECA no less than ten (10) business days prior to the date on which the docket meeting is to be held to each member of WECA, each member of WECA's Board of Directors and each Interested Party.

RULE 10

WECA shall maintain a list of Interested Parties. Any person or entity may cause its name to be placed on the Interested Party List by requesting such placement and furnishing its name and mailing address to WECA in writing.

RULE 11

After having been included on a docket bulletin issued pursuant to Rule 5, no proposal shall be amended in any manner which would broaden the scope of the proposal.

RULE 12

The proponent of any proposal shall have the right to withdraw the proposal from consideration at any time prior to the time of final action by WECA's Board of Directors with respect to the proposal.

RULE 13

At any regular or special docket meeting as provided for in Rule 7(A) or Rule 7(B), any interested party may appear and present its position with respect to any matter appearing on the docket, giving its reasons therefor.

RULE 14

All proposals on a docket meeting notice shall be considered at the time and place set for the docket meeting, and no docket proposals shall be considered at any docket meeting except those included in the docket meeting notice for that meeting.

RULE 15

On each matter brought to a vote pursuant to these Rules of Procedure, each member of the WECA Board of Directors shall have one vote and all votes shall be equal. Voting shall be by written ballot, giving member's name, docket number and vote. Docket proposals and ballots shall be retained permanently. Interested parties shall, upon written request, be permitted during WECA's regular business hours to inspect docket proposals and individual ballots at WECA's principal place of business.

RULE 16

A proposal on a docket shall be considered as having been approved if a majority vote of members of the WECA Board of Directors present at the docket meeting is cast in favor of the proposal. Any docket proposal that is voted upon and not approved in accordance with this rule shall be considered as having been disapproved.

RULE 17

Any proposal which has been approved or disapproved at a docket meeting as provided in Rule 16 may only be reconsidered at the same docket meeting and, if reconsideration is otherwise

desired, the proposal must be considered as a new proposal and handled as provided in these Rules of Procedure.

RULE 18

WECA shall make final disposition of each proposal within one hundred twenty (120) calendar days after the proposal is docketed, except that if unusual circumstances require, the period may be extended by the WECA Board of Directors, provided WECA maintains a written record of the reasons for the extension.

RULE 19

WECA shall issue a disposition notice to all WECA members, members of WECA's Board of Directors and Interested Parties not later than fifteen (15) business days after the close of each docket meeting, such notice showing the disposition of all proposals included on the docket notice for that meeting.

RULE 20

Each docket proposal which has been approved by a majority vote as provided for in Rule 16 shall be made the subject of a petition or other action to be transmitted not later than thirty (30) business days after approval to the Washington Utilities and Transportation Commission for filing and consideration. WECA may engage such agents or representatives as may be necessary to file such petitions, effect such publications or take such action as may be necessary to carry into effect the final decision of the WECA Board of Directors with respect to any docket proposal.

RULE 21

Detailed minutes of all WECA docket meetings shall be kept. Copies of minutes shall be made available for review by authorized representatives of the Staff of the Washington Utilities and Transportation Commission during WECA's regular business hours at WECA's principal place of business. Interested Parties shall, upon written request, be permitted to inspect minutes of WECA docket meetings during WECA's regular business hours at WECA's principal place of business.

RULE 22

At any time prior to the final action thereon by the WECA Board of Directors, any docket proposal may be referred to a committee for purposes of study and/or the making of a recommendation to the WECA Board of Directors. All meetings of such committees with respect to any docket proposal will be subject to the same rules as are applicable to consideration of docket proposals at special docket meetings of the WECA Board of Directors.

RULE 23

Nothing in these Rules of Procedure shall limit the ability of any person or entity to submit to the Washington Utilities and Transportation Commission or any other regulatory authority its own tariff proposals or petitions on any issue, to oppose any proposal or petition submitted by WECA, or otherwise to participate fully in any legal proceeding.

RULE 24

No WECA member shall be allowed to participate in a tariff filing submitted to the Washington Utilities and Transportation Commission pursuant to these Rules of Procedure unless and until it has executed a nondisclosure agreement(s) as set out in Appendix B.

RULE 25

WECA membership is limited to those local exchange telecommunications companies providing telecommunications services within the State of Washington and serving fewer than one million access lines.

RULE 26

WECA shall not submit any tariff filing pursuant to these Rules of Procedure for which the rates are developed using a sample of member companies participating in the tariff filing.