



**PREPROPOSAL STATEMENT OF INQUIRY**

**(RCW 34.05.310)**

**CR-101 (7/10/97)**

Do NOT use for expedited repeal or adoption

**Agency:** WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

**Subject of possible rule making:** Collocation of competitive local exchange company facilities in the central offices of incumbent local exchange companies. Commission Docket No. UT-990582.

**(a) Statutes authorizing the agency to adopt rules on this subject:** RCW 80.01.040(4); RCW 80.04.160)

**(b) Reasons why rules on this subject may be needed and what they might accomplish:**  
The collocation of incumbent and competitive local exchange telecommunications companies in a common facility is one aspect of a competitive telecommunications environment that is mandated by the Telecommunications Act of 1996 (The Telecom Act) and that is the subject of Federal Communications Commission (FCC) order FCC 99-48 and the Commission Final Order in Docket UT-960323 (September, 1998). Collocation is a critically important aspect of competitive telecommunications service.

State Commissions have jurisdiction over transactions that establish collocation and over disputes arising out of collocation transactions. Disputes have arisen among parties to interconnection agreements in Washington State on the subject of collocation. The Commission does not now have rules specifically addressing collocation arrangements. This inquiry is intended to determine whether there is a need for Commission rules on the subject and if so, what the rules should provide.

**(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

Pertinent Federal law and Federal Communications Commission regulations will be considered in this Docket. The Commission will pursue consistency with the federal provisions unless it finds that good reason exists for differences.

**(d) Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The Commission will pursue consensus with affected groups.

**(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers of persons to contact; describe meetings, other exchanges of information, etc.)

**SEE ATTACHED.**

**CODE REVISER USE ONLY**

**Filed with the Code Reviser  
May 18, 1999  
WSR #99-11-069**

**NAME (TYPE OR PRINT)**

Carole J. Washburn

**SIGNATURE**

**TITLE**

SECRETARY

**DATE**

May , 1999

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
CR-101 - ATTACHMENT  
DOCKET NO. UT-990582

(e) Interested persons may contact the Secretary, Washington Utilities and Transportation Commission, P. O. Box 47250, Olympia, Washington, 98504-7250, 360-664-1234 (Fax: 360-586-1150). Persons may submit comments, as specified below, or may ask to be included in the Commission's list of interested persons for the proceeding. The Commission will post on its Internet web site at <<http://www.wutc.wa.gov>> all comments that it receives in digital format and a schedule and other information about this rulemaking.

### WRITTEN COMMENTS

Written comments in response to the CR-101 from persons interested in the subject matter of this proposed rulemaking may be filed with the Commission Secretary, referencing Docket No. UT-990582, not later than **June 11, 1999**.

All commenters are asked, but not required, to file an original and 10 copies of their written comments. The Commission also requests, but does not require, that comments be provided on a 3½ inch IBM formatted high-density disk, in **WordPerfect version 6.1, 7.0, or 8.0**, labeled with the docket number of this proceeding, the date, the commenter's name, and type of software used. Interested persons may also send written comments by electronic mail to <[records@wutc.wa.gov](mailto:records@wutc.wa.gov)> The Commission may offer additional opportunities to provide written comments. Interested persons may file additional written comments in response to any such invitation.

### NOTICE OF WORKSHOP

A workshop will be held on **July 15, 1999**, beginning at 9:30 a.m., in the Commission's Hearing Room, **Room 206**, Second Floor, Chandler Plaza, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The Commission's teleconference bridge line will be available for this workshop. A limited number of teleconference ports are available and will be assigned one to an organization, on a first come first served basis. Persons wishing to attend via the teleconference bridge line must contact Jennifer Watsek at 360-664-1139 no later than 5:00 p.m., July 12, 1999. Questions may be addressed to Rebecca Beaton at 360-664-1287 or e-mail at <[rbeatonl@wutc.wa.gov](mailto:rbeatonl@wutc.wa.gov)>.

## NOTICE

### **TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS**

**RULEMAKING** -- The Commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rulemaking, please advise the Records Center by any one of the following methods: (1) send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket No. UT-990582, and the words "Please keep me on the mailing list"; or (2) E-mail your name, address, telephone and fax numbers, referencing Docket No. UT-990582, and the words "Please keep me on the mailing list" to [records@wutc.wa.gov](mailto:records@wutc.wa.gov). Please note that all information in the mailings will be accessible through the Commission's Internet web site at <http://www.wutc.wa.gov/>. **THOSE PARTIES WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULEMAKING.**