

WAC 480-120-X08 Installation and activation Credits

All local exchange companies (LECs) must include in tariffs installation and activation credits that conform with this section. This section does not apply to services offered by price list.

(1) LECs must provide a credit to customers ordering a first residential line, first two business lines, or both, if the service is not installed and activated by the due date established at the time of the order. A LEC must establish the due date as the date requested by the customer but is not required to establish a due date that is fewer than seven business days after the order date.

(2) The credit amount in the tariff must be either:

(a) an amount equal to the non-recurring charge for installation and a pro-rata amount of the recurring charge for each day of delay, or
(b) a fifty dollar credit and an additional fifty dollar credit after each thirty-day period in which the installation is delayed.

(3) Service credits are not required when a later installation or activation is permitted under WAC 480-120-071 ("service extensions") when construction requirements delay installation or activation, or when the LEC is unable to meet its obligations due to force majeure, work stoppages, or other events beyond the LEC's control. To avoid providing a credit when construction is required for installation or activation, a LEC must have contacted as soon as practicable the appropriate authorities to request applicable utility locations services and permits.

(4) LECs may include in tariffs additional service quality guarantee credits, and additional interim services, such as voice mail, that might aid a customer without service.

WAC 480-120-X40 Missed appointment credits.

All local exchange companies (LECs) must include in tariffs or price lists appointment credits that conform with this section. For purposes of this section, an appointment means a commitment that requires the customer or the customer's representative to be present when the LEC installs, changes, disconnects, repairs, or otherwise affects the customer's service.

(1) LECs must credit customers not less than \$50 when the LEC fails to keep an appointment and does not notify the customer at least 24 hours in advance of the broken appointment.

The LEC keeps the appointment when the necessary work in advance of dispatch has been completed and the technician arrives within four hours of the earliest time at which the customer was required to be present, even if the technician cannot complete the order until a later date.

(2) When a LEC notifies the customer at least twenty-four hours prior to the scheduled appointment that a new appointment is necessary and a new appointment is made, the order date, installation or activation requirements and credit requirements of WAC 480-120-X08, and the timelines set out in that section are not affected by the LEC's action to change the appointment. A company-initiated changed appointment date is not a change to the order date for purposes of determining compliance with WAC 480-120--XXX and XXY.

(3) A LEC is not required to pay a missed appointment credit when it is unable to meet its obligations due to force majeure, work stoppages, or other events beyond the LEC's control.

(4) LECs may include in tariffs or price lists additional service quality guarantee credits, and additional interim services, such as voice mail, that might aid a customer without service.

WAC 480-120-XXX Company performance standards for installation or activation of access lines

(1) Except as provided in subsection (2), when an application is made consistent with WAC 480-120-051, application for service, the following standards for installation or activation of service apply:

(a) The LEC must complete, within five business days after the order date, or by a later date requested by a customer, ninety percent of all orders of up to the initial five access lines received during each month.

(b) The LEC must complete ninety-nine percent of all orders of up to the initial five access lines received during each calendar quarter within ninety days after the order date; and

(c) The LEC must complete one hundred percent of all orders for access lines within one hundred and eighty days after the order date.

(2) For purposes of determining the amount of penalties that shall apply if a LEC fails to complete the percent of orders required by parts (1)(a), (b), and (c) of this section, each order that the LEC fails to complete in excess of the highest number of uncompleted orders that would not have triggered a violation shall be a separate violation. For example, using the 99 percent completion rate under part (1)(b) of this section, if the LEC received 100 orders in a quarter, and it completed only 94 of those orders, it would be deemed to have committed five separate violations, because it completed five less than required by the section. Violations of parts (1)(a), (b), and (c) will be determined separately, and each order is subject to all three parts.

(3) The timelines set forth in subsection (1) do not apply when customer-provided special equipment is necessary; when a later installation or activation is permitted under WAC 480-120-071 ("service extensions"); or when the commission has granted an exemption from the requirement for installation or activation of a particular order under WAC 480-120-015. These orders will be excluded from both the numerator and denominator in calculating the percentage of orders completed.

(4) Unless the Commission orders otherwise, this section does not apply to LECs that are competitively classified under RCW 80.36.320 and do not offer local exchange service by tariff.

WAC 480-120-XXY Company performance for orders for non-basic services

(1) Except as provided in subsection (2), the local exchange company (LEC) must complete orders for all non-basic services within one hundred eighty days of the order date or by a later date requested by a customer.

(2) The timeline set forth in section (1) does not apply when a later installation or activation is permitted under WAC 480-120-071 ("service extensions"), or when the commission has granted an exemption from the requirement for installation or activation of a particular order under WAC 480-120-015.

(3) Unless the Commission orders otherwise, this section does not apply to LECs that are competitively classified under RCW 80.36.320 and do not offer local exchange service by tariff.

ADD TO DEFINITIONS SECTION:

"Order date" means the date when an applicant requests service unless a company identifies specific actions a customer must take in order to be in compliance with tariffs, price lists, or commission rules. When specific actions are required the order date becomes the date the actions are completed by the applicant if the company has not already installed or activated service.

When an applicant requests service that requires customer-ordered special equipment, for purposes of calculating compliance with the one-hundred-and-eighty-day requirement of WAC 480-120-XXY ("Company performance for orders for non-basic service") the order date is the application date unless the applicant fails to provide the support structure or perform other requirements of the tariff or price list. In the event the applicant fails to provide the support structure or perform the other requirements of the tariff or price list, a new order date is established as the date when the applicant does provide the support structure or perform the other requirements of the tariff or price list.