

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

IN THE MATTER OF WASHINGTON TELEPHONE )  
ASSISTANCE PROGRAM RULEMAKING ) DOCKET NO. UT-003074

**COMMENTS OF VERIZON  
May 4, 2001**

Verizon Northwest Inc. and Verizon Select Services Inc. (collectively "Verizon") submit the following comments on the revised proposed rules that the Commission distributed with its April 17, 2001, Notice of Opportunity to File Written Comments.<sup>1</sup> Overall, Verizon believes the Commission Staff's proposed rules are reasonable with the few exceptions noted below. With regard to the Small Business Economic Impact Statement ("SBEIS") Questionnaire that the Commission included with its Notice, Verizon reiterates that the inclusion of non-ETC's in Washington Telephone Assistance Program ("WTAP") could cause expenses to exceed available funding.

**I. COMMENTS TO THE PROPOSED RULES**

WAC 480-122-010 Definitions

This section should include a definition of Eligible Telecommunications Carrier ("ETC") since the term is used in the proposed rules for WAC 480-122-020 (Washington Telephone assistance Program Rate). Because the state of Washington does not currently

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<sup>1</sup> Verizon companies submitted comments on prior drafts on September 22, 2000 and January 30, 2001.

have a state universal service fund, ETC should be defined as those companies that have been designated as ETCs under the FCC's program.

## II. DSHS WTAP RULES

Verizon understands that most of the substance that the Commission proposes to remove from its current WTAP rules (WAC 480-122-010 through 480-122-090) will be included in the Department of Social and Health Services' ("DSHS") rules (WAC 388-273-0010 through 388-273-0035). To avoid the possibility of inconsistency between the Commission's and DSHS' rules or of necessary provisions being omitted from both sets of rules, the Commission must carefully coordinate the adoption of changes to its rules with revisions to the DSHS rules. For example, it is not clear whether the DSHS' definition for "local exchange company" (see WAC 388-273-0020) in its latest proposed rules is the same definition contained in the Commission's proposed rules (see WAC 480-122-010). It is also not clear whether both sets of rules are using the term "ETC" in the same manner. Another example is that neither the DSHS proposed rules nor the Commission's proposed rules address the procedures that should be followed if claims go above the available funding limits. Finally, in order to help alert a person consulting one set of WTAP rules that there is a second set of rules relating to WTAP, it is recommended that the finalized WTAP rules and DSHS rules should cross-reference each other.

### **III. SBEIS QUESTIONNAIRE**

Since the state statute allows WTAP participants to recover the cost of the discounted rates and administrative expenses, Verizon does not believe the proposed rules will result in an economic impact to the Company. However, as explained in prior comments (September 22, 2000), mandated participation by non-ETCs would increase WTAP costs, possibly beyond the statutory limit, and could force non-ETCs to provide WTAP benefits without full reimbursement

### **IV. CONCLUSION**

Overall, the Commission Staff's proposed WTAP rules appear to be reasonable. However, the Commission should ensure that the WTAP rules are consistent and are carefully coordinated with the DSHS WTAP rules that are ultimately adopted.