

June 29, 2004

Ms. Carole Washburn, Secretary  
Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive S.W.  
Box 47250  
Olympia, WA 98504-7250

Re: Telecommunications Rules Tune-up, Docket No. UT-040015

Dear Ms. Washburn:

This letter constitutes the further comments of United Telephone Company of the Northwest dba Sprint on the "Possible Corrections and Changes in Rules in Chapter 480-120 WAC and Chapter 480-80 WAC Relating to Telecommunications" in Docket No. UT-040015.

1. WAC 480-120-021. The definition of "Discontinue; discontinuation; discontinued" has been modified to include "any restriction of service to the customer." Webster's defines "discontinue" as "stop," and "restrict" as "confine or limit." Many services contain limitations, as defined in the terms and conditions, without stopping the service. Therefore, the intent of this change should be clarified or the change should be eliminated.
2. In WAC 480-120-147, section (5)(d)(i) appears to have been modified to eliminate the three-way conference call. This is inconsistent with the FCC's Third Report and Order, CC94-129, paragraph 74, which mandates that "LECs must permit a submitting carrier to conduct a three-way conference call with the LEC and the subscriber in order to lift a freeze."
3. Sprint continues to believe that WAC 480-120-540 should be modified to permit CLECs to charge a terminating access rate up to the amount that Qwest and Verizon charge, including universal service rate elements.
4. As Sprint committed upon withdrawal of our petition (Docket No. UT-021567), we herewith offer our arguments and proposed language for modification of WAC 480-80-206(3):

United's billing system architecture is not currently designed to include web-site and toll-free information on for other service providers for which Sprint provides billing services.<sup>1</sup> United would have to make significant changes to the design of its billing systems in order to incorporate such information.

Sprint L.P., which provides long distance service, is concerned that publishing web sites for price lists on local bills may create customer confusion when the ILEC performs billing inquiry service on behalf of Sprint L.P. When a toll provider contracts with an ILEC for the ILEC to perform billing inquiry, the customer is provided with a toll-free number for the ILEC and directed to contact the ILEC for questions concerning the billing. Under this arrangement, if the customer disputes the charge and wants a copy of the price list, the customer would be directed to contact the ILEC at the toll-free number. In accordance with the billing and collection, the ILEC service representative would resolve the customer's billing dispute and would direct the customer to the carrier's web-site or toll-free number for a copy of the price list.

Sprint L.P. is concerned that if its web-site for obtaining a price list is shown on the customer bill page, the customer may believe that billing inquiries also may be resolved by going to the web-site. This, of course, would undermine the existing contractual arrangement and could be frustrating to the customer who can find no means on the web-site for resolving disputed charges.

In addition, the member companies of the Washington Independent Telephone Association (WITA) that bill their customers on behalf of third party service providers represents that its members are also not able to comply with the rule, as it applies third party service providers and carriers that offer "casual calling."<sup>2</sup> For example, according to TDS, its affiliate LECs are unable to provide web-site URLs for toll carriers other than their own toll affiliates. A single TDS bill page may contain billing for multiple toll carriers that provide casual calling options. TDS can provide its own information at the top of such a bill page, but cannot provide the information for each carrier billing on that page. Thus, while it may be possible to obtain web-site information for each of the providers, there are space constraints inherent in the billing system that make it infeasible to list web-sites for each carrier.

The requisite programming time and inherent substantial costs to Sprint to include on its bills the web-site URL information on behalf of third party billing companies are not justified,<sup>3</sup> because customers already have other options to access price list information.<sup>4</sup> Therefore, Sprint proposes the following amendment to WAC 480-80-206(3) (changes are underlined);

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<sup>1</sup> United may be able to "borrow" a field reserved for bill messages to provide the web site information, assuming it can obtain the information. However, the message field is limited to one line per page and does not currently accommodate multiple web sites for multiple carriers if they appear on a single bill page.

<sup>2</sup> Casual calling refers to calls made by a customer using a carrier other than the carrier to which the customer is pre-subscribed. Examples include 10-10-XXX dialing, direct dialing with another carriers PIC, or placing a toll call from payphone that is subscribed to a carrier other than the customer's primary carrier.

<sup>3</sup> Sprint estimates its costs at approximately \$856K. It has no other programming plans on the horizon for increasing the capabilities of the carrier bill page logic in which these changes could be incorporated.

<sup>4</sup> Specifically, the customer bill currently contains an 800 number for customers to use regarding billing inquiries.

- (3) Each telecommunications company offering service under a price list and billing on its own behalf must include in each customer bill or notice:
  - (a) The Internet address (uniform resource locator) of the web-site containing its price list; and
  - (b) The toll-free telephone number to use in requesting price list copies and a statement that there is no charge for the price list copy. If a company is not required by subsection (2) of this section to provide price list copies, it must instead provide the address, telephone number, and business hours of the location within the customer's exchange at which a complete copy of the price list is available for public inspection.
- (4) Telecommunications companies offering service under a price list and using a billing agent must ensure that the billing agent includes on each customer bill or notice:
  - (a) The Internet address (uniform resource locator) of the web-site containing its price list; or
  - (b) The toll-free telephone number to use in requesting price list copies and a statement that there is no charge for the price list copy. If a company is not required by subsection (2) of this section to provide price list copies, it must instead provide the address, telephone number, and business hours of the location within the customer's exchange at which a complete copy of the price list is available for public inspection.

In the alternative, Sprint requests the Commission amend the rule so that, in the case of service providers which use a billing aggregator to bill on an ILEC bill, it is sufficient for the aggregator to provide its own toll-free number and web-site to access a service provider's price list information.

Third party aggregators collect billing information for various toll providers so that the toll provider is not required to issue its own billing statements, or enter into billing and collection agreements with an ILEC. Essentially, the billing aggregator provides economies scale for toll providers by entering into billing and collection agreements with multiple ILECs in jurisdictions where its toll provider clients provides service. Under this arrangement, United has no contractual relationship with the underlying toll provider, and therefore cannot require the toll provider to provide United with a web-site or toll-free number. Moreover, the aggregator, which is unregulated, has no desire to provide such information on its web-site for competitive reasons. Today, the aggregator would handle an inquiry for price list information through its normal customer inquiry channels, such as its toll-free inquiry number or through electronic mail. When the aggregator receives a request from a customer regarding price list information, it will provide the customer with the toll-free number or web-site, or both, of the toll provider.

Therefore, if the Commission is not inclined to grant Sprint's Petition to Amend as set forth above in subsection A, Sprint asks that it consider the following addition of a subsection (c) to WAC 480-80-206(3):

- (c) A telecommunications company offering a service under a price list that does not bill customers directly, but through the use of third-part billing aggregator, may comply with the requirements of this section by requiring that its billing agent post a toll-free number and internet address for its third-party billing aggregator for customers to use in requesting price list information under this section.

Should there be any questions or concerns, please feel free to contact Glenn Harris at (541) 387-9290 or by e-mail at [glenn.harris@mail.sprint.com](mailto:glenn.harris@mail.sprint.com).

Sincerely,

Nancy L. Judy