

Agenda Date: January 14, 2004  
Item Number: C3

**Docket:** UT-040015

**Subject:** Rulemaking to Consider Possible Corrections and Changes to Rules in Chapter 480-120 WAC and Chapter 480-80 WAC Relating to Telecommunications

**Staff:** Sharyn Bate, Regulatory Analyst  
Karen Caillé, Administrative Law Judge  
John Cupp, Consumer Program Specialist 3  
Suzanne Stillwell, Consumer Affairs Supervisor  
Glenn Blackmon, Assistant Director-Telecommunications

**Recommendation:**

Direct the Secretary to file a Preproposal Statement of Inquiry (CR-101) in Docket UT-040015 to consider possible corrections and changes to rules in Chapter 480-120 WAC and Chapter 480-80 WAC relating to telecommunications.

**Background:**

The Washington Utilities and Transportation Commission in 2002 completed a comprehensive review of its administrative rules relating to telecommunications. The rules in Chapter 480-80 (tariffs, price lists, and contracts) took effect in June 2002, and the rules in Chapter 480-120 (telephone companies) took effect in July 2003.

In the process of implementing these rules, stakeholders and agency staff have identified a variety of issues with the rules. There are provisions that seemed clear at the time they were drafted but do not seem so clear now. There are incomplete cross-references. There are provisions that are no longer consistent with federal law or have been struck down in court. There are provisions from the prior rules that were not an issue during the comprehensive review but have since become an issue.

A list of the rule provisions that staff has identified for possible change is attached to this memo. Each issue is described in more detail in a document available on the agency's web site at [www.wutc.wa.gov/040015](http://www.wutc.wa.gov/040015).

Staff recommends that the Commission conduct a limited "tune-up" of the telecom-related rules. It would consider the specific issues identified in the attachment, as well as any others that stakeholders requested. The rule making would not include any major policy changes. Staff recommends that any major policy changes be considered in a separate rule making proceeding.

**Conclusion:**

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Staff recommends that the Commission direct the Secretary to file a Preproposal Statement of Inquiry (CR-101) in Docket UT-040015.

Attachment  
**Possible Telecom-related Rule Changes**

1. Telephone customer privacy rules (WAC 480-120-201 through -216)
2. Record of third-party verifications in anti-slamming rule (WAC 480-120-147)
3. Update anti-slamming rule to be consistent with federal rule (WAC 480-120-147)
4. Refund of deposits to business customers (WAC 480-120-128)
5. Application of the out-of-service credit provision (WAC 480-120-164)
6. Application of rule on restoring service after discontinuation (WAC 480-120-173)
7. Application of WTAP “fresh start” rule to former customers (WAC 480-120-174)
8. Definition of Class A and Class B companies (WAC 480-120-021, WAC 480-120-302)
9. Prohibition on using ADADs to dial unlisted numbers (WAC 480-120-253)
10. Clarify obligation of LECs to update E-911 information (WAC 480-120-450)
11. Cross-references to “deceptive practices” (WAC 480-120-173, 480-120-122)
12. Application of terminating access rule to CLECs (WAC 480-120-540)
13. Requirement to offer WTAP service (WAC 480-122-020)
14. Response to informal complaints (WAC 480-120-166)
15. Emergency contact information (WAC 480-120-414)
16. Definition of a tariff change not subject to statutory notice (WAC 480-80-123)
17. Requirement to include contact information in price lists (WAC 480-80-102)