

Agenda Date: January 31, 2013  
Item Number: A2  
  
Docket: UT-121994  
Company Name: Frontier Communications Northwest Inc.  
  
Staff: Jing Roth

**Recommendation**

Issue a Complaint and Order suspending the effective date and set this matter for hearing.

**Discussion**

On January 24, 2013, Frontier Communications NW Inc. (Frontier or company) filed with the Utilities and Transportation Commission (commission) a petition for approval of minimal regulation in accordance with RCW 80.36.320. This petition is a replacement for a petition previously filed on December 24, 2012.

Frontier requests competitive classification of the entire company and its telecommunications services in the state of Washington. The proposed effective date is May 1, 2013.

RCW 80.36.310 (2) states:

Any company petition or commission motion for competitive classification shall state an effective date not sooner than thirty days from the filing date. The company must provide notice and publication of the proposed competitive classification in the same manner as provided in RCW 80.36.110 for tariff changes. The proposed classification shall take effect on the stated effective date unless suspended by the commission and set for hearing under chapter 34.05 RCW or set for a formal investigation and fact-finding under RCW 80.36.145. The commission shall enter its final order with respect to any suspended classification within six months from the date of filing of a company's petition or the commission's motion.

The statutory deadline for the commission to enter its final order is July 24, 2013. By suspending the proposed effective date, Commission staff will have additional time to review the Company's request to ensure it complies with all applicable requirements of the law including RCW.80.36.320. Staff is prepared to fully analyze the information filed with the petition and present its recommendations to the Commission during a hearing.

**Notice and Publication**

RCW 80.36.310 (2) requires a Company that files a petition for competitive classification to provide notice and publication.

On January 25, 2013, Frontier filed a declaration under WAC 480-120-198. The company states that it posted a notification on its website, and will also send the notice to its customers via bill message throughout the billing cycles starting in February, 2013.

Frontier also notified its wholesale customers and any customers who have entered into contracts with the company.

**Conclusion**

The Commission should issue a complaint and order suspending the proposed effective date of May 1, 2013 and set this matter for hearing.