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November 5, 1990

Mr. Paul Curl
Secretary
Washington Utilites & Transportation
Commission
1300 South Evergreen Park Drive, S.W.
Olympia, WA 98504

Re: Docket No. UT-900726

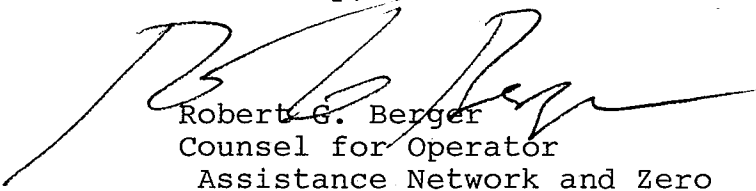
Dear Mr. Curl:

Enclosed herewith is an original and twenty (20) copies of the Reply Comments of Operator Assistance Network and Zero Plus Dialing, Inc. to be filed in the above referenced docket. These conform to, and should be substituted for, the facsimile copy of this pleading transmitted to you earlier today.

Please date stamp the extra copy and return it to me in the enclosed self-addressed, stamped envelope.

Should you have any questions concerning this filing, please do not hesitate to contact me.

Sincerely,



Robert G. Berger
Counsel for Operator
Assistance Network and Zero
Plus Dialing, Inc.

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Enclosures

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**Before the
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
Olympia, Washington**

In Re Proposed Amendments to)
WAC 480-120-021, -106, -138, and)
-141 Relating to Telecommunications)
Companies -- the Glossary, Alternate)
Operator Services, Pay Telephones,)
and Form of Bills)

Docket No. UT-900726

**REPLY COMMENTS OF OPERATOR ASSISTANCE
NETWORK AND ZERO PLUS DIALING, INC.**

Operator Assistance Network ("OAN") and Zero Plus Dialing, Inc. ("ZPDI"), by and through their undersigned counsel, hereby submit the following Reply Comments in the above-captioned proceeding.

I. The Commission Should Not Adopt A Requirement Of Sub-Carrier Identification On The Bill, Absent LEC Technical Ability To Render Such Bills At A Reasonable Cost (WAC 480-120-106)

As stated in their initial joint Comments in this proceeding, OAN and ZPDI support in principal the proposed amendment to WAC 480-120-106 which would require that bills rendered by local exchange carriers ("LECs") for operator service providers ("OSPs") contain the name of the carrier of a call, even where it is billed through the services of a billing agent or clearinghouse. By contrast, currently the bill rendered by an

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LEC for a carrier need only contain either the name of the billing agent or that of the underlying carrier.

In general, it certainly is true that the more information the end user has, the better position he or she will be in to efficiently verify or correct amounts charged, and to make informed decisions in the future. The Commission, however, should not adopt a sub-carrier identification requirement at a time when Washington LECs have not yet implemented the technological capability needed to identify both the billing agent and the carrier on the bill. In fact, no Commenter which urged overall adoption of the proposed amendments addressed the specific issue of sub-carrier identification on the bill;^{1/} nor did any Commenter suggest any means by which such a requirement could currently be met. It is one thing to support reform generally in the name of consumer protection; it is quite another to support the imposition of requirements on OSPs with which they cannot comply, and over which they do not possess the means of ensuring future compliance.

By contrast, those Commenters which addressed this billing issue uniformly pointed out the current absence of LEC technical ability to offer sub-carrier identification.^{2/} Accordingly, in the event of adoption of mandatory sub-carrier identification,

^{1/} See Comments of the Attorney General of Washington; Comments of the Washington Independent Telephone Association.

^{2/} See Comments of U S West at 4; Comments of Northwest Payphone Association at 16; Comments of United Telephone at 2-3; Comments of Fone America, Inc. at 27; Comments of Intellicall at 8-10.

those LECs that lack such capability would be forced to discontinue billing for intrastate Washington calls for carriers and the billing clearinghouses they use until such time as the LECs develop and implement such capability. In turn, carriers which rely on the services of billing clearinghouses would be forced to stop carrying intrastate Washington traffic that is billed to numbers in regions served by LECs lacking such capability. The result would be significant frustration and confusion on the part of consumers; potential economic harm to OSPs which offer service in Washington; and significant disruption of established commercial relationships between OSPs, billing clearinghouses, and LECs.

A. Washington LECs Currently Lack The Capability To Provide Sub-Carrier Identification On The Bill.

The proposed rule completely fails to take into account the continued unavailability of sub-carrier identification from Washington LECs. It is true that one LEC, U S West, has indicated in this proceeding an intention to implement such capability as of February 1991. No Commenter, however, addressed what would happen in the event that the projected U S West implementation date was subject to slippage. Moreover, no Washington LEC other than U S West has indicated that it will be in position to implement sub-carrier identification on bills in the near future.

Accordingly, both for the reasons set forth in the initial Comments of OAN and ZPDI, and for the reasons set forth herein,

it is unreasonable for the Commission to adopt a sub-carrier identification requirement at this time. At a minimum, any Commission requirement in this regard should be held in abeyance until one or more LECs actually has implemented sub-carrier identification in Washington. Thereafter, any requirement for sub-carrier identification should be limited to bills processed by those LECs from which the option is available.

Furthermore, for the reasons set forth in the initial OAN/ZPDI Comments, any requirement that all LECs implement sub-carrier identification only should be adopted after a full cost/benefit analysis of the impact of such a requirement on smaller LECs, and in turn on the OSPs for whom they render bills. In addition, a realistic period of time should be allowed prior to the effective date of any such requirement in order that smaller, less technically advanced LECs may develop and implement the necessary capability.

B. Any Rule Mandating Sub-Carrier Identification Should Include A Reasonable Cost Requirement.

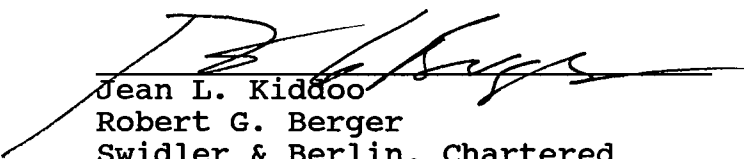
To date, only six LECs nationwide -- Bell Atlantic, Bell South, Southwestern Bell, General Telephone, Contel, and NYNEX -- have implemented a sub-carrier identification capability in all or part of their respective service areas. Importantly, each of these LECs has developed this billing capability and made it available to carriers and their billing agents at nominal or no cost.

By contrast, U S West currently proposes to offer sub-carrier identification service beginning some time in 1991 at rates far in excess of those charged by any other LEC which currently offers such a service. To the extent that a Commission billing requirement forces OSPs to purchase specific services from LECs, the Commission should ensure that the LECs are not thereby empowered to force carriers to pay inflated prices for sub-carrier identification. End users will inevitably suffer from such a result. Accordingly, if sub-carrier identification is made mandatory, the Commission should adopt a reasonable cost requirement for the provision of such service.

II. Conclusion

In sum, OAN and ZPDI agree in principal with a requirement for sub-carrier identification on bills rendered to end users. At the same time, the sub-carrier identification requirement proposed in WAC 480-120-106 should be held in abeyance pending actual implementation by one or more Washington LECs of such technological capability; should be made applicable only in those LEC serving areas in which the capability is available; and should contain a mandatory reasonableness requirement with respect to cost.

Respectfully submitted,



~~Jean L. Kiddoo~~
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Dated: November 5, 1990