

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Request of	)	DOCKET NO. UT-031148
	)	
Qwest Corporation,	)	ORDER NO. 01
	)	
Petitioner,	)	
	)	
For Less Than Statutory Notice in	)	ORDER GRANTING LESS THAN
Connection with Tariff Revisions.	)	STATUTORY NOTICE
.....	)	

**BACKGROUND**

- 1     On July 16, 2003, Qwest Corporation, (Qwest or the Company) filed with the Commission revisions to its currently effective Tariff WN U-40, designated as Section 16 Sheet 14. During a promotional period from July 26, 2003, through September 26, 2003, customers subscribing to flat-rated ISDN Single Line Service under a one, two, three or five-year rate stability agreement will receive one month free service and nonrecurring charges will be waived. Existing customers on a month-to-month basis can take advantage of the one month free service by migrating to a one, two, three or five-year contract.
- 2     RCW 80.36.110 and WAC 480-80-121 require a thirty-day notice prior to the effective date of the tariff. The tariff sheets bear an inserted effective date of August 15, 2003. This date recognizes statutory notice as required. The Company requests, however, less than statutory notice as permitted in WAC 480-80-122, and that the revisions become effective July 26, 2003. Qwest stated the reason for less than statutory notice is to extend this promotion to Washington customers consistent with other Qwest state offerings of this service.
- 3     Since the proposed tariff revisions appear to be fair, just, and reasonable, and less than statutory notice is consistent with the public interest, it is appropriate that the Commission grant Qwest’s request with an effective date of July 26, 2003.

## FINDINGS AND CONCLUSIONS

- 4 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunications companies. *RCW 80.01.040; Chapter 80.04 RCW; and Chapter 80.36 RCW.*
- 5 (2) Qwest is a telecommunications company and is a public service company subject to the jurisdiction of the Commission.
- 6 (3) Qwest is subject to the provisions of RCW 80.36.110 and WAC 480-80-121 requiring telecommunications companies to file changes in any rate or charge with thirty days' notice. For good cause shown, however, the commission may allow changes without requiring thirty days' notice by order specifying the changes to be made and the time when it shall take effect. *WAC 480-80-122.*
- 7 (4) WAC 480-120-015 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-120 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 8 (5) Staff has reviewed the request in Docket UT-031148 and recommended the less than statutory notice request of Qwest be granted.
- 9 (6) This matter was brought before the Commission at its regularly scheduled meeting on July 23, 2003.

- 10 (7) After examination of the proposed tariff revisions filed by Qwest on July 16, 2003, and giving consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revisions should become effective July 26, 2003.

**ORDER**

THE COMMISSION ORDERS:

- 11 (1) The request sought by Qwest Corporation for less than statutory notice is granted.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 23<sup>rd</sup> day of July 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary