

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

In the Matter of the Petition of)	DOCKET UT-061464
)	
)	ORDER 01
VERIZON NORTHWEST INC.)	
)	
)	
For Waiver of WAC 480-120-071(2)(a).)	ORDER SETTING THE
.....)	MATTER FOR HEARING

BACKGROUND

- 1 On September 15, 2006, Verizon Northwest Inc., (Verizon or the Company) filed a petition requesting waiver from WAC 480-120-071. That matter was assigned Docket UT-061464.

- 2 WAC 480-120-071 requires telecommunications companies to provide service extensions to occupied premises within eighteen months after a customer’s request and initial payment.

- 3 Pursuant to WAC 480-120-071(7)(a), Verizon seeks a waiver from the provisions of WAC 480-120-071(2) for one potential customer (Lively) in the Tonasket exchange in Okanogan County. In the alternative, Verizon seeks a waiver of WAC 480-120-071(3)(a) pursuant to WAC 480-120-071(7)(b) and WAC 480-120-015, so that it may charge the applicant the actual cost of the extension.

- 4 Verizon estimates the cost to extend service to the Lively location is \$89,225. The Company submits that it is unreasonable for Verizon to pay this much to extend service to this customer. Verizon adds that maintaining service to this location would impose substantial ongoing operational difficulties and financial burdens on the Company.

- 5 Members of the commission staff reviewed Verizon’s petition and conducted an investigation of the circumstances involved in the request for telephone service. The staff members gathered information from Verizon and from other property owners and residents in the area. Staff members also conducted a site visit, met with the applicant, and obtained information from the Okanogan County Planning Department.

6 Staff members decided that the company had not provided sufficient information to support a conclusion about the petition. Based on its analysis and investigation, staff members recommend that Verizon's petition be set for hearing to determine if Verizon's request for waiver should be granted or denied, in whole or in part.

FINDINGS AND CONCLUSIONS

- 7 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunications companies. *RCW 80.01.040, Chapter 80.04 RCW, Chapter 80.36 RCW, Chapter 80.08 RCW and Chapter 80.12 RCW.*
- 8 (2) Verizon is engaged in the business of providing telecommunications services within the state of Washington and is a public service company subject to the jurisdiction of the Commission.
- 9 (3) Verizon is subject to the provisions of WAC 480-120-071, which requires telecommunications companies to provide service extensions to occupied premises within eighteen months after a request and initial payment.
- 10 (4) WAC 480-120-071(2)(c) provides that any telecommunications company required to extend service may do so by extending distribution plant or making a service and financial agreement with a radio communications service company or other alternative provider to provide service.
- 11 (4) WAC 480-120-015 provides that the Commission may waive the provisions of any rule in Chapter 480-120 WAC, if consistent with the public interest, the purposes underlying regulation, and applicable statutes. WAC 480-120-071(7) provides additional waiver (or exemption) authority.
- 12 (5) This matter was brought before the Commission at its regularly scheduled meeting on December 27, 2006.
- 13 (6) After review of the petition filed in Docket UT-061464 by Verizon on September 15, 2006, and giving due consideration, the Commission finds that good

cause exists for setting the matter for hearing to determine whether the Verizon petition should be granted or denied, in whole or in part.

ORDER

THE COMMISSION ORDERS:

- 14* (1) Verizon's petition for waiver of the requirements of WAC 480-120-071(b) in Docket UT-061464 is set for hearing.
- 15* (2) The Commission retains jurisdiction over the subject matter and Verizon Northwest Inc., to effectuate the provisions of this order.

DATED at Olympia, Washington, and effective December 27, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner