

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

In the Matter of the Petition of)	DOCKET UT-061465
)	
Qwest Corporation,)	ORDER 01
)	
Petitioner,)	
)	
Seeking Exemption from the)	
Provisions of WAC 480-120-255(3))	
Relating to Combining Customer)	ORDER GRANTING TWO-YEAR
Notices)	EXEMPTION FROM RULE
.....)	

BACKGROUND

- 1 On September 15, 2006, Qwest Corporation (Qwest or the Company) filed a petition requesting exemption from WAC 480-120-255(3).
- 2 WAC 480-120-255(3), as adopted by the Commission on July 1, 2003, requires telecommunications companies to inform residential customers, via a single-topic notice, of their ability to block access to information delivery services.
- 3 Qwest seeks a permanent waiver of WAC 480-120-255(3) regarding the requirement that it inform residential customers of the blocking service through a “single-topic bill insert.” The company does not seek a waiver of the requirement to notice residential customers of the blocking service, only the requirement that the notice be through a single-topic bill insert. Qwest will still be required to publish the notice in a conspicuous location in the consumer information pages of the local white pages telephone directory. The company also posts the notice on its Web site.
- 4 Staff and Qwest have agreed that the exemption should be on a trial basis for two years so that Consumer Affairs can monitor complaints and evaluate any impact this exemption may have on consumers.
- 5 Qwest stated, in addition to the information service blocking notice, it currently is required to send notices regarding its Customer Service Guarantee Program, Local Service Freezes and No Solicitation. Of the four notices Qwest is required to send, only the information delivery service blocking notice is required as a single-topic notice. Qwest would like to combine all four notices into one annual bill insert.

Qwest cites efficiency and expense reduction as reasons to combine the notices. The Commission recently permitted Qwest to provide notice to its customers about the availability of its Customer Service Guarantee Program (CSGP) on an annual basis rather than every six months.¹ This allowed Qwest to combine the CSGP notice with other notices to help reduce expenses.

- 6 Commission Staff reviewed the request and recommended granting Qwest's request for exemption, for a trial period of two years, subject to the following condition(s):
- The information services blocking notice be the top, or first notice of the insert.
 - The information services blocking notice should not be sent with more than three other notices.
 - The title of the information services blocking notice should be in a font larger than that in the body of the notice.

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) Qwest 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 under the provisions of Chapter 80.36 RCW.
- 9 (3) Qwest is subject to the provisions of WAC 480-120-255(3), requiring telecommunications companies to inform residential customers of a service to block information delivery services through a single-topic bill insert.
- 10 (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.

¹ See UT-970766.

- 11 (5) The Commission directs Commission Staff to monitor Qwest's residential customer complaints pertaining to the conditions above for a period of two years from the date of this Order.
- 12 (6) This matter was brought before the Commission at its regularly scheduled meeting on December 27, 2006.
- 13 (7) After review of the petition filed in Docket UT-061465 by Qwest on September 15, 2006, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted for a two-year period.

ORDER

THE COMMISSION ORDERS:

- 14 (1) After the effective date of this Order, Qwest Corporation is granted a two-year exemption from WAC 480-120-255(3), requiring telecommunications companies to inform residential customers of a service to block information delivery services through a single-topic bill insert, allowing the company to combine the notice with other notices.
- 15 (2) This exemption is subject to the following condition(s).
- The information services blocking notice be the top, or first notice of the insert.
 - The information services blocking notice should not be sent with more than three other notices.
 - The title of the information services blocking notice should be in a font larger than that in the body of the notice.
- 16 (3) The Commission retains jurisdiction over the subject matter and Qwest Corporation 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