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Subject: price list rulemaking new language

Hi,

At next Wednesday's adoption hearing in the price list rulemaking docket UT-060676, the recommendation will be to adopt the following language in proposed NEW SECTION WAC 480-120-266. Revisions to the proposal offered in the last notice for Supplemental CR-102. The new language addresses the serious concerns raised by many comments concerning the "rebuttable presumption" language, and regarding the Web page requirement. Please note the new language proposed would adhere to contract law in the first instance, and delete the Web page requirement in the second instance. We believe these changes are not substantive, and so plan to recommend approval of this language. The commissioners felt it was important and appropriate to let you know of this shift in direction in advance of the adoption hearing and as soon as possible so you can frame your input accordingly.

The changes I highlight here in legislative redline/strikeout format are not the only changes pursuant to your comments. But these are the big ticket items. We do not plan to use the term "competitive contract" as suggested by Verizon, nor to adopt interim rules. A set of current rules before the revisions will be posted on our Web page once these rules become effective, so carriers maintaining price lists at the commission up until the bitter end next June will still have filing guidelines available to them.

Generally most other edits were accepted, including Public Counsel's advice to add a requirement to the registration process to collect a list of services, but the recommendation does not include the part from Public counsel about initial rates.

The changes to 266 also imply a few minor concurring edits. Notably, the web page reference is deleted from the form of bills rule, and it is also deleted from the E-911 rule.

I hope you find this message useful, please contact me with any questions or concerns, thanks.



December 6 edits to proposed New Section WAC 480-120-266 .doc