



WITA

WASHINGTON INDEPENDENT TELEPHONE ASSOCIATION

June 30, 2004

Ms. Carole J. Washburn, Executive Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Docket No. UT-040015 – Comments

Dear Ms. Washburn:

The Washington Independent Telephone Association (WITA) appreciates the opportunity to provide comments on the draft rules for the corrections and changes to rules in Chapter 480-120 WAC and Chapter 480-80 WAC.

At the outset, WITA must state that it has not had an opportunity to review the Commission's proposed CPNI rules with its member companies. Therefore, WITA may submit comments at a later date concerning those rules.

WITA's first comment relates to the definition of the word "discontinue" set forth in WAC 480-120-021. The Commission Staff has proposed the phrase "or any restriction" of a service to a customer. WITA suggests the words "company imposed" be inserted in front of "any restriction." Having said that, WITA has not had the opportunity to review with its members whether the addition of restrictions of service to the concept of discontinuing service poses major problems.

The next comment relates to WAC 480-120-128. WITA has two suggestions. First, WITA suggests that a sentence be added that reads as follows: "This rule does not apply to deposits for access service." Second, WITA suggests that the word "issued" be changed to "paid" in Subsection (3)(c). WITA also notes that Subsection (c) really does not fit as part of a series of responses to the lead-in stated at the start of Subsection (3) that "Companies must refund deposits, plus accrued interest, less any outstanding balance, to a customer when:...." As a matter of syntax, Subsection (c) simply does not follow in the series.

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On a substantive basis, inserting the word "paid" rather than "issued" clarifies that a customer may not demand a refund and then simply refuse to pay the final bill. Without that clarification, the companies have an obligation to make the refund of the deposit even if the final bill is not paid.

The next issue relates to language inserted in WAC 480-120-147(5)(d)(iii). The new language directs that the LEC must lift the freeze within 72 hours of the customer's request. In reviewing notes from the earlier workshop, it appears that the 72 hour concept was discussed at the workshop. However, with the three day holiday approaching, it is evident that a 72 hour requirement may not work. For example, a request to lift the freeze could be delivered Friday afternoon, July 2, and under the Commission's rule would have to be lifted on the holiday, Monday, July 5, 2004. WITA suggests that the 72 hour language be changed to three business days.

The next comment relates to a new requirement proposed for WAC 480-120-161(4)(e). This would require that the telephone bill include the web site containing the service provider's tariff. Under the terms of WAC 480-120-193, not every company is required to post its tariff to a web site address. The exception is for small companies that are in close proximity to their customers and is adopted as a recognition of that proximity. Therefore, WITA suggests the language be re-written to read as follows: "The telephone bill must include the Internet address (uniform resource locator) of the web site containing the service provider's tariff, where required to be posted to a web site, or price list."

The final comment relates to WAC 480-120-174. WITA suggests the word "restore" in Subsection (1) be changed to "reinstate." WITA believes that from a technical standpoint, the term "reinstate" is more accurate than "restore."

Thank you for the opportunity to comment.

Sincerely,



TERRENCE STAPLETON