

Agenda Date: March 27, 2002
Item Number: **4B**

Docket: **UT-990146**
Company Name: All Telecommunications Companies

Staff: Bob Shirley, Telecommunications Analyst
Glenn Blackmon, Asst. Dir. for Telecommunications
Vicki Elliott, Asst. Dir. for Consumer Affairs
Dave Griffith, Telecommunications Policy Analyst
Jonathan Thompson, Assistant Attorney General
Marjorie Schaer, Administrative Law Judge
Sharyn Bate, Policy Assistant
Tim Zawislak, Regulatory Analyst

Recommendation

Direct the Secretary to file a Notice of Proposed Rulemaking (CR-102) in Docket No. UT-990146.

Background

The Commission has undertaken a review of all the rules contained in Chapter 480-120 WAC pursuant to Executive Order 97-02. The rules are to be reviewed for content and readability, with attention to the rules' need; effectiveness and efficiency; clarity; intent and statutory authority; coordination; cost; and fairness. This includes reviewing whether current rules provide the results that they were originally intended to achieve and whether the rules are consistent with laws and with appropriate and lawful policies. The review also includes consideration of whether substantive changes or additional rules are required for telecommunications regulation generally, and in response to the Federal Telecommunications Act of 1996 in particular.

Process

Between April, 1999 and November, 2000, Commission Staff held five workshops in this rulemaking, culminating in adoption of several rules that stakeholders agreed were non-controversial. Subsequent to that time, Commissioners and Commission Staff have taken a variety of actions in this docket, including producing three versions of chapter 480-120; holding eleven stakeholder workshops with five attended by commissioners; and two evening public meetings attended by Commissioners. A complete list is found in Appendix A and a list of documents related to this docket is provided in Appendix B.

Small Business Economic Impact Statement (SBEIS)

Attached is an SBEIS. It reflects a low response rate from any companies, and none from companies that qualify as small businesses under the statute.

Issues

The February 14, 2002 draft that is under discussion today was separated into ten sections to promote clarity. The sections are:

1. General Rules
2. Establishing Service and Credit
3. Payments and Disputes
4. Discontinuing and Restoring Service
5. Posting and Publication
6. Customer Information
7. Telecommunications Services
8. Financial Records and Reporting Rules
9. Safety and Standards Rules
10. Adoption by Reference

In general, the rules have been changed to require measurable results rather than prescribe inputs. Existing rules with aspirational statements and input requirements have been eliminated or modified.

The Commission has asked for and received comment on all topics in this rulemaking, and received written comments on every rule except those in Section VI., Customer Information. The copies of stakeholder comments before you on the bench recount the issues that have been raised. Also before you are the draft rules recommended by Commission Staff, dated February 14, 2002.

Summary

Direct the Secretary to file a Notice of Proposed Rulemaking (CR-102) in Docket No. UT-990146.

Attachments