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**USWEST**  
COMMUNICATIONS 

November 21, 1990

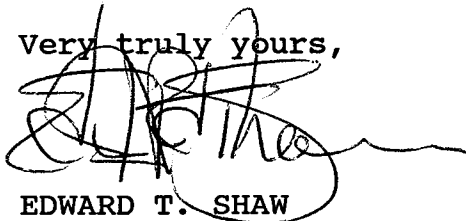
Mr. Paul Curl  
Acting Secretary  
Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P. O. Box 9022  
Olympia, WA 98504

Re: In the Matter of Amending the Commission's  
Telecommunications Rules Relating to  
Telecommunications Glossary, Alternative Operative  
Services, Pay Telephones and Form of Bills  
Cause No. UT-900726 and UT-900733

Dear Mr. Curl:

Enclosed for filing please find an original and nineteen  
copies of U S WEST Communications' Supplemental Comments in  
the above-referenced matter.

Very truly yours,



EDWARD T. SHAW

Enclosure

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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Amending	)	DOCKET NO. UT-900726
the Commission's	)	UT-900733
Telecommunications Rules	)	
Relating to Telecommunications)	)	SUPPLEMENTAL COMMENTS OF
Glossary, Alternative	)	PACIFIC NORTHWEST BELL
Operative Services, Pay	)	TELEPHONE COMPANY, d/b/a
Telephones and Form of Bills	)	U S WEST COMMUNICATIONS

I. INTRODUCTION

COMES NOW Pacific Northwest Bell Telephone Company, d/b/a U S WEST Communications (hereinafter "USWC"), and pursuant to RCW 34.05.325 submits its supplemental comments to the proposal of the Washington Utilities and Transportation Commission (hereinafter "WUTC") to amend its rules relating to telecommunications glossary, alternative operator services, pay telephones and form of bills.

On or about October 19, 1990, USWC filed its initial comments relating to the proposed rules of the WUTC. Since that time, several industry meetings have taken place with the WUTC Staff to informally discuss comments submitted by interested parties to the proposed rule changes. In these meetings, one of the issues that has arisen is whether a local exchange company (hereinafter "LEC") should be defined to be an alternative operator service company (hereinafter "AOS"). As stated in USWC's initial comments, USWC supports the current proposed rule which exempts LECs from the definition of an AOS. In the event that the draft rules are substantially changed to include a LEC

1 in the definition of an AOS provider, USWC will have extensive  
2 comments relating to the specific technical difficulties it  
3 would have in complying with the proposed rules. See, RCW  
4 34.05.340(2)(a) (requiring supplemental notice if proposed rule  
5 changes affect one's interest).

6 II. SUPPLEMENTAL COMMENTS

7 It is USWC's position that as a policy matter, a LEC should  
8 not be included as an AOS. The current glossary section to the  
9 Washington Administrative Code relating to an AOS defines them  
10 as:

11 Alternative operator services company - any  
12 corporation, company, partnership, or person  
13 providing a connection to intrastate or  
14 interstate long-distance or to local  
15 services from places including but not  
16 limited to, hotels, motels, hospitals,  
17 campuses, and customer-owned pay telephones.  
18 Alternative operator services companies are  
19 those with which a hotel, motel, hospital,  
20 campus, or customer-owned pay telephone,  
21 etc., contracts to provide operator services  
22 to its clientele.

23 WAC 480-120-021.

24 Under the foregoing definition, an LEC, which provides its  
25 service under tariff, is not deemed to be an AOS. In fact, the  
26 very term alternative operator service recognizes that the  
27 operator service is alternative to the existing LEC operator  
28 service.

29 In 1990, the Washington legislature amended RCW 80.36.350  
30 and 80.36.530 to require among other things the registration of  
31 AOS companies and to allow for the adoption of rules for minimum  
32 standards for "providing alternative operator services." 1990  
33 Wash. Laws, Chapter 247 § 3 (emphasis added).<sup>1</sup> If the  
34 Washington legislature desired the WUTC to adopt rules to set

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<sup>1</sup>The legislation allows the WUTC to create rules for  
"providing alternative operator services." It does not require  
that these rules apply to all that may fall within the  
definition of an AOS in RCW 80.36.50.

1 the minimum standard for all operator services, it would have so  
2 stated.

3 In authorizing rules to set the minimum service levels for  
4 alternative operator services, the legislature recognized that  
5 the operator services provided by LECs do not present consumer  
6 protection issues that need to be addressed by legislation or  
7 new rules.

8 In the state of Washington LECs are pervasively regulated  
9 by the WUTC. USWC's tariffs, and in particular those related to  
10 operator services, are closely reviewed before taking effect.  
11 In fact, the WUTC apparently accepts that its careful review of  
12 the WUTC's operator services rates allow them to be the standard  
13 for the AOS industry. See, proposed rule at WAC 480-120-  
14 141(10). Therefore, like the legislature, the WUTC recognizes  
15 that the current regulation of USWC's operator services is  
16 adequate and sets the standard for "prevailing rates." Id.

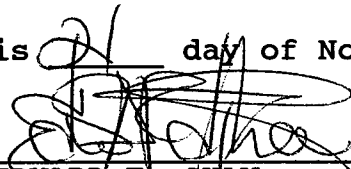
17 In the event that the proposed AOS rules are extended to  
18 include services provided by an LEC, USWC will incur additional  
19 costs in order to come into compliance with such rules. These  
20 costs would include those necessary to comply with the specific  
21 requirements set forth in the proposed AOS rule. To the extent  
22 that USWC is in a revenue sharing situation, under its  
23 alternative form of regulation, the costs of these new  
24 restrictions will be borne not only by USWC but by the rate  
25 payers within the state of Washington. There has been no  
26 showing that the ratepayers in the state of Washington or their  
27 elected representatives desire to have the public directly pay  
28 for the application of AOS rules to USWC, without any finding  
29 that there is a problem with how USWC and the other LECs  
30 currently provide operator services as part of their pervasively  
31 regulated services. Therefore, the WUTC should decline to do  
32 so.

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III. CONCLUSION

Based upon the foregoing, USWC respectfully requests that to the extent that the WUTC revises its proposed AOS rules, it maintain the provision of the rule that exempts USWC from its application.

RESPECTFULLY SUBMITTED this 21 day of November, 1990.



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EDWARD T. SHAW  
MARK ROELLIG, Of Attorneys for  
U S WEST Communications

CERTIFICATE OF SERVICE  
COUNSEL OF RECORD  
File No. UT-900726  
UT-900733

I hereby certify that I have this day caused to be served one copy of the foregoing document upon the following parties of record by person or by mailing a copy thereof, properly addressed with postage prepaid:

Charles Adams  
Assistant Attorney General  
900 Fourth Avenue #2000  
Seattle, WA 98164

Donald Trotter  
Assistant Attorney General  
Washington Utilities and  
Transportation Commission  
Chandler Plaza Building  
1400 Evergreen Park Drive S.W.  
Olympia, WA 98504

DATED this 21<sup>st</sup> day of November, 1990.

  
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LEE ANNETTE FORTIER

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