

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

IN THE MATTER OF THE APPLICATION OF U S WEST)
COMMUNICATIONS, INC., FOR RENEWAL OF WAIVER OF)
SINGLE-PARTY SERVICE REQUIREMENTS IN)
CONNECTION WITH ITS DESIGNATION AS AN ELIGIBLE)
TELECOMMUNICATIONS CARRIER) DOCKET NO. 70000-TA-99-482

) (RECORD NO. 4885)

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ORDER

(Issued February 11, 2000)

This matter is before the Commission on the application of U S WEST Communications, Inc., (U S WEST), for renewal of the Commission's waiver of single-party service requirements, granted in connection with its designation as an eligible telecommunications carrier for Universal Service Support issued December 22, 1997.

The Commission having reviewed the application and documentation, its files concerning U S WEST, the applicable Wyoming and federal law, and the positions and arguments presented at open meeting by the Applicant and Party/Intervenor, the Consumer Advocate Staff (CAS) of the Commission, and being otherwise fully advised in the premises, FINDS and CONCLUDES:

1. U S WEST is a telecommunications company as defined by W.S. § 37-15-103(a)(xi) and, as such, subject to the Commission's jurisdiction pursuant to the provisions of W.S. § 37-15-401.
2. As part of U S WEST's application for eligible telecommunications carrier (ETC) status to receive Federal Universal Service Support pursuant to 47 U.S.C. § 214(e)(2) and 47 C.F.R. § 54.201, U S WEST stated that, due to exceptional circumstances, namely the exceptionally high cost, U S WEST could not currently provide single-party service to approximately 100 of its customers, and could not provide service to another approximately 200 high cost applicants.
3. The Commission designated U S WEST as an eligible telecommunications carrier, and granted waiver of the single-party service requirement for a period of one year, subject to renewal on an annual basis upon an application from the company demonstrating that exceptional circumstances still exist.
4. U S WEST's application for renewal of the waiver stated that the circumstances for upgrading multiparty customers and for providing service to the unserved applicants remains substantially unchanged. Specifically, the cost of providing single-party service to the affected customers is approximately \$7 million and cost effective technology remains unavailable.
5. U S WEST's application further stated that the waiver is in the public interest because it is not in the best interest of the majority of U S WEST's rate payers to bear the cost of upgrading and serving the small group of affected customers.
6. At the regular open meeting of the Commission on February 3, 2000, U S WEST presented updated information indicating that approximately 44 of its Wyoming customers are not able to receive single-party service. The cost to upgrade these remaining customers to single-party service would be approximately \$2,814,000.
7. At that open meeting, CAS expressed its concerns regarding the ETC requirement that a waiver be only for the period of time required for U S WEST to complete upgrades to allow all customers single-party service. CAS

recommended that the Commission grant waiver for one year, subject to further evaluation by the Commission, and that the Commission further direct U S WEST to file within six months a plan to upgrade all customers to single-party service.

8. The Commission finds and concludes that the recommendations of CAS are reasonable and are in the public interest.

IT IS THEREFORE ORDERED THAT:

1. Pursuant to open meeting action taken February 3, 2000, the application of U S WEST Communications, Inc., for an additional waiver of the requirement of single-party service, as part of its designation as an eligible telecommunications carrier should be, and hereby is approved, subject to such other and further order as the Commission may deem necessary.
2. The waiver is extended until February 3, 2001, subject to further evaluation by the Commission at that time.
3. U S WEST Communications, Inc., is hereby directed to file with the Commission within six months, a plan to upgrade all its Wyoming customers to single-party service.
4. This Order is effective immediately.

MADE AND ENTERED at Cheyenne, Wyoming this 11th day of February, 2000.

PUBLIC SERVICE COMMISSION OF WYOMING

STEVE ELLENBECKER, Chairman

STEVE FURTNEY, Deputy Chair

KRISTIN H. LEE, Commissioner

(SEAL)

ATTEST:

EDNA YOUNG, Assistant Secretary