

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Petition of MCImetro)
Access Transmission Services LLC d/b/a) DOCKET NO. 09-2430-01
Verizon Access Transmission Services and)
MCI Communications Services, Inc., d/b/a)
Verizon Business Services, for a Waiver of)
Regulatory Requirements to File Price Lists) REPORT AND ORDER
for Services to Enterprise and Large Business)
Customers, and to Permit Deviation from the)
Rule Requiring Paper Billing for Customers)
Who Want Electronic Bills in Lieu of Paper)
Bills)

ISSUED: June 23, 2009

By The Commission:

This matter is before the Commission on the Petition of MCImetro Access Transmission Services LLC, d/b/a Verizon Access Transmission Services and MCI Communications Services, Inc. d/b/a Verizon Business Services (Verizon) for a Waiver of Regulatory Requirements to File Price Lists for Services to Enterprise and Large Business Customers, and to Permit Deviation from the Rule Requiring Paper Billing for Customers Who Want Electronic Bills in Lieu of Paper Bills. Verizon filed its Petition on or about March 25, 2009. On May 20, 2009, the Commission published notice of the hearing set for June 4, 2009.

The Commission's administrative law judge conducted a hearing on the petition Thursday, June 4, 2009 at 1:30 pm, with public witness portion of the hearing scheduled from 2:00 pm to 2:30 pm. No public witnesses appeared. William Evans, of Parsons Behle & Latimer appeared for Verizon, with Don Prince testifying for Verizon. Assistant Attorney General

Michael Ginsberg, appeared for the Division of Public Utilities (Division), with Casey Coleman testifying for the Division.

The Division submitted its recommendation on June 4, 2009 recommending approval of the petition. However, the Division also had two additional recommendations prior to approval of the petition. First, the Division recommended that large business and enterprise customers have the choice of receiving either an electronic or hard copy of their bill. Second, the Division recommends Verizon file with the Commission “a definition of who would be covered as an enterprise customer or large business customer, a general description of what services would be covered by the Service Guide, and the internet web address where the price list is stored.” *Division Recommendation*, p.3. Mr. Prince responded to the two additional recommendations. Regarding the paper bill option, he stated that most of their enterprise and large business customers do not desire paper bills. He did state, however, that when they contract for services, if they desire a paper bill, they could include that in the contract. Regarding the second recommendation, Mr. Prince said Verizon would work with the Division in understanding clearly what the Division was requesting and then making a filing consistent with the Division’s recommendation and the parties’ subsequent discussion.

ORDER

The Commission took administrative notice of the filings filed to date and considered the testimony presented at the hearing. Pursuant to the information filed in this docket, together with the testimony made at the hearing and the Division’s recommendation, and

finding that the grant of the exemptions pleaded for is not against the public interest, the

Commission orders as follows:

1. Verizon is exempt from the requirement of Section 54-8b-2.3 to file a price list for the services as identified in its petition;
2. Verizon may withdraw Price List No. 5 and detariff the services set forth in that tariff as well as future services to this class of customer;
3. Verizon may withdraw Price List No. 3 and detariff the services set forth in that tariff as well as future services to this class of customer;
4. Verizon may instead maintain the generally available terms, conditions and rates for these services on a publicly available website;
5. Verizon is exempt from the provision of Rule R746-240-4 requiring typed or machine printed bills where a customer has requested that it not receive paper billing. But instead an electronic bill;
6. Notwithstanding the orders above, Verizon shall continue to work with the Division in clarifying the Division's request that Verizon file with the Commission a definition of who would be covered as an enterprise customer or large business customer, a general description of what services would be covered by the Service Guide, and the internet web address where the price list is stored, and make filings consistent with this recommendation as the parties may agree;
7. Pursuant to Sections 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing within 30 days after issuance of this

DOCKET NO. 09-2430-01

-4-

Order by filing a written request with the Commission. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission does not grant a request for review or rehearing within 20 days after the filing of the request, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a petition for review with the Utah Supreme Court within 30 days after final agency action. Any petition for review must comply with the requirement of Sections 63G-4-401 and 63G-4-403 of the Utah Code and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 23rd day of June, 2009.

/s/ Ruben H. Arredondo
Administrative Law Judge

Approved and confirmed this 23rd day of June, 2009 as the Report and Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#62364