

Service Date: February 4, 1983

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER of the Application)	
of MOUNTAIN STATES TELEPHONE AND)	
TELEGRAPH COMPANY, INC., GENERAL)	UTILITY DIVISION
TELEPHONE OF THE NORTHWEST, INC.,)	
and NORTHWESTERN TELEPHONE SYS-)	
TEMS, INC. To Adopt Certain)	DOCKET NO. 82.6.37
Depreciation Changes And Certain)	
Changes Pertaining to Station)	
Connections and Inside Wiring,)	ORDER NO. 4951d
AND IN THE MATTER of the Commission's)	
Investigation Into Detariffing Customer)	
Premises Equipment.)	

APPEARANCES

FOR MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, INC.:

J. Walter, Hyer, III, General Attorney, Mountain Bell, 560 North Park, Room 408, P.O. Box 1716, Helena, Montana 59624

FOR GENERAL TELEPHONE OF THE NORTHWEST, INC.:

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FOR NORTHWESTERN TELEPHONE SYSTEMS, INC.:

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FOR THE MONTANA CONSUMER COUNSEL:

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FOR TELEPHONE ANSWERING SERVICE INTERVENORS:

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FOR THE COMMISSION:

Calvin K. Simshaw, Staff Attorney, 1227 Eleventh Avenue, Helena, Montana 59620

BEFORE:

THOMAS J. SCHNEIDER, Commissioner
JOHN B. DRISCOLL, Commissioner
HOWARD L. ELLIS, Commissioner
CLYDE JARVIS, Commissioner

FINDINGS OF FACT

BACKGROUND

1. On January 24, 1983, the Commission issued Order No. 4951c setting forth its Findings of Fact and Order upon reconsideration of Order No. 4951b. Subsequent analysis reveals the need for additional modification and clarification in the form of a "Second Order Upon Reconsideration."

2. Big Six Sale Plan. At Finding No. 20 of Order No.4951c the Commission defines an "in-place" set as one that has been leased for not less than 90 days. Upon further consideration the Commission concludes that a better approach is a "snap shot" at May 1, 1983, with a subsequent 90 day period in which those sets in-place at May 1 could be purchased at the "in-place" price between May 1 and July 31, 1983. Purchases of the

“in-place” set on and after August 1 would require payment of the "inventory" price. Sets leased on and after May 1, 1983, would not be "in-place" sets. Subsequent purchase of these sets would require payment of the "inventory" price.

3. The Commission finds this "snap shot" approach preferable and requests that the utilities include such provisions in their sale plans.

4. Interface of Customer Provided Wiring. An area thus far overlooked in the previous orders in this docket is the interconnection of customer-provided wiring to the utility provided protector box. There appears to be three viable options: (1) Allow the customer/contractor to make the interconnection, (2) Require the utility to make the interconnection under fully compensatory T&M charges, or (3) Include, as a component of the utility-provided access, an interface jack on the customer side of the protector box.

5. MBT has taken the third approach with their Standard Network Interface (SNI). The Commission finds the interface-jack the proper approach and would encourage NWTs and GTNW to acquire the interface-jack capability as rapidly as possible. In the interim, the Commission directs the utilities to perform the interconnection under fully compensatory T&M charges.

6. Maintenance of Embedded/New Simple Wiring. It is evident that clarification is needed concerning the situation where a customer provides a "new" extension to "embedded" simple wiring. The specific problem relates to identifying maintenance responsibility for the resulting mix of wiring. Again, MBT has overcome the problem through its unbundling of maintenance charges (see Order No. 4951b). The MBT approach would provide the customer a choice between purchasing maintenance from MBT or an alternative vendor, regardless of the provider of the wire. The problem lies with GTNW and NWTs, where charges for maintenance of the embedded wiring is left bundled in the local access rate. The Commission finds that as long as embedded wire maintenance is left bundled in the local access rate, GTNW and NWTs are obligated to provide maintenance, regardless of the provider of the wire. GTNW and NWTs are

encouraged to file unbundling proposals; however, in the interim, both utilities must provide wire maintenance for subscribers with embedded, embedded/new, or new wiring.

7. T&M Charges for MBT. MBT maintained in its original motion for reconsideration that implementation of T&M charges per Order No. 4951b and 4951c is impossible prior to mid-1983. Again, upon further consideration the Commission sees no recourse other than to grant an extension to August 1, 1983. In the interim, MBT is authorized to utilize existing rates, as tariffed, and the proposed average charges found in the Company's CPIW proposal.

CONCLUSIONS OF LAW

1. Mountain States Telephone and Telegraph Company, Inc. General Telephone of the Northwest, Inc., and the Northwestern Telephone Systems, Inc., are corporations providing telephone and other communications services within the state of Montana and as such are "public utilities" within the meaning of MCA §69-3-101.

2. The Montana Public Service Commission properly exercises jurisdiction over these three companies' Montana operations pursuant to Title 69, Chapter 3, MCA.

ORDER

1. MBT, NWTS and GTNW are ORDERED to develop, submit, and/or implement CPE and/or wiring provisions as set forth herein.

DONE IN OPEN SESSION at Helena, Montana, this 31st day of January, 1983 by a 4-0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

THOMAS J. SCHNEIDER, Chairman

JOHN B. DRISCOLL, Commissioner

HOWARD L. ELLIS, Commissioner

CLYDE JARVIS, Commissioner

ATTEST:

Madeline L. Cottrill
Commission Secretary

(SEAL)

NOTE: You may be entitled to judicial review in this matter. Judicial review may be obtained by filing a petition for review within thirty (30) days of the service of this order. Section 2-4-702 MCA.