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STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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February 11, 1998

Magalie R. Salas
Secretary
Federal Communications Commission
1919 M Street NW, Room 222
Washington, D.C. 20554

CC 95-72

RE: Petition for Reconsideration of the Fourth Order on Reconsideration in CC Docket No. 96-45.

Dear Ms. Salas:

Pursuant to the Federal Communications Commission's rules, enclosed for filing are an original and 11 copies of the Petition for Reconsideration of the FCC's Fourth Order on Reconsideration in CC 96-45 of the Washington Utilities and Transportation Commission. We are also filing copies with Sheryl Todd in the Universal Service Branch, and with International Transcription Services.

Please contact Tom Wilson at (360)-664-1293, Internet: *tomw@wutc.wa.gov* if you have any questions about this filing.

Sincerely,

Paul Curl
Acting Secretary

Enclosure

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	CC Docket No. 96-45
	)	
Federal-State Joint Board on Universal Service	)	
	)	
Access Charge Reform, Price Cap Performance Review for Local Exchange Carriers, Transport Rate Structure and Pricing, End User Common Line Charge	)	CC Docket Nos. 96-262, 94-1, 91-213, 95-72

PETITION FOR RECONSIDERATION OF THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Pursuant to § 1.429 of the Federal Communications Commission's ("FCC" or "Commission") Rules of Practice and Procedure, 47 C.F.R. § 1.429 (1997), the Washington Utilities and Transportation Commission ("WUTC") respectfully submits this request for reconsideration of the Fourth Order on Reconsideration and Report and Order adopted and released by the Commission on December 30, 1997 and publicly noticed in the Federal Register on January 13, 1998 (63 FR 2094). The WUTC requests that the FCC reconsider its determination to reduce the bandwidth definition for voice grade service from 4,000 Hertz to 3,000 Hertz.

In support of this request, WUTC files the following comments on paragraph 15:

Issue: In the Fourth Order on Reconsideration, released December 30, 1997, the Commission's decision changed the definition of voice grade access to the PSTN to be a minimum bandwidth of 300 Hertz to 3,000 Hertz. This change is a significant change and was made without seeking comments.

Response: The Joint Board recommended that voice grade service be at a frequency of 500 Hertz to 4,000 Hertz. The Joint Board's definition was recommended after extensive public input. The Commission adopted the Joint Board's recommendation for voice grade bandwidth in its Universal Service Report and Order dated May 8, 1997. We believe that reducing the bandwidth down to 3,000 Hertz will have an adverse effect on service in rural areas. Rural loops are bandwidth limited since performance of cooper loops declines as the distance of the loops increase. This reduction to 3,000 Hertz along with longer rural loops will slow down rural areas' access to technology such as the internet. The 3,000 Hertz may provide adequate service to subscribers in urban and suburban areas but will not allow rural subscribers to receive the same level of service. We understand that the 4,000 Hertz may be too high a frequency and that few circuits today could provide that bandwidth. Therefore, the WUTC believes the minimum bandwidth definition should be 300 Hertz to 3,500 Hertz. However, we also understand that the 300 Hertz to 3,000 Hertz standard has been in place since the early 1950's and that a great deal of plant in service today can not provide the 3,500 Hertz bandwidth. A flash cut to the 3,500 Hertz standard would stop Universal Service Support to a large number of companies in Washington. Although plant put in service in the past few years provides bandwidths much higher than 3,500 Hertz, there is still plant in service that can provide a bandwidth of only 3,000 Hertz. Therefore, we recommend that there be a phase-in from the 3,000 Hertz to the 3,500 Hertz bandwidth over a period of ____ years. This phase-in is necessary so as not to deny support to carriers who have to build or modify plant to meet the 3,500 Hertz bandwidth.

The WUTC respectfully requests that the FCC consider revising its order to conform to the position stated in this filing.

Respectfully submitted by the Washington Utilities and Transportation Commission this ___ day of February, 1998.

Anne Levinson	Richard Hemstad	William R. Gillis
Chair	Commissioner	Commissioner

Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive Southwest
Olympia, Washington 98504