
SENATE BILL 6669

State of Washington

56th Legislature

2000 Regular Session

By Senators Finkbeiner, Brown, Rossi, Shin and Jacobsen

Read first time 01/21/2000. Referred to Committee on Energy,
Technology & Telecommunications.

1 AN ACT Relating to timelines for businesses ordering
2 telecommunications service; amending RCW 80.36.090; and prescribing
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 80.36.090 and 1985 c 450 s 23 are each amended to read
6 as follows:

7 (1) Every telecommunications company operating in this state shall
8 provide and maintain suitable and adequate buildings and facilities
9 therein, or connected therewith, for the accommodation, comfort and
10 convenience of its patrons and employees.

11 (2) Every telecommunications company shall, upon reasonable notice,
12 furnish to all persons and corporations who may apply therefor and be
13 reasonably entitled thereto suitable and proper facilities and
14 connections for telephonic communication and furnish telephone service
15 as demanded.

16 (3) Whenever a person or corporation establishes or relocates a
17 business in an existing commercial space and submits to a local
18 exchange carrier an application for primary exchange access service
19 that provides at least seven calendar days' advance notice of the date

1 when service is needed, the local exchange carrier shall furnish the
2 service as ordered by the date requested. If, prior to any requested
3 date, it becomes apparent to the local exchange carrier that primary
4 exchange access service cannot be supplied as ordered by the date
5 requested, the carrier shall promptly notify the customer in writing
6 prior to the requested date that there will be a delay, the reason or
7 reasons for the delay, and the revised date by which the service will
8 be supplied. The carrier shall also provide the customer, beginning on
9 the day service was expected to begin, with cellular service or
10 cellular service credits for the same number of access lines as the
11 customer has ordered.

12 (4) Whenever a person or corporation establishes or relocates a
13 business in an existing commercial space and submits to a
14 telecommunications company an application for telecommunications
15 services other than primary exchange access service that provides at
16 least thirty calendar days' advance notice of the date when service is
17 needed, the telecommunications company shall furnish the service as
18 ordered by the date requested. If, prior to any requested date, it
19 becomes apparent to the telecommunications company that the
20 telecommunications services cannot be supplied as ordered by the date
21 requested, the company shall promptly notify the customer in writing
22 prior to the requested date that there will be a delay, the reason or
23 reasons for the delay, and the revised date by which the service will
24 be supplied. When the delay is anticipated to last, or in fact lasts,
25 longer than three days, the company shall also provide the customer
26 credit against future charges to be calculated as follows: A prorated
27 amount of the monthly charges for the delayed service multiplied by the
28 number of days service was delayed, based on charges for the first full
29 month service is active.

30 (5) In lieu of any other remedy available at law or equity, a
31 customer affected by a local exchange carrier's failure to comply with
32 the requirements of subsection (3) of this section is entitled to
33 liquidated damages in the amount of five hundred dollars per violation
34 and reasonable attorneys' fees and other costs of litigation. In lieu
35 of any other remedy available at law or equity, a customer affected by
36 a telecommunications company's failure to comply with the requirements
37 of subsection (4) of this section is entitled to liquidated damages in

1 the amount of one thousand dollars per violation and reasonable
2 attorneys' fees and other costs of litigation.

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