

[Service Date September 15, 2010]

September 15, 2010

**NOTICE OF PROCEDURE TO PREVENT CONFLICT OF INTEREST AND/OR
APPEARANCE OF IMPROPRIETY**

RE: Level 3 Communications, LLC, et al. v. Washington Utilities and Transportation Commission, United States District Court – Western District of Washington, Cause No. C08-5563RBL

TO ALL PARTIES:

On September 16, 2010, Gregory J. Kopta will commence employment with the Washington Utilities and Transportation Commission (Commission) as the Director of the Administrative Law Division. The Director of the Administrative Law Division supervises the administrative law judges and ordinarily has access to the same documents and communications as the administrative law judge assigned to a particular case. However, in the above-mentioned proceeding, Mr. Kopta recently has served as counsel for Pac-West Telecomm, Inc.

This case is now before the U.S. District Court for the Western District of Washington on judicial review. To avoid any conflict of interest or appearance of impropriety, the Commission prohibits the Commissioners, administrative law judges, policy staff, Commission Staff, or assistant attorneys general assigned to this case from communicating with Mr. Kopta regarding this matter. Further, Mr. Kopta will not have access to any non-public electronic and paper files related to this case.

If you have any questions concerning this procedure, please contact me by e-mail at arendahl@utc.wa.gov, or by phone at 360-664-1144.

Sincerely,

ANN E. RENDAHL
Director, Administrative Law Division