

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

AT&T BROADBAND PHONE OF WASHINGTON, LLC,)	DOCKET NO. UT-020388
)	
Complainant,)	FIFTH SUPPLEMENTAL ORDER
)	
v.)	COMMISSION DECISION AND
)	ORDER AFFIRMING AND
QWEST CORPORATION,)	ADOPTING INITIAL ORDER;
)	DISMISSING COMPLAINT
Respondent.)	
.....)	

1 **SYNOPSIS:** *The Commission dismisses AT&T Broadband Phone of Washington’s reverse slamming complaint against Qwest Corporation.*

2 **NATURE OF PROCEEDING:** In this Order the Commission reviews an initial order that proposed to dismiss the reverse slamming complaint of AT&T Broadband Phone of Washington (AT&T) against Qwest Corporation (Qwest).

3 **INITIAL ORDER:** An initial order was entered on August 9, 2002, by Administrative Law Judge Theodora M. Mace proposing that the complaint of AT&T against Qwest be dismissed because AT&T failed to prove that Qwest violated any statutes or Commission rules.

4 **PETITION FOR REVIEW:** No petition for administrative review was filed within the 20 days allowed by rule for filing. The Commission has reviewed the proposed order and the evidence of record and believes that the findings, the conclusions, and the order are consistent with the record. In accordance with RCW 34.05.464 and WAC 480-09-780(6), the Commission accepts the findings of fact and conclusions of law, and adopts the Initial Order as its own, for purposes of this proceeding.

ORDER

5 THE COMMISSION ORDERS That the Initial Order in this docket is affirmed and
adopted for purposes of this proceeding.

6 THE COMMISSION FURTHER ORDERS That AT&T's complaint against Qwest is
dismissed without prejudice.

DATED at Olympia, Washington, and effective this ____ day of September, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner

**NOTICE TO PARTIES: This is a final order of the Commission. In addition to
judicial review, administrative relief may be available through a petition for
reconsideration, filed within 10 days of the service of this order pursuant to
RCW 34.05.470 and WAC 480-09-810, or a petition for rehearing pursuant to
RCW 80.04.200 or RCW 81.04.200 and WAC 480-09-820(1).**