

BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

In the Matter of the Investigation Into)	
)	DOCKET NO. UT-003022
U S WEST COMMUNICATIONS, INC.'s ¹)	
)	
Compliance With Section 271 of the)	
Telecommunications Act of 1996)	
_____)	
)	DOCKET NO. UT-003040
In the Matter of)	
)	
U S WEST COMMUNICATIONS, INC.'s)	16 TH SUPPLEMENTAL ORDER
)	REQUIRING FILING OF
Statement of Generally Available Terms)	SETTLEMENT; ADMITTING
Pursuant to Section 252(f) of the)	EXHIBIT; NOTICE OF POST
Telecommunications Act of 1996)	WORKSHOP SCHEDULE
_____)	

SYNOPSIS

1 The Commission requires Qwest Corporation and the Washington Association of Internet Service Providers to file the settlement reached during the course of the fourth workshop as a condition of WAISP's withdrawal from the proceeding, and withdrawal of testimony by the two parties. The Commission grants AT&T's motion to admit a confidential late-filed exhibit. The Commission establishes a briefing schedule and schedules a time for argument before the Commission concerning unresolved issues from the fourth workshop.

A. QWEST/WAISP INTERVENTION AND SETTLEMENT

2 Prior to the fourth workshop in this proceeding, the Washington Association of Internet Service Providers (WAISP) sought intervention to present testimony concerning alleged actions by Qwest Corporation (Qwest). WAISP filed with the Commission the testimony of Jared Reimer and Matthew J. Miller, and Qwest filed the testimony of Lori A. Simpson in response to WAISP's filed testimony. WAISP was granted a limited intervention to allow the association to present testimony

¹ Since the inception of this proceeding, U S WEST has merged and become known as Qwest Corporation. For consistency and ease of reference we will use the new name Qwest in this order.

during the workshop, subject to removal as an intervenor if the testimony was determined to be not relevant.

3 During the course of the workshop, WAISP and Qwest reached a settlement of WAISP's issues, such that Qwest and WAISP requested that the Commission allow the withdrawal of the testimony of Mr. Reimer, Mr. Miller and Ms. Simpson, and allow withdrawal of WAISP as an intervenor. Withdrawal of the testimony was granted during the course of the workshop in order to allow the workshop to proceed.

4 As a condition for withdrawal of the testimony of Mr. Reimer, Mr. Miller and Ms. Simpson, and to allow withdrawal of WAISP as an intervenor, Qwest and WAISP must file a copy of their settlement agreement with the Commission. Given that WAISP was allowed intervention to present issues concerning Qwest's application for section 271 approval, and that this proceeding involves a matter of public policy, it is appropriate that the parties report to the Commission how they have resolved issues in dispute. The parties may not merely report that they have resolved their issues and withdraw from the proceeding.

B. AT&T MOTION TO ADMIT EXHIBIT

5 On August 2, 2001, following the fourth workshop in this proceeding, AT&T filed a motion to admit a confidential late-filed exhibit, marked during the workshop as Exhibit 1171-C. The exhibit includes pages of the confidential portion of the June 26, 2001, Multi-State 271 workshop concerning public interest issues. AT&T's motion is granted.

C. POST-WORKSHOP SCHEDULE

6 During the fourth workshop, the parties agreed upon a schedule for briefing and argument before the Commission that modifies the schedule established in the Fifth Supplemental Order in this proceeding. The modified schedule is as follows:

Post-workshop briefs:	September 7, 2001
Reply Briefs concerning Public Interest and Section 272 Issues	September 14, 2001
Initial Order	October 12, 2001
Comments on Initial Order	October 26, 2001
Presentation to Commissioners	November 29, 2001

ORDER

THE COMMISSION ORDERS:

- 7 (1) Qwest and the Washington Association of Internet Service Providers must file
with the Commission, within 10 days of the service of this order, a copy of the
settlement reached between the parties during the course of the fourth
workshop.
- 8 (2) The documents marked for identification as Exhibit 1171-C shall be admitted
as evidence in this proceeding.
- 9 (3) The schedule established in the Fifth Supplemental Order for briefing and
argument before the Commission following the fourth workshop is modified.

DATED at Olympia, Washington and effective this day of August, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ANN E. RENDAHL
Administrative Law Judge