



Rob McKenna

ATTORNEY GENERAL OF WASHINGTON

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July 12, 2005

Ms. Carol Washburn
WA Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

Re: Whatcom Community College v. Qwest Communications
Docket No. UT-050770

Dear Ms. Washburn:

Enclosed for filing is an original and 19 copies of Complainant's Reply in the above-referenced matter. Please call us with any questions.

Thank you.

Sincerely,

WENDY BOHLKE
Senior Counsel

Enclosures

c: Douglas Owens/enclosure

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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Complaint of:

Whatcom Community College,
Complainant

v.

Qwest Corporation,
Respondent

No. UT-050770

REPLY TO ANSWER AND
MOTION TO STRIKE, AND
MOTION TO AMEND COMPLAINT

Comes now Whatcom Community College (WCC), represented by Rob McKenna, Attorney General for the State of Washington, and Wendy Bohlke, Senior Counsel, and submits its Reply to Respondent's Answer, Affirmative Defenses and Motion to Strike submitted June 20, 2005. WCC hereby replies to Qwest's Answer as follows:

1.2 In reply to Qwest's statement in its Answer in paragraphs 1.2 and 1.3, that Qwest Corporation has a service area that includes complainant Whatcom Community College, not the entity designated as Qwest Communication by WCC, WCC hereby Moves to Amend its Complaint and asserts that Quest Corporation should be the designated Respondent, and notes that Qwest's name has changed from time to time over the past 20 years, making it a challenge for WCC and likely other consumers to know who to contact in the event of question or dispute. As Qwest noted in its paragraph 1.3, its predecessor companies were named U.S. West Communications, Inc. and Pacific Northwest Bell Telephone Company. WCC asserts that Quest Corporation and its predecessors should be held accountable.

1 In reply to Qwest's Answer in its paragraph 3.2, WCC asserts that since it received no
2 service on the lines that Qwest or its predecessors billed WCC for, Qwest's and its predecessors'
3 charges were excessive and exorbitant since they were levied for Off Premises Extension (OPX)
4 circuit services that did not exist, were not functional, and not capable of carrying voice
5 communications.
6

7 4.3 In response to Qwest's reply to paragraph 4.3 of the complaint, Qwest has moved to
8 strike the paragraph and its assertions. WCC objects to the motion to strike and seeks permission
9 to put forward its evidence at a full hearing that Qwest has previously agreed to make refund for
10 charges gained for services not provided to other consumers, based on records other than those
11 available from Qwest; this will demonstrate that the circumstances giving rise to WCC's
12 complaint here in is not an isolated incident.
13

14 4.5 In response to Qwest's motion to strike in connection with its offer to compromise,
15 WCC asserts that if the evidence in the other dispute is relevant to this one, that evidence should
16 be allowed to be considered. In moving to strike, Qwest seems to be trying to move the focus to
17 courtesy refund to gloss over the confusing billing information.
18

19 4.6 In response to Qwest's motion to strike paragraph 4.6, WCC asserts that paragraph 6
20 sets out the factual assertion that charges were levied for no services provided, which is
21 excessive and exorbitant. The example given to illustrate the assertion is simply an example.
22 WCC asserts that, given the factual disputes asserted by Qwest, this matter should be set for a
23 hearing before the full Utilities and Transportation Commission.
24

25 5.2 WCC asserts that its motion to amend its complaint to name Qwest Corporation as
26 respondent and that its requested relief should be granted.

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PROOF OF SERVICE

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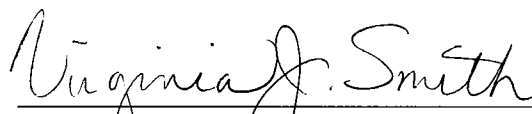
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I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 12th day of July, 2005, at Bellingham, WA.



VIRGINIA J. SMITH