

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET UT-073034
)	
QWEST CORPORATION)	
)	NOTICE OF OPPORTUNITY TO
For Commission Approval of)	COMMENT ON STIPULATION
Stipulation Regarding Certain)	(Due by July 24, 2007)
Performance Indicator Definitions and)	
Qwest Performance Assurance Plan)	NOTICE OF PREHEARING
Provisions.)	CONFERENCE
)	(Set for July 31, 2007, 9:30 a.m.)
)	
.....)	

1 On June 26, 2007, Qwest Corporation on behalf of itself, Eschelon Telecom, Inc., DIECA Communications, Inc., d/b/a Covad Communications Company and McLeodUSA Telecommunications Services, Inc. filed with the Washington Utilities and Transportation Commission (Commission) a petition for Commission approval of Stipulation Regarding Certain Performance Indicator Definitions and Qwest Performance Assurance Plan Provisions. A more detailed account of the dispute is reflected in the Petition, which is available for inspection at the Commission's office located at Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, and on the Commission's web site at www.wutc.wa.gov/073034.

2 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 80, and has legal authority to regulate the rates, services, and practices of telecommunications companies providing service within the state of Washington. The statutes that apply to this matter include RCW 80.01, RCW 80.04 and RCW 80.36, including but not limited to RCW 80.01.040 and RCW 80.04.020. The rules that apply to this matter include those within WAC 480-120, relating to telecommunications.

3 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

4 **THE COMMISSION GIVES NOTICE That it will accept written comments from parties on the stipulation no later than 5:00 p.m., Tuesday, July 24, 2007.**

5 **THE COMMISSION GIVES FURTHER NOTICE That it will hold a prehearing conference in this matter at 9:30 a.m., on Tuesday, July 31, 2007, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** If you are unable to attend the prehearing conference in person, you may attend via the Commission's teleconference bridge line, **360-664-3846**. Please appear on the teleconference bridge five minutes before the conference is scheduled to begin.

6 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence and workpapers, to, identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

7 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See WAC 480-07-355(a)*. The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See WAC 480-07-345(2)*. If any party or witness needs an interpreter or other assistance, they should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

8 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440. The Commission specifically invokes the sanction provisions of WAC 480-07-450 which allow the Commission to seek penalties for a party in default.**

9 The names and mailing addresses of all known parties and their known representatives are as follows:

Petitioner: Qwest Corporation
1600 7th Avenue, Suite 3206
Seattle, WA 98191

Representative: Lisa A. Anderl
Adam L. Sherr
Qwest Corporation
1600 7th Avenue, Room 3206
Seattle, WA 98191
(206) 398-2500

Petitioner: Ginny Zeller
Associate General Counsel
Eschelon Telecom, Inc.
730 Second Avenue S.
Suite 900
Minneapolis, MN 55402

Petitioner: Gregory Diamond
Senior Counsel
Dieca Communications, Inc.
d/b/a Covad Communications Company
7901 Lowry Blvd.
Denver, CO 80230

Petitioner: William A. Haas
Vice President and Deputy General Counsel
McLeodUSA Telecommunications Services, Inc.
One Martha's Way
Hiawatha, IA 52233

Petitioner: Kathy Barnekow
Director Carrier Relations
US Link, Inc. d/b/a TDS Metrocom
525 Junction Road, Suite 3000
Madison, WI 53717

- 10 Administrative Law Judge Adam E. Torem, from the Commission's Administrative Law Division, will preside during this proceeding.
- 11 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective July 13, 2007.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

Inquiries may be addressed to:

Executive Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary
Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____