

[Service Date January 13, 2009]

January 13, 2009

**NOTICE OF OPPORTUNITY TO FILE REPLY TO COMCAST'S MOTION  
(Due by Friday, January 23, 2009)  
and  
NOTICE OF REVISED DATE TO ENTER A DECISION ON THE PETITION  
(By Friday, February 13, 2009)**

Re: *In the Matter of the Petition of Washington Independent Telecommunications Association and Lewis River Telephone Company, d/b/a TDS Telecom for a Declaratory Ruling; Docket UT-083056*

TO ALL INTERESTED PERSONS:

On October 28, 2008, Washington Independent Telecommunications Association (WITA) and Lewis River Telephone Company, d/b/a TDS Telecom (TDS) filed with the Washington Utilities and Transportation Commission (Commission) a Petition for a Declaratory Ruling.

On December 1, 2008, the Commission issued a notice to WITA, TDS and all interested persons, providing an opportunity to file comments on the petition and for WITA and TDS to file comments in response. The Commission also provided notice that it would enter a decision on the petition by Friday, January 9, 2009.

After the Commission received comments and WITA's and TDS' response pursuant to the December 1 Notice, the Commission, on January 5, 2009, issued a notice extending the date for entering a decision to January 16, 2009. Also on January 5, 2009, Comcast filed a Motion for Leave to Reply to WITA's and TDS' Response and Proposed Reply.

On January 7, 2009, WITA and TDS filed a letter with the Commission requesting that the Commission deny Comcast's motion, or in the alternative, offer an opportunity for WITA and TDS to file a response on or before January 23, 2009, as

counsel for WITA and TDS will be on vacation until January 19. WITA and TDS's request is granted in order to allow a full and fair airing of the issues governing the threshold issue in this case – whether, under RCW 34.05.240(7), Comcast is a necessary party whose rights would be substantially prejudiced by a determination in a declaratory order proceeding.

**THE COMMISSION GIVES NOTICE** of an opportunity for WITA and TDS to file a response to Comcast's Motion for Leave to Reply with the Commission by the close of business on **Friday, January 23, 2009**.

Further, to accommodate receiving a response by WITA and TDS to Comcast's motion, **the Commission extends the date for entering a decision on the petition to Friday, February 13, 2009**, pursuant to RCW 34.05.240(6).

Sincerely,

ANN E. RENDAHL  
Administrative Law Judge