

Law Office of  
Richard A. Finnigan  
2112 Black Lake Blvd. SW  
Olympia, Washington 98512  
Fax (360) 753-6862

Richard A. Finnigan  
(360) 956-7001  
rickfinn@localaccess.com

Kathy McCrary, Paralegal  
(360) 753-7012  
kathym@localaccess.com

June 10, 2008

**VIA E-MAIL AND HAND DELIVERY**

Ms. Ann Rendahl, Administrative Law Judge  
Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive SW  
Olympia, WA 98504-7250

Re: Docket No. UT-053041 – FCC Order 08-122

Dear Administrative Law Judge Rendahl:

I have been considering the effect of the FCC's Order released May 1, 2008, under FCC 08-122. At Paragraph 38 of that Order, the FCC states as follows: "Specifically, for each state, the annual interim cap shall be set at twelve times the level of support that all competitive ETCs were eligible to receive in that state for the month of March, 2008." As a result of the establishment of this interim cap on the amount of support that competitive ETCs may receive, designation of an additional competitive ETC means that other competitive ETCs in the state will receive less in the way of a draw from the USF. This means that existing competitive ETCs may have a direct financial interest in the designation of additional competitive ETCs.

Obviously, this was not an issue at the time the initial pre-hearing conference in this matter was held on April 23, 2008. The Commission may want to give consideration to holding another pre-hearing conference to allow existing competitive ETCs the opportunity to intervene in the proceeding. They may not be interested. However, no one knows at this juncture whether they are or are not interested.

STATE OF WASH.  
UTILITY TRANS.  
COMMISSION

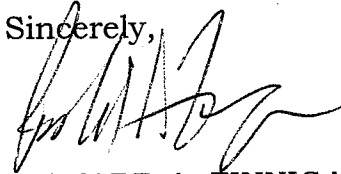
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Neither WITA nor Inland is requesting that an additional pre-hearing conference be held. However, I felt that I had a responsibility to call this potential issue to the Commission's attention for the Commission's consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'RAF', with a stylized flourish extending to the right.

RICHARD A. FINNIGAN

RAF/km

cc: Service List (via e-mail and U.S. mail)  
Clients (via e-mail)