

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Petitioners,

v.

ADVANCED TELECOM GROUP, INC.,
et al,

Respondents.

DOCKET NO. UT-033011

MOTION TO DISMISS
ALLEGATIONS RELATING
TO MARCH 15, 2001 AND
JANUARY 30, 2002
AGREEMENTS BETWEEN ATG
AND QWEST

MOTION

1 The Washington Utilities and Transportation Commission Staff (Staff) moves to dismiss allegations against Advanced TelCom, Inc., d/b/a/Advanced TelCom Group (ATG) and Qwest Corporation (Qwest) relating to the March 15, 2001, and January 30, 2002, agreements listed on Exhibit A to the complaint.

2 Staff has investigated the allegations relating to this agreement and has determined that the March 15, 2001, agreement primarily addresses terms and conditions for service in the state of Oregon. Staff does not believe the provisions referencing operations in the state of Washington constitute an interconnection agreement that must be filed with the Commission.

3 Staff has investigated the allegations pertaining to the January 20, 2002, agreement and has discovered that the terms and conditions contained in the January 30, 2002 agreement between ATG and Qwest were incorporated into interconnection agreement amendments that Qwest filed with the Commission on February 14, 2002 and March 27, 2002.

RELIEF REQUESTED

4 Staff respectfully requests that the Commission dismiss the allegations against ATG and Qwest relating to the March 15, 2001 and January 30, 2002, interconnection agreements listed on Appendix A to the Complaint. All remaining allegations are unaffected by this motion.

Dated: November 7, 2003.

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