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November 26, 2004

The Honorable Ann E. Rendahl
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Docket No. UT-041127
*In the Matter of the Joint Petition for Enforcement of
Interconnection Agreements with Verizon Northwest, Inc.*

Dear Judge Rendahl:

On November 23, 2004, Verizon supplemented its *Reply to the Answers of Staff and the CLECs* by filing a letter in this case ("Letter"). The Letter, addressed to you, was intended, according to Verizon, to fill "a gap in the record" by providing the Commission with provisions of Verizon's interconnection agreement with Tel West. At this time, Tel West does not dispute that Verizon accurately set out the provisions of the interconnection agreement it purports to set out.

Tel West does, however, object to the procedure employed in Verizon. Pursuant to WAC § 480-07-375 (1) (d), requests to add or limit evidence should be in the form of a motion. Once a motion is filed, other parties have the opportunity to respond. In this case, Tel West's could have objected to Verizon's characterization that the lack of evidence as an oversight. Further, Tel West could have also objected to Verizon's allegation that "Tel West's intervention does not raise any new issues regarding interpretation of the parties' agreement, not already addressed in Verizon's pleadings." Such summary, dismissive statements if left unchallenged could be inferred as an admission and Tel West objects to any such inference.

Tel West does not wish to engage in further argument about the Letter especially given the Commission's policy to allow "amendments to pleadings, motions, or other documents on such terms as promote fair and just results." WAC § 450-07-395(5). Tel West simply requests that the Letter is used only to appraise the Commission of some of the terms of Tel West's interconnection agreement with Verizon and for no other purpose.

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Thank you for your attention to this matter.

Sincerely,

David E. Mittle

cc: Service List (via e-mail and US mail)