

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Review of:)	
Unbundled Loop and Switching Rates;)	Docket No. UT-023003
the Deaveraged Zone Rate Structure; and)	
Unbundled Network Elements,)	
Transport and Termination)	
(Recurring Costs))	
_____)	

In the Matter of the Review of:)	
Unbundled Loop and Switching Rates;)	Docket No. UT-033034
the Deaveraged Zone Rate Structure; and)	
Unbundled Network Elements,)	JOINT MOTION TO
Transport and Termination)	EXCLUDE QWEST RATE
(Nonrecurring Costs))	ISSUES
_____)	

AT&T Communications of the Pacific Northwest, Inc., Covad Communications Company, Qwest Corporation (“Qwest”), Washington Electronic Business and Telecommunication Coalition (“WeBTEC”), WorldCom, Inc., k/n/a MCI (“MCI”) and XO Washington, Inc., (collectively “Joint Movants”), move the Commission to revise the scope of these proceedings to exclude Qwest’s recurring and nonrecurring rates from Commission review in these proceedings. The grounds for this motion are set forth below.

1. The Commission initiated these proceedings in response to a request from MCI almost two years ago. At that time, the Commission had not reviewed or revised Qwest’s loop and switching rates since the Commission initially established those rates in the original cost dockets. Qwest subsequently reduced its rates in the context of applying for, and ultimately receiving, approval to provide originating interLATA services in Washington.

2. In addition, the Federal Communications Commission (“FCC”) recently issued

its Triennial Review Order, requiring that the Commission conduct an inquiry with respect to whether CLECs are impaired if Qwest does not offer certain unbundled network elements (“UNEs”). The FCC has also initiated a rulemaking to reevaluate the total element long-run incremental cost (“TELRIC”) standard by which the Commission must determine Qwest’s rates.

3. In light of the combination of these developments, the Joint Movants believe that the Commission and the parties should not undertake a review of Qwest’s UNE recurring and nonrecurring rates in these proceedings. While the parties retain their respective positions with respect to the reasonableness of those rates, the Joint Movants agree that limited Commission and party resources are better served by forgoing relitigation of those rates at this time and focusing on other issues that the Commission is examining in these and other proceedings. The Joint Movants, therefore, contemplate that none of them will initiate, or request that the Commission initiate, a proceeding to reexamine Qwest’s UNE rates until after the FCC has concluded its TELRIC rulemaking. The Joint Movants have consulted with Commission Staff and the other parties with an interest in Qwest rate issues, and none of those parties has expressed any objection to this Motion. Staff, however, seeks to retain the ability to raise and pursue its “core/fringe” geographic deaveraging proposal, and the Joint Movants have agreed to exclude that specific issue from this Motion.

WHEREFORE, the Joint Movants respectfully request the following relief:

A. An Order from the Commission excluding Qwest’s UNE recurring and nonrecurring rates from Commission review in these proceedings, with the sole exception of

Commission Staff's "core/fringe" geographic deaveraging proposal; and

B. Such other or further relief as the Commission finds fair, just, reasonable, and sufficient.

DATED this 24th day of October, 2003.

DAVIS WRIGHT TREMAINE LLP
Attorneys for AT&T Communications
of the Pacific Northwest, Inc., and
XO Washington, Inc.

QWEST CORPORATION

By _____
Gregory J. Kopta

By _____
Lisa Anderl

WORLDCOM, INC., k/n/a MCI

COVAD COMMUNICATIONS
COMPANY

By _____
Michel Singer Nelson

By _____
Karen Shoresman Frame

WASHINGTON ELECTRONIC BUSINESS
AND TELECOMMUNICATIONS COALITION

By _____
Arthur A. Butler