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**BEFORE THE WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION**

Washington Exchange Carrier Association,  
a Washington non-profit corporation,  
CenturyTel of Washington, Inc., a  
Washington corporation, Hood Canal  
Telephone Company, a Washington  
corporation, Kalama Telephone Company, a  
Washington corporation, Tenino Telephone  
Company, a Washington corporation,  
Mashell Telecom, Inc., a Washington  
corporation, McDaniel Telephone Company  
d/b/a TDS Telecom, a Washington  
corporation, Lewis River Telephone  
Company, d/b/a TDS Telecom, a Washington  
corporation, The Toledo Telephone Co., Inc.,  
a Washington corporation, Inland Telephone  
Company, a Washington corporation, YCOM  
Networks, Inc., a Washington corporation,  
and Ellensburg Telephone Company,  
a Washington corporation,

Complainants,

v.

Marathon Communications Incorporated dba  
Marathon Communications of Washington, a  
Delaware corporation,

Respondent.

DOCKET NO. UT-041244

MOTION FOR PROTECTIVE ORDER

(EXPEDITED TREATMENT REQUESTED)

1 COME NOW, the Complainants herein, by and through their attorney of record, Richard A.  
2 Finnigan, and hereby file this Motion for issuance of a protective order.

3  
4 BASIS FOR MOTION

5 The Complaint in this matter was filed on July 13, 2004. In part, the Complaint against  
6 Marathon Communications alleges that Marathon Communications is continuing to bypass the  
7 Complainants' access charges after having obtained the customer base of LocalDial Corporation.  
8 There is a contract in place related to the transaction between LocalDial Corporation and Marathon  
9 Communications which has been styled a "Independent Contractor Agreement." The Independent  
10 Contractor Agreement is subject to a protective order from the federal court. The protective order  
11 allows counsel for the Complainants to be the only person reviewing the Agreement without further  
12 leave of court.  
13

14 On this date, the Complainants have filed a Motion in federal court to remove the  
15 confidential designation on the Independent Contractor Agreement. In the alternative, the  
16 Complainants are requesting that the federal court remove the designation subject to the  
17 Independent Contractor Agreement being filed under a protective order issued in this docket.  
18

19 The Complainants believe that the Independent Contractor Agreement will be of interest to  
20 the Commission in reviewing the Complaint against Marathon Communications.  
21

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25 MOTION FOR PROTECTIVE ORDER - 2

26 Law Office of  
Richard A. Finnigan  
2405 Evergreen Park Dr. SW  
Suite B-1  
Olympia, WA 98502  
(360) 956-7001

1 RELIEF REQUESTED

2 Therefore, Complainants respectfully request that the Commission issue a protective order  
3 pursuant to WAC 480-07-420 at the earliest opportunity.  
4

5 RESPECTFULLY SUBMITTED, this 28th day of July, 2004.  
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RICHARD A. FINNIGAN, WSBA #6443  
9 Attorney for the Complainants  
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