

[Service Date March 15, 2004]

March 15, 2004

**NOTICE OF OPPORTUNITY TO RESPOND TO
REQUEST FOR EXTENSION OF TIME TO FILE RESPONSES TO PETITION**

(Due by Noon on Thursday, March 18, 2004)

RE: In the Matter of the Petition for Arbitration of an Amendment to Interconnection Agreements of Verizon Northwest Inc. with Competitive Local Exchange Carriers and Commercial Mobile Radio Service Providers in Washington Pursuant to 47 U.S.C. Section 252(b), and the Triennial Review Order, Docket No. UT-043013.

On February 26, 2004, Verizon Northwest Inc. (Verizon) filed with the Commission a petition requesting a consolidated arbitration of an amendment to its interconnection agreements with all competitive local exchange carriers (CLECs) and commercial mobile radio service (CMRS) providers operating in Washington state that have entered into interconnection agreements with Verizon. Verizon served the petition on 77 such companies.

On Friday, March 12, 2004, Verizon filed a letter with the Commission notifying the Commission and the 77 companies that it may file with the Commission by March 19, 2004, a revised Exhibit 2 to the petition, Verizon's proposed amendment to its interconnection agreement. Verizon may revise the proposed amendment in light of the D.C. Circuit's decision in *United States Telecom Association v. Federal Communications Commission (USTA v. FCC)*, No. 00-1012, vacating in part and upholding in part, portions of the Triennial Review Order. Verizon proposes that the Commission allow CLECs and CMRS providers to respond to the revised petition for arbitration within 25 days after March 19, rather than the usual 25 days after filing of the petition.

The Commission entered an Order on Arbitration Procedure, Order No. 01 in this proceeding, today, Monday, March 15, 2004, establishing a procedural schedule for

the arbitration, establishing a response date of March 22, 2004, based on the original filing date of February 26, 2004. The Order also establishes a prehearing conference for March 29, 2004, to review disputed issues, discuss the hearing schedule and format, and the need for any remaining discovery.

In light of Verizon's notice that it may amend its filing and the request to allow additional time for response, it appears that the Commission will need to modify the procedural schedule in Order No. 01. Verizon's letter does not state whether it waives its right to completion of the arbitration within the 90-day period, allowing a 25-day extension of the date the Arbitrator's Report must be filed, or whether Verizon expects the matter to be completed by July 2, 2004. Before reaching a decision on Verizon's request, the Commission seeks comments from all parties regarding Verizon's request.

In order to resolve this matter expeditiously before the date that responses to the original petition are due, any party who seeks to respond to Verizon's letter must do so in writing by Noon on Thursday, March 18, 2004. Given the shortened time for responses, parties may file responses with the Commission electronically or via facsimile pursuant to WAC 480-07-145(6) by sending the response to records@wutc.wa.gov, and ensuring that a paper copy is filed with the Commission by Friday, March 19, 2004, addressed to the Commission Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.

Sincerely

ANN E. RENDAHL
Administrative Law Judge