

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

In the Matter of the	)	DOCKET NO. UT-003013
	)	
	)	TWENTY-FOURTH
	)	SUPPLEMENTAL ORDER;
Continued Costing and Pricing of	)	PREHEARING CONFERENCE
Unbundled Network Elements,	)	ORDER; GRANTING PETITION
Transport, and Termination	)	TO INTERVENE; DEADLINE FOR
	)	FILING STATEMENT
	)	(September 10, 2001)
.....	)	

**Prehearing Conference**

1 The Commission convened a Prehearing Conference in part D of this docket on August 21, 2001, at Olympia, Washington before Administrative Law Judge Lawrence J. Berg pursuant to due and proper notice to all interested persons.

**Appearances**

2 The following participated in the prehearing conference: Qwest Corporation (“Qwest”), by Lisa A. Anderl and Adam Scherr, attorneys, Seattle; Verizon Northwest Inc. (“Verizon”), by Jennifer McClellan and Jeffrey Edwards, attorneys, Richmond, Virginia; Covad Communications Company (“Covad”), WorldCom, Inc. (“WorldCom”), and Yipes Transmission, Inc. (“Yipes”), by Brooks Harlow, attorney, Seattle; XO Washington, Inc. (“XO”), and AT&T of the Pacific Northwest, Inc. (“AT&T”), by Gregory Kopta, attorney, Seattle; and Commission Staff, by Gregory Trautman, Assistant Attorney General, Olympia, and Mary Tennyson, Senior Assistant Attorney General, Olympia.

**Parties’ Not Appearing at Prehearing Conference Must File Statement**

3 A revised Parties’ Representatives List is attached to this Order. Only the representative for each party that is designated to receive service from the Commission and other parties is listed. Parties are not required to make service to more than one representative for other parties, but may voluntarily agree to do so.

4 Not all parties to the Part B proceeding in this docket appeared at the Part D prehearing conference. Although the docket number remains unchanged for the various parts of this proceeding, the Commission has previously determined that a

final order shall be entered in each part. We note that the telecommunications industry has undergone significant changes since this proceeding began in March 2000. In order to efficiently administer the service of documents in Part D, the Commission will review the status of all parties that have previously entered an appearance in this proceeding.

5 All parties that did not appear at the prehearing conference must file no later than September 10, 2001, a written statement whether they choose to participate as a party in Part D of this proceeding. Parties who do not respond will be removed from the parties' representative list and the Part D service list.

#### **Protective Orders and Confidentiality Agreements**

6 The Protective Order entered on March 15, 2000 (including any subsequent modifications), and all confidentiality agreements filed in this docket remain in full force and effect in Part D of this proceeding.

#### **Part D Issues Listed in Qwest's Annotated SGAT Price List**

7 On August 10, 2001, Qwest filed a price list that is part of its SGAT filing in Docket No. UT-003022 identifying rates for network elements to be addressed in the Part D proceeding. On August 28, 2001, Qwest revised its SGAT price list. Other parties should review the price list, the SGAT proceeding record, and other resources, and inform the Commission of any additional issues arising out of the SGAT proceeding. Qwest must revise its list of issues to be addressed in Part D and its annotated price list to include all relevant elements that are identified.

#### **Part D Issues – Self-Provisioning of Manhole-0**

8 The Commission's Order on Reconsideration in Part A establishes that Qwest must allow a CLEC to self-provision a separate point of interconnection outside a central office where Qwest establishes that manhole-1 is congested. No further evidence on this point is necessary. However, several parties state that they are confused regarding the specific details of self-provisioning in this context, and they request that the Commission allow additional evidence to further define the scope of self-provisioning and Qwest's services. Based on comments by Qwest and other parties, further product definition also appears necessary in order for Qwest to develop specific cost-based rates as directed by the Order on Reconsideration.

9 The Commission is concerned that the effort to define the universe of self-provisioning scenarios may be a quixotic exercise. This concern is heightened by Qwest's cost study assumption that congestion is a factor in no more than 10% of central office locations, and that other means may exist to resolve that issue.

10 We also note that Verizon states in correspondence filed on August 30, 2001, that parties must agree on an interconnection arrangement when there is no manhole outside a central office, irrespective of conflicting testimony by a CLEC witness in the Part A proceeding. Verizon also states alternatively that the parties may agree on other arrangements that would result in costs determined on an individual case basis (“ICB”). The Commission requests that parties come to the prehearing conference on September 11, 2001, prepared to discuss whether ICB is a sensible solution to the problem of defining self-provisioned collocation facilities outside the central office and developing cost-based rates.

#### **Other Part D Issues**

11 Discussion regarding other issues to be addressed in Part D shall continue at the prehearing conference on September 11, 2001, pursuant to the notice that has been previously served to the parties.

#### **Calculation of Verizon’s Total OSS Transition Cost Recovery for 1996-1999**

12 Verizon has notified the Commission that the 13<sup>th</sup> Supplemental Order in the Part A proceeding misstates Verizon’s total requested OSS transition costs in Washington State for the period 1996-1999. According to Verizon, the Commission did not include costs incurred in 1999 when calculating its total recovery as stated in Exhibit 252, page 5-WA3.<sup>1</sup>

13 The Commission requests that parties discuss at the prehearing conference what process should be initiated to address Verizon’s concern.

#### **Yipes Transmission, Inc., Petition for Intervention**

14 Yipes Transmission, Inc., appeared at the prehearing conference and orally presented its petition to intervene. Other parties did not object to the request. The Commission finds that Yipes has a substantial interest in this proceeding and that its appearance and participation will not broaden the issues. Accordingly, we grant Yipes’ petition to intervene.

15 **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this document, pursuant to WAC 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.**

---

<sup>1</sup> See 13<sup>th</sup> Supplemental Order, page 49, para. 145, Table 1, line 2.

Dated at Olympia, Washington and effective this 5th day of September, 2001.

LAWRENCE J. BERG  
Administrative Law Judge

<b><u>PARTIES' REPRESENTATIVES</u></b>				
<b>DOCKET NO. UT-003013</b>				
<b>updated 8/31/2001</b>				
<b>COMPANY</b>	<b>REPRESENTATIVE and ADDRESS</b>	<b>PHONE NUMBER</b>	<b>FAX NUMBER</b>	<b>E-MAIL ADDRESS</b>
Qwest Corporation	LISA A. ANDERL 1600 7 <sup>th</sup> Ave., Rm. 3206 Seattle, WA 98101	206 345-1574	206 343-4040	landerl@uswest.com
AT&T of the Pacific NW, Inc; XO Washington, Inc.	GREGORY J. KOPTA Davis Wright Tremaine 2600 Century Square 1501 Fourth Ave. Seattle, WA 98101-1688	206 628-7692	206 628-7699	gregkopta@dwt.com
Verizon Northwest, Inc.	JENNIFER McCLELLAN Hunton & Williams 951 East Byrd Street Richmond, VA 23219	804 788-8571	804 788-8218	jmcclellan@hunton.com
TRACER; Rhythms Links, Inc.; Teligent Services, Inc.; Broadband Office Communications, Inc.	ARTHUR A. BUTLER AterWynne 601 Union Street Suite 5450 Seattle, WA 98101	206 623-4711	206 467-8406	aab@aterwynne.com
SPRINT Corp.	NANCY JUDY 902 Wasco Street Hood River, OR 97031	541 387-9265	541 387-9753	nancyj@sprintnw.com
Covad Comm. Co.; WorldCom, Inc; Yipes Transmission, Inc.	BROOKS HARLOW Miller Nash 601 Union Street Suite 4400 Seattle, WA 98101-2352	206 622-8484	206 622-7485	harlow@millernash.com
WorldCom, Inc.	MICHEL SINGER-NELSON 707 17 <sup>th</sup> Street Suite 4200 Denver, CO 80202	303 390-1177	303 390-6333	michel.singer_nelson@ wcom.com
Washington Independent Telephone Association (WITA); SBC Telecom, Inc.	RICHARD FINNIGAN 2405 Evergreen Park Dr. SW Suite B-3 Olympia, WA 98502	360 956-7001	360 753-6862	rickfinn@yelmtel.com
Public Counsel	SIMON FFITCH Assistant Attorney General 900 Fourth Avenue #2000 Seattle, WA 98164	206 389-2055	206 389-2058	simonf@atg.wa.gov
Commission Staff	GREGORY TRAUTMAN Asst. Attorney General 1400 S Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504-0128	360 664-1187	360 586-5522	gtrautma@wutc.wa.gov
Winstar Wireless, Inc.	PAUL B. HUDSON Swidler Berlin Shereff Friedman 3000 K Street NW, Suite 300 Washington, D.C. 20007-7645	202 945-6940	202 424-7645	pbhudson@swidlaw.com

