

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

| | | |
|-----------------------------|---|---|
| BIGDAM.NET, |) | DOCKET NO. UT-051742 |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | |
| |) | NOTICE OF PREHEARING |
| GRANT COUNTY PUBLIC UTILITY |) | CONFERENCE |
| DISTRICT NO. 2, |) | (Set for January 5, 2006, 3:00 p.m.) |
| |) | |
| Respondent. |) | |
| |) | |

- 1 On November 14, 2005, bigdam.net filed with the Commission a formal complaint against the Grant County Public Utility District No. 2 (GCPUD). On December 5, 2005, GCPUD filed an answer to the complaint. The complaint requests that GCPUD's rates, terms and conditions of wholesale telecommunications service applied to bigdam.net be reviewed by the Washington Utilities and Transportation Commission. A more detailed account of the dispute is reflected in the complaint, which is available for inspection at the Commission's office located at Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, and on the Commission's web site at www.wutc.wa.gov/051742. It is appropriate that the matters raised in the pleadings be brought for hearing before the Commission.

- 2 The Commission will hear this matter pursuant to Part IV of chapter 34.05 RCW pertaining to adjudicative proceedings, including but not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.434, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission has jurisdiction over this matter pursuant to Title 80 RCW, having legal authority to regulate the rates, services, and practices of telecommunications companies providing service within the state of Washington. Statutes involved, in addition to those previously cited, include those within chapters 80.01 RCW, 80.04 RCW, 80.36 RCW, 480-07 WAC, and 480-120 WAC, including but not limited to RCW 80.01.040 and RCW 80.04.020.

- 3 The ultimate issues involved are generally stated above and more specifically contained in the complaint.

4 THE COMMISSION GIVES NOTICE That in accordance with WAC 480-07-440(1)(a),
the Commission has determined that good cause exists for this matter to be heard on
shortened notice.

5 **THE COMMISSION GIVES NOTICE That a prehearing conference in this matter
will be held at 3:00 p.m. on Thursday, January 5, 2006, in Room 206, Chandler
Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** The
Commission prefers, and strongly recommends that Parties appear in person. However,
if this imposes a hardship, Parties may attend the prehearing conference via the
Commission's teleconference bridge (**360-664-3846**). If you appear via the
teleconference, you must place your call five minutes before the time that the conference
is scheduled to begin.

6 The purpose of the prehearing conference is to take appearances and interventions,
establish dates for the distribution of evidence and workpapers and other scheduling
matters, consider formulating the issues in the proceeding, and to determine other matters
to aid in its disposition, as specified in WAC 480-07-430.

7 Petitions to intervene should be made in writing at least three business days prior to the
date scheduled for the prehearing conference, as required in WAC 480-07-355(a). The
Commission will consider petitions to intervene made orally during the conference, but
strongly prefers written petitions to intervene. In addition, party representatives must file
notices of appearance with the Commission, as required by WAC 480-07-345(2), no later
than the day prior to the conference. If any party or witness needs an interpreter or other
assistance, please fill out the form attached to this notice and return it to the Commission.
The time and place for any evidentiary hearings will be set at the prehearing conference,
on the record of a later conference or hearing session, or by later written notice.

8 **THE COMMISSION GIVES NOTICE that any party who fails to attend or
participate in the prehearing conference set by this Notice, or any other stage of this
proceeding, may be held in default in accordance with RCW 34.05.440. The parties
are further advised that the sanction provisions of WAC 480-07-450 are specifically
invoked.**

9 The names and mailing addresses of all parties and their known representatives are as
follows:

Complainant: Bigdam.net
Alan Cain, Owner
531 Grand Coulee Avenue East
P.O. Box 571
Grand Coulee, WA 99133
(509) 633-0493

Respondent: Grant County PUD No. 02
P.O. Box 878
Ephrata, WA 98823

Representative: Michael W. Smith
Ray A. Foianini
Foianini Law Offices
120 First Avenue N.W.
P.O. Box 908
Ephrata, WA 98823
(509) 754-3591

10 Administrative Law Judge Dennis J. Moss, from the Utilities and Transportation
Commission's Administrative Law Division, will preside during this proceeding.

11 Notice of any other procedural phase will be given in writing or on the record, as the
Commission may deem appropriate during the course of this proceeding.

DATED at Olympia, Washington, and effective this 21st day of December, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

Inquiries may be address to:

Secretary
Washington Utilities and Transportation
Commission
Chandler Plaza Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and if limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket No.: _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____