

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

WASHINGTON UTILITIES &)	DOCKET UT-091870
TRANSPORTATION COMMISSION,)	
)	
Petitioner,)	ORDER 01
)	
v.)	
)	PREHEARING CONFERENCE
QWEST CORPORATION,)	ORDER ESTABLISHING
)	PROCEDURAL SCHEDULE AND
Respondent.)	SCHEDULING HEARING
)	(Evidentiary Hearing set for
)	September 29, 2010)
.....)	

- 1 **NATURE OF PROCEEDING:** On April 30, 2010, the Washington Utilities and Transportation Commission (Commission) entered a Complaint against Qwest Corporation (Qwest or Company) alleging that, on 69 occasions, Qwest failed to comply with the laws and rules designed to protect telecommunications consumers in Washington state. The Commission also scheduled a prehearing conference and appointed Administrative Law Judge Patricia Clark to hear this matter.

- 2 **CONFERENCE.** The prehearing conference convened, as scheduled, on May 25, 2010 at Olympia, Washington, before Judge Clark.

- 3 **PARTY REPRESENTATIVES:** Lisa Anderl, Associate General Counsel, Seattle, Washington, represents Qwest. Jennifer Cameron-Rulkowski, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff (Commission Staff or Staff).¹ A complete list of party representatives and their contact information is attached to this Order as Appendix A.

¹ In formal proceedings, such as this, the Commission’s regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners’ policy and accounting advisors do not discuss the merits of the proceeding with the regulatory staff, or any other party, without first giving notice and opportunity for all parties to participate. *See RCW 34.05.455.*

4 **PROCEDURAL SCHEDULE.** During the prehearing conference, the parties proposed a procedural schedule. The procedural schedule is reasonable and should be adopted. The procedural schedule is set forth in Appendix B to this Order.

5 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter at **10:00 a.m., September 29, 2010, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Dr. SE, Olympia, Washington.**

6 **DISCOVERY.** During the prehearing conference, the parties requested that the Commission invoke its rules governing discovery. This proceeding meets the criteria in WAC 480-07-400(2)(b). Accordingly, the Commission's discovery rules will be invoked and discovery will be conducted pursuant to WAC 480-07-400 – 425.

7 **PROTECTIVE ORDER.** The parties requested that the Commission enter a protective order in this docket pursuant to RCW 34.05.446, RCW 80.04.095, and WAC 480-07-42, and WAC 480-07-423 to protect the confidentiality of proprietary information. The request was granted and a protective order will be entered.

8 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file the original plus **three (3) copies** of the unredacted versions of all pleadings, motions, briefs, and other prefiled materials. Parties must also file the original and 1 copy of any redacted version(s). These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

9 All filings must be mailed or delivered to the Executive Director and 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.

10 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Electronic versions of all documents must be filed in accordance with WAC 480-07-140(6). Specifically, all documents must be filed in .pdf (Adobe Acrobat) format, supplemented by a separate

file in .doc (MS Word), .wpd (WordPerfect), .xls (Excel), or .ppt (Power Point) format.

- 11 A copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to [<records@utc.wa.gov>](mailto:records@utc.wa.gov). Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.
- 12 According to WAC 480-07-145(6), the parties may electronically submit documents to the Commission provided the electronic submission is received by 3:00 pm on the filing deadline and the Commission receives the original and required number of copies by 12:00 pm on the following business day. Parties must submit documents through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail to records@utc.wa.gov, and file an original, plus **three (3) paper copies**, of the documents with the Commission by the following business day. Parties must provide courtesy copies of their electronic submissions to the presiding administrative law judge at pclark@utc.wa.gov and to the parties to the proceeding.
- 13 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services, if you wish to explore these services, please call the Director, Administrative Law Division, at 360-664-1144.

14 **NOTICE TO PARTIES:** A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.

Dated at Olympia, Washington, and effective May 26, 2010.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

PATRICIA CLARK
Administrative Law Judge

APPENDIX A

Docket UT-091870

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Commission Staff	Jennifer Cameron Rulkowski Assistant Attorney General 1400 S. Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504-0128	360-664-1186	360-586-5522	JCameron@utc.wa.gov
Qwest	Lisa Anderl Qwest Corporation 1600 7 th Avenue , Room 1506 Seattle, WA 98191	206-345-1574	206-343-4040	Lisa.Anderl@qwest.com

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UT-091870**

<u>EVENT</u>	<u>DATE</u>
Commission Staff Prefiled Direct Testimony and Exhibits	July 21, 2010
Qwest Prefiled Responsive Testimony and Exhibits	August 18, 2010
Commission Staff Prefiled Rebuttal Testimony and Exhibits	September 15, 2010
Deadline for cross-examination exhibits	September 24, 2010
Evidentiary Hearing	September 29, 2010