

June 11, 2003

VIA ELECTRONIC MAIL & U.S. MAIL

Carole Washburn
Executive Secretary
Washington Utilities & Transportation Commission
1300 S. Evergreen Pk. Dr. S.W.
PO Box 47250
Olympia, WA 98504-7250

Re: A-010684 - Procedural Rules 480-09 and Public Records 480-04

Dear Secretary Washburn:

Thank you for the opportunity to participate in the June 9th workshop where Commission Staff, members of the Administrative Law Division (ALD) and interested stakeholders held a frank and informative discussion of the proposed changes to the Commission's procedural rules including those governing public records. We place a great deal of significance upon this process and these rules as they govern our daily practice before the Commission.

We wish to express our concern about the proposed schedule for further review of these rules and possible CR 102 consideration at the June 27th open meeting. We do not feel that the proposed timeline is adequate for parties to provide substantive comments to the members of the Commission Staff and ALD working on these rules. Further, the proposed comment deadline of June 25th, two days prior to the proposed adoption hearing of June 27th, would not allow interested stakeholders to review in advance of the CR 102 open meeting which comments were incorporated and which were rejected. Interested stakeholders would be faced with having to both review a substantial set of rules for last minute changes as well as draft oral comments during the open meeting itself.

Public Counsel believes the Commissioners consideration of these rules would be better informed if the interested stakeholders are allowed additional time to review the final proposed rules in advance of the CR 102 meeting where they would be considered for adoption.

In addition, Public Counsel has significant litigation commitments between now and the June 27th open meeting including briefing in UT-020406 and the current WTAP issues before the Commission and Thurston County Superior Court. Given these commitments we are concerned about our ability to devote the next revision to these proposed rules the attention they deserve.

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For these reasons, we request that the Commission extend the proposed procedural schedule for this docket in order that all interested stakeholders may fully participate in the revision of these very important rules.

Thank you for your time and consideration of these concerns.

Sincerely,

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