

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET NO. UT-033011
TRANSPORTATION COMMISSION,)	
)	MOTION OF ESCHELON
Complainant,)	TO DISMISS FOR FAILURE
)	TO STATE A CLAIM
v.)	
)	
ADVANCED TELECOM GROUP, INC.; ET AL.)	
)	
Respondents.)	
.....)	

Pursuant to the Prehearing Conference Order dated September 10, 2003, and WAC 480-09-426, Eschelon Telecom of Washington, Inc. (Eschelon) moves to dismiss the First, Second and Fourth Causes of Action of the Amended Complaint, as they pertain to Eschelon, on the basis that such Causes of Action fail to state a claim upon which relief can be granted. Eschelon's submits the attached Brief in support of its Motion.

Respectfully submitted,

November 6, 2003

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