

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

|                                     |   |                              |
|-------------------------------------|---|------------------------------|
| In the Matter of the Petition of    | ) |                              |
|                                     | ) | Docket No. UT-033044         |
| QWEST CORPORATION                   | ) |                              |
|                                     | ) |                              |
| To Initiate a Mass-Market Switching | ) | AT&T'S MOTION TO STRIKE      |
| and Dedicated Transport Case        | ) | QWEST TESTIMONY REGARDING    |
| Pursuant to the Triennial Review    | ) | ELECTRONIC LOOP PROVISIONING |
|                                     | ) |                              |
| _____                               | ) |                              |

AT&T Communications of the Pacific Northwest, Inc., and AT&T Local Services on behalf of TCG Seattle and TCG Oregon (collectively "AT&T") move to strike portions of the confidential direct testimony of Qwest witnesses Dennis Pappas and Lynn Notarianni concerning Electronic Loop Provisioning ("ELP"). In support of this motion, AT&T states:

1. Qwest filed a motion to strike the ELP testimony of AT&T's witness, Robert V. Falcone, on February 6, 2004. AT&T responded in opposition to Qwest's motion to strike during a hearing before the Administrative Law Judge on February 10, and in a written response filed with the Commission on February 11.

2. The Commission granted Qwest's motion on February 13. The Commission found that because of "the number of issues the parties have presented in their prefiled testimony, there is no time to spend on issues [such as ELP] that the FCC has not directed states to investigate or address."<sup>1</sup> In light of the Commission's order

---

<sup>1</sup> Commission's "Prehearing Conference Order; Order Granting Qwest's Motion to Modify Order No. 08 and Strike Portions of Testimony; Denying Qwest's Request for a Delay in the Procedural Schedule," at pp. 6-7, ¶18, dated February 13, 2004.

striking Mr. Falcone's ELP testimony, AT&T moves the Commission for an order striking Mr. Pappas and Ms. Notarianni's ELP testimony.

3. Mr. Pappas and Ms. Notarianni's ELP testimony appears on pages 122-123 and 126-128 of their Confidential Batch Hot Cut Direct Testimony, including footnotes 84 and 86.<sup>2</sup> In addition, Mr. Pappas and Ms. Notarianni's exhibits DP/LN-23 and DP/LN-24 address ELP and should therefore be stricken from the record. Given the fact that AT&T's testimony on ELP has been removed from this proceeding, Qwest's ELP testimony should likewise be removed.

4. AT&T does not, by filing this motion, waive the arguments made in response to Qwest's Motion to Strike AT&T Testimony Regarding Electronic Loop Provisioning.

WHEREFORE, AT&T respectfully requests that the Commission strike the ELP testimony of Qwest witnesses Dennis Pappas and Lynn Notarianni contained on pages 122-123 and 126-128 of their Confidential Batch Hot Cut Direct Testimony, including footnotes 84 and 86. Additionally, AT&T respectfully requests that the Commission strike Mr. Pappas and Ms. Notarianni's ELP exhibits DP/LN-23 and DP/LN-24.

---

<sup>2</sup> Confidential Direct Testimony of Dennis Pappas and Lynn Notarianni on behalf of Qwest Corporation dated January 23, 2004.

Respectfully submitted this 17<sup>th</sup> of February, 2004.

**AT&T COMMUNICATIONS OF THE  
PACIFIC NORTHWEST, INC., AND AT&T  
LOCAL SERVICES ON BEHALF OF TCG  
SEATTLE AND TCG OREGON**

By: \_\_\_\_\_

Mary B. Tribby  
Richard S. Wolters  
AT&T Law Department  
1875 Lawrence Street, Suite 1575  
Denver, CO 80202  
(303) 298-6357 (Tel)  
(303) 298-6301 (Fax)  
[decook@att.com](mailto:decook@att.com)

James K. Tarpey  
Thomas R. O'Donnell  
Holland & Hart, LLP  
8390 East Crescent Parkway, Suite 400  
Greenwood Village, CO 80111  
(303) 290-1634  
[jtapey@hollandhart.com](mailto:jtapey@hollandhart.com)