

February 3, 2009

NOTICE OF REVISED PROCEDURAL SCHEDULE

RE: *In the Matter of the Petition for Arbitration of an Interconnection Agreement Between Comcast Phone of Washington, LLC and Lewis River Telephone Company, d/b/a TDS Telecom, Pursuant to 47 U.S.C. Section 252(b), Docket UT-083055*

TO ALL PARTIES:

On December 26, 2008, the Washington Utilities and Transportation Commission (Commission) entered Order 04, Order Granting Motion to Extend Schedule, Notice of Rescheduled Hearing, identifying January 20, 2009, as the deadline for the parties to notify the Commission whether a hearing is necessary.

On January 7, 2009, the Commission granted the parties' request for an extension of time until January 20, 2009, to determine whether this matter will proceed to hearing or will be addressed through motions for summary determination.

Prior to January 20, counsel for Comcast Phone of Washington, LLC (Comcast) and Lewis River Telephone Company, d/b/a TDS Telecom (TDS), contacted the arbitrator to discuss a further extension of time. On February 2, 2009, the parties jointly filed a letter requesting an additional extension of time to March 20, 2009, to notify the Commission whether a hearing is necessary in this proceeding, as well as an extension of all other dates in the procedural schedule. The parties request the additional extension as they are continuing to negotiate a stipulation of facts for use in the arbitration.

According to WAC 480-07-385(2), the Commission will grant a timely request to which all parties expressly agree unless it is inconsistent with the public interest or the Commission's administrative needs. The parties' joint request is not timely as to the deadline for notifying the Commission as to whether a hearing is necessary, but is timely with respect to all other dates. As the parties notified the arbitrator of the need for an extension, and the negotiation of a stipulation may eliminate the need for a hearing, the parties demonstrate good cause to extend the procedural schedule. Granting an extension of time is consistent with the public interest. The revised procedural schedule is attached to this notice as an appendix.

NOTICE IS GIVEN That the parties' joint request to modify the procedural schedule, as set forth in the attachment to this notice, is granted.

Sincerely,

ANN E. RENDAHL
Administrative Law Judge

REVISED PROCEDURAL SCHEDULE IN DOCKET UT-083055

<i>EVENT</i>	<i>PRIOR DATE</i>	<i>NEW DATE</i>
Notice by Parties of whether hearing is necessary	Tuesday, January 20, 2009	<u>Friday,</u> <u>March 20, 2009</u>
If hearing is necessary:		
Simultaneous Initial Testimony	Thursday, February 5, 2009	<u>Monday, April 6, 2009</u>
Simultaneous Response Testimony	Monday, February 23, 2009	<u>Thursday,</u> <u>April, 23, 2009</u>
Deadline for filing cross-examination exhibits, estimates of cross-examination, order of witnesses	Friday, March 6, 2009, by Noon	<u>Thursday,</u> <u>May 7, 2009, by Noon</u>
Evidentiary Hearing	Tuesday, March 10, 2009 to Wednesday, March 11, 2009	<u>Monday, May 11, 2009</u> to <u>Tuesday, May 12, 2009</u>
Simultaneous Initial Briefs	Monday, March 30, 2009	<u>Monday,</u> <u>June 1, 2009</u>
Arbitrator's Decision	Monday, May 11, 2009	<u>Monday,</u> <u>July 13, 2009</u>
If no hearing is necessary:		
Simultaneous Cross-Motions for Summary Determination	Monday, March 2, 2009	<u>Monday,</u> <u>May 4, 2009</u>
Simultaneous Answers to Motions	Monday, March 23, 2009	<u>Tuesday,</u> <u>May 26, 2009</u>
Arbitrator's Decision	Monday, May 11, 2009	<u>Monday,</u> <u>July 13, 2009</u>