

[Service Date September 9, 2003]

September 9, 2003

**NOTICE OF INTENTION TO DISMISS  
FOR LACK OF PROSECUTION**

RE: United & Informed Citizen Advocates Network, a non-profit Washington Corporation v. U.S. WEST Communications, Inc.  
Docket No. UT-960659

GTE Northwest, Inc. v. United & Informed Citizen Advocates Network  
Docket No. UT-970257

TO PARTIES OF RECORD:

On May 19, 2003, the assistant attorney general representing Commission Staff in the two complaint cases identified above filed with the Commission a copy of a King County Superior Court judgment granting Verizon judgment for \$98,000 and reasonable attorneys' fees of \$3050. The Court also indicated that its order is a final judgment and any appropriate enforcement action may be taken.

The action before the Superior Court sought to enforce a Subpoena Duces Tecum issued in the two Commission dockets identified above. A more detailed history of the discovery dispute is contained in the findings of fact made by the Honorable Laura Middaugh in the court proceeding.

On May 30, 2003, the Commission issued a notice requesting that parties identify how the two complaint cases should be resolved and respond to the Commission by June 11, 2003.

On June 11, 2003 Qwest filed a letter in support of dismissal of the pending cases without prejudice. No other parties filed comments, and no parties responded to Qwest's letter.

The Commission grants Qwest's request and dismisses Docket Nos. UT-960659 and UT-970257 without prejudice.

Sincerely,

CAROLE J. WASHBURN  
Secretary