

RECEIVED  
RECORDS MANAGEMENT

04 JAN -2 AM 8:50

STATE OF WASH.  
UTIL. AND TRANSP.  
COMMISSION

December 31, 2003

Suite 5450  
601 Union Street  
Seattle, Washington 98101-2327  
206-623-4711  
Fax 206-467-8406

ARTHUR A. BUTLER  
Email aab@aterwynne.com

**VIA U.S. MAIL AND E-MAIL**

Carol J. Washburn  
Executive Secretary  
Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
Olympia, WA 98504-7250

Re: WECA, et al. v. LocalDial  
WUTC Docket No. UT-031472  
Request of Prehearing Conference

Dear Ms. Washburn:

At the time of the prehearing conference in the above-referenced docket the parties agreed to try to provide the Commission with a set of stipulated facts necessary to resolution of the issues pending before the Commission. Counsel for LocalDial and counsel for the Complainants have expended considerable efforts to develop such a stipulation; however, we have been unable to reach agreement. We realize that our inability to provide the Commission with stipulated facts will have an impact on further proceedings in this docket. Under the current schedule cross-motions for summary determination based on the stipulated facts are due February 6, 2004. Given the inability to reach agreement on a set of stipulated facts, we request a prehearing conference be scheduled as soon as possible to determine the best way to proceed so that both LocalDial and the Complainants are able to present the Commission with the facts that they believe are relevant to the resolution of the issues in this case.

We have contacted WECA's counsel, Mr. Richard Finnigan, and he joins in this request.

If you have any questions, please feel free to contact me.

Sincerely,

ATER WYNNE LLP

  
Arthur A. Butler

236222\_1

cc: Dennis Moss, ALJ (via email)  
All Parties of Record

ORIGINAL