

[Service Date: November 3, 2010]

BEFORE THE
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

SANDY JUDD and TARA HERIVEL,

Complainants,

v.

AT&T COMMUNICATIONS OF THE
PACIFIC NORTHWEST, INC., and T-NETIX,
INC.,

Respondents.

Docket No. UT-042022

**T-NETIX, INC. MOTION FOR
LEAVE TO REPLY TO
COMPLAINANTS' RESPONSE TO
AT&T AND T-NETIX (BENCH
REQUESTS 7 THROUGH 10)**

Respondent T-Netix, Inc. ("T-Netix"), pursuant to WAC 480-07-375(1)(d) and through counsel, hereby moves for leave to reply to Complainants' Response to Responses by AT&T and T-Netix to Bench Requests 7, 8, 9, and 10 ("Complainants' Response"). This motion is supported by good cause, because Complainants' Response is extremely misleading in the facts it omits, namely, that (1) the time period in which Ms. Judd received calls from Clallam Bay occurred while PTI, a local exchange carrier ("LEC") exempted from WAC 480-120-141, served that facility, (2) Complainants presented three different time periods in which Ms. Herivel allegedly received an interLATA call that may have been subject to WAC 480-120-141, and T-Netix twice found no call detail record ("CDR") evidencing that any such call occurred. These facts are all matters of record in this case, as Complainants are aware.

1 – T-NETIX, INC. MOTION FOR LEAVE TO REPLY TO COMPLAINANTS'
RESPONSE TO AT&T AND T-NETIX (BENCH REQUESTS 7 THROUGH 10)

1078265/1/AAB/102728-000

ATER WYNNE LLP
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Seattle, Washington 98101
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The Commission will grant parties leave to respond for “good cause.”

Washington Utilities and Transportation Commission v. Avista Corporation d/b/a Avista Utilities, Docket Nos. UE-080416, UG-080417, Order No. 4, 2008 WL 3845288 (Aug. 8, 2008). For example, leave will be granted where a party offers “additional information on which to base our decision.” *In the Matter of the Petition of Qwest Corporation For an Alternative Form of Regulation Pursuant to RCW 80.36.135*, Docket No. UT-061625, Order No. 18, 2009 WL 3939980 (Nov. 12, 1999). Here, T-Netix wishes to provide the Commission with a summary of record evidence that Complainants omitted from their Reply that is material to, and supports, the AT&T and T-Netix Responses to Bench Requests. It is evidence that Complainants’ Response should have included.

T-Netix respectfully asks for leave to provide the Commission with this record evidence.

The form of Reply is appended hereto as **Attachment A**.

DATED this 3rd day of November, 2010.

T-NETIX, INC.

By: 

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2 – T-NETIX, INC. MOTION FOR LEAVE TO REPLY TO COMPLAINANTS’
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CERTIFICATE OF SERVICE

I hereby certify that I have this 3rd day of November, 2010, served via e-filing a true and correct copy of the foregoing, with the WUTC Records Center. The original, along with the correct number of copies (5), of the foregoing document will be delivered to the WUTC, via the method(s) noted below, properly addressed as follows:

David Danner	<input type="checkbox"/>	Hand Delivered
Washington Utilities and Transportation Commission	<input type="checkbox"/>	U.S. Mail (first-class, postage prepaid)
1300 S Evergreen Park Drive SW	<input checked="" type="checkbox"/>	Overnight Mail (UPS)
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I hereby certify that I have this 3rd day of November, 2010, served a true and correct copy of the foregoing document upon parties of record, via the method(s) noted below, properly addressed as follows:

On Behalf Of AT&T Communications

Letty S.D. Friesen	<input type="checkbox"/>	Hand Delivered
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Confidentiality Status: Highly Confidential

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3 – T-NETIX, INC. MOTION FOR LEAVE TO REPLY TO COMPLAINANTS'
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