



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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October 16, 2007

Kathleen Taylor
Executive Director
ACLU of Washington
705 Second Avenue, 3rd Floor
Seattle, Washington 98104

Dear Ms. Taylor:

Thank you for your September 11, 2007, letter regarding legislation currently before Congress to provide immunity to telecommunications companies for their possible involvement in government surveillance activities. We have been following this matter with some interest, and share your concerns about the proposed legislation. We have discussed our position with Mark Rupp of the Governor's Washington, D.C., office, and he informed us that he will talk directly with members of the state congressional delegation about our concerns. We understand he has contacted you directly about this matter.

As for your invitation to commence an investigation in Docket UT-060856 based on the comments of Director of National Security Mike McConnell to the El Paso Times, we decline. Our intention remains to hold Docket UT-060856 in abeyance until the federal courts have resolved threshold legal and jurisdictional issues. If, as you say, Mr. McConnell's statements increase the likelihood that the court case "will go forward," then we would anticipate that these issues will be resolved sooner.

We remain mindful of our responsibilities in this case, and will refrain from any comments that may be interpreted as prejudging the issues before us.

Sincerely,

Mark H. Sidran
Chairman

cc: All Parties

