

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,)	
)	DOCKET NO. UT-011329
Complainant,)	
v.)	FIRST SUPPLEMENTAL ORDER; PREHEARING CONFERENCE ORDER
QWEST CORPORATION,)	
)	
Respondent.)	
.....)		

- 1* **Proceeding:** Docket No. UT-011329 is a complaint brought by the Commission against Qwest Corporation concerning Qwest’s Centrex customer loyalty program.
- 2* **Conference:** The Commission convened a prehearing conference in this docket at Olympia, Washington on October 22, 2001, before Administrative Law Judge Karen M. Caillé.
- 3* **Appearances.** Shannon E. Smith, Assistant Attorney General, represents the staff of the Washington Utilities and Transportation Commission (Commission Staff). Lisa Anderl and Adam Sherr, attorneys, Seattle, represent Qwest Corporation (Qwest). Robert Cromwell, Assistant Attorney General, represents Public Counsel. David Rice, Miller Nash LLP, Seattle, represents MetroNet Services Corporation (MetroNet). Contact information provided at the conference for the parties’ representatives is attached as Appendix A to this order.
- 4* **Petitions for Intervention.** MetroNet moved for intervention orally, and then withdrew its motion prior to a ruling. MetroNet subsequently filed a written petition to intervene. No party objects to the petition to intervene, which is granted.
- 5* **Protective order.** The parties asked the Commission to enter a protective order in this docket pursuant to RCW 34.05.446 and RCW 80.04.095, to protect the confidentiality of proprietary information. The request was granted, and a protective order will be entered.

6 **Discovery.** Parties desire to engage in discovery of information in the proceeding. The proceeding qualifies under WAC 480-09-480 as a proceeding in which inquiries may be made to the extent provided in the rule. The discovery rule is invoked.

7 **Preliminary Motions.** Commission Staff requested that Exhibit 511C from Dockets UT-003022/003040 (SGAT/271) be made an exhibit in this proceeding. Exhibit 511C is Qwest's response to Record Request #4 and provides information about the Centrex customer loyalty

8 program. Qwest agreed to stipulate to the admission of Exhibit 511C in the record of this proceeding. Commission Staff also inquired whether the confidential designation of this exhibit could be removed. Qwest and Commission Staff agreed to the redaction of all of the information represented by asterisks in the exhibit. One disputed item is the dollar amount on the cover page of the exhibit, which is represented by brackets on the non-confidential version of the exhibit. The parties will provide the Commission with their respective arguments as to whether that dollar amount should remain confidential.

9 **Hearing schedule.** The parties agreed upon the following schedule for the proceeding.

Commission Staff prefiles direct testimony and exhibits	January 11, 2002
Qwest prefiles responsive testimony and exhibits	February 11, 2002
Commission Staff files rebuttal testimony and exhibits	March 11, 2002
Prehearing Conference to mark exhibits and cross-exhibits	March 26, 2002
Hearing	April 25, 2002
Brief outline of issues at end of hearing	
Simultaneous briefs	May 29, 2002

10 **Document preparation and process issues.** Parties must file an original plus 10 copies of each document filed with the Commission. Appendix B states relevant Commission rules and other directions for the preparation and submission of evidence and for other process in this docket. Parties will be expected to comply with these provisions.

Dated at Olympia, Washington, and effective this th day of December, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

KAREN M. CAILLÉ
Administrative Law Judge

NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this statement, pursuant to WAC 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.

Appendix A

DOCKET NO. UT-011329 PARTIES' REPRESENTATIVES

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Appendix B

I. Requirements for ALL paper copies of testimony, exhibits, and briefs

The following requirements are restated from and clarify the Commission's rules relating to adjudications.

A. All paper copies of briefs, prefiled testimony, and original text in exhibits must be

- On 8-1/2x11 paper, punched for insertion in a 3-ring binder,
- Punched with **OVERSIZED HOLES** to allow easy handling.
- Double-spaced
- 12-point or larger text and footnotes, Times New Roman or equivalent serif font.
- Minimum one-inch margins from all edges.

Other exhibit materials need not be double-spaced or 12-point type, but must be printed or copied for optimum legibility.

B. All electronic and paper copies must be

- **SEQUENTIALLY NUMBERED** (all pages). **THIS INCLUDES EXHIBITS**. It is not reasonable to expect other counsel or the bench to keep track of where we are among several hundred (or sometimes even just several) unnumbered pages.
- **DATED ON THE FIRST PAGE OF EACH ITEM** and on the label of every diskette. If the item is a revision of a document previously submitted, it must be clearly labeled **AREVISED,@** with the same title, and with the date it is filed clearly shown. Electronic files must be designated **R** for revision, when applicable, with an ordinal number showing the revision number.

II. Identifying exhibit numbers; Exhibits on cross examination.

A. **Identifying exhibits.** It is essential to mark documents so you, opposing counsel, and the Commission can find them. We ask you to comply with this clarification of prior practice, based on recent experience:

- **Use the witness's initials and add an ordinal number for each exhibit.** Identify testimony with a T and confidential exhibits with a C. Example: Witness Jane Quintessentia Public. Her original testimony would be JQP-1T or JQP-1TC, her first attached exhibit would be JQP-2, etc. NEVER identify the attachments merely with a single ordinal number, as that will provide the maximum confusion to everyone, including your witness.

B. Prepare a list of your exhibits with their title and AJQP@ designation in digital form and in a format specified by the Commission. Send it to the presiding officer before the appropriate prehearing conference. That will simplify identification and ease administrative burdens.

NOTE: Be prepared to submit all of your possible exhibits on cross examination several days prior to the hearing. We will attempt to schedule a prehearing conference to deal with the exhibits as close as possible to the hearing itself, but we have administrative needs that require prefiling.