

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

FRONTIER COMMUNICATIONS
NORTHWEST, LLC, D/B/A ZIPLY
FIBER,

Complainant,

v.

KALAMA TELEPHONE COMPANY,

Respondent.

DOCKET UT-200751

NOTICE OF VIRTUAL
PREHEARING CONFERENCE
(Set for Tuesday, October 13, 2020, at
1:30 p.m.)

- 1 On August 18, 2020, Frontier Communications Northwest, LLC, d/b/a Ziplly Fiber (Ziplly Fiber) filed with the Washington Utilities and Transportation Commission (Commission) a formal complaint (Complaint) against Kalama Telephone Company (Kalama). In the Complaint, Ziplly Fiber alleges that Kalama has unlawfully encroached on Ziplly Fiber's service territory.
- 2 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under Title 80 RCW, and has legal authority to regulate telecommunication companies. The statutes that apply to this matter include Chapters 80.01 RCW, 80.04 RCW, and 80.36 RCW, including but not limited to RCW 80.01.040, RCW 80.01.070, RCW 80.04.110, RCW 80.04.380 and RCW 80.36.080. The rules that apply to this matter include those within Chapters WAC 480-120, relating to telecommunications companies.
- 3 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of Chapter 34.05 RCW relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.
- 4 **THE COMMISSION GIVES NOTICE That it will hold a virtual prehearing conference in this matter at 1:30 p.m. on October 13, 2020. To participate by phone, please call (253) 372-2181 and enter the Conference ID: 458 850 711#. To participate via the Microsoft Teams application, use the following link: [Join Microsoft Teams Meeting](#).**

5 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence, to identify the issues in the proceeding, and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

6 **INTERVENTION:** Persons seeking to intervene in the proceeding must file written petitions to intervene at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See* WAC 480-07-345(2). Any party or witness in need of an interpreter or other assistance should fill out the form attached to this Notice and return it to the Commission. The Commission will set the time and place for the evidentiary hearings at the prehearing conference or by later written notice.

7 **THE COMMISSION GIVES NOTICE That any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

8 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Frontier Communications Northwest, LLC,
d/b/a Zply Fiber
4155 SW Cedar Hills Blvd.
Beaverton, OR 97005

Representative: George Baker Thomson, Jr.
Associate General Counsel
Zply Fiber
1800 41st St., N-100
Attn: Legal Dept.
Everett, WA 98203
(425) 261-5844
George.thomson@zply.com

Respondent: Kalama Telephone Company
P.O. Box 4405
Tenino, WA 98589
(360) 673-3155

Representative: Richard A. Finnigan
2112 Black Lake Blvd. SW
Olympia, WA 98502
(360) 956-7001
rickfinn@localaccess.com

9 Administrative Law Judge Gregory J. Kopta, from the Commission's Administrative Law Division, will preside during this proceeding.¹

10 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Lacey, Washington, and effective September 17, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



MARK L. JOHNSON
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

¹ Judge Kopta can be reached by email at gregory.kopta@utc.wa.gov or by phone at (360) 664-1355.

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out and return this form to:

Washington Utilities and Transportation Commission
Attention: Mark L. Johnson
P.O. Box 47250
Olympia, WA 98504-7250

(PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket: _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired: (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone (_____) _____