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SERVICE DATE  
MAY 21 1998

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND	)	
TRANSPORTATION COMMISSION,	)	
	)	
Complainant,	)	DOCKET NO. UT-971140
	)	
v.	)	
	)	
WASHINGTON EXCHANGE	)	
CARRIERS ASSOCIATION, <u>et al.</u> ,	)	FOURTH SUPPLEMENTAL ORDER
	)	DENYING MOTION FOR
Respondent.	)	CONTINUANCE
.....	)	

On May 19, 1998, Washington Exchange Carriers Association (WECA) moved for a continuance of the hearing in this proceeding, now scheduled to begin Tuesday, May 26. It contended that the subject of the proceeding could be mooted by events in other state or federal proceedings or legislative actions, and urged that the Commission consider the costs of the hearing and the burden it imposes upon the participants in a time when other demands exist. WECA asked that the Commission grant its motion quickly.

The Commission allowed responses by others on an expedited schedule. It has reviewed this matter with extreme care. It determines that the motion should be denied.

As Commission Staff points out in its answer, other proceedings will not moot the issue presented here. If the Commission determines that the rates in effect are excessive, a continuance would extend the period of excessive earnings, to the detriment of ratepayers. The Commission first received a WECA filing on this issue in 1996. It has permitted delays for some two years, largely to permit the parties to negotiate, and most recently extending certain filing dates on the representation that parties would use the delay for settlement negotiations. WECA cites no settlement desires in its current motion.

The Commission agrees with Commission Staff that resolving the issues presented in this matter will enhance the accuracy of other proceedings and that the continuance should be denied. To the extent that a hearing would drain parties' resources, we note that Commission rules favor settlement and believe that the

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parties might yet reach an agreement consistent with principle that would permit the cancellation of the hearing and the diversion of resources to other matters. We certainly encourage WECA to negotiate in good faith to achieve that end.

For the reasons stated, the Commission denies the motion.

DATED at Olympia, Washington and effective this *21<sup>st</sup>* day of May 1998.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



ANNE LEVINSON, Chairwoman



RICHARD HEMSTAD, Commissioner