

**BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION  
COMMISSION**

In the Matter of the Petition of

QWEST CORPORATION

To be Regulated Under an Alternative  
Form of Regulation Pursuant to RCW  
80.36.135.

DOCKET NO. UT-061625

PUBLIC COUNSEL RESPONSE TO  
QWEST MOTION FOR AMENDED  
PROTECTIVE ORDER FOR  
HIGHLY CONFIDENTIAL  
INFORMATION

1. Pursuant to the January 11, 2007, Notice Granting Extension of Time, Public Counsel responds to Qwest's motion for a highly confidential protective order.
2. Qwest's motion, by its terms, does not limit Public Counsel's access to highly confidential information in any fashion. Public Counsel, therefore, has no basis to object to the motion on the grounds that its own access to information is restricted. As a matter of general principle, Public Counsel, however, opposes protective orders which improperly limit any party's access to information or unreasonably impair the openness and public nature of Commission proceedings. We are not aware of a prior Commission protective order which completely denied access to highly confidential information to a party, including its counsel.
3. In this case, the issue may be moot if no other party besides Staff and Public Counsel seeks access to highly confidential information, and if no other party objects to Qwest's

motion. If that is the case, Public Counsel has no objection to Qwest's motion, so long as it is not viewed as establishing a precedent for such a form of protective order in future dockets.

4. Respectfully submitted this 21<sup>st</sup> day of November, 2006.

ROBERT M. MCKENNA  
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Public Counsel