

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION**

IN THE MATTER OF THE CONTINUED
COSTING AND PRICING OF UNBUNDLED
NETWORK ELEMENTS, TRANSPORT,
TERMINATION, AND RESALE

Docket No. UT-003013

WORLDCOM'S MOTION TO FILE
SURREBUTTAL TESTIMONY

WorldCom, Inc., on behalf of its regulated subsidiaries in the State of Washington, hereby files its Motion to File Surrebuttal Testimony in this matter. In support thereof, WorldCom states:

1. The original schedule in this matter contemplated Direct Testimony to be filed in November 2001, Response Testimony to be filed in December 2001 and Reply Testimony to be filed at the end of January 2002.¹ The hearing was scheduled for February 2002.
2. As a result of several issues, the schedule changed. Parties were allowed to file Supplemental Responsive Testimony, the Reply Testimony deadline was delayed to March, and the hearing was rescheduled for the week of April 8, 2002.
3. Qwest and Verizon filed Reply Testimony on March 7, 2002. In its Reply testimony, Qwest introduced new information that had not previously been

¹ Twenty Sixth Supplemental Order; Part D Prehearing Conference Order, dated October 19, 2001 at p. 4.

provided in its Direct Testimony. WorldCom requests that the Commission permit it to file Surrebuttal Testimony to address some of the new information.

4. Specifically, WorldCom moves to file additional testimony of Roy Lathrop to address new information submitted by Qwest witnesses Robert Hubbard and Teresa Million regarding CLEC to CLEC Interconnection, Space Inquiry and Space Optioning.
5. From page 5 through page 11 of Mr. Hubbard's Rebuttal Testimony, Mr. Hubbard provides new support for Qwest's CLEC to CLEC Interconnection study by explaining for the first time some of the activities that are involved. In addition, beginning on page 12 and continuing through page 14, Mr. Hubbard provides new information in an attempt to support its Space Inquiry and Space Optioning proposals. Both of these sections of Mr. Hubbard's testimony go beyond merely responding to Mr. Lathrop's testimony and instead constitute direct testimony, providing underlying bases for the rate proposals that were not included in the first round.
6. Teresa Million's Rebuttal Testimony also contains direct testimony that goes beyond merely responding to Mr. Lathrop's testimony. With regard to the CLEC to CLEC Interconnection study, beginning at page 25, Ms. Million explains an assumption in the study that she admits Qwest "should have made more clear." At pages 30 and 31, she addresses the Space Inquiry Report and refers to the new information that Mr. Hubbard provided on this issue in his rebuttal testimony. Just as that information constitutes additional direct in Mr. Hubbard's testimony, it constitutes additional direct testimony from Ms. Million. At pages 31-33, Ms. Million also provides information for the first time concerning the

assumptions underlying the Space Optioning costs. These are just a few examples of Qwest's supplementing the record at this late date with new information underlying the rates it has proposed in this proceeding.

7. Mr. Lathrop has not yet had an opportunity to incorporate this new evidence into his analyses of Qwest's studies and opine as to whether or how his opinion would be affected by this new information. The current schedule does not provide an avenue for Mr. Lathrop to respond.
8. A key criticism of Qwest's rate proposals in this proceeding is that Qwest failed to provide sufficient support in its direct testimony to enable parties to fully review and evaluate the proposals. Allowing Qwest to provide its direct support only after the CLECs have critiqued the cost studies would impair the ability of the CLECs to fully voice their views on the strength and validity of Qwest's evidence. Moreover, it would discourage Qwest from subjecting itself to a full and open evaluation of its proposals.
9. For these reasons, WorldCom respectfully requests that the Commission permit it to file Surrebuttal Testimony of Roy Lathrop.
10. WorldCom is serving additional discovery on Qwest relating to the new evidence. WorldCom needs responses to this discovery before it can adequately respond. Considering the ten days Qwest has to respond to the discovery, WorldCom will not be able to file Surrebuttal Testimony prior to the first week in April 2002. Provided Qwest responds timely and completely to discovery, WorldCom requests that the Commission permit it to file Surrebuttal Testimony on or before Wednesday, April 3, 2002.

Respectfully submitted this 18th day of March 2002.

WORLDCOM, INC.

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