

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**SANDY JUDD and TARA HERIVEL,**

**Complainants,**

**v.**

**AT&T COMMUNICATIONS OF THE  
PACIFIC NORTHWEST, INC. and T-  
NETIX, INC.,**

**Respondents.**

**Docket No. UT-042022**

**AT&T'S UNOPPOSED MOTION  
FOR LEAVE TO FILE ITS  
AMENDED MOTION FOR  
SUMMARY DETERMINATION**

**AT&T'S MOTION FOR LEAVE TO FILE A SURREPLY  
REGARDING BENCH REQUEST NO. 12**

Respondent AT&T Communications of the Pacific Northwest, Inc. ("AT&T"), by and through its attorneys, respectfully submits this Motion for Leave to File a Surreply Regarding Bench Request No. 12. In support of this Motion, AT&T states the following:

1. On November 30, 2010, the Commission issued Bench Request No. 12 to AT&T. AT&T filed its Response to Bench Request No. 12 on December 8, 2010. Complainants and T-Netix filed Replies regarding Bench Request No. 12 on December 15, 2010.

2. Complainants' and T-Netix's Replies both raise new factual material and argument that AT&T has had no opportunity to address. For example, Complainants for the first time refer, entirely out of context, to comments made in other proceedings. Similarly, T-Netix makes entirely new factual assertions about its initiation of service. Both Complainants' and T-Netix's Replies are misleading with respect to the effect of Amendment No. 2 to the DOC contract. AT&T has not had the opportunity to address these arguments by Complainants or T-Netix regarding Amendment No. 2, and the Commission will benefit from clarification as to the misleading aspects of Complainants' and T-Netix's arguments.

3. Accordingly, AT&T respectfully requests leave to file a Surreply addressing Bench Request No. 12 and Complainants' and T-Netix's Replies thereto, focusing on the misleading aspects of the Replies. AT&T's response is attached hereto as Exhibit A.

WHEREFORE, AT&T respectfully requests leave to file the Surreply Regarding Bench Request No. 12 and T-Netix's Response Thereto, attached as Exhibit A to this Motion for Leave.

Dated: December 20, 2010

**SUBMITTED BY:**

**AT&T COMMUNICATIONS OF  
THE PACIFIC NORTHWEST, INC.**

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**CERTIFICATE OF SERVICE**

Pursuant to WAC 480-07-150, I hereby certify that I have this day, December 20, 2010, served this document upon all parties of record by e-mail and Federal Express overnight delivery at the e-mail addresses and mailing addresses listed below:

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Pursuant to WAC 480-07-145, I further certify that I have this day, December 20, 2010, filed MS Word and PDF versions of this document by e-mail, and five copies of this document by Federal Express, with the WUTC at the e-mail address and mailing address listed below:

Mr. David W. Danner  
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Pursuant to the Prehearing Conference Order 08 and Bench Request Nos. 5 & 6, I further certify that I have this day, December 20, 2010, provided a courtesy copy of this document, in MS Word, to ALJ Friedlander by e-mail at the following e-mail address: mfriedla@utc.wa.gov.

Dated: December 20, 2010

/s/ Charles H.R. Peters  
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