

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition for	)	
Arbitration of an Interconnection	)	
Agreement Between	)	
	)	DOCKET NO. UT-023043
	)	
LEVEL 3 COMMUNICATIONS,	)	
LLC.,	)	SIXTH SUPPLEMENTAL
	)	ORDER: GRANTING LEAVE TO
and	)	FILE AMICUS BRIEF
	)	
	)	
CENTURYTEL OF WASHINGTON,	)	
INC.,	)	
	)	
	)	
Pursuant to 47 U.S.C. Section 252	)	
.....	)	

1     **PROCEEDINGS:** Docket No. UT-023043 is a petition filed by Level 3 Communications, LLC., (Level 3) for arbitration pursuant to 47 U.S.C. §252(b)(1) of the Telecommunications Act of 1996, Public Law No. 104-104, 101 Stat. 56 (1996) (Telecom Act), of a proposed interconnection agreement between Level 3 and CenturyTel of Washington, Inc., (CenturyTel). Arbitrator Dennis J. Moss entered his Arbitrator’s Report and Decision on January 2, 2003. The matter is pending Commission review in response to CenturyTel’s Petition, to which Level 3 has responded.

2     **APPEARANCES:** Rogelio E. Peña, Peña & Associates, LLC, Boulder, Colorado, represents Level 3 Communications. Calvin K. Simshaw, corporate counsel for CenturyTel, Vancouver, Washington, represents CenturyTel. Richard A. Finnigan, attorney, Olympia, Washington, represents the Washington

Independent Telephone Association (WITA) and Verizon Northwest, Inc. (Verizon), who have petitioned to participate as amicus curiae on review.

3 **MOTION FOR LEAVE TO FILE AMICUS BRIEF:** On January 21, 2003, WITA and Verizon filed their Joint Motion For Leave To Submit An Amicus Brief, accompanied by their proposed brief. WITA and Verizon state that they wish “to assist the Commission to understand the nature and impact of [a] fundamental mistake of law in the Arbitrator’s Report and Decision.”

4 We grant the Joint Motion. We will consider the Amicus Brief of the Washington Independent Telephone Association and Verizon Northwest, Inc. If WITA and Verizon wish to present oral argument, they must arrange with CenturyTel to allocate among the three parties the time allotted for Petitioner, which will be equal to the time allotted for Respondent.

DATED at Olympia, Washington and effective this 4<sup>th</sup> day of February 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner