

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

In the Matter of)	DOCKET UT-073042
)	
TSS DIGITAL SERVICES, INC.,)	NOTICE OF PREHEARING
)	CONFERENCE
Petition for Enforcement of its)	(Set for August 23, 2007)
Interconnection Agreement with Qwest)	at 9:30 a.m.)
Corporation (f/k/a US WEST)	
COMMUNICATIONS, INC.) Pursuant)	NOTICE GRANTING EXTENSION
to WAC 480-07-650)	OF TIME TO FILE ANSWER
)	(Now due Tuesday, August 14, 2007)
.....)	

1 TSS Digital Services, Inc., (TSS) on August 2, 2007, filed with the Washington Utilities and Transportation Commission (Commission) a petition to enforce provisions of the interconnection agreement as amended between TSS and Qwest Communications (f/k/a US West Communications, Inc. (Qwest)). The provisions of the agreement at issue require Qwest to work with TSS to identify the switching facilities and DS1 loop circuits in non-impaired wire centers prior to converting these facilities to tariffed billing, and to submit certain billing disputes for resolution pursuant to the dispute resolution provisions of its agreement with TSS. TSS requests the Commission order Qwest to provide TSS with proper notice of those facilities that will be impacted in non-impaired wire centers and to resolve outstanding billing disputes pursuant to the agreed-upon dispute resolution process. A more detailed account of the dispute is stated in the petition, which is available for inspection at the Commission’s office located at the Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, and on the Commission’s web site at www.utc.wa.gov/073042.

2 The Commission will hear this matter under WAC 480-07 and Part IV of RCW 34.05 concerning adjudicative proceedings, including but not limited to RCW 34.05.413, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, RCW 34.05.452, and WAC 480-07-650. The Commission has jurisdiction over this matter pursuant to Title 80 RCW, having legal authority to regulate the rates, services, and practices of telecommunications companies providing service within the state of Washington. Statutes involved, in addition to those previously cited, include those within RCW 80.01, RCW 80.04, RCW 80.36, WAC 480-07, and WAC 480-120, including but not

limited to RCW 80.01.040, RCW 80.04.020, and RCW 80.36.610. The ultimate issues involved are stated generally above and more specifically in the petition.

3 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

4 **THE COMMISSION GIVES NOTICE That the Commission will hold a prehearing conference in this matter at 9:30 a.m., on August 23, 2007, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

5 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing testimony and evidence, identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

6 Petitions to intervene should be made in writing at least three business days prior to the date scheduled for the prehearing conference, as required in WAC 480-07-355(a). The Commission will consider petitions to intervene made orally during the conference, but strongly prefers written petitions to intervene. In addition, party representatives must file notices of appearance with the Commission, as required by WAC 480-07-345(2), no later than the day prior to the conference. If any party or witness needs an interpreter or other assistance, please fill out the form attached to this notice and return it to the Commission.

7 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440. The Commission specifically invokes the sanction provisions of WAC 480-07-450 which allow the Commission to seek penalties for a party in default.**

8 **Request for Continuance.** Under WAC 480-07-650(2)(b), the respondent must file an answer to the petition within five business days, which in this proceeding is Thursday, August 9. On August 8, 2007, Counsel for Qwest made an oral request for an extension of time to file an answer to TSS' petition until Tuesday, August 14, as a Qwest staff person providing a declaration supporting the answer is unavailable until the week of August 13. On August 8, 2007, counsel for Qwest submitted a letter confirming the request as required in WAC 480-07-385(2) and that TSS has agreed to the continuance. Qwest demonstrates good cause for the continuance and the continuance will not prejudice any party or the Commission.

9 **THE COMMISSION GIVES NOTICE That Qwest's request for an extension of time to file its answer in this proceeding from Thursday, August 9, 2007, to Tuesday, August 14, 2007, is granted.**

10 The names and mailing addresses of all known parties and their known representatives are as follows:

Petitioner:	TSS Digital Services, Inc. 120 Union St. SE Olympia, WA 98501
Representative:	Judith A. Endejan Graham & Dunn, PC Pier 70 2801 Alaskan Way, Suite 300 Seattle, WA 98121-1128 (206) 624-8300 jendejan@grahamdunn.com
Respondent:	Qwest Corporation 1600 7 th Avenue, Room 3206 Seattle, WA 98191
Representative:	Lisa Anderl Qwest Corporation 1600 7 th Avenue, Room 3206 Seattle, WA 98191 (206) 345-1574 Lisa.anderl@qwest.com

- 11 Administrative Law Judge Ann E. Rendahl will preside during this proceeding.
- 12 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective August 9, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

Inquiries may be addressed to:

Executive Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____