

February 27, 2012

**NOTICE CANCELLING PREHEARING CONFERENCE
(Set for Wednesday, February 29, 2012)**

RE: *Sandy Judd and Tara Herivel, Complainants, v. AT&T Communications of the Pacific Northwest, Inc., and T-Netix, Inc., Docket UT-042022*

TO ALL PARTIES:

On March 31, 2011, the Washington Utilities and Transportation Commission (Commission) entered Order 25 – Final Order Affirming Order 23 In Part on Other Grounds and Responding to Questions Referred From Superior Court, in the above matter.

On April 29, 2011, AT&T Communications of the Pacific Northwest, Inc. (AT&T), filed with the Commission a copy of a Petition for Judicial Review of Administrative Agency Decision and for Declaratory Relief, filed in Thurston County Superior Court.¹

On February 2, 2012, Judge Paula Casey entered the Thurston County Superior Court’s Order on Petitions for Review (Court Order).² The Court affirmed the Commission’s determination that AT&T was an operator services provider (OSP) during the time period at issue but found “that the parties were not provided the full opportunity to present evidence” on whether AT&T violated the Commission’s OSP rules. The matter was “remanded to the WUTC to receive additional evidence.”

On February 2, 2012, the Complainants filed a letter with the Commission requesting that a prehearing conference be scheduled to address the remand in the Court Order.

On February 14, 2012, the Commission issued a notice of prehearing conference for February 29, 2012.

¹ No. 11-2-00992-8.

² No. 11-2-00992-8 and No. 11-2-00998-7.

On February 15, 2012, AT&T filed a motion in King County Superior Court (Court) to terminate or withdraw the Court's primary jurisdiction referral to the Commission (Motion).

On February 24, 2012, the Court entered an order granting the Motion (Order).³ The Order states that all remaining legal or factual issues in this case are withdrawn from the Commission's consideration and will be addressed by the Court. Accordingly, no further proceedings are warranted in this docket at this time.

NOTICE IS GIVEN That the prehearing conference scheduled for February 29, 2012, at 1:30 p.m., is cancelled.

Sincerely,

GREGORY J. KOPTA
Administrative Law Judge

³ No. 00-2-17565-5 SEA.