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December 1, 2005

Via E-mail and Overnight Mail

Chairman Mark H. Sidran
Commissioner Patrick J. Oshie
Commissioner Philip B. Jones
Washington Utilities & Transportation Commission
1300 S. Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504-7250

Re: Docket No. UT 053039 – Level 3 Communications Complaint
Suspension of Procedural Schedule

Dear Commissioners Sidran, Oshie, and Jones:

On September 28, 2005, Level 3 Communications and Qwest Corporation sent a letter to Administrative Law Judge Rendahl asking that the procedural schedule in the above-referenced docket be suspended until November 30, 2005, to allow the parties time to negotiate a settlement. On October 7, 2005, the Commission issued an order granting a stay in the procedural schedule pending the Commission's decision on Level 3's Petition for Interlocutory Review (filed September 6, 2005), and further granting the parties' request that the Commission not issue an order on that petition until November 30, 2005.

Yesterday, counsel for Level 3 and Qwest met to discuss the schedule in this case. Because the parties have not been able to resolve this matter in settlement negotiations, Level 3 respectfully requests that the Commission rule on its pending Petition for Interlocutory Review.

The parties are aware that a Commission decision on either the merits or the procedural aspects of Level 3's Petition for Interlocutory Review could affect the scope of the remaining evidentiary portions of this proceeding. With that understanding, the parties have agreed to further suspend the procedural schedule in this case until the Commission issues its decision, or until February 28, 2006, whichever occurs first. Based upon the actions of the Commission, the parties may agree to suspend the procedural schedule beyond February 28, 2006. The parties agree that direct testimony will be due 10 days following the date on which the schedule resumes (currently scheduled for February 28, 2006), and all subsequent events will proceed at the intervals described in Appendix B of Order No. 01. The parties will propose specific dates for each event at the time the procedural schedule resumes and may adjust the intervals slightly to accommodate holidays, weekends, and scheduling conflicts.

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Very truly yours,

Lisa F. Rackner

cc: Administrative Law Judge Rendahl
Carol Washburn
UT 053039 Service List