

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the)
) Docket No. UT-003013
Continued Costing and Pricing of)
Unbundled Network Elements, Transport,) PAC-WEST PETITION FOR
Termination, and Resale) LATE INTERVENTION
_____)

Pac-West Telecomm, Inc. ("Pac-West"), pursuant to WAC 480-09-430(1), hereby requests leave to intervene in the above-entitled docket. In support of its request, Pac-West states as follows:

I.

All communications with Pac-West should be directed to the following persons:

Gregory J. Kopta
DAVIS WRIGHT TREMAINE LLP
2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101-1688
voice: (206) 622-3150
facsimile: (206) 628-7699
e-mail: gregkopta@dwt.com

Ethan Sprague
Director of Regulatory
Pac-West Telecomm, Inc.
1776 W. March Lane, Suite 250
Stockton, CA 95207
voice: (209) 926-3416
facsimile: (209) 601-6528
e-mail: esprague@pacwest.com

II.

Pac-West is a facilities-based telecommunications company that has been authorized by the Commission to provide intraexchange and interexchange telecommunications services throughout the State of Washington. Pac-West offers local exchange service in competition with Qwest Corporation ("Qwest"). Pac-West, pursuant to the federal Telecommunications Act of 1996 ("Act"), entered into a Commission-approved interconnection agreement with Qwest, which currently is in full force and effect.

III.

This docket is a continuation of the costing and pricing proceeding originally undertaken in Docket Nos. UT-960369, *et al.*, to develop appropriate prices for unbundled network elements, resale, and collocation as required by the Act and FCC rules. These prices will replace the Commission-established interim rates in Commission-approved interconnection agreements and thus will directly and materially impact Pac-West and its ability to provide local exchange service. Pac-West previously did not seek to intervene in this docket because, as a facilities-based provider, Pac-West's primary concerns have been reciprocal compensation and interconnection, which previously had been established through individual negotiations and arbitrations rather than in this proceeding. The Thirty-Second Supplemental Order, however, modified the Commission's approach to reciprocal compensation and requires parties to propose bifurcated rate structures for reciprocal compensation that incumbent local exchange carriers ("ILECs") pay to competing local exchange carriers ("CLECs"). Accordingly, Pac-West now seeks to intervene in this docket and to participate in Part E to address these issues.

IV.

As a CLEC with a direct and particular interest in the outcome of these proceedings, Pac-West's participation will be of material value to the Commission. Pac-West's intervention will not broaden the issues to be addressed or delay the proceedings, and Pac-West will coordinate with other parties with similar interests to minimize any duplication or overlap in presentation of positions.

WHEREFORE, Pac-West respectfully requests leave to intervene as a party to this proceeding, with a right to discovery, to have notice of and appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard in person or by counsel on brief and at oral argument.

RESPECTFULLY SUBMITTED this _____ day of July, 2002.

DAVIS WRIGHT TREMAINE LLP
Attorneys for Pac-West Telecomm, Inc.

By _____

Gregory J. Kopta
WSBA No. 20519