

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

In the Matter of the Petition for
Arbitration of an Interconnection
Agreement Between

NORTH COUNTY
COMMUNICATIONS
CORPORATION OF WASHINGTON,

with

QWEST CORPORATION

Pursuant to 47 U.S.C. Section 252(b).

Docket UT-093035

**NORTH COUNTY COMMUNICATIONS
CORPORATION'S RESPONSE TO
QWEST'S ANSWER TO REQUEST TO
STAY OR SUSPEND PROCEDURAL
SCHEDULE PENDING RESOLUTION OF
PETITION FOR ADMINISTRATIVE
REVIEW OF ORDER DENYING
MOTION TO DISMISS**

- 1 North County Communications Corporation (“North County”) respectfully submits the following Response to Qwest’s Answer to Request to Stay or Suspend Procedural Schedule Pending Petition for Administrative Review of the Order Denying Motion to Dismiss.
- 2 As indicated in North County’s Request to Stay, and as is simply true, it makes no sense to proceed with the arbitration in this matter until the Commission decides North County’s Petition for Administrative Review. If the Commission grants the Petition, all work done in furtherance of the arbitration will be a total waste. If, on the other hand, the Commission denies the Petition, the ALJ can simply reschedule the relevant deadlines. There is absolutely no urgency to this matter. The parties have operated under the current ICA for fourteen years, a few more weeks will make no difference.
- 3 Indeed, Qwest makes no showing whatsoever that a stay will cause any harm. Rather, Qwest simply states, without explanation, that the burden of not moving forward outweighs the burden

of moving forward. That statement is completely illogical. Not doing something is never more of a burden than doing something. Qwest fails to show any cause, let alone good cause, for not staying the arbitration pending the outcome of the Petition for Administrative Review. Qwest has not met its burden and, as such, North County's Request to Stay should be granted.

Dated this 17th day of May, 2010, in Portland, Oregon.

Respectfully submitted,



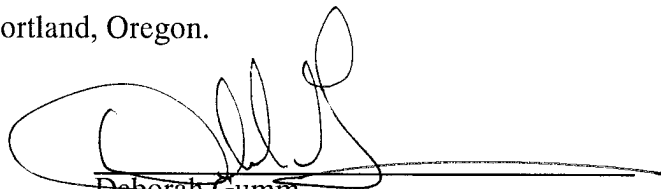
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served the foregoing document this day upon all parties of record (listed below) in these proceedings by mailing a copy properly addressed with first class postage prepaid.

<p>Lisa A. Anderl Qwest Corporation 1600 7th Avenue, Room 1506 Seattle, WA 98191 (206) 345-1574 Lisa.anderl@qwest.com</p>	<p>Joseph G. Dicks, CSB 127362 Dicks & Workman, APC 750 B Street, Suite 2720 San Diego, CA 92101 Telephone: (619) 685-6800 Facsimile: (619) 557-2735 Email: jdicks@dicks-workmanlaw.com</p>
<p>David W. Danner, Executive Director and Secretary Washington Utilities & Transportation Commission 1300 S. Evergreen Park Drive, SW P.O. Box 47250 Olympia, WA 98504-7250</p>	
<p>Adam E. Torem, Arbitrator Washington Utilities & Transportation Commission 1300 S. Evergreen Park Drive, SW P.O. Box 47250 Olympia, WA 98504-7250 atorem@utc.wa.gov</p>	

Dated this 17th day of May 2010, in Portland, Oregon.



Deborah Gumm