

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

ARONSON-CAMPBELL	)	DOCKET NO. UT-030168
INDUSTRIAL SUPPLY, INC.,	)	
	)	ORDER NO. 02
	)	
Complainant,	)	PREHEARING CONFERENCE
	)	ORDER
v.	)	
	)	NOTICE OF PREHEARING
MCI WORLDCOM	)	CONFERENCE
COMMUNICATIONS, INC.,	)	(May 7, 2003, at 1:30 p.m.)
	)	
Respondent.	)	
.....	)	

- 1 **Proceeding:** On February 6, 2003, Aronson-Campbell Industrial Supply, Inc. (“Aronson-Campbell”) filed with the Commission a complaint against MCI WorldCom Communications, Inc. (“MCIW”). The complaint alleges that MCIW violated state law and Commission rules by violating filed contract provisions and applying discriminatory rates and practices. On March 13, 2003, MCIW filed an Answer.
  
- 2 **Conference:** The Commission convened a prehearing conference in this docket at Olympia, Washington on April 3, 2003, before Administrative Law Judge Lawrence Berg. The purpose of the prehearing conference was to consider formulating the issues in the proceeding, and to determine other matters to aid in its disposition, as specified in WAC 480-09-460.
  
- 3 **Appearances.** David W. Wiley and Dana A. Ferestien, attorneys, Seattle, represent Aronson-Campbell. Michel Singer Nelson, attorney, Denver, CO, represents MCIW. Shannon Smith, Assistant Attorney General, Olympia, represents Commission Staff. Contact information provided at the conference for the parties’ representatives is attached as Appendix A to this order.

4 **Issues.** The parties discussed the issues that they believe to be involved. MCIW has agreed to release Aronson-Campbell's telephone numbers that were being held pending resolution of a billing dispute since the time that the complaint was filed. The release of Aronson-Campbell's telephone numbers requires the coordinated technical expertise of both parties. The tentative release date is April 16, 2003.

5 Aronson-Campbell stated that MCIW's release of its telephone numbers may impact the disputed issues raised in the complaint, but the company was unable to state with any certainty what issues will remain. The parties agree that after the telephone numbers are released, there will be no ongoing business relationship under the existing contract between the parties. Aronson-Campbell stated that it may pursue resolution of the billing dispute in this proceeding after its telephone numbers are released. MCIW stated that it preferred to resolve the billing dispute in some other forum, but that it did not intend to file a motion to divest the Commission of jurisdiction.

6 Due to the uncertainty regarding the issues that remain to be resolved after Aronson-Campbell's telephone numbers are released by MCIW no procedural schedule was established, the parties agreed to a subsequent prehearing conference to discuss substantive and procedural issues, and the parties were encouraged to conduct further settlement discussions.

7 **Discovery.** MCIW requested to conduct discovery of information prior to the next prehearing conference. Aronson-Campbell opposed the conduct of discovery until after an opportunity to further discuss the issues. MCIW's request was denied because of the uncertainty regarding the issues to be addressed in this proceeding, because there is sufficient time for parties to conduct discovery and timely conclude all proceedings subsequent to the next prehearing conference, and because the conduct of discovery prior to the next prehearing conference would detract from settlement discussions between the parties.

8 **NOTICE IS GIVEN That** a prehearing conference in this matter will be held at 1:30 p.m., on May 7, 2003, in Room 108, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.

- 9 Counsel may attend the hearing via the Commission's teleconference bridge (360-664-3846). If you appear via teleconference, you must appear five minutes before the time that the conference is scheduled to begin.
- 10 The purpose of the prehearing conference is to consider formulating the issues in the proceeding, and to determine other matters to aid in its disposition, as specified in WAC 480-09-460. The time and place for the evidentiary hearing will be set at the prehearing conference or by later written notice. Appearances will be taken.

Dated at Olympia, Washington and effective this 10<sup>th</sup> day of April, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

LAWRENCE J. BERG  
Administrative Law Judge

APPENDIX A

<b>PARTIES REPRESENTATIVES</b>				
<b>DOCKET NO. UT-030168</b>				
<b>Updated 4/9/03</b>				
<b>COMPANY</b>	<b>REPRESENTATIVE AND ADDRESS</b>	<b>PHONE NUMBER</b>	<b>FAX NUMBER</b>	<b>E-MAIL ADDRESS</b>
<b>Aronson-Campbell Industrial Supply, Inc.</b>	<b>DAVID W. WILEY Williams, Kastner &amp; Gibbs PO Box 21926 Seattle, WA 98111-3926</b>	<b>206-233-2895</b>	<b>206-628-6611</b>	<a href="mailto:dwiley@wkg.com">dwiley@wkg.com</a>
<b>MCI/WorldCom, Inc.</b>	<b>MICHEL SINGER NELSON 707-17<sup>th</sup> St., Ste. 4200 Denver, CO 80202</b>	<b>303-390-6106</b>	<b>303-390-6333</b>	<a href="mailto:Michel.singer_nelson@wcom.com">Michel.singer_nelson@wcom.com</a>
<b>Commission Staff</b>	<b>SHANNON SMITH Asst. Attorney General 1400 S. Evergreen Park Dr. SW PO Box 40128 Olympia, WA 98504-0128</b>	<b>360-664-1192</b>	<b>360-586-5522</b>	<a href="mailto:ssmith@wutc.wa.gov">ssmith@wutc.wa.gov</a>
<b>Public Counsel</b>	<b>SIMON FFITCH Asst. Attorney General 900-4<sup>th</sup> Ave., Ste. 2000 Seattle, WA 98164</b>	<b>206-389-2055</b>	<b>206-389-2058</b>	<a href="mailto:simonf@atg.wa.gov">simonf@atg.wa.gov</a>
<b>Presiding Administrative Law Judge</b>	<b>LAWRENCE J. BERG</b>	<b>360-664-1137</b>	<b>360-663-2654 (ALD fax only - do not use to file)</b>	<a href="mailto:lberg@wutc.wa.gov">lberg@wutc.wa.gov</a>