

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

| | | |
|-----------------------|---|-----------------------|
| PACIFIC BELL WIRELESS |) | |
| NORTHWEST, LLC (a/k/a |) | DOCKET UT-063048 |
| CINGULAR WIRELESS), |) | ORDER 01 |
| |) | |
| Complainant, |) | PREHEARING CONFERENCE |
| v. |) | ORDER |
| |) | |
| QWEST CORPORATION, |) | |
| |) | |
| Respondent. |) | |
| |) | |

- 1 **NATURE OF PROCEEDING.** Pacific Bell Wireless Northwest, LLC, more commonly known as Cingular Wireless (Cingular) filed a formal complaint against Qwest Corporation (Qwest). Cingular alleges that Qwest improperly billed Cingular from August 2003 through October 2005 for Signaling System 7 (SS7) service on all local calls exchanged between the companies in violation of the parties' interconnection agreement. Qwest disputes the allegations and asserts that much of the service involves interstate circuits outside the Commission's jurisdiction and services provided under tariff, not under an interconnection agreement.
- 2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington on August 14, 2006, before Administrative Law Judge Dennis Moss. This case has been reassigned to Administrative Law Judge Patricia Clark.
- 3 **APPEARANCES.** Gregory J. Kopta, Davis Wright Tremaine, LLP, Seattle, Washington, represents Cingular Wireless, Complainant, Lisa Anderl, Seattle, Washington, represents Qwest. Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.
- 4 **PETITIONS FOR INTERVENTION.** No person appeared at the conference seeking to intervene.

5 **PROTECTIVE ORDER.** The parties ask that the Commission enter a protective order in this docket under RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 80-07-423 to protect the confidentiality of proprietary information. The request was granted and a protective order will be entered in this docket.

6 **DISCOVERY.** The parties asked that the discovery rules be invoked in this docket, under WAC 480-07-400. The matter is one that qualifies for discovery, and the discovery rules WAC 480-07-400 – 425 are invoked.

7 **PROCEDURAL SCHEDULE.** The parties agreed upon a procedural schedule during the conference.¹ The Commission adopts this procedural schedule, which is attached to this Order as Appendix B, and incorporated into the body of this Order by this reference.

8 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter beginning **January 24, 2007 at 9:30 a.m.**, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.

9 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus three (3) copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

10 All filings must be mailed or delivered to the Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.

11 An electronic copy of all filings must be provided through the Commission's Web Portal (www.wutc.wa.gov/e-filing) or by e-mail delivery to <records@wutc.wa.gov>. Alternatively, parties may furnish an electronic copy by delivering with each filing a CE or a 3.5-inch IBM-formatted high-density diskette including the filed document(s). Parties should furnish electronic copies in .pdf (Adobe Acrobat) format,

¹ The parties confirmed the hearing date by electronic mail after the prehearing conference.

supplemented by a separate file in MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format. Parties are required to follow WAC 480-07-140(5) in organizing and identifying electronic files.

- 12 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Pursuant to WAC 480-07-145(6) the presiding officer may grant parties a one-day extension of the paper-filing requirement, allowing electronic submission of documents with the Commission on the filing deadline. Parties may only submit documents electronically with the Commission in this proceeding with the permission of the presiding officer. If, at any time during this proceeding, parties are authorized to submit documents with the Commission electronically under WAC 480-07-145(6), parties must submit the document through the Commission's Web portal (www.wutc.wa.gov/e-filing) or by e-mail to records@wutc.wa.gov, and file an original, plus three (3) copies, of the document with the Commission by the following business day. Finally to perfect filing, parties must provide courtesy copies of filings to the presiding officer and advisory staff, as well as the parties to the proceeding
- 13 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1142.
- 14 **NOTICE TO PARTIES:** Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review. Parties must provide courtesy copies of filings to the presiding administrative law judge.

Dated at Olympia, Washington, and effective August 23, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

PATRICIA CLARK
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET UT-063048**

| PARTY | REPRESENTATIVE | PHONE | FACSIMILE | E-MAIL |
|--------------|---|----------------|------------------|-----------------------|
| Cingular | Gregory J. Kopta 2600 Century Square 1501 Fourth Avenue Seattle, WA 98101-1688 | (206) 628-7692 | (206) 628-7699 | gregkopta@dwt.com |
| Qwest | Lisa Anderl Qwest 1600 7 th Ave., Ste 3206 Seattle, WA 98191 | (206) 398-2500 | (206) 343-4040 | Lisa.Anderl@qwest.com |

APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UT-063048

| EVENT | DATE | INTERVAL |
|--|--------------------|-----------------|
| Prehearing Conference | August 14, 2006 | |
| Prefiled Direct Testimony and Exhibits of Cingular | September 29, 2006 | 46 days |
| Prefiled Responsive Testimony and Exhibits of Qwest | November 15, 2006 | 47 days |
| Prefiled Rebuttal Testimony and Exhibits of Cingular | December 20, 2006 | 35 days |
| Hearing | January 24, 2007 | 35 days |
| Final Order | April 17, 2007 | 86 days |