

Qwest

1600 7th Avenue, Room 3206
Seattle, Washington 98191
Phone (206) 398-2507
Facsimile (206) 343-4040

Adam L. Sherr

Attorney
Policy and Law Department

Via Facsimile and Overnight Mail

April 17, 2002

Ms. Carole J. Washburn, Executive Secretary
Washington Utilities & Transportation Commission
1300 S. Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504-7250

Re: Tel West v. Qwest
Docket No. UT-013097

Dear Ms. Washburn:

This letter is being submitted at the request of Administrative Law Judge Berg. With Judge's Berg's authorization, it is being filed by facsimile. A hardcopy of the original plus 10 copies will follow by overnight mail. An electronic copy in Word 97 format on a floppy disk will be included with the hardcopy.

This letter follows and memorializes the parties' April 12, 2002 telephonic conference with Judge Berg. During that call, which I initiated, Qwest requested that the Judge expand his authorization for Qwest to provide supplemental comments. That authorization appears in paragraph 14 of the Commission's Fifth Supplemental Order (the "Order"). Specifically, Qwest requested authorization to submit comments and documents in response to the Commission's conclusion in paragraphs 8 and 9 of the Order that Tel West's "quality" issue is not being considered in the Qwest 271/SGAT proceedings. Judge Berg denied Qwest's request.

Unless and until the Commission orders otherwise, Qwest intends to fully move forward and participate in Part B of this docket consistent with the procedural schedule set forth in the Order. Qwest would like to avoid the need, however, to simultaneously file supplemental comments with the Administrative Law Judge on the paragraph 14 issue and petition for interlocutory review of other findings in the Order.

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By this letter, I request that Judge Berg formally memorialize his willingness (as stated during our April 12 conference) to toll the period for Qwest to seek interlocutory review of any and all findings and conclusions set out in the Order until he rules on the supplemental comments Qwest intends to submit. Specifically, Qwest requests that the 10 day period for seeking administrative interlocutory review will begin to run on the day the Judge issues a supplemental order following his review of Qwest's supplemental comments. Qwest also requests that Judge Berg formally and in writing set out the basis for his denial of Qwest's request to expand its supplemental comments to include the "quality" issue.

Thank you for your attention to these matters.

Sincerely,

Adam L. Sherr

ALS/llw

cc: Administrative Law Judge Berg
Brooks Harlow