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December 20, 2005

Ms. Carole J. Washburn  
Executive Secretary  
Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive, S.W.  
Olympia, WA 98504

**Re: WUTC Docket No. UT-023003**

Dear Ms. Washburn:

Pursuant to paragraph 15 of the 30th Supplemental Order in this proceeding, Verizon Northwest Inc. (“Verizon”) has today filed housekeeping changes to eliminate from its tariff the rates included in its compliance filing in this docket for 2- and 4-wire feeder subloops and dark fiber loops and subloops. A copy of that filing is enclosed herewith.

In the 30th Supplemental Order, the Commission noted that these rates were excluded from consideration in this proceeding in the 21st Supplemental Order. Verizon notes that the rates excluded pursuant to that order were those eliminated pursuant to Verizon’s March 2004 comments identifying those UNEs excluded by the terms of *United States Telecom Ass’n v. FCC*, 359 F.3d 554 (D.C. Cir.), *cert. denied*, 125 S. Ct. 313 (2004). That list included feeder subloops and dark fiber subloops, but not dark fiber loops.<sup>1</sup>

However, in the FCC’s subsequent *Order on Remand*, it eliminated dark fiber loops as well, and provided for a transition period for continued availability of dark fiber loops as UNEs that applies “only to the embedded customer base.” *Unbundled Access to Network Elements*, 20 FCC Rcd 2533 ¶¶ 182-85, 195 (2005). In the Commission’s 24th Supplemental Order, it instructed Verizon to indicate in its compliance filing whether the filing of any rate would violate that more recent FCC order. Accordingly, Verizon noted in that compliance filing of September 27, 2005, that the filing did not include dark fiber loop elements in Verizon’s revised tariff, since “Verizon NW does not currently provide any unbundled dark fiber loops (and did not at the time

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<sup>1</sup> Comments of Verizon Northwest Inc. on Issues List at 2 (March 22, 2004).

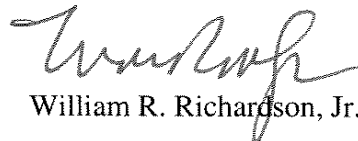
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the *Triennial Review Remand Order* rules became effective).”<sup>2</sup> Accordingly, and in light of the terms of the 30th Supplemental Order, Verizon has now removed dark fiber loops from its existing tariff in these housekeeping changes as well.

Counsel for Staff have authorized Verizon to state that Staff have no objection to the foregoing approach.

Respectfully submitted,



William R. Richardson, Jr.

cc: Counsel of Record

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<sup>2</sup> Letter to Carole Washburn from William R. Richardson, Jr., at 2-3.