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1 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
2 COMMISSION

3	JEFFREY D. GLICK, d/b/a)	
	CONSIDER IT DONE,)	
4)	
	Complainant,)	
5)	
	vs.)	DOCKET NO. UT-040535
6)	Volume I
	VERIZON NORTHWEST, INC.)	Pages 1 - 26
7)	
	Respondent.)	
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9
10 A prehearing conference in the above matter
11 was held on May 25, 2004, at 1:33 p.m., at 1300 South
12 Evergreen Park Drive Southwest, Olympia, Washington,
13 before Administrative Law Judge ANN E. RENDAHL.

14 The parties were present as follows:
15 VERIZON NORTHWEST, INC., by TIMOTHY J.
16 O'CONNELL (via bridge), Attorney at Law, Stoel Rives,
17 600 University Street, Suite 3600, Seattle, Washington
18 98101; telephone, (206) 624-0900.

19 CONSIDER IT DONE, by JEFFREY D. GLICK (via
20 bridge), President of "Consider it Done", 10760
21 Northeast 29th Street, Suite 187, Bellevue, Washington
22 98004; telephone, (425) 568-1231.

23
24 Kathryn T. Wilson, CCR
25 Court Reporter

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1 P R O C E E D I N G S

2 JUDGE RENDAHL: Good afternoon. I'm Ann
3 Rendahl, the administrative law judge presiding over
4 this proceeding. We are here before the Washington
5 Utilities and Transportation Commission this afternoon,
6 Tuesday, May 25th, 2004, for a prehearing conference in
7 Docket No. UT-040535, captioned, Jeffrey D. Glick,
8 d/b/a Consider It Done, versus Verizon Northwest,
9 Incorporated.

10 This proceeding involves a complaint filed by
11 Mr. Glick on March 22nd, 2004, alleging that Verizon
12 has violated certain rules of the Commission, WAC
13 480-120-165(2), relating to customer complaints, and
14 WAC 480-120-161(7)(b), concerning the form of bills and
15 also seeking an order assessing administrative
16 penalties as appropriate under WAC 480-120-019.
17 Verizon filed an answer to the formal complaint on
18 April the 21st, 2004.

19 The purpose of the prehearing is to take
20 appearances of the parties, consider any petitions to
21 intervene, explain the Commission's process for
22 considering formal complaints, identify the issues in
23 this proceeding, establish a procedural schedule, such
24 as setting dates for hearing, predistribution of
25 witness lists, evidence or proposed exhibits, and to

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1 identify any other matters for discussion.

2 Are there any issues that I haven't discussed
3 that the parties want to add to the agenda for this
4 conference? Mr. Glick?

5 MR. GLICK: No. A small procedural matter, a
6 minor one overall but nevertheless important to me. I
7 have nowhere identified myself as Jeffrey D. Glick,
8 d/b/a Consider it Done, and I informed Commission staff
9 some time ago that that's incorrect and would
10 appreciate if you would correct it so that there is no
11 misimpression created anywhere, especially due to the
12 fact that these are public matters. My company has
13 been a corporation for quite some time now, and I am an
14 employee of the corporation and do not wish to be held
15 out as a sole proprietor.

16 JUDGE RENDAHL: So the caption should be more
17 appropriately, Consider It Done, Complainant, versus
18 Verizon Northwest, Inc.?

19 MR. GLICK: I submitted it as Jeffrey D.
20 Glick.

21 JUDGE RENDAHL: I am aware that you raised
22 the issue, particularly, I think, with my
23 administrative staff, and I did check with the master
24 service list on file with the records center. They did
25 not have your company listed, and I've asked them to

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1 correct it to reflect the master service list to
2 include your full name, the title of president, and
3 your company, Consider It Done, with the address you
4 listed. Hello. Mr. Potter, have you joined us?

5 MR. POTTER: This is me.

6 JUDGE RENDAHL: We are just getting started
7 and going through preliminaries and haven't gotten to
8 the appearances, but Mr. O'Connell is on the line as
9 well as Mr. Glick.

10 MR. GLICK: Your Honor, what you just said
11 sounds fine to me. I have no preference one way or the
12 other. The only concern of mine is that I not be
13 represented as a sole proprietor.

14 JUDGE RENDAHL: So the caption should be more
15 appropriately Jeffrey D. Glick versus Verizon
16 Northwest, Inc.?

17 MR. GLICK: I think that would work.

18 JUDGE RENDAHL: Mr. O'Connell, anything else
19 that you would want to add?

20 MR. O'CONNELL: I don't think so to the big
21 outline you suggested, Your Honor. I'm going to
22 suggest when we get to the scheduling that we build in
23 some time for some preliminary motion practice, but I
24 think that's part and parcel of what you just
25 suggested.

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1 JUDGE RENDAHL: We will get to that when we
2 get there. Before we go any farther, I would like to
3 take appearances. Mr. Glick, when we do our first
4 prehearing in a case, generally we take full
5 information from all the parties so that we can make
6 sure our master service list is correct and that we
7 have all the necessary information to contact the
8 parties. So I will need you to state your full name,
9 the party you represent, your full address, telephone
10 number, fax number and e-mail, and I realize that we
11 may have some of it on file, but I would like to verify
12 it and make sure it's correct. So let's start with
13 you, Mr. Glick, and then for Verizon.

14 MR. GLICK: This is Mr. Glick, and my full
15 name is Jeffrey David Glick, G-l-i-c-k. I am the
16 president, or El Presidente Grande, of the corporation
17 known as Consider It Done, Limited. The physical
18 address of the corporation and myself being 10760
19 Northeast 29th Street, No. 187, Bellevue, Washington,
20 98004. Business phone number, (425) 568-1231. Fax
21 number, (425) 889-1675. I only recently began the use
22 of personal e-mail. I would be happy to provide it,
23 but it would not be a very effective means of
24 contacting me.

25 JUDGE RENDAHL: Generally, we use e-mail --

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1 just so that you know, when we send out notices and
2 orders, we generally send them by mail but provide a
3 courtesy copy to all parties by e-mail if they have the
4 ability to communicate by e-mail because it is the
5 quickest way to communicate. Although, if you would
6 prefer us to fax you such notices and orders, we can do
7 that.

8 MR. GLICK: It's entirely up to you. I have
9 an e-mail address if you would like it.

10 JUDGE RENDAHL: Why don't we take it, and
11 then we will communicate whichever way you prefer.

12 MR. GLICK: My preference is fax, but the
13 e-mail address, trogluddite@yahoo.com.

14 JUDGE RENDAHL: I note the Commission on its
15 service list lists a phone number of (425) 822-5144.
16 Is that no longer effective?

17 MR. GLICK: That is still a working number,
18 but I've asked all of my clients to use the other
19 number and would prefer to be contacted by the 568
20 prefix I provided.

21 JUDGE RENDAHL: I'll have them change the
22 number on the service list then. Mr. O'Connell?

23 MR. O'CONNELL: Good afternoon, Judge. This
24 is Timothy J. O'Connell, Tim O'Connell, with the law
25 firm of Stoel Rives, LLP, 600 University Street, Suite

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1 3600, Seattle, Washington, 98101. Telephone number is
2 (206) 624-0900. Fax number is (206) 386-7500. E-mail
3 address is tjconnell@stoel.com.

4 If we could also add my associate, Vanessa
5 Soraino Power, to the service list. Her contact
6 information is the same as mine except for her e-mail
7 address, and I'm not sure I know that right off the top
8 of my head.

9 JUDGE RENDAHL: If you like, you can forward
10 that to me later via letter or by e-mail.

11 MR. O'CONNELL: Thank you. I will.

12 JUDGE RENDAHL: And Mr. Potter, you are with
13 us now, and I think there was a question earlier before
14 you came on the line by Mr. Glick as to your position
15 within the company.

16 MR. POTTER: I'm in the public policy and
17 external affairs group for the regulatory group, so we
18 are kind of Mr. O'Connell's local client group within
19 the company.

20 JUDGE RENDAHL: Your title?

21 MR. POTTER: My title is manager state
22 advocacy support.

23 JUDGE RENDAHL: As the clients, you are on
24 our master service list. Could you please state your
25 address and telephone number, etcetera, so we have it

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1 correct?

2 MR. POTTER: The address is Verizon
3 Northwest, Inc., 1800 41st Street, Everett, Washington,
4 98201, I believe. My telephone number is
5 (425) 261-5006. The fax is (425) 261-5262, and the
6 e-mail is richard.potter@verizon.com.

7 JUDGE RENDAHL: Thank you. And I'll note
8 that Mr. ffitich of the public counsel division of the
9 attorney general's office has stated that they will not
10 be participating in this proceeding, and I'll just
11 confirm with Staff. Since there is no assistant
12 attorney general here today, I'm assuming Staff is not
13 wishing to participate in this proceeding; is that
14 correct, Ms. Elliott?

15 MS. ELLIOTT: That is correct.

16 JUDGE RENDAHL: Is there any person appearing
17 on the bridge who wishes to state an appearance or to
18 intervene in this matter? Hearing nothing, it appears
19 that we have two parties, the Complainant and the
20 Respondent, Mr. Glick and Verizon in this case. I was
21 going to go into greater detail as to the Commission's
22 process, Mr. Glick. Now that we are on the record,
23 would you like me to do that, or do you feel
24 comfortable with the process as I stated off the
25 record?

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1 MR. GLICK: I think we are okay for now,
2 thank you.

3 JUDGE RENDAHL: And since you filed your
4 complaint -- actually, in January of this year, the
5 Commission adopted new procedural rules in Chapter
6 480-07 of the Administrative Code, and I think in your
7 submission, you referenced the old chapter, so if you
8 have not already obtained a copy of the new chapter,
9 the substantive rules do not change much. They were
10 reorganized and rewritten to be more understandable in
11 many situations. You can contact the records center
12 and they will send you a copy, or it's available on
13 line as well. The rule numbers have changed, so if you
14 need a copy of the new rules, you can contact them.

15 What we need to talk about now is, and it
16 overlaps with the process for this proceeding, and that
17 is identifying the issues. I think they are fairly
18 clearly laid out in the Complaint. I understand that,
19 Mr. Glick, you are seeking compensation from the
20 Company, a finding that Verizon violated WAC
21 480-120-165 sub 2, an order directing Verizon to
22 provide call detail pursuant to WAC 480-120-161, sub 7,
23 an order assessing administrative penalties for alleged
24 violations of those WAC's, and an order directing
25 Verizon to reimburse the copying and mailing costs for

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1 the Complaint. Is that a correct summary?

2 MR. GLICK: Your Honor, I don't have my
3 complaint in front of me, but I believe I also
4 requested an order to show cause why Verizon should not
5 cease and desist from its attempts to threaten me with
6 civil lawsuit and arrest.

7 JUDGE RENDAHL: Okay. I'll add that to the
8 issues. Mr. O'Connell, in the Answer, I noted that
9 Verizon is requesting that the Complaint be dismissed
10 and that the request be denied, and I was assuming that
11 you would request as you stated earlier an opportunity
12 for some kind of dispositive motions or preliminary
13 motions.

14 MR. O'CONNELL: Precisely right, Judge. We
15 would request the opportunity to engage in some, I
16 think, a motion for summary determination under the
17 Commission's procedural rules on at least a couple of
18 grounds, and I would think that could come relatively
19 early in the process.

20 JUDGE RENDAHL: Before we get there, one item
21 that is commonly discussed at prehearing conferences is
22 the need for invoking the Commission's discovery rule,
23 which is now in WAC 480-07-400 through 425. It doesn't
24 appear to me there is necessarily a need for discovery
25 in this proceeding, but I'm not one of the parties, so

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1 Mr. Glick and Mr. O'Connell, beginning with you, with
2 Glick, do you see the need for any discovery in this
3 proceeding?

4 MR. GLICK: Well, I don't, Your Honor. I was
5 prepared today to state at this conference that there
6 have been no negotiations between myself and the
7 Respondent, and therefore, all the issues remain before
8 us and the matter is ripe for hearing. I don't plan
9 for or wish to do any discovery.

10 Although I am experienced as an attorney in
11 another lifetime, it's been quite awhile since I have
12 worn that hat, and I see myself more as a consumer who
13 would like to keep this as simple as possible, and
14 therefore, I'm mostly here today to state that I stand
15 behind everything that I've stated in my complaint. I
16 don't rule out, however, the possibility that if
17 Respondent engages in discovery and/or files various
18 motions, I may not then in response see a need to do a
19 little of my own. Hopefully, that won't be the case.

20 JUDGE RENDAHL: Let's hear from
21 Mr. O'Connell.

22 MR. O'CONNELL: To address the last point, I
23 can assure we do intend to file appropriate motions for
24 summary determination. Having said that, we think the
25 Complaint is fairly specific, and we would not seek to

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1 initiate the discovery rule. We will be filing a
2 summary judgment motion. I suppose if Complainant
3 wants to respond to that by taking discovery, we would
4 want discovery as well, but we do not think the
5 discovery rule needs to be initiated at this point.

6 JUDGE RENDAHL: At this point, I don't see a
7 need to invoke it either based on the comments both of
8 you have just made, but we'll leave open the option if
9 either party believes it's appropriate to raise that
10 with me by motion to invoke the discovery rule if it
11 becomes apparent that it's necessary.

12 Let's go on to the process. Mr. O'Connell,
13 how soon would you want to file such a motion?

14 MR. O'CONNELL: As you are aware, Judge,
15 we've been pretty busy with some other proceedings. I
16 believe we could have such a motion ready to go,
17 perhaps, by the end of June.

18 JUDGE RENDAHL: Mr. Glick, approximately how
19 long would you need to respond to a motion for summary
20 determination or a motion to dismiss?

21 MR. GLICK: A very good question, Your Honor,
22 and thank you for asking it. You are reading my mind.
23 My preference would be to take about ten minutes to
24 respond in that I am dearly hoping to avoid a drive to
25 Olympia for anything but the final hearing in this

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1 matter, as it were. I can think of a lot better things
2 to do than appear in person to oppose a motion for
3 summary judgement, and my hope and intention are to
4 file the briefest possible response to such a motion
5 stating, again, I stand by everything I stated in my
6 complaint. I have nothing to change, and I oppose
7 summary disposition.

8 JUDGE RENDAHL: Generally, the Commission
9 does not provide for oral responses for motions. We
10 don't generally have a specific hearing here at the
11 Commission, so there would be no need for you to drive
12 down here. So you could simply respond in writing and
13 I would rule on the motions on paper.

14 MR. GLICK: That's fabulous. Thank you.

15 JUDGE RENDAHL: So if you received a motion
16 from Verizon at the end of June, would you need two
17 weeks, three weeks, four weeks to respond to such a
18 motion? I know it may be somewhat difficult to know
19 exactly what's in the motion at this time.

20 MR. GLICK: Your Honor, unless the Respondent
21 stoops so low as to continue its prior modus operandi
22 of making ad hominem attacks and inappropriately and
23 without basis alleging violations of law on my part or
24 in any other way defaming me, I would plan to submit
25 the briefest possible written response simply stating

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1 categorically that I oppose summary disposition for all
2 the reasons stated in my original complaint, and that
3 would take me all of a day to put together.

4 JUDGE RENDAHL: Why don't I give you two
5 weeks in case you choose to spend more time on it. If
6 you choose to file it sooner than that, that's just
7 fine. Mr. O'Connell, in order to do this as quickly as
8 possible, are you talking by Friday, the 25th of June,
9 or what date were you thinking of?

10 MR. O'CONNELL: Judge, I was really hoping
11 for that following week, the week of the 28th, just
12 because I am in a fairly substantial hearing the week
13 before, the week of June 21. I'm in a hearing that has
14 approximately 240 petitioners in it, so that's going to
15 be a fairly substantial undertaking, so I was hoping to
16 get it done the last week of June, the week of June
17 28th.

18 JUDGE RENDAHL: Well, if you file by Friday
19 the 2nd of July, is that acceptable?

20 MR. O'CONNELL: Absolutely.

21 JUDGE RENDAHL: Mr. Glick, I would give you
22 until Friday the 16th of July to respond unless you
23 choose to need more time, and if you do, please just
24 file a letter with the Commission requesting an
25 extension of time.

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1 MR. GLICK: Certainly. Thank you, Your
2 Honor.

3 MR. O'CONNELL: Judge, I know that the
4 procedural rules indicate that the Superior Court
5 standards would apply. Ordinarily on a summary
6 judgement motion, the moving party would have an
7 opportunity for a reply. I think I would like the
8 opportunity to file a reply on a dispositive motion. I
9 would think I would need more than a few days to
10 formulate such a reply.

11 JUDGE RENDAHL: If we have a reply filed by
12 Friday, July the 23rd, would that work?

13 MR. O'CONNELL: Yes.

14 JUDGE RENDAHL: I am now looking at my
15 calendar to figure out the next steps here. I could
16 probably get an order out by Friday the 6th of August.
17 That would give me two weeks, and assuming that time
18 period, if the Complaint in full or in part remains
19 after the motion for summary determination is resolved,
20 we would need to schedule a hearing, and how soon after
21 August 6th, Mr. Glick, would you be prepared to go to
22 hearing?

23 MR. GLICK: Your Honor, immediately.

24 JUDGE RENDAHL: How many witnesses do you
25 propose to put on the stand, just yourself?

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1 MR. GLICK: Not even myself, Your Honor.
2 Assuming that my written submission suffices, if there
3 is a need to go on record and orally reiterate the
4 facts as I've laid them out, I will do so, and I will
5 be the only witness in that case. If the matter can
6 stand on written submission, then I will let it stand
7 on written submission.

8 JUDGE RENDAHL: Mr. O'Connell, if there are
9 issues remaining after the motion for summary judgment
10 is resolved, had you planned on putting on witnesses?

11 MR. O'CONNELL: Your Honor, it's difficult
12 for me to say how many witnesses would be involved
13 because I do contemplate the summary judgment motion,
14 if it does not dispose of the Complaint entirely, would
15 certainly narrow the issues that remain for hearing.
16 And depending on what those issues are, this is the
17 unfortunate case where Mr. Glick had many contacts with
18 Verizon and he can therefore testify to his perception
19 of the event, but I have many different people who
20 dealt with Mr. Glick, so I think I have more than one
21 witness.

22 JUDGE RENDAHL: My question to you is, is
23 this a case, in your mind, that could go on a paper
24 record based on the Complaint itself if issues remain
25 after the motion for summary judgment? Is there a need

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1 for hearing, or is this something that could be handled
2 on a paper record?

3 MR. O'CONNELL: Your Honor, I'm perfectly
4 prepared to try to resolve it that way. If there are
5 issues that remain after summary determination, there
6 would probably be a need for a factual response from
7 Verizon personnel, and if it's possible to do that on a
8 paper record, we would be happy to do so.

9 I am just concerned if the summary
10 determination motion is denied, I would presume it
11 would be denied because there are some kind of facts in
12 dispute, so I'm a little cautious on saying. My only
13 concern is if there are facts in dispute, I guess I'm
14 not in a position to say that Verizon witnesses -- I
15 think we would be prepared to attempt to try to put it
16 on a paper record. If there are facts in dispute, I'm
17 sometimes concerned how those get resolved.

18 JUDGE RENDAHL: My recommendation at this
19 point would be to schedule a date at which Verizon
20 would file what you just suggested, statements in
21 response to the facts at issue. And then after I look
22 at those, if I feel the need for a hearing, if there
23 are facts that I can't resolve based upon the
24 submissions themselves, it may be necessary to schedule
25 a hearing.

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1 So I think what I will do is schedule a time
2 for Verizon to file its facts in response and a time
3 for Mr. Glick to respond to those and then schedule a
4 hearing date, and then if it becomes apparent there is
5 no need for the hearing, we will cancel it. Would that
6 work for you both, Mr. Glick and Mr. O'Connell?

7 MR. GLICK: That's fine, Your Honor. I
8 understand.

9 MR. O'CONNELL: Am I then to construe what
10 you are saying is that we should treat Mr. Glick's
11 complaint as, in essence, his prefiled testimony?

12 JUDGE RENDAHL: I don't know if we need to go
13 as formal as that, but it's Mr. Glick's case, and
14 Mr. Glick, do you feel that what you filed is your
15 complete case at this point?

16 MR. GLICK: Your Honor, I would hazard to
17 guess that the only portion of the Complaint that would
18 raise facts and disputes is that portion concerning my
19 contacts with Verizon in which I attempted to pursue
20 and to escalate a claim for compensation, some of which
21 contacts concluded in unhappiness on one side or the
22 other in which the Company, the Respondent, has tried
23 to characterize as intentional harassment on my part.

24 I foresee that only if the Respondent brings
25 forth witnesses or witness statements that imply that I

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1 ever called the Company with any intent in mind or any
2 desire in mind other than to try and try and try again,
3 having been rebuffed, to state a claim and escalate a
4 claim for compensation.

5 If, in fact, witnesses come forth in alleging
6 somehow -- I don't know how they would do so since they
7 are in no position to know my state of mind. Only I'm
8 in a position to know that, but if somehow they were to
9 make statements or offer testimony that alleged that
10 they have evidence of some sort that indicates that I
11 had an intention that constitutes one of the pivotal
12 elements of the harassment statute, telephone
13 harassment, then I would feel a need to cross-examine
14 and to rebut.

15 JUDGE RENDAHL: I appreciate your comments,
16 Mr. Glick. What I would like to do -- and I don't want
17 to prolong this because I feel that we have already at
18 this point prolonged this. This was filed in March and
19 I would like to get this complaint resolved as quickly
20 as possible. Would it be possible, Mr. O'Connell, to
21 file any paper response to Mr. Glick's complaint by the
22 27th of August?

23 MR. O'CONNELL: Yes, Judge. That should be
24 completely doable.

25 JUDGE RENDAHL: Mr. Glick, would you like two

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1 weeks to respond if you feel the need?

2 MR. GLICK: Yes. That's fine. I would also
3 ask, however, Your Honor, if you feel it appropriate,
4 it occurs to me that perhaps if you have a mechanism
5 for doing so, we two parties might agree that it's
6 entirely appropriate to approach this matter completely
7 on written submission, except, perhaps, for what I'm
8 guessing, and Mr. O'Connell can correct me, but what
9 I'm guessing is the sole factual matter in dispute;
10 that is, the nature and character of various
11 communications between myself and the company.

12 The other matters, whether Verizon has
13 violated various provisions in failing to provide call
14 detail and whether Verizon has violated another
15 provision in failing to apprise me of my right to
16 appeal I think are matters of law.

17 JUDGE RENDAHL: I think those issues will
18 become apparent after I receive the motions for summary
19 determination and response and reply, and my order will
20 identify what issues, I believe, are issues of law, and
21 if they are, I will try to resolve them in that order,
22 and what remains is issue of fact.

23 MR. GLICK: In answer to your original
24 question, two weeks from the date you mentioned is just
25 fine.

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1 JUDGE RENDAHL: I have that date as the 10th
2 of September, and what I would like to schedule is a
3 hearing date, and I don't imagine we would need more
4 than one day in this case of hearing because the issues
5 are likely to be narrowed. I know it's somewhat
6 difficult to look at your calendar that far ahead. Are
7 there any dates that will not work for you in
8 September, Mr. Glick?

9 MR. GLICK: It's indeed hard to know, but I
10 would say in general, Mondays and Tuesdays are easier
11 for me than the other three weekdays in a given week.

12 JUDGE RENDAHL: Mr. O'Connell?

13 MR. O'CONNELL: I am at your disposal for the
14 entire rest of the month of September. Just so you and
15 the parties are aware, I do anticipate being out of the
16 state the week after Verizon files its opening
17 testimony that week of August 30th, but the entire rest
18 of the month of September, I have nothing on my
19 calendar that I cannot move.

20 JUDGE RENDAHL: There is a hearing going on
21 here at the Commission in the main hearing room, but
22 considering there are only two parties involved, it's
23 possible to schedule it here in the room where we are
24 now, Room 108, without the conference bridge either the
25 13th or 14th.

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1 MR. O'CONNELL: If I could, just as a matter
2 of logistics because I'm getting witnesses from a
3 variety of places, Tuesday would be better than Monday.

4 JUDGE RENDAHL: And I do have a hearing the
5 following week, so I will say it would probably likely
6 be Tuesday the 14th is an appropriate day for hearing.
7 Is that going to work for everyone?

8 MR. GLICK: I've so noted, Your Honor.

9 MR. O'CONNELL: On behalf of Verizon, Your
10 Honor, that date looks just fine. Thank you.

11 JUDGE RENDAHL: The schedule I have at this
12 point is for what we call dispositive motions, motions
13 to dismiss or motions for summary determination, to be
14 filed, and that's by Verizon on July 2nd, 2004, and any
15 response by July the 16th, 2004, with any reply by
16 Verizon on July 23rd, 2004. I will endeavor to enter
17 an order by August 6th.

18 Then in order to determine whether we need a
19 hearing, a formal hearing here before the Commission,
20 Verizon will file any paper response to Mr. Glick's
21 complaint by August the 27th, including any documents
22 in response that would be a part of your case, and then
23 on September 10th, Mr. Glick, if you feel the need, you
24 should file a reply to Verizon's paper response, and
25 then we've scheduled a hearing date for September the

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1 14th. It will begin at 9:30 a.m. It will be here in
2 Room 108, and all of this information will be set forth
3 in the prehearing conference order which I hope to get
4 out in the next day or two.

5 I'll note that I have looked at the
6 Commission's distribution list internally and narrowed
7 that down to four persons so that for any documents
8 filed with the Commission, parties will need to file
9 only an original and four copies with the Commission,
10 and that also will be included in the prehearing
11 conference order.

12 Now, would you prefer that we have oral
13 argument at the end of the hearing on these issues, or
14 is this appropriate for brief? Mr. Glick, I'll start
15 with you.

16 MR. GLICK: I'm sorry. You are referring to
17 the end of the hearing?

18 JUDGE RENDAHL: Yes. At the end of the
19 hearing, and generally the process is parties will file
20 briefs, but in this case and in other cases, the
21 Commission has heard oral argument from the parties in
22 lieu of briefing, so I'm just asking you first and then
23 Mr. O'Connell what your preference is in this matter.
24 Should we have oral argument at the end of the hearing,
25 or would you prefer to have briefing?

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1 MR. GLICK: Well, what a foolish little
2 layperson consumer I am. Good thing I'm not
3 representing myself in an attorney capacity. I'm going
4 to throw myself at the mercy of Your Honor and the
5 Commission and say that once again, like a broken
6 record, I'm as much as possible going to allow my
7 complaint to speak for itself, and I may well decline a
8 visit to Lexus or any law library to find any legal
9 authorities to counter anything that Respondent throws
10 at me, so I will trust that Your Honor knows the
11 relevant law and will probably decline the opportunity
12 to brief or argue orally.

13 JUDGE RENDAHL: Okay. Mr. O'Connell?

14 MR. O'CONNELL: Judge, on behalf of Verizon,
15 I can't waive oral argument, but I do think we can
16 forego briefing. We would be prepared to resolve the
17 matter in an oral presentation at the conclusion of any
18 necessary hearing.

19 JUDGE RENDAHL: That will make things more
20 swift at the end. So we will hear orally from the
21 parties at the end of the hearing, if they choose to,
22 to sum up their position in oral argument, and then I
23 will enter an initial order. The Commission's rules
24 require an initial oral within 60 days of the close of
25 the record, oral argument, or briefing, whichever

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1 occurs later, and then if any party challenges that
2 initial order, they can file a petition for
3 administrative review within 20 days of the service
4 date of the initial order, and then the Commission
5 would enter a final order within 90 days of receiving
6 the petition for administrative review or answer to
7 this petition, whichever occurs later, and generally,
8 Mr. Glick, I don't anticipate needing 60 days to enter
9 an order, and the Commission doesn't generally need 90
10 days, so it will likely occur before that time period.

11 So having gone through scheduling and all the
12 other preliminary matters, is there anything else we
13 need to address this afternoon?

14 MR. GLICK: Not on my part, Your Honor.

15 JUDGE RENDAHL: Before we adjourn, do either
16 you, Mr. Glick, or Mr. O'Connell wish to order a copy
17 of the transcript of this afternoon's proceeding?

18 MR. GLICK: I do not.

19 MR. O'CONNELL: For Verizon, yes, we would
20 like a copy, please.

21 JUDGE RENDAHL: Off the record.

22 (Discussion off the record.)

23 JUDGE RENDAHL: Thank you all for attending.

24 I will be entering a prehearing conference order in the
25 next several days summarizing our discussions this

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1 afternoon. I appreciate your attending, and this
2 prehearing conference is adjourned. We will be off the
3 record.

4 (Prehearing conference adjourned at 2:15 p.m.)

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