

March 20, 2003

Carole Washburn, Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504

Re: Continued Costing and Pricing Proceeding
Docket No. UT-003013 *Part D*

Dear Ms. Washburn:

On March 14, 2003, the Commission invited parties to comment on whether it is necessary to wait until after Qwest's Part B compliance filing is approved before addressing Qwest's Part D compliance filing, including whether any party is prejudiced by such a delay.

Commission Staff filed comments on February 14, 2003 stating that the Part D compliance filing appeared to comply with the Commission Orders regarding Part D. The decision by the Commission in the Forty-Ninth Supplemental Order in this docket, entered on March 14, 2003, however, rejected Qwest's Part B compliance filing. The Part D compliance filing contains many of the same tariff sheets found in the Part B filing. The Part D compliance filing tariff sheet numbering and other changes were made assuming that the Part B compliance filing would be approved first. Therefore, if the Commission approves the Part D filing "as is", Part B rates that are included in the Part D compliance filing but rejected by the Commission in the Forty-Ninth Supplemental Order would be approved, and the tariff sheets would contain incorrect sheet numbering and other administrative errors.

Commission Staff therefore recommends that the Commission either reject the Part D filing and direct a re-filing consistent with changes ordered in Part B, or simply authorize Qwest to voluntarily replace the affected sheets in the Part D filing after Qwest has made the changes necessitated by the orders in Part B of the docket.

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With respect to the question of whether any party would be prejudiced by a delay, staff cannot say. However, if the Commission believes that further delay in the implementation of Part D rates is not warranted, the Commission could direct Qwest to re-file the Part D compliance filing, removing changes that had been made for the Part B compliance filing. In essence, Qwest would need to remove the Part B changes from the Part D compliance filing and renumber tariff sheets as required. Updating the Part D compliance tariffs to remove the Part B changes should not prove to be an overly burdensome task, as Qwest tariffs are now mechanized.

Very truly yours,

MARY M. TENNYSON
Sr. Assistant Attorney General

MMT:tjj

cc: All Parties