

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

AT&T CORP., AND AT&T	)	DOCKET NO. UT-041394
COMMUNICATIONS OF THE	)	
PACIFIC NORTHWEST, INC.,	)	
	)	
Complainants	)	
	)	NOTICE OF PREHEARING
v.	)	CONFERENCE
	)	<b>(Set for October 14, 2004, 9:30 a.m.)</b>
QWEST CORPORATION,	)	
	)	
Respondent.	)	
.....	)	

1 On August 4, 2004, AT&T Corp., and AT&T Communications of the Pacific Northwest (collectively AT&T) filed with the Commission a formal complaint against Qwest Corporation (Qwest). On August 26, 2004, Qwest filed an answer to the complaint. The complaint alleges that the rates Qwest charges AT&T in Washington for conduit occupancy are unlawful and requests a refund for all amounts paid in excess of rates charged to other telecommunications carriers dating back to July 24, 1997. A more detailed account of the dispute is reflected in the complaint, which is available for inspection at the Commission's office located at Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, and on the Commission's web site at [www.wutc.wa.gov/041394](http://www.wutc.wa.gov/041394). It is appropriate that the matters raised in the pleadings be brought for hearing before the Commission.

2 The Commission will hear this matter pursuant to Part IV of chapter 34.05 RCW pertaining to adjudicative proceedings, including but not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.434, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission has jurisdiction over this matter pursuant to Title 80 RCW, having legal authority to regulate the rates, services, and practices of telecommunications companies providing service within the

state of Washington. Statutes involved, in addition to those previously cited, include those within chapters 80.01 RCW, 80.04 RCW, 80.36 RCW, 480-07 WAC, and 480-120 WAC, including but not limited to RCW 80.01.040 and RCW 80.04.020.

3 The ultimate issues involved are generally stated above and more specifically contained in the complaint.

4 **THE COMMISSION GIVES NOTICE That a prehearing conference in this matter will be held at 9:30 a.m., on Thursday, October 14, 2004, in Room 206, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

5 The purpose of the prehearing conference is to take appearances and interventions, establish dates for the distribution of evidence and workpapers and other scheduling matters, consider formulating the issues in the proceeding and to determine other matters to aid in its disposition, as specified in WAC 480-07-430.

6 Petitions to intervene should be made in writing at least three business days prior to the date scheduled for the prehearing conference, as required in WAC 480-07-355(a). The Commission will consider petitions to intervene made orally during the conference, but strongly prefers written petitions to intervene. In addition, party representatives must file notices of appearance with the Commission, as required by WAC 480-07-345(2), no later than the day prior to the conference. If any party or witness needs an interpreter or other assistance, please fill out the form attached to this notice and return it to the Commission. The time and place for any evidentiary hearings will be set at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

7 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default in accordance with RCW 34.05.440. The parties are further advised that the sanction provisions of WAC 480-07-450 are specifically invoked.**

8 The names and mailing addresses of all parties and their known representatives are as follows:

Complainant: AT&T Communications of the Pacific  
Northwest  
2120 Canton Way S.W., Suite B  
Olympia, WA 98502

Representatives: Gregory J. Kopta  
Davis Wright Tremaine LLP  
2600 Century Square  
1501 Fourth Avenue  
Seattle, WA 98101-1688  
(206) 628-7692

T. Scott Thompson, Esq.  
Brian M. Josef, Esq.  
Rita Tewari, Esq.  
Cole, Raywid & Braverman, LLP  
1919 Pennsylvania Ave., N.W.  
Second Floor  
Washington, D.C. 20006  
(202) 659-9750

Meredith R. Harris, Esq.  
AT&T Corp.  
One AT&T Way  
Bedminster, NJ 07921  
(908) 532-1850

Respondent: Qwest Corporation  
1600 7<sup>th</sup> Avenue, Room 3206  
Seattle, WA 98191

Representatives: Lisa A. Anderl  
Adam Sherr  
Qwest Corporation  
1600 7<sup>th</sup> Avenue, Room 3206  
Seattle, WA 98191  
(206) 345-2500

Ted D. Smith  
Stoel Rives LLP  
201 South Main Street, Suite 10100  
Salt Lake City, UT 84111  
(801) 578-6961

9 Administrative Law Judge Ann E. Rendahl, from the Utilities and Transportation Commission's Administrative Law Division, will preside during this proceeding.

10 Notice of any other procedural phase will be given in writing or on the record, as the Commission may deem appropriate during the course of this proceeding.

DATED at Olympia, Washington, and effective this 22nd day of September, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN  
Executive Secretary

Inquiries may be address to:

Secretary  
Washington Utilities and  
Transportation Commission  
Chandler Plaza Building  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

**NOTICE**

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and if limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket No.: \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_