

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

	)	DOCKET NO. UT-000141
NEW EDGE NETWORK, INC.,	)	
	)	
Complainant,	)	
v.	)	THIRD SUPPLEMENTAL ORDER -
	)	PREHEARING CONFERENCE ORDER
U S WEST COMMUNICATIONS, INC.,	)	
	)	
Respondent.	)	
.....	)	
..	)	

**I. Prehearing Conference**

1 The Commission convened a Prehearing Conference in this docket on April 6, 2000 at Olympia, Washington pursuant to due and proper notice to all interested persons before Administrative Law Judge Lawrence Berg.

**II. Appearances**

2 The following participated in the prehearing conference: New Edge Network, Inc. (New Edge), by Mark Trincherro, attorney, Portland, Oregon; U S WEST Communications, Inc. (U S WEST), by Lisa A. Anderl, attorney, Seattle; and Commission Staff, by Shannon Smith, Assistant Attorney General, Olympia. Mr. Trincherro and Ms. Anderl appeared via teleconference.

**III. Discovery Schedule**

3 U S WEST agrees to respond as fully as possible to data requests by New Edge, including objections to requests, on or before April 10, 2000. U S WEST may provide no or partial responses to some requests that require additional time to respond in full. U S WEST also agrees to identify partial responses, and to fully respond to requests requiring additional time, including objections, on or before April 17, 2000.

4 New Edge agrees to hold previously served notices of deposition in abeyance pending review of U S WEST's responses to data requests.

5 The schedule for filing discovery motions in the First Supplemental Order governs responses in full provided by U S WEST on April 10, 2000. Thereafter, the parties may file additional motions as necessary. The parties must give oral notice to the Administrative Law Judge and other parties in advance of filing additional motions to the extent possible to assist in scheduling and managing respective workloads.

**IV. Settlement Negotiations**

6 The parties inform the Commission that settlement negotiations have been scheduled on April 18, 2000, in Portland, Oregon.

**NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this document, pursuant to WAC 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington and effective this            day of April, 2000.

LAWRENCE BERG  
Administrative Law Judge

## Appendix A

### I. Requirements for ALL paper copies of testimony, exhibits, and briefs

The following requirements are restated from and clarify the Commission's rules relating to adjudications.

A. All paper copies of briefs, prefiled testimony, and original text in exhibits must be

- On 8-1/2x11 paper, punched for insertion in a 3-ring binder,
- Punched with OVERSIZED HOLES to allow easy handling.
- Double-spaced
- 12-point or larger text and footnotes, Times New Roman or equivalent serif font.
- Minimum one-inch margins from all edges.

Other exhibit materials need not be double-spaced or 12-point type, but must be printed or copied for optimum legibility.

B. All electronic and paper copies must be

- SEQUENTIALLY NUMBERED (all pages). **THIS INCLUDES EXHIBITS.** It is not reasonable to expect other counsel or the bench to keep track of where we are among several hundred (or sometimes even just several) unnumbered pages.
- DATED ON THE FIRST PAGE OF EACH ITEM and on the label of every diskette. Electronic files must be designated R for revision with an ordinal number showing the revision number. If the item is a revision of a document previously submitted, it must be clearly labeled "REVISED", with the same title, and with the date it is filed clearly shown.

### II. Identifying exhibit numbers; Exhibits on cross examination.

A. **Identifying exhibits.** It is essential to mark documents so you, opposing counsel, and the Commission can find them. We ask you to comply with this clarification of prior practice, based on recent experience:

- **Use the witness's initials and add an ordinal number for each exhibit.**

Identify testimony with a T and confidential exhibits with a C. Example: Witness Jane Quintessentia Public. Her original testimony would be JQP-1T or JQP-1TC, her first attached exhibit would be JQP-2, etc. NEVER identify the attachments merely with a single ordinal number, as that will provide the maximum confusion to everyone, including your witness.

- B. Prepare a list of your exhibits with their title and "JQP" designation in digital form and in a format specified by the Commission. Send it to the presiding officer before the appropriate prehearing conference. That will simplify identification and ease administrative burdens.

**NOTE: Be prepared to submit all of your possible exhibits on cross examination several days prior to the hearing.** We will attempt to schedule a prehearing conference to deal with the exhibits as close as possible to the hearing itself, but we have administrative needs that require prefiling.