

[Service Date November 5, 2003]

November 5, 2003

NOTICE OF OPPORTUNITY TO RESPOND
(By November 10, 2003 at noon)

RE: In the Matter of the Review of Unbundled Loop and Switching Rates and
Review of the Deaveraged Zone Rate Structure
Docket No. UT-023003

In the Matter of the Review of Unbundled Loop and Switching Rates; the
Deaveraged Zone Rate Structure, and Unbundled Network Elements, Transport,
and Termination (Non-recurring costs)
Docket No. UT-033034

TO ALL PARTIES:

On October 24, 2003, AT&T, Covad, WeBTEC, MCI and XO Washington (moving parties) filed a joint motion to exclude Qwest rate issues from consideration in this proceeding. The motion states that in light of Qwest's reduction in rates pursuant to its application to provide originating interLATA services in Washington; the Federal Communication Commission's Triennial Review Order proceedings; and, the FCC's newly initiated rulemaking to re-evaluate the total element long-run incremental cost (TELRIC) standard, elimination of Qwest's rates would better conserve the Commission's and the parties' limited resources.

On November 3, 2003, Verizon filed a response to the motion. Verizon stated that its current UNE rates had been approved by the Commission and there is no need for the Commission to continue the cost docket only to achieve a Verizon rate reduction. In addition, Verizon argued that it, too, is affected by the FCC's Triennial Review proceedings and the newly initiated TELRIC rulemaking. In light of these developments, Verizon suggests that the Commission's cost proceedings be deferred until after the conclusion of the FCC's TELRIC proceeding.

On November 4, 2003, AT&T, MCI and Staff requested an opportunity to reply to Verizon's response to the motion since it raises a new issue—the removal of Verizon from the cost docket.

Verizon has raised new issues: removing Verizon costs from the cost docket, or postponing the cost docket entirely until the FCC TELRIC proceeding is completed. It is reasonable to allow other parties an opportunity to reply to these issues, since they were not raised in the joint motion.

NOTICE IS GIVEN That parties may reply to Verizon's response to the joint motion by Monday, November 10, 2003 at noon.

Sincerely,

THEODORA M. MACE
Administrative Law Judge