

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

IN THE MATTER OF THE PETITION OF)
THE WASHINGTON EXCHANGE) DOCKET NO. UT-041239
CARRIER ASSOCIATION FOR ORDER)
REQUIRING WEBTEL WIRELESS, INC. TO)
REGISTER AS A TELECOMMUNICATIONS) ORDER NO. 01
COMPANY OR CEASE AND DESIST)
DOING BUSINESS AS A)
TELECOMMUNICATIONS COMPANY) PREHEARING CONFERENCE
.....)

1 **PROCEEDINGS:** On July 12, 2004, the Washington Exchange Carrier Association (WECA) filed a Petition requesting the Commission to enter an order requiring WebTel Wireless, Inc. (WebTel), to register as a telecommunications company or to cease and desist doing business as a telecommunications company in Washington. WebTel did not exercise its option to file an answer by August 1, 2004, the deadline under WAC 480-07-370. The Commission conducted a prehearing conference before Administrative Law Judge Dennis J. Moss on August 13, 2004.

2 **PARTY REPRESENTATIVES:** Richard A. Finnigan, attorney, Olympia, Washington, represents WECA. Henry K. Hamilton and Jeffrey M. Grieff, Grieff & Hamilton, PLLC, Seattle, Washington, represent WebTel. Jonathan Thompson, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff (Commission Staff or Staff).¹

¹ In formal proceedings, such as this case, the Commission’s regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party to the proceeding. There is an “*ex parte* wall” separating the Commissioners, the presiding ALJ, and the Commissioners’ policy and accounting advisors from all parties, including Staff. RCW 34.05.455.

3 **PETITIONS TO INTERVENE:** No one petitioned to intervene.

4 **DISCOVERY; PROTECTIVE ORDER:** The Commission determines that this
proceeding requires the opportunity for discovery in accordance with WAC 480-
07-400. The parties may commence discovery using the methods described in
and subject to the requirements of WAC 480-07-400 – 415.

5 No one requested that a protective order be entered at this time. The parties may
subsequently request a protective order by motion, should the need arise.

6 **PROCEDURAL SCHEDULE:** The Commission establishes the procedural
schedule that is attached to this Order as Appendix 1, which is incorporated into
the body of this Order by this reference. All dates are for service by electronic
means. The original and required copies must be delivered to the Commission
by the following business day for official filing.

7 **FILING; COPIES OF MATERIALS:** Parties must file with the Commission an
original plus 13 copies of all pleadings, motions, briefs, and other prefiled
materials to meet the Commission’s requirements for official filing and internal
distribution. Paper copies of these materials are required to conform to the
format and publication guidelines set forth in WAC 480-07-395 and 480-07-460,
and must be three-hole punched with *oversized* holes to allow easy handling. The
Commission may require a party to refile any document that fails to conform to
these standards.

8 All filings must be mailed to the Commission Executive Secretary, Washington
Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park
Drive, S.W. Olympia, Washington 98504-7250, or delivered by hand to the
Commission Executive Secretary at the Commission’s records center at the

indicated street address. Both the post office box and street address are required to expedite deliveries by U.S. Postal Service.

- 9 An electronic copy of all filings must be provided by e-mail delivery to [<records@wutc.wa.gov>](mailto:records@wutc.wa.gov), or by delivering with each filing a 3.5-inch IBM-formatted high-density diskette including the filed document(s). The Commission prefers that parties furnish electronic copies in .pdf (Adobe Acrobat) format, supplemented by a separate file in MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format. Parties are required to organize and identify electronic files as specified in WAC 480-07-140(5).

- 10 **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 statement, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this prehearing conference order will control further proceedings in this matter, subject to Commission review.**

DATED at Olympia, Washington, and effective this ____ day of August 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS
Administrative Law Judge

APPENDIX 1

PROCEDURAL SCHEDULE DOCKET NO. UT-041239

EVENT	DATE	INTERVAL
WECA Motion for Summary Determination	August 3, 2004	
Prehearing Conference	August 13, 2004	
Staff Argument re Motion for Summary Determination	August 27, 2004	11 days
WebTel Answer to Motion for Summary Determination	September 24, 2004	28 days

APPENDIX 2				
PARTIES' REPRESENTATIVES			DOCKET NO. UT-041239	
PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
WECA	Richard Finnigan 2405 Evergreen Park Dr. SW Suite B-1 Olympia, WA 98502	360-956-7001	360-753-6862	rickfinn@ywave.com
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