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1 P R O C E E D I N G S

2 JUDGE MOSS: We are convened in the matter of
3 Cingular Wireless versus Qwest, Docket UT-063048. This
4 is Dennis Moss, administrative law judge for the
5 Washington Utilities and Transportation Commission. I
6 will not be presiding in this matter. Sitting on the
7 bench with me today is our new judge, Judge Patricia
8 Clark, who has joined us recently after a stint on the
9 Alaska Commission and other illustrious background I
10 won't go into, but I wanted to introduce her to you,
11 Mr. Kopta, and you, Ms. Anderl, and I'm sure that you
12 will enjoy working with her as you always enjoy working
13 with me.

14 I will conduct the prehearing conference
15 today since Judge Clark has not had the experience of
16 one of these in the past, and if she can keep up with
17 the fast pace we are about to employ, then maybe learn
18 something today. Let's take the appearances, and we
19 will start with Cingular.

20 MR. KOPTA: Thank you, Your Honor. Gregory
21 J. Kopta of the law firm Davis Wright Tremaine, LLP.
22 My address is 2600 Century Square, 1501 Fourth Avenue,
23 Seattle, Washington, 98101; phone, (206) 628-7692; fax,
24 (206) 628-7699; e-mail, gregkopta@dwt.com appearing for
25 Cingular Wireless.

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1 JUDGE MOSS: For Qwest?

2 MS. ANDERL: Thank you, Your Honor. Lisa
3 Anderl representing Qwest. My business address is 1600
4 Seventh Avenue, Room 3206, Seattle, Washington, 98191.
5 My telephone is (206) 345-1574. My fax is (206)
6 343-4040, and my e-mail address is
7 lisa.anderl@qwest.com.

8 JUDGE MOSS: Is there anyone else on the
9 conference bridge line who wishes to enter an
10 appearance today? I'll note for the record that while
11 we have a couple of members of the Commission
12 telecommunications staff in the room, we do not have
13 any representatives from staff or public counsel, nor
14 do we have any apparent intervenors present.

15 Are there any preliminary matters before we
16 do the scheduling? Hearing none, the parties
17 previously have agreed to a schedule with all but one
18 important date resolved, and I will simply read that
19 into the record unless there has been a change. Have
20 there been any changes?

21 MR. KOPTA: No, Your Honor.

22 MS. ANDERL: No.

23 JUDGE MOSS: September 29th, 2006, we will
24 have Cingular's direct testimony and exhibits. On
25 November 15th, 2006, we will have Qwest's response. On

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1 December 20th, 2006, we will have Cingular's rebuttal.

2 The date that is not resolved is the hearing
3 date, and I earlier checked with Judge Clark, and she
4 is offering up four days that you may choose from. I
5 think we will only need one, but Thursday, January
6 18th, or Friday, the 19th; Tuesday, January the 23rd,
7 or Wednesday, the 24th, and you all may just confer
8 freely there about what dates you think are best.

9 MS. ANDERL: I don't think we have any issues
10 one way or the other. My only anticipated witness is
11 local here in Seattle, so we don't have travel issues.
12 I don't know his specific availability for any of those
13 four days. Maybe the best thing would be to confirm by
14 e-mail which of those dates suits Mr. Kopta and my
15 witnesses.

16 MR. KOPTA: That sounds like a reasonable
17 proposal.

18 JUDGE MOSS: It sounds like an excellent
19 proposal. You all coordinate with Judge Clark on that,
20 and then she will be able to set the schedule in the
21 prehearing conference order. I did have one other
22 question on the subject, and it's probably something
23 you will want to defer until hearing, but had you
24 anticipated briefs?

25 MS. ANDERL: Posthearing.

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1 JUDGE MOSS: You all can work that out with
2 Judge Clark as you move through the case. It will be
3 much clearer at the time of hearing what is needed.
4 You mentioned in an early informal conversation with
5 me, the two of you called me a few days ago, and I
6 think I heard the words "protective order." Do you all
7 need a protective order?

8 MR. KOPTA: I believe we might.

9 MS. ANDERL: We might.

10 JUDGE MOSS: That doesn't sound like we need
11 more than the standard form of protective order.

12 MR. KOPTA: No, not more than the standard.

13 JUDGE MOSS: We will get the standard form of
14 protective order out. Just so you know, we have made
15 an executive decision, perhaps prompted somewhat by the
16 recent delegation legislation. We will now be over
17 judge's signatures, but they carry the same force as if
18 the commissioners signed them, so that's what you can
19 expect to receive. Do you have any other business for
20 us today?

21 MR. KOPTA: Just to clarify, it's customary
22 to invoke the discovery rules, even though I believe we
23 have discussed the proceedings, it seems to be somewhat
24 superfluous.

25 JUDGE MOSS: We previously discussed my view

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1 of that, so if you want any discovery, do it under the
2 Commission's discovery rules and we will all be
3 satisfied with that, and you all know if you have a
4 problem, you can bring it to us and we will help you
5 resolve it.

6 MR. KOPTA: I've been noted to do that in the
7 past.

8 MS. ANDERL: I think the only thing we are
9 lacking now is contact information for Judge Clark,
10 either via e-mail and/or telephone if we communicate
11 with you that way, Your Honor, just on a scheduling
12 matter, we would probably just send an e-mail.

13 JUDGE MOSS: It would be a spare record
14 indeed if we did not let Judge Clark speak, so let's
15 have her give you her contact information, and that
16 will complete our record.

17 JUDGE CLARK: I was hoping for a spare
18 record, but it's patriciaclark@wutc.wa.gov, and my
19 direct line is 664-1136.

20 MS. ANDERL: Thank you.

21 JUDGE MOSS: Anything further?

22 MR. KOPTA: No.

23 MS. ANDERL: No.

24 JUDGE MOSS: It's not a record, but pretty
25 good. You are getting me to my 1:45 meeting on time.

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1 I appreciate your cooperation in getting us an agreed
2 schedule.

3 MS. ANDERL: No problem.

4 JUDGE MOSS: We look forward to working with
5 you in this case. We are off the record.

6 (Prehearing conference adjourned at 1:40 p.m.)

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