

CERTIFICATE OF TRANSMITTAL  
 I declare under penalty of perjury under  
 the laws of the state of Washington that  
 on the 13<sup>th</sup> day of January, 2008,  
 I sent a copy of the document to which  
 this is affixed to the attorneys of record  
 for all parties via messenger service, facsimile,  
 or by U.S. Mail, postage prepaid.

Michael W. Smith  
 At Ephrata, Washington.

**BEFORE THE WASHINGTON  
 UTILITIES AND TRANSPORTATION COMMISSION**

NETWORK ESSENTIALS, LTD.,	)	
	)	DOCKET NO. UT-051602
Complainant,	)	
	)	
v.	)	DECLARATION IN SUPPORT OF
	)	GRANT COUNTY PUBLIC UTILITY
GRANT COUNTY PUBLIC UTILITY	)	DISTRICT NO. 2's OBJECTION AND
DISTRICT 2,	)	REQUEST FOR CLARIFICATION TO
	)	ORDER NO. 01
Respondent.	)	
.....	)	

BIGDAM.NET,	)	
	)	DOCKET NO. UT-051742
Complainant,	)	
	)	
v.	)	
	)	
GRANT COUNTY PUBLIC UTILITY	)	
DISTRICT NO. 2,	)	
	)	
Respondent.	)	
.....	)	

Michael W. Smith declares:


DOCKET NOS. UT-051602 and UT-051742  
 DECLARATION OF MICHAEL W. SMITH

FOIANINI LAW OFFICES  
 PO BOX 908  
 120 First Ave NW  
 Ephrata, WA 98823

1. I am the attorney for Public Utility District No. 2 of Grant County Wa. in the above captioned action.
2. I filed notices of appearance for both myself and for Ray A. Foianini who both represent the District in the above captioned matters. We desire to have both attorneys listed as representing the District.
3. Per the discussion at the Prehearing Conference with Mr. Cain, the Administrative Law Judge, and myself, the motion for summary determination to be filed by February 28 would be limited to the issues raised in the Bigdam.net claim. Per the discussion between the Administrative Law Judge, Mr. Jungers, and myself, any further scheduling relating to issues raised in the Network Essentials claim were to be determined after the February 28 Prehearing Briefing scheduled.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: January 13<sup>th</sup>, 2006, at Ephrata, Wa.

  
\_\_\_\_\_  
Michael W. Smith WSBA #30022