

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of the Investigation into)) U S WEST COMMUNICATIONS, INC.'S ¹)) Compliance with Section 271 of the) Telecommunications Act of 1996))) In the Matter of)) U S WEST COMMUNICATIONS INC.'S)) Statement of Generally Available) Terms Pursuant to Section 252(f) of the) Telecommunications Act of 1996))	DOCKET NO. UT-003022 DOCKET NO. UT-003040 32 ND SUPPLEMENTAL ORDER; PREHEARING CONFERENCE ORDER; NOTICE OF PREHEARING CONFERENCE (June 4, 2002)
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1 **Proceeding:** Docket Nos. UT-003022 and UT-003040 are consolidated in a proceeding to review Qwest Corporation's (Qwest) compliance with the requirements of Section 271 of the Telecommunications Act of 1996 (the Act) and the terms of the Statement of Generally Available Terms (SGAT) Qwest has filed with the Commission.

2 **Conference:** The Commission convened a prehearing conference in this proceeding at Olympia, Washington on May 8, 2002, before Administrative Law Judge Ann E. Rendahl, to identify and mark exhibits, establish a schedule for the hearings scheduled to begin May 13, 2002, and discuss any other matters that must be addressed prior to the hearing.

3 **Appearances.** The following parties and their representatives were present at the prehearing conference either in the hearing room or via teleconference bridge line: Qwest, by Lisa Anderl, attorney, Seattle, WA, Jonathan J. Frankel, attorney, Washington, D.C.; AT&T Communications of the Pacific Northwest, Inc. and TCG Seattle (collectively AT&T) by Rebecca DeCook, attorney, Denver, CO, and Gregory J. Kopta, attorney, Seattle, WA; Covad Communications Company (Covad) by

¹ Since the inception of this proceeding, U S WEST has merged and become known as Qwest Corporation. For consistency and ease of reference we will use the name Qwest in this order.

Megan Doberneck, Attorney, Denver, CO; and Public Counsel, by Robert W. Cromwell Jr., Assistant Attorney General, Seattle, WA.

Matters Involving the May Hearings:

4 **Disclosure:** The Administrative Law Judge disclosed that, upon reading the materials submitted for the May hearing, she knew a person identified as an attorney representing Qwest involved in the Touch America litigation, Mr. David L. Sieradzki.

5 **Exhibit Lists and Agenda.** The comments, testimony, and evidence filed for the hearings scheduled to begin May 13, 2002, were marked during the prehearing conference. Those documents were included in a draft exhibit list distributed to the parties by notice dated May 9, 2002. The parties also agreed to a schedule for the hearings, which was also distributed to the parties in the May 9 notice

6 **Briefing Schedule:** The parties agreed to file post-hearing briefs on the issue of public interest, limited to the issues addressed at the May hearing, by 5 p.m. on **June 7, 2002.**

Other Matters:

7 **Compliance Filing for Order on Reconsideration of 30th Supplemental Order.** Qwest filed a petition for reconsideration of the Commission's 30th Supplemental Order concerning Qwest's Performance Assurance Plan on April 15, 2002. In anticipation that the Commission will enter an order on reconsideration by May 20, 2002, Qwest must file an SGAT in compliance with that order on **May 28, 2002.** Any party wishing to respond to Qwest's compliance filing must do so by **Noon on June 3, 2002.**

8 **Electronic Filing and Service.** Given the expedited schedule in this case, and that parties are involved in similar proceedings in other states at the same time, the Commission will allow parties to file with the Commission electronic copies of pre-filed testimony, exhibits, comments and briefs. Parties must mail an original and 12 copies to the Commission the same day to ensure proper filing with the Commission. However, if any document cannot be sent via electronic mail, it must be filed via overnight mail to the Commission and all parties.

9 Pursuant to WAC 480-09-120(2)(d), parties may elect to receive service from other parties by electronic mail. The 27th Supplemental Order in this proceeding required the parties to provide a record of their consent to electronic service and waiver of rights to other forms of service in writing to the Commission.

- 10 **NOTICE IS HEREBY GIVEN THAT a prehearing conference will be held on Tuesday, June 4, 2002, at 9:30 a.m., in Room 206, the main hearing room of the Chandler Plaza Building, 1300 S. Evergreen Park Drive SW, Olympia, Washington.** The purpose of the prehearing conference is to identify and mark pre-filed testimony and exhibits to be used during the hearings scheduled for June 5-7, 2002, and to address any procedural issues that must be resolved prior to the hearing. The topics for the June hearings are the final report on OSS testing, as well as any remaining compliance issues.
- 11 Persons who cannot attend in person may participate via the Commission's teleconference bridge line, **360-664-3846**. Persons desiring to participate via the bridge line must make advance reservations, by calling Kippi Walker at 360-664-1139, no later than Friday, May 31, 2002.
- 12 In preparation for the June 4 prehearing conference, parties must file by **Noon on Monday, June 3, 2002** a list of witnesses who will be appearing before the Commission in the hearings scheduled for June 5-7, 2002, estimates of times for presentation of issues and cross-examination of witnesses, a list of any exhibits the parties wish to discuss or offer during the hearing, and a list of any cross-examination exhibits the parties plan to use during the hearing. Parties must provide paper copies of all exhibits to the Commission and other parties before or during the prehearing conference scheduled for June 4, 2002.

Dated at Olympia, Washington, and effective this 14th day of May, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ANN E. RENDAHL
Administrative Law Judge

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 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.