

BADGLEY ~ MULLINS

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December 2, 2004

Carole Washburn
Executive Secretary
Washington Utilities & Transportation Commission
P.O. Box 42250
Olympia, Washington 98504-7250

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04 DEC -3 AM 8:46
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

Re: Judd, et al., v. AT&T and T-Netix; Docket No. UT-042022
Clarification of Order Extending Time to Respond to Formal Complaint

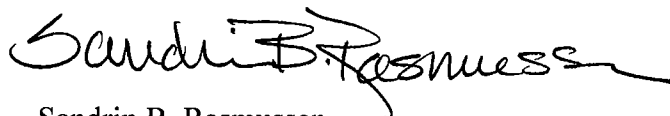
Dear Ms. Washburn:

As you know, Badgley ~Mullins Law Group represents T-Netix in the above-referenced matter. Today we received the Notice of Extension of Time to File Answer to Formal Complaint (by December 15, 2004), but we never received notice of the original motion, and we did not receive service of the Notice of Extension on the service date, November 30, 2004. If we have failed to provide you with our notification data, I apologize, and offer to provide you with any information to facilitate notice to us on behalf of T-Netix in the future.

From our review of the Notice of Extension, it was unclear whether the continuance was for only AT&T or if it also applied to T-Netix. Consequently, we contacted counsel for AT&T and also for plaintiffs, both of whom expressly agree that T-Netix may also have until December 15, 2004, in which to file a response to the Complaint. WAC 480-07-385 provides that the Commission will grant a timely request to which all parties expressly agree unless it is inconsistent with the public interest or the commission's administrative needs. Inasmuch as the parties have agreed to continue the date for filing T-Netix' response to the same date as that established by the Commission for AT&T's, it does not appear that either of the exceptions to the presumption of the continuance under WAC 480-07-385 applies. Therefore, absent instructions from the Commission to the contrary, T-Netix will file its response to the Complaint no later than 5:00 p.m., December 15, 2004.

Very truly yours,

BADGLEY~MULLINS LAW GROUP



Sandrin B. Rasmussen

WSBA #11735

Cc: Jonathan Meier
Charles H.R. Peters