

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET UT-053041
)	
Intelligent Community Services, Inc.)	ORDER 01
)	
For Designation as Eligible)	PREHEARING CONFERENCE
Telecommunications Carrier Under 47)	ORDER;
U.S.C. § 214(e)(2))	
)	NOTICE OF STATUS
)	CONFERENCE
)	(August 13, 2008, at 1:30 p.m.)
)	
)	NOTICE OF HEARING
)	(August 27, 2008, at 9:30 a.m.)
.....)	

- 1 **NATURE OF PROCEEDING.** Docket UT-053041 involves a petition by Intelligent Community Services, Inc. (ICS) requesting designation under state and federal rules as an eligible telecommunications carrier (ETC) eligible to receive support from the federal Universal Service Fund(USF), including support for customers in high-cost locations and low-income consumers, in the Roslyn, Washington, exchange.

- 2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington on April 23, 2008, before Administrative Law Judge Ann E. Rendahl.

- 3 **APPEARANCES.** Gregory J. Kopta, David Wright Tremaine, LLP, Seattle, Washington, represents ICS. Richard A. Finnigan, attorney, Olympia, Washington, represents Inland Telephone Company (Inland) and the Washington Independent Telephone Association. Jennifer Cameron-Rulkowski, Assistant

Attorney General, Olympia, Washington, represents the Commission's regulatory staff (Commission Staff or Staff).¹

Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.

4 **PETITIONS FOR INTERVENTION.** Counsel for Inland and WITA appeared at the conference and petitioned orally to intervene in the docket. No party objected to any of the petitions for intervention. These petitions to intervene are granted.

5 **PROTECTIVE ORDER.** The parties ask that the Commission enter a protective order in this docket under RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 480-07-423 to protect the confidentiality of proprietary information, including highly confidential information. The request was granted and a protective order will be entered in this docket.

6 **DISCOVERY.** Discovery will be conducted pursuant to the Commission's discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

7 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B.

Deadline to file Joint Issues List	Friday, May 2, 2008
Commission Notice of Additional Issues, if any	Friday, May 9, 2008
ICS' Initial Testimony	Friday, May 23, 2008
Responsive Testimony from WITA,	Wednesday, July 9, 2008

¹ In formal proceedings, such as this, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as other parties to the proceeding. There is an "ex parte wall" separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners' policy and accounting advisors from all parties, including regulatory staff. RCW 34.05.455.

Inland and Staff

Reply Testimony from all parties

Wednesday, August 6, 2008

Status Conference

**Wednesday, August 13, 2008,
at 1:30 p.m.**

Evidentiary Hearing

**Wednesday, August 27, 2008, at
9:30 a.m.**

- 8 **NOTICE OF STATUS CONFERENCE.** The Commission will hold a status conference in this matter, on **Wednesday, August 13, 2008, at 1:30 p.m., in Room 108 of the Commission's headquarters, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 9 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter, to commence on **Wednesday, August 27, 2008, at 9:30 a.m., in Room 108 of the Commission's headquarters, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 10 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **two (2)** copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials 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.
- 11 All filings must be mailed or delivered to the Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 12 An electronic copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to records@utc.wa.gov. Alternatively, parties may furnish an electronic copy by delivering with each filing

a 3.5-inch IBM-formatted high-density diskette or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.

- 13 **ELECTRONIC SUBMISSION OF DOCUMENTS.** At the request of the parties, the presiding officer granted a one-day extension of the paper-filing requirement under WAC 480-07-145(6), allowing electronic submission of documents with the Commission on the filing deadline. Parties must submit documents through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail to records@utc.wa.gov, and file an original, plus **two (2)** paper copies, of the documents with the Commission by the following business day. Finally, to perfect filing, parties must provide courtesy copies of filings to the presiding administrative law judge and advisory staff as well as the parties to the proceeding.
- 14 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1144.
- 15 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective April 24, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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ORDER 01**

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ANN E. RENDAHL
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET UT-053041**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
ICS	GREGORY J. KOPTA David Wright Tremaine LLP 1201 Third Ave., Ste 2200 Seattle, WA 98101-3045 JEFF TILLEMANN KEITH SOUTHARD	206-757-8079	206-757-7079	GregKopta@dwt.com jefft@icsemail.net keith.southard@icsemail.net
Inland	RICHARD A. FINNIGAN Law Office of Richard A. Finnigan 2112 Black Lake Blvd SW Olympia, WA 98512 JAMES BROOKS	360-956-7001	360-753-6862	rickfinn@localaccess.com jbrooks@inlandnet.com
Staff	JENNIFER CAMERON-RULKOWSKI Assistant Attorney General 1400 S. Evergreen Pk Dr SW Olympia, WA 98504-0128	360-664-1186	360-586-5522	jcameron@utc.wa.gov
WITA	RICHARD A. FINNIGAN Law Office of Richard A. Finnigan 2112 Black Lake Blvd SW Olympia, WA 98512 TERRY STAPLETON	360-956-7001	360-753-6862	rickfinn@localaccess.com tstapleton@wita-tel.org
ALJ	ANN E. RENDAHL Administrative Law Judge 1300 S. Evergreen Pk Dr SW Olympia, WA 98504-7250	360-664-1144	360-664-2654 [ALD fax only – do not use to file]	arendahl@utc.wa.gov

APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UT-053041

EVENT	DATE	INTERVAL
Deadline to file Joint Issues List	Friday, May 2, 2008	—
Commission Notice of Additional Issues, if any	Friday, May 9, 2008	7 Days
ICS Initial Testimony	Friday, May 23, 2008	14 Days
Responsive Testimony from WITA, Inland & Staff	Wednesday, July 9, 2008	47 Days
Reply Testimony from all parties	Wednesday, August 6, 2008	28 Days
Status Conference	Wednesday, August 13, 2008	7 Days
Evidentiary Hearing	Wednesday, August 27, 2008	14 Days
Post Hearing Briefs	TBD	