



Rob McKenna

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Utilities and Transportation Division

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April 22, 2008

Carole J. Washburn, Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P. O. Box 47250  
Olympia, Washington 98504-7250

Re: *WUTC v. Westgate Communications d/b/a WeavTel*  
Dockets UT-060762, UT-060920 and UT-060921

Dear Ms. Washburn:

Enclosed for filing in the above-referenced docket are the original and 10 copies of Commission Staff's Response to the Westgate Communications, LLC d/b/a WeavTel Motion to Extend Existing Revenue Objective, and Certificate of Service.

Sincerely,

SALLY BROWN  
Senior Assistant Attorney General

SGB:klg  
Enclosures  
cc: Parties



**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION**

In re the Petition of

WESTGATE COMMUNICATIONS  
LLC, d/b/a WEAVTEL,

For extension of current WCAP Revenue  
Objective and extension on time to file new  
Revenue objective

DOCKET UT-060762

DOCKET UT-060920

DOCKET UT-060921

COMMISSION STAFF'S RESPONSE TO  
THE WESTGATE COMMUNICATIONS,  
LLC D/B/A WEAVTEL MOTION TO  
EXTEND EXISTING REVENUE  
OBJECTIVE

**BACKGROUND AND DISCUSSION**

1           On March 1, 2007, the Administrative Law Judge entered Initial Order 03 in these consolidated dockets, approving a Settlement Agreement between Westgate Communications, LLC d/b/a WeavTel (WeavTel or the Company) and the Staff of the Washington Utilities and Transportation Commission (Commission). Initial Order 03 became a final order by operation of law on March 22, 2007. The Settlement Agreement established a temporary Washington Carrier Access Plan (WCAP) Revenue Objective of \$253,572, which will expire on June 30, 2008, unless action is taken by the Commission.

2

The Order at ¶ 21 provides:

This Revenue Objective, if approved, will expire on June 30, 2008, at which time WeavTel will be required to file for a new Revenue Objective giving the Commission an opportunity to review relevant facts and circumstances after more than a year of company operations. WeavTel is also expected to receive federal high cost loop funding by that time, which should reduce the amount of subsidy from the Washington Carrier Access Plan.

3

On April 10, 2008, WeavTel filed a petition to extend the June 30, 2008, expiration date of the current Revenue Objective to February 28, 2009. WeavTel states that the additional time is needed to allow for the completion of 2007 audited financial statements and to accommodate a delay in the implementation of traffic measurement.

4

Commission Staff does not oppose the Company's request to extend the Company's current WCAP Revenue Objective of \$253,572 until February 28, 2009, at which time WeavTel will be required to file for a new Revenue Objective. The extension, if granted, would allow the Company to submit meaningful data in order to determine a final WCAP Revenue Objective.

5

Commission Staff recommends the Company file its 2007 audited financial statements by August 31, 2008, and its updated traffic studies and proposal for a permanent Revenue Objective by October 15, 2008. This schedule would afford Commission Staff adequate time to review the data and recommend to the Commission a fair, just, and reasonable WCAP Revenue Objective in January 2009. This, in turn, would allow time for the Washington Exchange Carriers Association to file any necessary tariff revisions in

February 2009, to become effective on March 1, 2009. If imposed by the Commission, WeavTel has indicated its intention to comply with the deadlines recommended by Staff.

DATED this 22<sup>nd</sup> day of April, 2008.

Respectfully submitted,

ROBERT M. MCKENNA  
Attorney General




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SALLY BROWN  
Senior Assistant Attorney General  
Counsel for Washington Utilities and  
Transportation Commission

Dockets UT-060762, UT-060920 and UT-060921  
CERTIFICATE OF SERVICE

I hereby certify that I have this day served Commission Staff's Response to the Westgate Communications, LLC d/b/a Weavtel Motion to Extend Existing Revenue Objective upon the persons and entities listed on the Service List below by depositing a copy of said document in the United States mail, addressed as shown on said Service List, with first class postage prepaid.

DATED at Olympia, Washington this 22<sup>nd</sup> day of April, 2008.

  
KRISTA L. GROSS

*For Westgate Communications d/b/a WeavTel:*

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