

# McDowell & Rackner PC



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September 15 2009

## VIA ELECTRONIC FILING AND U.S. MAIL

David Danner  
Executive Director and Secretary  
Washington Utilities and Transportation Commission  
PO Box 47250  
1300 S. Evergreen Park Drive, S.W.  
Olympia, WA 98504-7250

**Re: Docket No. UT-090842**

Dear Mr. Danner:

Enclosed for filing in the above-referenced proceeding are an original and 7 copies of the following documents:

1. Agreement Concerning Confidential Information Signatory Page signed by Greg Rogers on behalf of Level 3 Communications,.
2. Agreement Concerning Highly Confidential Information Signatory Page signed by Greg Rogers on behalf of Level 3 Communications,.

A copy of this filing was served on all parties to this proceeding as indicated on the attached certificate of service.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lisa Rackner".

Lisa Rackner

cc: Parties of Record

**CERTIFICATE OF SERVICE**  
**Docket No. UT-090842**

I hereby certify that on the date given below the original and 7 true and correct copies of *Level 3 Communications, LLC's Signature Pages to Protective Order No. 1* were sent by email and regular U.S. Mail, postage prepaid to:

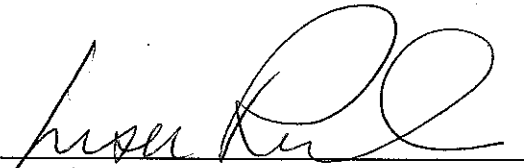
David W. Danner  
Executive Director & Secretary  
Washington Utilities & Transportation Commission  
1300 S. Evergreen Park Drive SW  
Olympia, WA 98504-7250  
E-mail: records@wutc.wa.gov

On the same date, a true and correct copy was sent by email and by regular U.S. Mail, postage prepaid, to:

<p>Gregory M. Romano General Counsel – Northwest Region Verizon Northwest Inc. (T075) 1800 41<sup>st</sup> Street WA0105GC Everett, WA 98201</p> <p>Charles L. Best 1631 NE Broadway, Suite 538 Portland, OR 97232-1425</p> <p>Kevin Saville 2378 Wilshire Blvd. Mound, MN 55364</p> <p>Gregory J. Kopta Davis Wright Tremaine, LLP 1201 Third Ave., Suite 2200 Seattle, WAS 98101-1688</p> <p>Mark P. Trincherro Davis Wright Tremaine LLP 1300 SW Fifth Avenue, Suite 2300 Portland, OR 97201</p>	<p>Jonathan Thompson Attorney General State Mail Stop 40128 1125 Washington St. SE PO Box 40100 Olympia, WA 98504-0100</p> <p>Simon ffitich Sarah Shifley Public Counsel Section Office of Attorney General 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188</p> <p>Stephen S. Melnikoff U.S. Army Litigation Center 901 N. Stuart Street, Suite 700 Arlington, VA 22203-1837</p> <p>Brooks E. Harlow David L. Rice Miller Nash 601 Union St. Seattle, WA 98101-2352</p>
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Scott Rubin 333 Oaklane Bloomsburg, PA 17815	
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DATED this 15th of September, 2009.

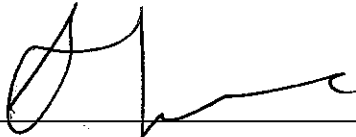
By:   
Lisa Rackner

**EXHIBIT A (ATTORNEY AGREEMENT)**

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION  
IN DOCKET UT-090842  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Gregory L. Rogers, as attorney in  
this proceeding for Level 31 Communications (party to this  
proceeding) agree to comply with and be bound by the Protective Order entered by  
the Washington Utilities and Transportation Commission in Docket UT-090842, and  
acknowledge that I have reviewed the Protective Order and fully understand its terms  
and conditions.

Signature



Date

9/9/09

Address

1025 Eldorado Blvd

Broomfield, CO 80021

**EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)**

AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION  
IN DOCKET UT-090842  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Gregory L. Rogers, as

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

in this proceeding for Level 3 Communications (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the pricing, marketing, and sales of retail telecommunications services in the state of Washington, and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

Signature 

Date 9/9/09

Broomfield Co  
City/State where this Agreement was signed

Employer Level 3 Communications

ST. Corporate Counsel  
Position and Responsibilities

1025 Eldorado Blvd.  
Permanent Address

Broomfield, CO 80021

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The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

\_\_\_\_\_ No objection.

\_\_\_\_\_ Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date