

**REDACTED HIGHLY CONFIDENTIAL PER PROTECTIVE ORDER
IN WUTC DOCKET NO. UT-042022**

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

SANDRA JUDD, et al.,

Complainants,

v.

AT&T COMMUNICATIONS OF THE
PACIFIC NORTHWEST, INC.; and
T-NETIX, INC.,

Respondents.

DOCKET NO. UT-042022

**COMPLAINANTS' RESPONSE TO
AT&T'S MOTION FOR LEAVE TO
FILE ITS RESPONSE TO THE
SUPPLEMENTAL DECLARATION
OF KENNETH L. WILSON**

1. Complainants do not object to AT&T's motion for leave to file a response to the Supplemental Declaration of Kenneth L. Wilson.

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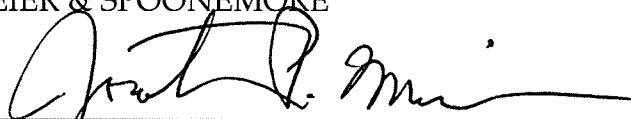
7. The remainder of AT&T's submission largely repeats arguments it first made in its December 2004 motion for summary determination. Thus, AT&T argues that the various contracts make it "clear" that other entities "connected" calls to AT&T's point of presence or "handled" or "provided" local and intraLATA service. AT&T Response, ¶¶ 2, 4. These arguments are misplaced—the question of Complainants' "standing" can only be answered by focusing on whether AT&T and/or T-Netix were operator services providers.

8. In any event, the Commission determined months ago that full discovery was appropriate on the issues raised by AT&T's December 2004 motion. That discovery has not occurred.

9. Amid all the briefing and declarations filed in this matter, it is easy to lose sight of the threshold issue facing the Commission: Does the Commission have the authority to reach Respondents' standing arguments and "dismiss" Complainants when this matter comes to the Commission on a primary jurisdiction referral? Complainants respectfully submit that the answer to that question is no.

DATED: June 20, 2005.

SIRIANNI YOUTZ
MEIER & SPOONEMORE

A handwritten signature in black ink, appearing to read "Jonathan P. Meier", written over a horizontal line.

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CERTIFICATE OF SERVICE

I certify, under penalty of perjury and in accordance with the laws of the State of Washington, that on June 20, 2005, I served a copy of the foregoing document on all counsel of record in the manner shown and at the addresses listed below:

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DATED: June 20, 2005, at Seattle, Washington.

