

BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION

PAC-WEST TELECOMM, INC.,	)	DOCKET NO. UT-053036
	)	
Petitioner,	)	ORDER NO. 01
	)	
v.	)	
	)	PREHEARING CONFERENCE
QWEST CORPORATION,	)	ORDER
	)	
Respondent.	)	
	)	
.....	)	

1     **NATURE OF PROCEEDING.** Docket No. UT-053036 involves a petition for enforcement of an interconnection agreement. Pac-West Telecomm, Inc. (Pac-West) petitions for enforcement of terms of its interconnection agreement with Qwest Corporation (Qwest) relating to payment to Pac-West for terminating traffic. Particularly, the dispute centers on whether Pac-west is entitled to compensation for “VNXX”<sup>1</sup> traffic. Qwest answers and proposes counterclaims against Pac-West.

2     **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington on June 27, 2005. The matter was heard before Administrative Law Judge C. Robert Wallis.<sup>2</sup>

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<sup>1</sup> “VNXX” or “Virtual NXX” refers to a carrier’s acquisition of a telephone number for one local calling area that is used in another geographic area. The call appears local based on the telephone number.

<sup>2</sup> The assigned administrative law judge was unavailable on the day of the prehearing conference. Due to schedule conflicts, Administrative Law Judge Karen M. Caillé will preside during this proceeding.

3 **APPEARANCES.** Gregory J. Kopta, Davis Wright Tremaine, LLP, Seattle,  
Washington, represents the petitioner, Pac-West. Lisa Anderl, attorney, Seattle,  
Washington, represents the respondent, Qwest. Contact information provided at  
the conference for the parties' representatives is attached as Appendix A to this  
order.

4 **PETITIONS FOR INTERVENTION.** No party appeared at the conference  
seeking to intervene.

5 **DISCOVERY.** The parties asked that the discovery rules be invoked in this  
docket, pursuant to WAC 480-07-400. This matter is one that qualifies for  
discovery, and the rules are invoked.

6 **PROTECTIVE ORDER.** The parties agree that a protective order is necessary to  
protect confidential information, including customer-specific information. The  
Commission will enter a protective order in this proceeding to facilitate the filing  
and exchange among parties, during discovery and otherwise, of information  
that is deemed confidential by the party in whose custody and control the  
information is held.

7 **PROCEDURAL SCHEDULE.** The Commission establishes the procedural  
schedule that is attached to this Order as Appendix B, which is incorporated  
into the body of this Order by this reference.

8 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must  
file with the Commission an original plus eight (8) copies of all pleadings,  
motions, briefs, and other prefiled materials. Paper copies of these materials are  
required to conform to the format and publication guidelines set forth in WAC  
480-07-395 and 480-07-460, and must 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.

- 9 All filings must be mailed to the Commission Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250, or delivered by hand to the Commission Secretary at the Commission's Records Center at the Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 10 An electronic copy of all filings must be provided by e-mail delivery to <[records@wutc.wa.gov](mailto:records@wutc.wa.gov)>. Alternatively, Parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette including the filed document(s). The Commission prefers that parties furnish electronic copies in .pdf (Adobe Acrobat) format, supplemented by a separate file in MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format. **Electronic documents that are redacted versions that mask confidential information, should be filed exclusively in "read only" .pdf format.** Parties are required to organize and identify electronic files as specified in WAC 480-07-140(5).
- 11 **ELECTRONIC FILING.** Parties may only file documents electronically with the Commission in this proceeding with the permission of the administrative law judge. Under WAC 480-07-145(6), electronic filing of documents provides a one-day extension of the paper-filing requirement. If, at any time during this proceeding, parties are authorized to file documents with the Commission electronically under WAC 480-07-145(6), Parties must submit the document to [records@wutc.wa.gov](mailto:records@wutc.wa.gov), and file an original, plus eight (8) copies, of the document with the Commission by the following business day.
- 12 **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 360-664-1142.

- 13 **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective this 28th day of June, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

C. ROBERT WALLIS  
Administrative Law Judge

**APPENDIX A**

**PARTIES' REPRESENTATIVES  
DOCKET NO. UT-053036**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
<b>Pac-West Telecomm, Inc.</b>	Gregory J. Kopta Davis Wright Tremaine LLP 2600 Century Square 1501 Fourth Avenue Seattle, WA 98101-1688	206-622-3150	206-628-7699	<a href="mailto:gregkopta@dwt.com">gregkopta@dwt.com</a>
<b>Qwest Corporation</b>	Lisa Anderl Qwest Corporation 1600 7 <sup>th</sup> Avenue, Room 3206 Seattle, WA 98191  Adam L. Sherr Qwest Corporation 1600 7th Avenue, Room 3206 Seattle, WA 98191	206-345-1574  206-398-2507	206-343-4040  206-343-4040	<a href="mailto:lisa.anderl@qwest.com">lisa.anderl@qwest.com</a>  <a href="mailto:adam.sherr@qwest.com">adam.sherr@qwest.com</a>
<b>Presiding Administrative Law Judge</b>	Karen M. Caillé 1300 S. Evergreen Pk. Dr. SW P.O. Box 47250 Olympia, WA 98504-7250	360-664-1136	360-664-2654 [ALD fax only – do not use to file]	<a href="mailto:kcaille@wutc.wa.gov">kcaille@wutc.wa.gov</a>

**APPENDIX B**  
**PROCEDURAL SCHEDULE**  
**DOCKET NO. UT-053036**

EVENT	DATE	INTERVAL
Qwest Discovery Questions	By July 1, 2005	
Pac-West Answers to Qwest Discovery Questions	By July 15, 2005	14 days
Pac- West Discovery Questions	By July 6, 2005	
Qwest Answers to Pac-West Discovery Questions	By July 19, 2005	13 days
Simultaneous Briefs	July 27, 2005	
Oral Presentations	August 3, 2005, beginning at 9:30 a.m.	7 days
Decision Deadline	August 23, 2005	20 days

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