

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

|                                     |   |                           |
|-------------------------------------|---|---------------------------|
| ATKINS ROTARY SPECIALTIES,<br>INC., | ) | DOCKET NO. UT-991421      |
|                                     | ) |                           |
| Complainant,                        | ) |                           |
|                                     | ) |                           |
| v.                                  | ) |                           |
|                                     | ) | SECOND SUPPLEMENTAL ORDER |
| U S WEST COMMUNICATIONS,<br>INC.    | ) | DISMISSING COMPLAINT      |
|                                     | ) |                           |
| Respondent.                         | ) |                           |
| .....                               | ) |                           |

- 1     **BACKGROUND:** On July 19, 1999, Atkins Rotary Specialties, Inc. (Atkins) filed with the Commission a complaint against U S WEST Communications, Inc., now known as Qwest Corporation (Qwest). The complaint alleges that Qwest violated state laws by failing to provide prompt, efficient, or adequate service to the complainant. Complainant requests injunctive relief, imposition of sanctions or fines, damages, and refund of various billings from Respondent. Respondent filed its answer on October 4, 1999.
  
- 2     On January 11, 2000, Administrative Law Judge Karen Caillé conducted a prehearing conference at the Commission offices in Olympia, Washington. The parties agreed to attempt to resolve their differences via a settlement process. After two unsuccessful attempts, the parties settled their dispute.
  
- 3     On February 7, 2001, counsel for Atkin filed a letter that advised the Commission the parties had reached a settlement of the issues in the complaint, and requested that the complaint be dismissed.
  
- 4     **PARTIES:** Philip R. Sloan, Sloan Bobrick & Oldfield, Inc. P.S., University Place, Washington represents Atkins. Lisa A. Anderl, Seattle, Washington, represents Qwest. Jonathan Thompson, Assistant Attorney General, Olympia, Washington represents Commission Staff.
  
- 5     **COMMISSION DISCUSSION AND DECISION:** The Washington Utilities and Transportation Commission has jurisdiction over the parties and subject matter of this complaint. It is consistent with the public interest to dismiss the complaint of Atkins Rotary Specialties, Inc.

**ORDER**

6 The request to dismiss the complaint filed by Atkins Rotary Specialties, Inc. is granted.

7 The complaint is dismissed and this proceeding is terminated.

DATED at Olympia, Washington, and effective this      day of April, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

**NOTICE TO PARTIES: This is a final Order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this Order pursuant to RCW 34.05.470 and WAC 480-09-810, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-09-820(1).**

