

BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION

|                    |   |  |
|--------------------|---|--|
| MCLEODUSA          | ) | DOCKET NO. UT-053024                     |
| TELECOMMUNICATIONS | ) |  |
| SERVICES, INC.,    | ) |  |
|                    | ) |  |
| Petitioner,        | ) | NOTICE OF PREHEARING                     |
|                    | ) | CONFERENCE                               |
| v.                 | ) | <b>(Set for Tuesday, April 19, 2005,</b> |
|                    | ) | <b>9:30 a.m.)</b>                        |
| QWEST CORPORATION, | ) |  |
|                    | ) |  |
| Respondent.        | ) |  |
| .....              | ) |  |

1 On March 31, 2005, McLeodUSA Telecommunications Services, Inc. (McLeodUSA), filed with the Commission a petition for enforcement of interconnection agreement with Qwest Corporation (Qwest). The petition states the dispute is between McLeodUSA and Qwest over Qwest’s right under the interconnection agreement to demand security deposits from McLeodUSA for services provided under the agreement, and to discontinue services to McLeodUSA should McLeodUSA not comply with Qwest’s demand. A more detailed account of the dispute is reflected in the petition, which is available for inspection at the Commission’s office located at Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, and on the Commission’s web site at [www.wutc.wa.gov/053024](http://www.wutc.wa.gov/053024). It is appropriate that the matter raised in the pleadings be brought for hearing before the Commission.

2 In addition, on March 31, 2005, McLeodUSA filed a motion for emergency relief. McLeodUSA asked that the Commission provide emergency relief and consider ruling that Qwest may not disconnect or discontinue providing telecommunications services under the Parties’ Interconnection Agreement or demand a security deposit from McLeodUSA at this time. On April 1, 2005, the

Commission entered Order No. 01—Order Denying Motion for Emergency Adjudication.

3 The Commission will hear this matter pursuant to Part IV of chapter 34.05 RCW pertaining to adjudicative proceedings, including but not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission has jurisdiction over this matter pursuant to Title 80 RCW, having legal authority to regulate the rates, services, and practices of telecommunications companies pursuant to RCW 80.36.140. Statutes involved, in addition to those previously cited, include those within chapters 80.01 RCW, 80.04 RCW, and 80.36 RCW relating to rates, including but not limited to RCW 80.01.040, RCW 80.04.020, RCW 80.36.080, and RCW 80.36.140. Rules involved include those within chapter 480-07 WAC and chapter 480-120 WAC.

4 **THE COMMISSION GIVES NOTICE** That in accordance with WAC 480-07-440(1)(a) and RCW 34.05.479(4), the Commission has determined that good cause exists for this matter to be heard on shortened notice.

5 **NOTICE IS HEREBY GIVEN** That a prehearing conference will be held on Tuesday, April 19, 2005, at 9:30 a.m., Room 108, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.

6 Please see the form attached to this notice which should be filled out and returned if any party or witness needs an interpreter or other assistance.

7 **THE COMMISSION GIVES NOTICE** that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default in accordance with RCW 34.05.440. The parties are further advised that the sanction provisions of WAC 480-07-450 are specifically invoked.

8 The names and known mailing addresses of the parties and their known representatives are as follows:

Petitioner: McLeodUSA Telecommunications  
Services, Inc.  
6400 "C" Street SW  
Cedar Rapids, IA 52406

Representative: Gregory J. Kopta  
Davis Wright Tremaine LLP  
2600 Century Square  
1501 Fourth Avenue  
Seattle, WA 98101-1688  
(206) 628-7692

Respondent: Qwest Corporation  
1600 7<sup>th</sup> Avenue, Rm 3206  
Seattle, WA 98191

Representative: Lisa A. Anderl  
Qwest Corporation  
1600 7<sup>th</sup> Avenue, Rm 3206  
Seattle, WA 98191  
(206) 345-1574

9 Dennis J. Moss, Administrative Law Judge, Washington Utilities and Transportation Commission, Administrative Law Division, is designated as the presiding officer for this proceeding.

DATED at Olympia, Washington and effective this 5th day of April, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN  
Executive Secretary

**NOTICE**

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and if limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket No.: \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_