

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

TSS DIGITAL SERVICES, INC.,	)	
	)	DOCKET UT-063021
Petitioner,	)	
	)	
v.	)	ORDER 01
	)	
QWEST CORPORATION,	)	
	)	PREHEARING CONFERENCE
Respondent.	)	ORDER
	)	
.....	)	

1     **PROCEEDINGS:** TSS Digital Services, Inc., (TSS) on March 16, 2006, filed with the Washington State Utilities and Transportation Commission (Commission) a petition for enforcement of interconnection agreement with Qwest Corporation (Qwest). TSS alleges that Qwest breached the terms of the parties’ interconnection agreement, violating its dispute resolution provisions by refusing to submit a billing dispute to arbitration as required by the agreement. TSS states that Qwest has filed a suit against TSS in Thurston County Superior Court (Case No. 4-2-000324-2) as a means to resolve the billing dispute.

2     Qwest filed its Answer on March 28, 2006, and denies the allegations in the petition.

3     The Commission conducted a prehearing conference on April 12, 2006, before Administrative Law Judge Dennis J. Moss.

4     **PARTY REPRESENTATIVES:** James P. Richmond, Richmond Law Group, PLLC, Olympia, Washington represents TSS. Lisa Anderl, attorney, Qwest

Corporation, represents her company. Neither Public Counsel nor the Commission's regulatory staff entered an appearance.<sup>1</sup>

5 **PETITIONS TO INTERVENE:** There were no petitions to intervene.

6 **DISCOVERY:** The parties will conduct discovery pursuant to the Commission's discovery rules, WAC 480-07-400—425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

7 **PROCEDURAL SCHEDULE; ELECTRONIC SUBMISSION:** The Commission establishes the preliminary procedural schedule that is attached as Appendix B and incorporated into the body of this Order by this reference. The Commission authorizes electronic submission of documents on the dates specified in the procedural schedule, to be followed by official filing of paper on the next day following.

8 **ALTERNATE DISPUTE RESOLUTION:** The Commission supports the informal settlement of matters before it.

9 **FILING; COPIES OF MATERIALS:** Parties must submit the original and five copies of all documents filed. All paper copies of filed documents must be mailed to the Commission Executive 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's Records Center at the agency's physical address. Both the post office box and street address are required to expedite deliveries by U.S. Postal Service.

10 Paper copies of filed 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

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<sup>1</sup> Public Counsel filed a letter with the Commission on March 24, 2006, stating that it does not intend to participate in this proceeding.

three-hole punched. The Commission may require a party to refile any document that fails to conform to these standards.

- 11 An electronic copy of all filings is required. Electronic copies may 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).
- 12 The Commission prefers that parties furnish electronic copies of all filings that do not include confidential information and unredacted versions of documents that do include confidential information 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).
- 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 April 13, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS  
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES**

**DOCKET NO. UT-063021**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
<b>TSS Digital Services</b>	James P. Richmond Richmond Law Group, PLLC 525 Columbia Street N.W. Suite 202 Olympia, WA 98501	360-754-1581	360-754-1357	<a href="mailto:Jim@RichmondLawGroup.com">Jim@RichmondLawGroup.com</a>
<b>Qwest</b>	Lisa A. Anderl Qwest Corporation 1600 7 <sup>th</sup> Avenue, Room 3206 Seattle, WA 98191	206-398-2500	206-343-4040	<a href="mailto:Lisa.Anderl@qwest.com">Lisa.Anderl@qwest.com</a>

**APPENDIX B**

<b>EVENT</b>	<b>DATE</b>	<b>INTERVAL</b>
Petition for Enforcement	March 16, 2006	
Notice of Prehearing Conference	March 21, 2006	5 days after Petition
Answer	March 28, 2006	
Prehearing Conference	April 12, 2006	15 days after Answer
Qwest Dispositive Motion	April 19, 2006	
Deposition by TSS	May 15, 2006	
Answer by TSS	June 5, 2006	
Qwest Reply to Answer	June 19, 2006	