BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

FRONTIER COMMUNICATIONS NORTHWEST, LLC D/B/A ZIPLY FIBER, Complainant, v. KALAMA TELEPHONE COMPANY, Respondent.	DOCKET UT-200751 MOTION TO WITHDRAW FORMAL COMPLAINT

1 Frontier Communications Northwest, LLC d/b/a Ziply Fiber (Ziply Fiber), moves the Commission to withdraw its formal complaint against Kalama Telephone Company (Kalama) and alleges as follows:

I. OVERVIEW

2 Ziply Fiber complained against Kalama Telephone Company (Kalama) for violations of state laws and Commission rules arising from Kalama's alleged unlawful encroachment on Ziply Fiber's service territory. Kalama counterclaimed alleging encroachment by Ziply Fiber on its service territory. The parties have settled their differences by agreeing to a boundary adjustment and have made tariff filings to reflect the settlement. Counsel for Kalama has reviewed this motion and does not oppose.

II. PARTIES

3 Ziply Fiber is a certificated incumbent local exchange carrier with a WUTC-defined service territory in Washington. Ziply Fiber's service territory adjoins Kalama's service territory.

4 Kalama Telephone Company is a certificated incumbent local exchange carrier offering telecommunications services in a WUTC-defined service territory in the state of Washington.

III. JURISDICTION

5 The Commission has jurisdiction over this matter pursuant to RCW 80.01.040, RCW 80.01.070, chapter 80.04 RCW including RCW 80.04.015, RCW 80.04.090, RCW 80.04.110, RCW 80.04.160, RCW 80.04.220, RCW 80.04.380, chapter 80.36 RCW including RCW 80.36.080, RCW 80.36.140, RCW 80.36.170, RCW 80.36.180, RCW 80.36.186, RCW 80.36.230, RCW 80.36.240, RCW 80.36.300, RCW 80.36.320, RCW 80.36.330, RCW 80.36.350, RCW 80.36.855, and chapters 480-80 and 480-120 of the Washington Administrative Code (WAC).

IV. REQUEST FOR RELIEF

6 Ziply Fiber requests that the Commission grant Ziply Fiber's motion to withdraw its formal complaint as the parties have settled their dispute.

7 The parties note that no other party intervened in the complaint docket. The Respondent does not oppose the motion.

8 Ziply Fiber requests that the Commission dismiss its complaint with prejudice as to the issues joined in this docket.

9 Ziply Fiber requests any and all other relief the Commission deems lawful and appropriate under the circumstances.

Respectfully submitted,

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