

**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 Ziplly Fiber (Ziplly Fiber), moves the Commission to withdraw its formal complaint against Kalama Telephone Company (Kalama) and alleges as follows:

I. OVERVIEW

- 2 Ziplly Fiber complained against Kalama Telephone Company (Kalama) for violations of state laws and Commission rules arising from Kalama’s alleged unlawful encroachment on Ziplly Fiber’s service territory. Kalama counterclaimed alleging encroachment by Ziplly 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 Ziplly Fiber is a certificated incumbent local exchange carrier with a WUTC-defined service territory in Washington. Ziplly 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

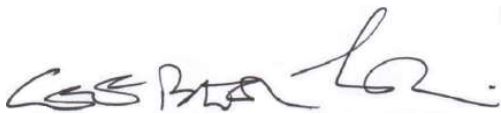
6 Zply Fiber requests that the Commission grant Zply Fiber's motion to withdraw
its formal complaint as the parties have settled their dispute.

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

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

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

Respectfully submitted,



George Baker Thomson, Jr.

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