

DEC 24 1997

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND	)	
TRANSPORTATION COMMISSION,	)	
	)	
Complainant,	)	DOCKET NO. UT-971140
	)	
v.	)	
	)	
WASHINGTON EXCHANGE	)	
CARRIERS ASSOCIATION, <u>et al.</u> ,	)	FIRST SUPPLEMENTAL ORDER
	)	ON PREHEARING CONFERENCE
Respondent.	)	
.....	)	

**PREHEARING CONFERENCE:** The Commission convened a prehearing conference in this matter on Monday, December 15, 1997, at Olympia, Washington, before Administrative Law Judge Terrence Stapleton of the Washington Utilities and Transportation Commission (Commission).

**APPEARANCES:** The following parties entered appearances: Richard A. Finnigan for Washington Exchange Carriers Association (WECA) and individually named local exchange companies<sup>1</sup>; Mary M. Tennyson, Assistant Attorney General, for Staff of the Washington Utilities and Transportation Commission (Commission Staff); Susan D. Proctor and Ron Gayman, by Gregory T. Diamond, for AT&T Communications of the Pacific Northwest Inc. (AT&T); Brooks Harlow and Clyde H. MacIver for MCI Telecommunications Corporation (MCI); Lisa Anderl for U S WEST Communications, Inc. (USWC); and Robert S. Snyder, for individually named local exchange companies<sup>2</sup>.

<sup>1</sup> Mr. Finnigan represents Asotin Telephone Company, Cowiche Telephone Company, Ellensburg Telephone Company, Inter-Island Telephone Company, Inc., Lewis River Telephone Company, Mashell Telecom, Inc., McDaniel Telephone Company, Pend Orielle Telephone Company, Telephone Utilities of Washington, Inc., The Toledo Telephone Company, Inc., and Yelm Telephone Company, in their individual capacity as companies required to file the WECA tariffs with the Commission, for this proceeding to be jointly referred to as "RAF-Companies."

<sup>2</sup> Mr. Snyder represents Hat Island Telephone Company, Hood Canal Telephone Company, Inc., Inland Telephone Company, Kalama Telephone Company, Pioneer Telephone Company, St. John Co-operative Telephone and Telegraph Company, Tenino Telephone Company, Western Wahkiakum County Telephone Company, and Whidbey Telephone Company, in their individual capacity as companies required to file the WECA tariffs with the Commission, for this proceeding to be jointly referred to as "RSS-Companies."

Attached to this order is a list of the parties' representatives; their business addresses; their voice and facsimile telephone numbers; and their electronic mail (e-mail) addresses. Any changes in this list, corrections, and information for any persons not appearing at the conference, must be provided by letter and by e-mail to others on the list and filed with the Commission.

**INTERVENTIONS:** The Commission heard several written and oral requests to intervene. Commission Staff raised no objections to the intervention requests.

Based upon representations that parties would not expand the scope of the proceeding, and that Mr. Finnigan and Mr. Snyder alone would represent all individually named companies for whom they each appear as counsel, the petitions of RAF-Companies, RSS-Companies, AT&T, MCI, and USWC are granted. WECA waived any objections to the intervention of these parties, as clarified on the record at the prehearing conference.

On December 17, 1997, and December 19, 1997, United Telephone Company of the Northwest, and GTE Northwest Incorporated, respectively, filed with the Commission late-filed petitions to intervene and participate as a full party; both petitioners indicated they would not expand the scope of the proceeding. On December 24, 1997, WECA notified the Commission that it would not object to the intervention of these companies, and the petitions therefore are granted.

**SCHEDULE:** The following schedule is adopted for this proceeding:

WECA/RAF-Companies/RSS-Companies File Direct Testimony	March 6, 1998
Commission Staff/AT&T/MCI/USWC File Direct Testimony	April 6, 1998
WECA/RAF-Companies/RSS-Companies File Rebuttal Testimony	May 1, 1998
EVIDENTIARY HEARINGS	May 18-22, 1998
File Post-hearing Memoranda	June 19, 1998
End of Statutory Suspension Period	July 31, 1998

With regard to the filing of rebuttal testimony, the individually-named independent telephone companies are limited **explicitly** to addressing issues posited by the direct testimony of Commission Staff and intervenors, and **exclusively** to those issues which uniquely and directly affect that company alone in its individual capacity.

**DISCOVERY:** The Commission's rule on discovery is invoked. Accordingly, the methods for obtaining data as provided by WAC 480-09-480 are available in this proceeding. From the date of entry of this Order through March 6, 1998, answers to data requests will comply with the ten day requirement established in the rule. Thereafter, all parties will answer data requests within seven days from receiving the requests, unless doing so is impossible. The parties are instructed that, in such an event, the problem must be described to the requester immediately upon finding that compliance is impossible, determine the minimum possible time for compliance, and discuss ways to provide the needed information in a format or manner that meets the requester's needs and can be accomplished within the required time. The parties are reminded that copies of data requests and answers should not be provided directly to the ALJ.

**ALTERNATIVE DISPUTE RESOLUTION:** The parties' attention is directed to WAC 480-09-465, Alternative dispute resolution, and WAC 480-09-466, Settlement conferences. The Commission urges all parties to formal adjudications to include alternative methods to bring resolution to contested issues.

**PROTECTIVE ORDER:** The Commission entered a protective order in this matter on October 17, 1997. No confidential information should be released to any party who has not executed the requisite confidentiality agreement, except pursuant to specific written authorization by the provider.

**NUMBER OF COPIES:** All prefiled documents shall be filed in multiple copies to ensure that Commission Staff has the opportunity to work directly with the documents. In this proceeding, the default number is the original and ten copies. Parties also are instructed to file the documents WordPerfect Version 6.1, or earlier, on diskettes formatted for use in IBM-compatible computers, unless it is impossible for them to do so. Parties who file the documents on diskettes may file the original and seven copies, rather than ten copies.

**COMMUNICATION BY E-MAIL:** Parties provided their electronic mail addresses. If parties wish to receive service from other parties via electronic mail, they should provide a written statement to that effect to the Commission, with a copy to the other parties. Parties are encouraged to provide courtesy copies to each other and to the Commission via e-mail. For those purposes, e-mail may be addressed to the presiding ALJ at <terryst@wutc.wa.gov>.

**NOTICE TO PARTIES:** Any objection to the provisions of this order must be filed within ten days after its service date, pursuant to WAC 480-09-460(2). In the absence of objection, this prehearing conference order shall control further proceedings in this matter, subject to Commission review and/or later change.

DATED at Olympia, Washington, and effective this 24th day of December 1997.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



TERRENCE STAPLETON  
Administrative Law Judge