

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND )  
TRANSPORTATION COMMISSION, )  
) )  
Complainant, )  
) )  
v. )  
) )  
ADVANCED TELECOM GROUP, INC.; )  
ALLEGIANCE TELECOM, INC.; )  
AT&T CORP; )  
COVAD COMMUNICATIONS COMPANY; )  
ELECTRIC LIGHTWAVE, INC.; )  
ESCHELON TELECOM, INC., (f/k/a Advanced )  
Telecommunications, Inc.; )  
FAIRPOINT COMMUNICATIONS SOLUTIONS, INC.; )  
GLOBAL CROSSING LOCAL SERVICES, INC.; )  
INTEGRA TELECOM, INC.; )  
MCI WORLDCOM, INC.; )  
MCLEODUSA, INC.; )  
SBC TELECOM, INC.; )  
QWEST CORPORATION; )  
XO COMMUNICATIONS, INC (f/k/a Nextlink )  
Communications, Inc.); )  
) )  
Respondents. )  
..... )

DOCKET NO. UT-033011  
  
MOTION TO DISMISS  
ALLEGIANCE  
TELECOM, INC.; AND TO  
AMEND EXHIBIT B OF  
COMPLAINT TO  
INCLUDE THE  
ALLEGIANCE  
AGREEMENT

RECEIVED  
RECORDS MANAGEMENT  
03 SEP -4 PM 3:20  
STATE OF WASH.  
UTIL. AND TRANSP.  
COMMISSION

**MOTION**

1 The Washington Utilities and Transportation Commission Staff (Staff) moves to  
dismiss the allegations against Allegiance Telecom, Inc. (Allegiance)

2 The Staff has investigated the allegations against Allegiance and has discovered  
that the agreement between Allegiance and Qwest Corporation (Qwest) is not an

interconnection agreement subject to the filing requirement of 47 U.S.C. § 252(a) or the state commission approval requirement of 47 U.S.C. § 252(e).

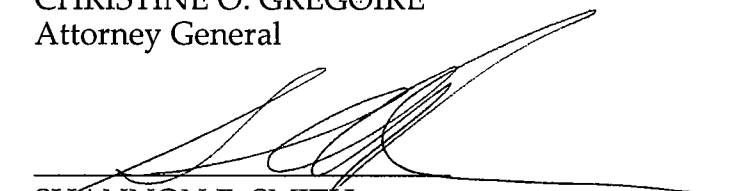
3 Staff also moves to amend Exhibit B to the complaint to include the agreement between Allegiance and Qwest.

**RELIEF REQUESTED**

4 The Staff respectfully requests that the Commission dismiss the allegations against Allegiance and include the agreement between Allegiance and Qwest in the list of agreements in Exhibit B for which the separate allegations against Qwest are made.

Dated: September 4, 2003.

CHRISTINE O. GREGOIRE  
Attorney General



SHANNON E. SMITH  
Assistant Attorney General  
Counsel for Commission Staff