

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

In the Matter of the Petition for)	
Arbitration of an Amendment to)	DOCKET NO. UT-043013
Interconnection Agreements of)	
)	ORDER NO. 09
VERIZON NORTHWEST INC.)	
)	PREHEARING CONFERENCE
with)	ORDER; ESTABLISHING
)	PROCEDURAL SCHEDULE;
COMPETITIVE LOCAL EXCHANGE)	NOTICE OF HEARING
CARRIERS AND COMMERCIAL)	(To be held on January 4-5, 2005)
MOBILE RADIO SERVICE)	
PROVIDERS IN WASHINGTON)	
)	
Pursuant to 47 U.S.C. Section 252(b),)	
and the <i>Triennial Review Order</i> .)	
.....)	

1 NATURE OF PROCEEDING. This proceeding involves a petition Verizon Northwest Inc. (Verizon) filed with the Washington Utilities and Transportation Commission (Commission) requesting arbitration pursuant to 47 U.S.C. § 252(b)(1) of the Telecommunications Act of 1996, Public Law No. 104-104, 101 Stat. 56 (1996) (Act), and the Federal Communications Commission’s Triennial Review Order.¹ The petition was served on all competitive local exchange carriers (CLECs) and Commercial Mobile Radio Service (CMRS) providers in Washington that have entered into interconnection agreements with Verizon.

¹ *In the matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket Nos. 01-338, 96098, 98-147, Report and Order and Order on Remand and Further Notice of Proposed Rulemaking, FCC 03-36 (Rel. August 21, 2003) [Hereinafter “Triennial Review Order”].

2 **CONFERENCE.** The Commission convened a prehearing conference in this docket at Olympia, Washington on September 7, 2004, before Administrative Law Judge and Arbitrator Ann E. Rendahl.

3 **APPEARANCES.** Timothy J. O'Connell, Stoel Rives, LLP, Seattle, Washington and Scott Angstreich, Kellogg, Huber, Hansen, Todd & Evans, P.L.L.C., Washington, D.C. represent Verizon. Edward W. Kirsch and Philip J. Macres, Swidler Berlin, Shereff Friedman, LLP, Washington, D.C., represent Focal Communications Corporation of Washington, ICG Telecom Group, Inc., Integra Telecom of Washington, Inc., McLeodUSA Telecommunications Services, Inc., and Pac-West Telecomm, Inc (collectively the Competitive Carrier Coalition). Letty S.D. Friesen, AT&T Law Department, Denver, Colorado, represents AT&T Communications of the Pacific Northwest, Inc. and AT&T Local Services (TCG Seattle) (collectively AT&T). Heather T. Hendrickson, Kelley, Drye & Warren, LLP, Washington, D.C., represents Advanced TelCom Group, Inc., BullsEye Telecom Inc., Comcast Phone of Washington LLC, DIECA Communications, Inc. d/b/a Covad Communications Company (Covad), Global Crossing Local Services, Inc., and Winstar Communications LLC (collectively the Competitive Carrier Coalition). Brooks E. Harlow, Miller Nash LLP, Seattle, Washington, and Hong Huynh, Miller Nash LLP, Portland, Oregon, represent Centel Communications. Karen S. Frame, Senior Counsel, Denver, Colorado, represents Covad. Richard Pitt, attorney, Burlington, WA, represents Northwest Telephone, Inc. William E. Hendricks, III, Hood River, Oregon, represents Sprint Communications Company, LLP. Art Butler, AterWynne LLP, Seattle, WA, represents U.S. Cellular and WorldCom, Inc. and its subsidiaries in Washington (n/k/a MCI, Inc.). Gregory J. Kopta, Davis Wright Tremaine, LLP, Seattle, Washington, represents XO Washington and Time Warner Telecom, Inc.

- 4 **DISCOVERY.** Discovery, if necessary, will be conducted 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.
- 5 **PROTECTIVE ORDER.** The parties request that the Commission enter a protective order in this docket pursuant to RCW 34.05.446, RCW 80.04.095, WAC 480-07-420, and WAC 480-07-423 to protect the confidentiality of proprietary information. The request was granted, and a protective order will be entered.
- 6 **ISSUES.** On August 19, 2004, and August 27, 2004, respectively, Verizon filed with the Commission revised TRO Amendment Nos. 1 and 2 to the Arbitration Petition, and a proposed procedural schedule for the remainder of the proceeding. AT&T, MCI, the Competitive Carrier Coalition, the Competitive Carrier Group, and Pac-West Telecomm filed comments objecting to Verizon's proposed schedule. The parties agreed upon a procedural schedule, which is discussed further below.
- 7 On August 31, 2004, a number of CLECs, *i.e.*, Advanced TelCom, AT&T, Covad, MCI, and UNICOM, filed with the Commission a motion for enforcement of Order No. 05 in this proceeding, the CLECs' interconnection agreements and the Triennial Review Order. The parties presented arguments addressing issues raised in the motion, and the matter was taken under advisement.
- 8 **PROCEDURAL SCHEDULE.** The parties agreed upon a procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix A, and incorporated into the body of this Order by this reference.

- 9 **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 this 10th day of September, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ANN E. RENDAHL
Administrative Law Judge

APPENDIX A
PROCEDURAL SCHEDULE
DOCKET NO. UT-043013

EVENT	DATE
Verizon files revised TRO Amendments reflecting FCC's Interim Order	September 10, 2004
Verizon files Interconnection Agreements as required by Order No. 08, with accompanying pleading.	September 13, 2004
Responses to Verizon's Interconnection Agreement filing due	September 30, 2004
Replies re: Verizon's Interconnection Agreement filing due	October 12, 2004
Decision on Verizon's Interconnection Agreement filing due	By November 15, 2004
Joint Issues List, identifying any issues that require hearing	November 16, 2004
Initial Briefs (if no hearing is required)	December 21, 2004
Arbitration Hearing	January 4-5, 2005
Initial Briefs (following hearing) - OR Responsive Briefs (if no hearing is required)	January 21, 2005
Responsive Briefs (following hearing) - OR Arbitrator's Report & Decision (if no hearing is required)	February 18, 2005
Arbitrator's Report & Decision (following hearing)	March 18, 2005