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BEFORE THE WASHINGTON UTILITIES AND

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TRANSPORTATION COMMISSION

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In the Matter of the Petition)
of)

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) Docket No. UT-013073

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ELECTRIC LIGHTWAVE, INC.,) Volume I

6

FOX COMMUNICATIONS, INC.,) Pages 1 to 7

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INTERNATIONAL TELCOM LTD, and)

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XO WASHINGTON, INC.)

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For Declaratory Order on)

Reciprocal Compensation Rates)

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A prehearing conference in the above matter

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was held on September 24, 2001, at 3:00 p.m., at 1300

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South Evergreen Park Drive Southwest, Room 206, Olympia,

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Washington, before Administrative Law Judge LAWRENCE

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BERG.

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The parties were present as follows:

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THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION, by GREGORY J. TRAUTMAN, Assistant Attorney
General, 1400 South Evergreen Park Drive Southwest, Post
Office Box 40128, Olympia, Washington, 98504-0128.

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ELECTRIC LIGHTWAVE, INC., FOX COMMUNICATIONS,
INC., INTERNATIONAL TELCOM LTD, AND XO WASHINGTON, INC.,
by GREGORY J. KOPTA, Attorney at Law, Davis, Wright,
Tremaine, LLP, 1501 Fourth Avenue, Suite 2600, Seattle,
Washington 98101.

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VERIZON NORTHWEST, INC., by JUDITH A.

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ENDEJAN, Attorney at Law, Graham & Dunn, PC, 1420 Fifth
Avenue, Seattle, Washington 98101.

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Joan E. Kinn, CCR, RPR

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Court Reporter

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1 QWEST CORPORATION, by LISA ANDERL and ADAM
2 SHERR, Attorneys at Law, 1600 Seventh Avenue, Suite
3 3206, Seattle, Washington 98191.

3 LEVEL III COMMUNICATIONS, via bridge line by
4 ROGELIO PENA, Attorney at Law, 2060 Broadway, Suite 200,
5 Boulder, Colorado 80302.

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P R O C E E D I N G S

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JUDGE BERG: This is a prehearing conference
3 in Washington Utilities and Transportation Commission
4 Docket Number UT-013073. Today's date is September
5 24th, 2001. This prehearing conference is being held in
6 the Commission's hearing room in its headquarters in
7 Olympia, Washington, pursuant to notice served on
8 parties dated September 14th, 2001. This matter is
9 captioned in re the Matter of the Petition for
10 Declaratory Order on Reciprocal Compensation Rates. I'm
11 Lawrence Berg. I have been appointed as presiding
12 officer in this case.

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At this time, we will proceed to take
appearances of parties, and we will begin on my right
with Commission Staff.

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MR. TRAUTMAN: Thank you. This is Gregory J.
Trautman, Assistant Attorney General, representing
Commission Staff. My business address is 1400 South
Evergreen Park Drive Southwest, Post Office Box 40128,
Olympia, Washington 98504. My telephone number is area
code (360) 664-1187. Fax number is area code (360)
586-5522, and my E-mail address is gtrautma@wutc.wa.gov.

MS. ENDEJAN: And my name is Judith A.

Endejan, spelled E-N-D-E-J-A-N, and I'm appearing on
behalf of Verizon Northwest, Inc. My address is Graham

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1 & Dunn, PC, 1420 Fifth Avenue, Seattle, Washington
2 98101-2390. My telephone number is area code (206)
3 340-9694. My fax is area code (206) 340-9599. My
4 E-mail address is jendejan@grahamdunn.com.

5 MR. KOPTA: Gregory J. Kopta of the law firm
6 Davis Wright Tremaine, LLP, on behalf of the petitioners
7 ELI, Fox, International Telecom, and XO. My address is
8 2600 Century Square, 1501 Fourth Avenue, Seattle,
9 Washington 98101-1688. My telephone number is (206)
10 628-7692. Fax (206) 628-7691. E-mail
11 gregkopta@dwtd.com.

12 MS. ANDERL: Lisa Anderl representing Qwest
13 Corporation. Business address is 1600 Seventh Avenue,
14 Room 3206, Seattle, Washington 98191. Telephone (206)
15 345-1574. Fax (206) 343-4040. E-mail
16 landerl@qwest.com.

17 MR. SHERR: I'm Adam Sherr, spelled
18 S-H-E-R-R, in-house counsel for Qwest, same address and
19 fax numbers as Ms. Anderl. Telephone number (206)
20 398-2507. E-mail address asherr@qwest.com.

21 JUDGE BERG: Mr. Pena.

22 MR. PENA: That is Rogelio Pena,
23 R-O-G-E-L-I-O, last name P-E-N-A, on behalf of Level III
24 Communications. My address is 2060 Broadway, Suite 200,
25 Boulder, Colorado 80302. My telephone number is (303)

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1 442-4300. My fax number is (303) 443-6764, and my
2 E-mail address is repena@boulderageys.com.

3 JUDGE BERG: Mr. Pena, I will just let you
4 know that you will be competing with the lawn mower
5 outside the building, so when you do make comments, I
6 will just have to ask that you speak a little bit louder
7 than you normally would just to --

8 MR. PENA: Is this a little bit better?

9 JUDGE BERG: Yes, that will be better. It
10 will probably depend on whether the mower is moving
11 towards us or away from us, but you have no way of
12 knowing that, so I just appreciate your speaking up.

13 MR. PENA: Thank you, Your Honor. I do have
14 a question. Between Mr. Trautman and Mr. Kopta, there
15 was a long silence, and I don't know if I just missed
16 somebody or in fact there was a long silence.

17 JUDGE BERG: Ms. Endejan, will you --

18 MS. ENDEJAN: Oh, it's not on.

19 JUDGE BERG: Ms. Endejan was entering her
20 appearance for Verizon, and we have these new fancy
21 microphones that have separate mute buttons, and it
22 seems that she missed the seminar we had on learning how
23 to use the new equipment.

24 MR. PENA: Well, good afternoon, Ms. Endejan.

25 MS. ENDEJAN: Mr. Pena, I'm sorry, I'm rarely

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1 mute.

2 MR. PENA: Well, I do have your address and
3 phone number, so.

4 MS. ENDEJAN: I will make sure that you have
5 it.

6 JUDGE BERG: And I will just indicate to
7 parties that there will be a list of parties with
8 contact information attached to the prehearing
9 conference order following today's session.

10 I will also indicate to the parties that this
11 matter is proceeding pursuant to WAC 480-09-230(4) and
12 (6). The Commission agrees that a declaratory order is
13 the appropriate process by which to give the parties
14 further guidance in this matter and that the Commission
15 shall enter a declaratory order within a reasonable
16 time. Part of my objective will be to set a schedule
17 for the filing of further written submissions, at which
18 point in time I will consider whether any hearing for
19 oral arguments is necessary, and that decision will be
20 made in conjunction with the commissioners, and we will
21 provide the parties with some further guidance as to
22 whether that will be necessary.

23 At this time, let's be off the record.

24 (Discussion off the record.)

25 JUDGE BERG: After a discussion with parties

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1 regarding the process to follow to near conclusion in
2 this matter, it's agreed that parties who have not yet
3 filed responses to the petition in this case, those
4 parties being Verizon, Commission Staff, and Level III,
5 those parties will file a reply or a response just to
6 the petition that has been filed on Monday, October 8th,
7 2001. All parties are requested to provide co-counsel
8 with electronic copies of the petition and responses to
9 petition that are being made in this first round.

10 Thereafter all parties will file a reply to
11 all other parties on Tuesday, October the 16th, 2001.
12 After reviewing all written submissions, the Commission
13 will decide whether it seeks oral arguments from the
14 parties.

15 Are there any comments or questions before we
16 adjourn?

17 Hearing none, we stand adjourned.
18 (Hearing adjourned at 3:45 p.m.)

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