



0002

1 P R O C E E D I N G S

2 JUDGE FRIEDLANDER: I'm Marguerite  
3 Friedlander, the administrative law judge presiding  
4 over this matter. We are here before the Washington  
5 Utilities and Transportation Commission on Wednesday,  
6 July 29th, 2009, for a prehearing conference regarding  
7 a complaint filed by Qwest Corporation against  
8 McLeodUSA Telecommunications Services, Inc., doing  
9 business as PAETEC Business Services.

10 Qwest's complaint alleges that PAETEC has  
11 been assessing a discriminatory wholesale service order  
12 fee against Qwest when a PAETEC customer switches its  
13 local service to Qwest.

14 The purpose of the prehearing conference  
15 today is to take appearances of the parties, discuss  
16 the schedule for the Commission's consideration of the  
17 Complaint, and any other procedural matters that the  
18 parties may wish to raise. So let's go ahead and get  
19 started with full appearances; names, address,  
20 telephone number, fax, and e-mail. Let's get started  
21 with Qwest.

22 MS. ANDERL: Lisa Anderl, in-house attorney  
23 appearing on behalf of Qwest. My mailing address, and  
24 this is a slight change from previous addresses. It's  
25 still 1600 Seventh Avenue, but it's Room 1506, Seattle,

0003

1 98191. Phone is (206) 345-1574, and the fax is  
2 (206) 343-4040, and my e-mail is lisa.anderl@qwest.com,  
3 and if I could ask for electronic service, if we could  
4 include Mark Reynolds, and his e-mail is  
5 mark.reynolds3@qwest.com.

6 JUDGE FRIEDLANDER: Did you want to include  
7 his phone number, fax, anything like that?

8 MS. ANDERL: His fax is the same as mine and  
9 his mailing address is the same as mine, and his phone  
10 number is (206) 345-1568.

11 JUDGE FRIEDLANDER: Thank you. Appearing on  
12 behalf of McLeod?

13 MR. KOPTA: Thank you, Your Honor. Gregory  
14 J. Kopta of the law firm Davis, Wright, Tremaine LLP,  
15 1201 Third Avenue, Suite 2200, Seattle, Washington,  
16 98101-3045; phone, (206) 757-8079; fax, (206) 757-7079;  
17 e-mail, gregkopta@dwt.com, and Mr. Haas, if he's on the  
18 phone, may want to make an appearance as well.

19 MR. HAAS: Yes, thanks, Greg. This is  
20 William A. Haas, in-house counsel for McLeodUSA, d/b/a  
21 PAETEC Business Services. Address is One Martha's Way,  
22 Hiawatha, Iowa, 52233. Phone number is (319) 790-7295.  
23 Fax is (319) 790-7901. E-mail is bill.haas@paetec.com.

24 JUDGE FRIEDLANDER: Is there anyone else who  
25 wants to enter an appearance on the record? Hearing

0004

1 nothing; did the parties wish to invoke the  
2 Commission's discovery rules today?

3 MS. ANDERL: Yes, Your Honor.

4 JUDGE FRIEDLANDER: Is there need for a  
5 protective order in this matter?

6 MS. ANDERL: There may be, Your Honor.

7 JUDGE FRIEDLANDER: Did you want to go for  
8 the regular confidential or highly confidential?

9 MR. KOPTA: I think regular confidential.

10 MS. ANDERL: I agree.

11 JUDGE FRIEDLANDER: Thank you. So let's go  
12 ahead and go off the record, unless you guys have had a  
13 chance to talk about the scheduling and have some dates  
14 in mind for the record.

15 MS. ANDERL: We should probably go off the  
16 record.

17 JUDGE FRIEDLANDER: We will be off the  
18 record.

19 (Discussion off the record.)

20 JUDGE FRIEDLANDER: While we were off the  
21 record, the parties and I discussed a potential  
22 procedural schedule in this matter where the parties  
23 have agreed to basically what amounts to a paper record  
24 where we will not be having a hearing in this matter,  
25 and they will be filing motions for summary

0005

1 determination on or before October 14th, which is a  
2 Wednesday, and replies will be due to the motions for  
3 summary determination on November 18th, which is also a  
4 Wednesday, and we also discussed the fact that this is  
5 a complaint case, meaning that under the statute, there  
6 is a 10-month time frame for entering a final order,  
7 which counsel can extend for good cause, if I'm not  
8 mistaken, so we have that option.

9           Is there anything else the parties wish to  
10 discuss as far as the scheduling goes?

11           MS. ANDERL: No, Your Honor.

12           MR. KOPTA: No.

13           JUDGE FRIEDLANDER: The parties should file  
14 an original and four copies of any documents, and did  
15 the parties have any procedural matters that they  
16 wanted to bring up at this time?

17           MR. KOPTA: No, Your Honor. Just confirming  
18 that we will be using the Commission's rule that  
19 electronic service on these filing dates is sufficient  
20 as long as we submit a hard copy to the Commission on  
21 the following day.

22           JUDGE FRIEDLANDER: Definitely. If there is  
23 nothing further, we are adjourned. Thank you.

24           (Prehearing adjourned at 10:17 a.m.)

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