

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

In the Matter of)	DOCKET UT-073042
)	
TSS DIGITAL SERVICES, INC.,)	ORDER 01
)	
Petition for Enforcement of its)	
Interconnection Agreement with Qwest)	PREHEARING CONFERENCE
Corporation (f/k/a US WEST)	ORDER; ESTABLISHING
COMMUNICATIONS, INC.) Pursuant)	PROCEDURAL SCHEDULE
to WAC 480-07-650.)	
.....)	

1 **NATURE OF PROCEEDING.** Docket UT-0730342 involves a petition by TSS Digital Services, Inc. (TSS Digital) for enforcement of its interconnection agreement with Qwest Corporation (Qwest) under WAC 480-07-650. Specifically, TSS Digital seeks enforcement of provisions of the agreement that address billing disputes and that require Qwest to work with TSS Digital to identify facilities in non-impaired wire centers that would be converted to tariffed offerings.

2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington, on August 23, 2007, before Administrative Law Judge Ann E. Rendahl.

3 **APPEARANCES.** Judith A. Endejan, Graham & Dunn, PC, Seattle, Washington, represents TSS Digital. Lisa A. Anderl, Associate General Counsel, Seattle, Washington, represents Qwest. Contact information provided at the conference for the parties’ representatives is attached as Appendix A to this order.

4 **PETITIONS FOR INTERVENTION.** No party appeared at the conference seeking to intervene.

5 **PROTECTIVE ORDER.** The parties agreed that it is not necessary for the Commission to enter a protective order in this docket. If the parties determine a need for a protective order during the proceeding, any party may move that the Commission enter such an order under RCW 34.05.446, RCW 80.04.095, WAC

480-07-420 and WAC 480-07-423 to protect the confidentiality of proprietary information.

6 **DISCOVERY.** The parties agreed that there is no need for discovery in this proceeding. If parties see a need for discovery, any party may move that the Commission invoke the Commission's discovery rules, WAC 480-07-400 – 425.

7 **ALTERNATIVE DISPUTE RESOLUTION.** The parties requested during the conference that the Commission assist the parties in informally resolving their dispute through mediation. Under WAC 480-07-710, the Commission assigns Administrative Law Judge Dennis Moss as a mediator in this proceeding. The parties agreed to the following schedule for mediation:

**Simultaneous filings directly mailed and
e-mailed to Judge Moss**

**Thursday,
September 13, 2007**

Mediation

**Monday, September 24,
2007, beginning at 9:30 a.m.**

8 **NOTICE OF MEDIATION.** The Commission has scheduled mediation in this matter, to commence on **Monday, September 24, 2007, at 9:30 a.m., in Room 207 of the Commission's headquarters, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** Additional dates for mediation may be scheduled, as needed, and will be determined by the parties and Judge Moss during the mediation process.

9 **PROCEDURAL SCHEDULE.** The parties agreed during the conference to defer establishing a procedural schedule in this proceeding, pending the outcome of the parties' mediation efforts.

10 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **three (3) paper copies** of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The

Commission may require a party to refile any document that fails to conform to these standards.

- 11 All filings must be mailed or delivered to the Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 12 An electronic copy of all filings must be provided either through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to <records@utc.wa.gov>. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.
- 13 **ELECTRONIC SUBMISSION OF DOCUMENTS.** If, at any time during this proceeding, parties are authorized to submit documents with the Commission electronically under WAC 480-07-145(6), parties must submit the document through the Commission's Web Portal (www.wutc.wa.gov/e-filing) or by e-mail to records@utc.wa.gov, and file an original, plus **three (3)** copies, of the document with the Commission by the following business day
- 14 **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 August 23, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ANN E. RENDAHL
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET UT-073042**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
TSS DIGITAL	JUDITH A ENDEJAN Graham & Dunn PC 2801 Alaskan Way, Ste. 300 Seattle, WA 98121-1128	206-340-9694	206-340-9599	<u>jendejan@grahamdunn.com</u>
QWEST	LISA A. ANDERL Associate General Counsel 1600 7 th Avenue, Rm 3206 Seattle, WA 98191	206-345-1574	206-343-4040	<u>lisa.anderl@qwest.com</u>
Administrative Law Judge	ANN E. RENDAHL 1300 S Evergreen Park Dr SW P.O. Box 47250 Olympia, WA 98504-7250	360-664-1144	360-664-2654 [ALD fax only – do not use to file]	<u>arendahl@utc.wa.gov</u>
Mediator	DENNIS MOSS 1300 S Evergreen Park Dr SW P.O. Box 47250 Olympia, WA 98504-7250	360-664-1164	360-664-2654 [ALD fax only – do not use to file]	<u>dmoss@utc.wa.gov</u>