

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

In the Matter of the Petition for)	DOCKET UT-063061
Arbitration of an Interconnection)	
Agreement between)	
)	ORDER 07
QWEST CORPORATION,)	
)	
and)	GRANTING MOTION TO
)	SUBMIT REPLACEMENT PAGE
v.)	
)	
ESCHELON TELECOM, INC.)	
)	
Pursuant to 47 U.S.C. Section 252(b).)	
)	
.....)	

MEMORANDUM

- 1 **NATURE OF PROCEEDING:** Docket UT-063061 involves Qwest Corporation’s (Qwest) request for arbitration of an interconnection agreement with Eschelon Telecom, Inc., (Eschelon) pursuant to 47 U.S.C. §252(b) of the Telecommunications Act of 1996.

- 2 **PROCEDURAL BACKGROUND:** In Order 02, Prehearing Conference Order, the Washington Utilities and Transportation Commission (Commission) established a procedural schedule. The procedural schedule was modified, at the request of the parties, by Orders 04 and 05.

- 3 **MOTION:** Qwest timely submitted the prefiled direct testimony of Renee Albersheim on September 29, 2006. On November 21, 2006, Qwest filed a motion to submit replacement page to this testimony. Eschelon did not file an opposition to the motion.

- 4 **COMMISSION DECISION:** The motion to submit replacement page is granted. According to WAC 480-07-460(b)(ii) a party must seek leave from the presiding officer by written motion to submit substantive changes to predistributed testimony. Qwest followed the appropriate procedure to modify the direct testimony of Renee Albersheim because the proposed changes to the testimony are substantive. Moreover, according to WAC 480-07-460(b)(iv), a party must follow a particular format in its submission of revisions to ensure that the modifications are readily apparent. Qwest's filing complies with the regulation. Lastly, according to WAC 480-07-375(4), a party opposing a motion must file a response within five business days after the motion is served. Eschelon did not file a response within the time required by the regulation and the time to do so has expired.

Dated at Olympia, Washington, and effective December 5, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

PATRICIA CLARK
Administrative Law Judge