BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of, QWEST CORPORATION For Competitive Classification of Basic Business Exchange Telecommunications Services	DOCKET NO. UT-030614 COMMISSION STAFF'S RESPONSE TO PUBLIC COUNSEL'S PETITION FOR RECONSIDERATION OR CLARIFICATION OF ORDER NO. 08

1 Public Counsel filed a Petition for Reconsideration or Clarification of Order No. 08. Pursuant to notice given on July 31, 2003, Commission Staff provides the following response.

2 Commission Staff has no objection to Public Counsel being exempt from the "one attorney/one expert/one support staff" requirement and believes that such an exemption is appropriate. When originally contemplating the terms of the heightened protective order, ALJ Mace stated: "However, application of the 'one expert/one attorney' limitation to Public Counsel and Staff, as suggested by AT&T, is unwarranted, because the represent neither specific competitors nor customers." Order No. 05, ¶ 34. Exempting Public Counsel from the one attorney/one expert requirement was repeated in paragraph 14 of Order No. 07. To the extent that Order No. 08, paragraph 13 does not exempt Public Counsel from the one attorney/expert/support staff requirement, it should be clarified.

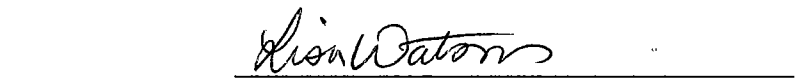
3 Further clarification is also needed. If Public Counsel is not exempted from the one attorney/one expert requirement, does Public Counsel have to hire outside counsel? Staff does not believe this is necessary to protect from disclosure of proprietary or confidential data in this case.

4 Also, if Public Counsel demonstrates that it is operating independently, will it be allowed to view highly confidential data on the same terms that applied to confidential information under Order No. 03, but not subject to the special requirements of Order No. 07 (as contemplated in Order No. 07, paragraph 19)? This result seems to be intended by Order No. 08, paragraph 13, and Staff believes this result is appropriate.

5 In addition, what affidavit is required from Public Counsel? If Public Counsel retains an outside expert, must that expert sign the affidavit required by Order No. 07 (and modified by Order No. 08) before viewing highly confidential data? This result seems appropriate.

DATED this 4th day of August, 2003.

CHRISTINE O. GREGOIRE
Attorney General



LISA WATSON
Assistant Attorney General
Washington Utilities and
Transportation Commission
(360) 664-1168