

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In Re the Matter of)	
)	DOCKET NO. UT-003106
)	
Staff Request for Designation of a)	
Telecommunications Common Carrier)	
To Serve the Unserved Area Between)	
Grant County and U.S. Highway 2)	SECOND SUPPLEMENTAL
)	ORDER DISMISSING
)	PROCEEDING
.....)	

1 **BACKGROUND:** On November 20, 2000, the Commission, on its own motion, entered an Order initiating an adjudicative proceeding to determine (1) whether the Commission should order a telecommunications common carrier to serve what Commission Staff alleges is presently an unserved area of the state; if so, (2) which carrier or carriers should be so ordered; and (3) whether and to what extent such carrier or carriers should be allowed to recover the costs of providing service through an increase in terminating access charges.

2 The Commission convened a prehearing conference in this matter on December 20, 2000, in Olympia, Washington, before Administrative Law Judge (ALJ) Karen M. Caillé. CenturyTel of Washington, Inc. (CenturyTel) informed the Commission that the Company and Staff had reached a tentative agreement whereby CenturyTel would extend facilities to, and provide telecommunications service to, the Moses Coulee area. On January 16, 2001, CenturyTel advised the Commission by letter that the agreement had been finalized, and urged the Commission to dismiss the proceeding.

3 **APPEARANCES:** The following appearances were entered. Calvin Simshaw, attorney, Vancouver, Washington, represents CenturyTel. Judith Endejan, attorney, Williams, Kastner and Gibbs, Seattle, Washington, represents Verizon Northwest, Inc. (Verizon). Douglas N. Owens, attorney, Seattle, Washington, represents Qwest Corporation (Qwest). Robert Cromwell, Assistant Attorney General, Seattle, Washington, represents Public Counsel. Jonathan Thompson, Assistant Attorney General, Olympia, Washington, represents Commission Staff. Mark Ayotte, attorney, Briggs and Morgan, St. Paul, Minnesota, and Beth Kohler, Colchester, Vermont, represent RCC Holdings, Inc. Peter Dykstra, attorney, Carney Badley Smith & Spellman, Seattle, Washington, represents Verizon Wireless (VAW) L. L. C. Greg Diamond, attorney, Davis, Wright, & Tremaine LLP, Seattle, Washington, represents AT&T Wireless Services of Washington, Inc. (AT&T).

4 **COMMISSION DISCUSSION AND DECISION.** The Commission has jurisdiction over the parties and the subject matter of this proceeding. The agreement of Centurytel to extend facilities to, and provide telecommunications service to, the Moses Coulee area leaves no justiciable issues for Commission resolution. Accordingly, the proceeding should be dismissed as moot.

ORDER

5 This investigation is closed and the proceeding is terminated.

Dated at Olympia, Washington, and effective this day of April, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

NOTICE TO PARTIES: This is a final Order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this Order pursuant to RCW 34.05.470 and WAC 480-09-810, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-09-820(1).