

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

WASHINGTON UTILITIES AND	)	
TRANSPORTATION COMMISSION,	)	DOCKET NO. UT-011329
	)	
Complainant,	)	
	)	THIRD SUPPLEMENTAL
v.	)	ORDER GRANTING MOTION
	)	TO AMEND COMPLAINT
QWEST CORPORATION,	)	
	)	
Respondent.	)	
.....	)	

**BACKGROUND.** On September 27, 2001, the Commission filed a complaint against Qwest Corporation (Qwest) alleging violations of RCW 80.36.100, RCW 80.36.130, RCW 80.36.150, RCW 80.36.170, RCW 80.36.150, RCW 80.36.180, and WAC 480-80-330 in connection with Qwest’s Centrex customer loyalty program.

**MOTION TO AMEND COMPLAINT.** On December 18, 2001, Commission Staff filed a Motion to Amend the Complaint. Commission Staff seeks to amend the complaint with information that was not available at the time the Commission filed the original complaint. The additional information became known to Commission Staff through answers to data requests, propounded pursuant to the discovery rule, which was invoked at the prehearing conference on October 22, 2001.

According to Staff, Qwest’s answers to data requests suggest that Qwest violated RCW 80.36.130 at least 887,000 times, rather than the 310,000 times alleged in the original complaint. The only substantive change to the complaint would be the change in the number of alleged violations of RCW 80.36.130 from at least 310,000 to 887,000 in paragraph 23 of the original complaint.

Staff asserts that Qwest is not prejudiced by the amendment to the complaint because Qwest provided the information from which Staff believes the number of violations is at least 887,000 rather than 310,000.

**COMMISSION DECISION.** The Commission finds that it is in the public interest to amend the complaint as requested by Commission Staff. The complaint should accurately reflect the number of Qwest’s alleged violations of Title 80 RCW. Accordingly, Staff’s motion to amend the original complaint is granted. Paragraph 23 of the original complaint is amended to read as follows:

The number of violations of RCW 80.36.130 by Qwest is at least 887,000.

Dated at Olympia, Washington, and effective this        th day of January 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

KAREN M. CAILLÉ  
Administrative Law Judge

