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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)
TRANSPORTATION COMMISSION,)Docket UT-040788
Complainant,)Volume III
)Pages 45-53
v.)
VERIZON NORTHWEST, INC.,)
Respondent.)

A pre-hearing in the above-entitled matter was held at 9:42 a.m. on Thursday, August 5, 2004, at 1300 South Evergreen Park Drive, Southwest, Olympia, Washington, before Administrative Law Judge C. ROBERT WALLIS.

The parties present were as follows:

COMMISSION STAFF, by Gregory Trautman, Assistant Attorney General, 1400 S. Evergreen Park Drive, S.W., P.O. Box 40128, Olympia, Washington, 98504-1028.

VERIZON NORTHWEST, INC., by Judith Endejan, Attorney at Law, Graham & Dunn, Pier 70, 2801 Alaskan Way, Suite 300, Seattle, Washington 98121.

PUBLIC COUNSEL, by Robert Cromwell, Assistant Attorney General, and Simon ffitich, Assistant Attorney General (Appearing via teleconference bridge), 900 Fourth Avenue, Suite 2000, Seattle, Washington 98164.

Barbara L. Nelson, CCR

Court Reporter

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1 WEBTEC, by Arthur A. Butler, Attorney
2 at Law, Ater Wynne, LLP, Two Union Square, 601 Union
3 Street, Suite 5450, Seattle, Washington 98101.

3 DEPARTMENT OF DEFENSE, FEDERAL
4 EXECUTIVE AGENCIES, by Stephen S. Melnikoff, Attorney
5 at Law, Regulatory Law Office, U.S. Army Litigation
6 Center (JALS-RL), 901 N. Stuart Street, Suite 700,
7 Arlington, Virginia 22203-1837 (Appearing via
8 teleconference bridge).

9 AARP, by Ronald Roseman, Attorney at
10 Law, 2011 14th Avenue East, Seattle, Washington
11 98112.

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1 JUDGE WALLIS: Let us be on the record,
2 please. This is a pre-hearing conference in the
3 matter of Commission Docket Number 040788, which, for
4 today's purposes, involves a filing by Verizon
5 Northwest seeking an interim rate increase pending
6 resolution of issues in a final determination of
7 rates in a general rate proceeding.

8 This conference is being held at Olympia,
9 Washington, on today, which is the 5th of August of
10 the year 2004. My name is C. Robert Wallis, and I am
11 the presiding Administrative Law Judge.

12 Let's get some appearances this morning. I
13 understand that a couple of parties have persons in
14 the hearing room who have not entered appearances.
15 If you do not intend to continue on behalf of that
16 party, but your appearance is just for today, then
17 your name would be sufficient. If you will be
18 appearing later in the proceeding, then please give
19 your contact information. Let's start with the
20 company.

21 MS. ENDEJAN: Good morning, Your Honor.
22 Judy Endejan, for Verizon Northwest, Inc. I believe
23 all my identification information's on the record.

24 JUDGE WALLIS: It's on the record. For
25 Commission Staff.

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1 MR. TRAUTMAN: Gregory J. Trautman,
2 Assistant Attorney General, for Commission Staff.

3 JUDGE WALLIS: And you're standing in for
4 today only?

5 MR. TRAUTMAN: At the moment, yes.

6 MR. CROMWELL: Good morning, Your Honor.
7 Robert Cromwell, Assistant Attorney General, on
8 behalf of the Public Counsel Section. And as with
9 Mr. Trautman, I'm here to meet any needs you might
10 have from us, but Mr. Fitch is on the bridge line.

11 JUDGE WALLIS: We acknowledge his presence
12 on the bridge line and thank him for bifurcating his
13 vacation to do so.

14 MR. CROMWELL: Thank you.

15 MR. ROSEMAN: Ronald Roseman, Attorney at
16 Law, appearing on behalf of AARP.

17 MR. BUTLER: Arthur A. Butler, from the Law
18 Firm of Ater Wynne, LLP, on behalf of WebTEC.

19 JUDGE WALLIS: And on the bridge line, for
20 Department of Defense?

21 MR. MELNIKOFF: This is Steve Melnikoff,
22 appearing for the consumer interests of the
23 Department of Defense and all other federal executive
24 agencies, Your Honor.

25 JUDGE WALLIS: Thank you. All right. There

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1 are several questions that I had regarding the
2 exhibits. Our records center had some concerns about
3 filings by three parties, and I would like to
4 identify those concerns, and I have some questions
5 about individual exhibits, so I would suggest that we
6 go off the record to discuss those. Is there any
7 objection to that procedure? We will return to the
8 record and anyone who wishes to make a comment may do
9 so. Very well. Let's be off the record, please.

10 (Discussion off the record.)

11 JUDGE WALLIS: Let's be back on the record,
12 please. We engaged in some procedural discussions
13 regarding the accuracy of a draft exhibit list and
14 have a number of questions noted. I have pledged to
15 complete the update of the list consistent with the
16 discussions this morning at the conclusion of this
17 session and to distribute that by electronic mail,
18 and I will have a goal of doing that before noon
19 today.

20 In conjunction with that, I will assign some
21 numbers, we will leave some space for additional
22 documents that might be presented, which the parties
23 have explained results from the recent filing of
24 rebuttal testimony on the part of the company, and
25 some very quick discovery that has been engaged in,

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1 so we do anticipate that. We ask the parties, if at
2 all possible, to file any remaining documents by
3 close of business tomorrow. By mid-afternoon
4 tomorrow would allow us to get the documents in the
5 Commission's books, in our own books, so that we can
6 review them over the weekend. At latest, we ask that
7 they be filed by noon on Monday, unless, of course,
8 extenuating circumstances create an emergency.

9 Is there any reason, given our discussions
10 today and the resolution of the questions that we
11 had, to ask parties to convene prior to the beginning
12 of the scheduled session on Tuesday at 9:30 a.m.

13 MS. ENDEJAN: Your Honor, my only question
14 is what I have always found useful is to mark the
15 exhibits and -- with the number.

16 JUDGE WALLIS: I will do that in the list
17 that I distribute today.

18 MS. ENDEJAN: Okay. So that we can
19 correlate it and make sure we're all singing from the
20 same sheet.

21 JUDGE WALLIS: Yes, yes.

22 MS. ENDEJAN: Okay.

23 JUDGE WALLIS: So hopefully, by the time you
24 get back to your office, you'll have that and be able
25 to do that.

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1 MR. FFITCH: Your Honor.

2 JUDGE WALLIS: Mr. ffitich.

3 MR. FFITCH: Can I inquire about the
4 schedule for the hearing days? I understand there's
5 an open meeting on Wednesday.

6 JUDGE WALLIS: There is an open meeting on
7 Wednesday. I did inquire this morning before the
8 conference began as to potential conflicts on the
9 Commissioners' calendars, and there is a potential
10 conflict between 11:00 and 12:00 on August 13th, but
11 other than that, it appears that we have a -- if not
12 a green light, at least a bright yellow light to
13 proceed on the schedule that's been identified,
14 working around the open meeting.

15 Now, one reason to call that an amber,
16 rather than a green light, is that the Commissioners
17 have scheduled meetings in the morning and over the
18 noon hour, and there are occasions when those
19 meetings extend a little bit into the time for
20 hearings, so we will do our best to run a tight
21 schedule, begin promptly at 9:30 each morning, and
22 break promptly at noon, resume promptly at 1:30, and
23 continue until about 5:00.

24 I'm optimistic that the estimates of the
25 parties are going to prove to be excessive and that

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1 we will have no trouble in concluding the session in
2 the time that it's available, and maybe even take off
3 early on Friday afternoon so that we can enjoy the
4 beautiful Northwest weather.

5 Is there anything further, Mr. Roseman?

6 MR. ROSEMAN: The open meeting on Wednesday
7 -- so what time would the hearing -- I might have
8 missed that.

9 JUDGE WALLIS: We have scheduled the hearing
10 to exclude a morning session, and we will begin at
11 1:30.

12 MR. ROSEMAN: Thank you.

13 JUDGE WALLIS: The reason is partly
14 uncertainty about the length of the open meeting and
15 partly because the Commissioners have some contingent
16 conferences scheduled in the event that it finishes
17 early enough.

18 MR. ROSEMAN: Thank you, Your Honor.

19 MR. BUTLER: Your Honor.

20 JUDGE WALLIS: Mr. Butler.

21 MR. BUTLER: What time would you like us
22 here on Tuesday morning?

23 JUDGE WALLIS: My preference would be to
24 have people in the hearing room and ready to go by 20
25 after. I'm cognizant that the Commissioners

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1 sometimes have things going on and it takes them a
2 few minutes to get here, but I'd like all of us to be
3 ready to go when the Commissioners come in, and 10
4 minutes should allow us, if anything unexpected comes
5 up, to deal with that.

6 All right. Is there anything further? Let
7 the record show that there's no response. Thank you,
8 Mr. Melnikoff and Mr. ffitch, for joining us
9 virtually, and thank you for all who are in the
10 hearing room. We're off the record.

11 (Proceedings adjourned at 10:27 a.m.)

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