

0001

1 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION

2 COMMISSION

3 MCLEODUSA TELECOMMUNICATIONS)
SERVICES, INC.,)

4)

5 Petitioner,)

6 vs.)

7) DOCKET NO. UT-063013

8) Volume I

9 QWEST CORPORATION,)

10) Pages 1 - 6

11)

12 Respondent.)

13 -----

14

15 A prehearing conference in the above matter
16 was held on March 23, 2006, at 1:32 p.m., at 1300 South
17 Evergreen Park Drive Southwest, Olympia, Washington,
18 before Administrative Law Judge C. ROBERT WALLIS.

19

20 The parties were present as follows:

21 MCLEODUSA TELECOMMUNICATIONS SERVICES, INC.,
22 by GREGORY J. KOPTA, Attorney at Law, Davis, Wright,
23 Tremaine, LLP, 1501 Fourth Avenue, Suite 2600, Seattle,
24 Washington 98101-1688; telephone, (206) 628-7692.

25

26 QWEST CORPORATION, by LISA A. ANDERL,
27 Associate General Counsel, 1600 Seventh Avenue, Room
28 3206, Seattle, Washington 98191; telephone, (206)
29 345-1574.

30

31

32

33 Kathryn T. Wilson, CCR

34 Court Reporter

0002

1 P R O C E E D I N G S

2 JUDGE WALLIS: This is a prehearing
3 conference in the matter of Commission Docket
4 UT-063013, which is a petition by McLeodUSA
5 Telecommunications Services, Inc., against Qwest
6 Corporation for enforcement of an interconnection
7 agreement.

8 This conference is being held in Olympia,
9 Washington, on the 23rd of March of the year 2006
10 before Administrative Law Judge C. Robert Wallis at the
11 Commission's offices in Olympia, Washington. May we
12 have appearances from the parties beginning with the
13 Complainant?

14 MR. KOPTA: Gregory J. Kopta of the law firm
15 Davis, Wright, Tremaine, LLP, 2600 Century Square, 1501
16 Fourth Avenue, Seattle, Washington, 98101-1688;
17 telephone, (206) 628-7692; fax, (206) 628-7699; e-mail,
18 gregkopta@dwt.com, and I'm appearing for Complainant
19 McLeodUSA Telecommunications Services, Inc.

20 MS. ANDERL: For Respondent Qwest
21 Corporation, I'm Lisa Anderl, in-house attorney
22 representing Qwest. My business address is 1600
23 Seventh Avenue, Room 3206, Seattle, Washington, 98191.
24 My phone is (206) 345-1574. My fax is 206-344-4040,
25 and my e-mail is lisa.anderl@qwest.com.

0003

1 JUDGE WALLIS: Thank you. Prior to going on
2 the record in this matter, the parties indicated the
3 need for a protective order; is that correct?

4 MR. KOPTA: That is correct, Your Honor.

5 JUDGE WALLIS: Will the standard form of
6 protective order satisfy the parties' needs?

7 MS. ANDERL: Yes.

8 MR. KOPTA: Yes.

9 JUDGE WALLIS: We will enter such an order.
10 In addition, you've indicated that you have a tentative
11 schedule; is that correct?

12 MR. KOPTA: We do, Your Honor. We have
13 discussed a potential schedule and have agreed on the
14 following: McLeod will file its direct testimony on
15 April 28. Qwest will file its rebuttal testimony on
16 May 26th. McLeod will file its reply testimony by June
17 6th. Hearing dates would be June 13th and 14th.
18 Posthearing briefs would be due by July 14th.

19 JUDGE WALLIS: When would you contemplate
20 that an order would be entered on that schedule?

21 MR. KOPTA: We would obviously like to have
22 an order entered as soon as reasonably convenient for
23 you, Your Honor.

24 JUDGE WALLIS: Very well. Is the briefing
25 time a date that could be shortened by a week? You are

0004

1 talking about simultaneous briefs; is that correct?

2 MR. KOPTA: Yes, Your Honor.

3 MS. ANDERL: Your Honor, I know that, of
4 course, transcripts aren't usually available in the
5 ordinary course for two weeks after the hearing, so I
6 would think that shortening the briefing up would
7 require one party or another to order an expedited
8 transcript, but otherwise...

9 JUDGE WALLIS: What is the length of the
10 hearing time you are anticipating?

11 MS. ANDERL: I think Mr. Kopta and I agreed
12 at this point, without having been to hearing in any
13 other state and not knowing, two days, June 13th and
14 14th.

15 JUDGE WALLIS: How many witnesses are you
16 contemplating?

17 MS. ANDERL: Qwest has two in the Iowa case
18 and McLeod has three.

19 MR. KOPTA: I think that's correct.

20 MS. ANDERL: And that's how it will play out
21 in most every state.

22 JUDGE WALLIS: When will the Iowa case go to
23 hearing?

24 MS. ANDERL: The Iowa case is being heard on
25 a very expedited schedule. At this point, the hearing

0005

1 is scheduled for April 14th, only one day, and I
2 believe there was some discussion amongst the parties
3 about whether that would be moved or not being Good
4 Friday and a number of people having to travel to
5 attend that hearing. I don't know if there has been a
6 final decision on whether that date will move or not.

7 JUDGE WALLIS: Very well. I do not see
8 anything in the proposed schedule that would be an
9 insurmountable barrier. Let's be off the record for a
10 moment.

11 (Discussion off the record.)

12 JUDGE WALLIS: Let's be back on the record
13 following a discussion of the schedule and other
14 matters. We have determined that the schedule will be
15 appropriate. We have advised the parties that there
16 may be a reassignment of administrative law judge in
17 this proceeding.

18 We have received a request that the
19 appropriate discovery rules be invoked. In as much as
20 that is often the case with proceedings in which a
21 protective order is entered, we will grant that
22 request. Will a ten-day turnaround for responses be
23 adequate for your purposes?

24 MR. KOPTA: Yes, Your Honor.

25 MS. ANDERL: Yes, Your Honor.

0006

1 JUDGE WALLIS: Is there anything further the
2 parties wish to bring before the Commission at this
3 time?

4 MS. ANDERL: No, Your Honor.

5 JUDGE WALLIS: Thank you both for appearing
6 today, and this conference is adjourned.

7 (Prehearing conference adjourned at 1:45 p.m.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25