THE LAW OFFICE OF PAINE, HAMBLEN, COFFIN, BROOKE & MILLER LLP

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Jerry K Boyd Of Counsel (509) 455-6039

October 17, 2005

Ms. Washburn
Executive Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive, S.W.
P.O. Box 47250
Olympia, WA 98504-7250

RECORDS MANAGENER

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STATE OF WASH.

UTILL AND TRANSP.

Re: De

Docket No. UT-053040

Public Utility District No. 1 of Pend Oreille County v.

Pend Oreille Telephone Company

Dear Ms. Washburn:

Enclosed please find, for filing, the original and 13 copies of the Stipulation and Withdrawal of Complaint without Prejudice which has been signed by all parties. Please return one conformed copy to me in the self-addressed, stamped envelope provided for your convenience.

Thank you for your assistance in this matter.

Very truly yours,

PAINE, HAMBLEN, COFFIN,

BROOKE & MILLER, LLP

Enclosures

cc: Hon. Theodora M. Mace Richard A. Finnigan Robert C. Cromwell Robert D. Geddes

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BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

PEND OREILLE COUNTY PUBLIC)	
UTILITY DISTRICT NO. 1,)	
)	DOCKET NO. UT-053040
Complainant,)	
•)	STIPULATION AND WITHDRAWAL
vs.)	OF COMPLAINT WITHOUT
)	OF COMPLAINT WITHOUT PREJUDICE
PEND OREILLE TELEPHONE)	
COMPANY,)	
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Respondent.)	var e
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On June 27, 2005, Public Utility District NO. 1 of Pend Oreille County ("District") filed a letter Complaint with the Commission against Pend Oreille Telephone Company ("POTC"). POTC filed an Answer to the Complaint on July 18, 2005. On or about August 1, 2005, the Commission issued a Notice of Prehearing Conference regarding the Complaint setting the date of August 31, 2005, for the Prehearing Conference.

One of the principal goals of the District was to have cellular phone telecommunication services available for use by the public in the north end of Pend Oreille County so that the public can make telephone calls from their cellular phones to local numbers in the vicinity of the cities or towns of Ione, Metaline, and Metaline Falls, Washington without incurring a long distance charge. On August 30, 2005, POTC filed a Traffic Exchange Agreement by and between Pend Oreille Telephone Company and RCC Holdings, Inc. with the Commission. If the District understands the terms, conditions and effect of the Traffic Exchange Agreement between POTC and RCC

Holdings, Inc. correctly, the people of Pend Oreille County will be able to make cellular phone calls to local numbers in North Pend Oreille County without incurring a long distance charge or other unusual charges when the Traffic Exchange Agreement is fully implemented.

With a principal goal of the District being met, the District agrees to voluntarily withdraw its Complaint against POTC without prejudice. POTC concurs with such withdrawal of Complaint without prejudice.

PAINE, HAMBLEN, COFFIN,	
BROOKE & MILLER LLP	
By: Jerry K Poyd, WSBA #2009 Attorneys for Complainant	Dated: October 17, 2005
RICHARD A. FINNICAN	
By:Attorneys for Respondent	Dated: Catolin 17, 2005
ATTORNEY GENERAL	
By:	Dated:
Robert C. Cromwell, Jr. Assistant Attorney General	• .

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Holdings, Inc. correctly, the people of Pend Oreille County will be able to make cellular phone calls to local numbers in North Pend Oreille County without incurring a long distance charge or other unusual charges when the Traffic Exchange Agreement is fully implemented.

With a principal goal of the District being met, the District agrees to voluntarily withdraw its Complaint against POTC without prejudice. POTC concurs with such withdrawal of Complaint without prejudice.

PAINE, HAMBLEN, COFFIN, BROOKE & MILLER LLP

Jerry K Boyd, WSBA #2099 Attorneys for Complainant	,
RICHARD A. FINNIGAN	
By: Attorneys for Respondent	Dated:
ATTORNEY GENERAL By: Robert C. cromwell, Jr. Assistant Attorney General	Dated: 10-17-05
By: Chris Swanson Il\Spodos(12836\00013\plead\0003523\dagger).DOC.is	Dated:

Dated:

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of October, 2005, I caused to be served a true and correct copy of the foregoing STIPULATION AND WITHDRAWAL OF COMPLAINT WITHOUT PREJUDICE to the following:

HAND DELIVERY U. S. MAIL OVERNIGHT MAIL VIA FACSIMILE	Richard A. Finnigan Attorney 2112 Black Lake Blvd., S.W. Olympia, WA 98512 360-956-7001 Fax: 360-753-6862 rickfinn@localaccess.com
HAND DELIVERY U. S. MAIL OVERNIGHT MAIL VIA FACSIMILE	Robert C. Cromwell, Jr. Assistant Attorney General 900 Fourth Ave., #2000 Seattle, WA 98164-1012 206-464-6595 Fax: 206-389-2058 robertcl@atg.wa.gov
HAND DELIVERY U. S. MAIL OVERNIGHT MAIL VIA FACSIMILE	Theodora M. Mace Administrative Law Judge Washington Utilities and Transportation Commission 1300 S. Evergreen Park Drive, S.W. P.O. Box 47250 Olympia, WA 98504-7250

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