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1 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION

2 COMMISSION

3 In Re the Complaint of)
4 AT&T COMMUNICATIONS OF THE)
5 NORTHWEST, INC.,)

6 Complainant,)

7 vs.)

8 U S WEST COMMUNICATIONS, INC.,)

9 Respondent.)

DOCKET NO. UT-991292
VOLUME 2
Pages 14 - 18

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A prehearing conference in the above matter was held on September 22, 1999 at 12:25 p.m., at 1300 South Evergreen Park Drive Southwest, Olympia, Washington, before Administrative Law Judge C. ROBERT WALLIS. Also Present: LAWRENCE BERG

The parties were present as follows:
AT&T COMMUNICATIONS OF THE NORTHWEST, INC., by MARY B. TRIBBY, (via bridge line) Attorney at Law, 1875 Lawrence Street, Denver, Colorado, 80202.
Also Present: Ron Gamon

U S WEST COMMUNICATIONS, INC., by LISA A. ANDERL, (via bridge line) Attorney at Law, 1600 Seventh Avenue, Suite 3206, Seattle, Washington 98191.

TRACER, by ARTHUR A. BUTLER, (via bridge line) Attorney at Law, 601 Union Street, Suite 5450, Seattle, Washington 98101.

THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, by JEFFREY D. GOLTZ, Assistant Attorney General, 1400 South Evergreen Park Drive Southwest, Post Office Box 40128, Olympia, Washington 98504.
Also Present: David Griffith.

Kathryn T. Wilson, CCR, Court Reporter

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P R O C E E D I N G S

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JUDGE WALLIS: This is a prehearing conference in the matter of Commission Docket No. UT-991292, which is a complaint of AT&T Communications of the Northwest, Inc., against U S West Communications, Inc., Respondent. This matter is being heard in Olympia, Washington on September 22, 1999, pursuant to due and proper notice to all interested parties.

My name is Robert Wallis, and I'm the assigned Administrative Law Judge. Let's begin by taking appearances and start with the Complainant, please.

MS. TRIBBY: This is Mary Tribby on behalf of AT&T.

JUDGE WALLIS: The Respondent?

MS. ANDERL: This is Lisa Anderl on behalf of U S West Communications.

JUDGE WALLIS: The Intervenor?

MR. BUTLER: This is Arthur A. Butler appearing on behalf of TRACER.

JUDGE WALLIS: And Commission staff.

MR. GOLTZ: This is Jeff Goltz with the Attorney General's office, and I'm appearing for Staff

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1 today and substituting for Shannon Smith, also of the
2 Attorney General's office.

3 JUDGE WALLIS: Let me ask if there is any
4 other person on the line wishing to make an appearance
5 as a party or petitioner for intervention. Let the
6 record show there is no response.

7 Preliminary to going on the record, we
8 engaged in some discussions on procedural matters, and
9 I'm advised by the Parties that discovery is proceeding
10 and documents are starting to flow. I had previously
11 asked if Parties could discuss the potential for
12 stipulation of facts, and the Parties agree that at the
13 appropriate time, they will explore that possibility.

14 The Parties reminded us of the pending motion
15 to dismiss and asked that the Commission examine that
16 motion at an early time, and I will commit on behalf of
17 the Commission that, indeed, it will not allow that to
18 languish but will attend to it in a timely manner.
19 That does not preclude a decision by the Commission to
20 reserve a ruling, however.

21 The Commission has blocked off the dates of
22 December 13, 14, and 15, for hearing in this matter,
23 and a notice of hearing will issue appropriately. The
24 Commissioners have advised me that they do wish to hear
25 this matter personally, and as of now, pending a change

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1 in that schedule, we plan the Commissioners will be
2 presiding along with the Administrative Law Judge.

3 Mr. Butler has requested a copy of discovery
4 responses that are served on other parties, and I
5 believe has agreed to submit a request to other parties
6 in writing to that effect so that everybody's records
7 are appropriately noted; is that correct?

8 MR. BUTLER: Yes, that is, Your Honor.

9 JUDGE WALLIS: The Parties have agreed to
10 schedule a prehearing conference, which we anticipate
11 would also be held via teleconference for those who did
12 not wish to attend in person to be scheduled on October
13 14th, 1999, at a time that is available to the bridge
14 line, and we will ask Staff to prepare that and to work
15 with the schedules that we have here, and we'll advise
16 the Parties by appropriate notice to that effect.

17 I believe that is all of the matters we
18 discussed to date that warrant attention on the record.
19 Let me ask at this point if any of the Parties wishes
20 to supplement or correct any of the statements I've
21 made for the record.

22 MS. ANDERL: No, Your Honor.

23 MS. TRIBBY: Nothing from AT&T.

24 MR. BUTLER: And nothing from TRACER.

25 JUDGE WALLIS: Let the record show there is

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1 no positive response to that inquiry, and I want to
2 thank you all for attending, and we will be off the
3 record at this time.

4 (Prehearing conference concluded at 12:30 p.m.)

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