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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

600 University Street, Suite 3600
Seattle, Washington 98101
main 206.624.0900
fax 206.386.7500
www.stoel.com

TIMOTHY J. O'CONNELL
Direct (206) 386-7562
tjoconnell@stoel.com

December 15, 2004

VIA E-MAIL AND FEDERAL EXPRESS

Ms. Carole Washburn, Executive Secretary
Washington Utilities & Transportation Committee
1300 Evergreen Park Drive, SW
Olympia, WA 98504

Re: Docket No. UT-043013 –

Dear Ms. Washburn:

Please find enclosed an original and six copies of a Verizon's Response to Joint Motion for Extension of Time to File Initial Briefs and a Certificate of Service. We are filing these documents electronically and by overnight delivery.

Please contact us if you have any questions, and thank you in advance for your assistance.

Very truly yours,

A handwritten signature in cursive script that reads "Veronica Moore".

Veronica Moore
Secretary for Timothy J. O'Connell

Enclosures

cc: ALJ Ann Rendahl
Parties of Record

1 **BEFORE THE**

2 **WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

3 In the Matter of the Petition for
4 Arbitration of an Amendment for
5 Interconnection Agreements of

6 VERIZON NORTHWEST INC.

7 with

8 COMPETITIVE LOCAL EXCHANGE
9 CARRIERS AND COMMERCIAL
10 MOBILE RADIO SERVICE
11 PROVIDERS IN WASHINGTON

12 Pursuant to 47 U.S.C. Section 252(b),
13 And the *Triennial Review Order*

Docket No. UT-043013

VERIZON'S RESPONSE TO JOINT
MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEFS

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DIVISION
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13 Verizon Northwest Inc. ("Verizon") responds to the Joint Motion For Extension of Time
14 to File Initial Briefs ("Joint Motion") filed by AT&T Communications of Pacific Northwest, Inc.
15 and AT&T Local Services on behalf of TCG Seattle, TCG Oregon ("AT&T") and MCI Metro
16 Access Transmission Services LLC ("MCI"). Verizon opposes any delay in this case because of
17 pending action by the FCC, but would agree to delay briefing to January 5, 2004, only to
18 accommodate development of a joint disputed issues list.
19

20 1. This proceeding should not be postponed based on some expectation that the FCC might
21 act in the near term. While reports indicate that the FCC may vote on final unbundling rules this
22 week, it is far from certain that the FCC will issue an Order, if it issues anything at all.
23 Moreover, the fact that the FCC may act in the near term increases the urgency to conclude an
24 amendment to implement the changes in unbundling rules. The FCC expected that proceedings
25 to implement changes in unbundling rules would conclude *before* the FCC adopted its new rules.
26

VERIZON'S RESPONSE TO JOINT
MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEFS - 1

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ORIGINAL

STOEL RIVES LLP
ATTORNEYS
900 SW Fifth Avenue, Suite 2600, Portland, OR 97204
Telephone (503) 224-3330

1 In this regard, the FCC's *Interim Order* expressly endorsed Verizon's right to undertake
2 proceedings to ensure a "speedy transition" to any permanent rules eliminating unbundling
3 requirements for mass-market switching, high-capacity loops, and dedicated transport.¹ As the
4 FCC recognized, there is no need to know what its final rules say before executing contract
5 amendments to implement those rules. In this regard, Verizon's Amendment does not assume
6 any particular outcome of the FCC's rulemaking, but ties its unbundling obligations to federal
7 law, as it may change from time to time.

9 2. Notwithstanding those overarching concerns, the original filing date for the
10 opening brief in this case was predicated on the parties having prepared and filed a jointly-agreed
11 issues list(s). That did not occur in this case. See Verizon's Proposed Issues List and
12 Transmittal Letter of November 19, 2004.

14 3. Verizon recognizes that competing issues statements would complicate the
15 process of preparing briefing by December 21st (as well as the Arbitrator's review of the parties'
16 briefs). However, the same parties in this proceeding are working together (in the context of
17 parallel proceedings in Florida and Rhode Island) to finalize an agreed issues list, and we
18 anticipate that this process will conclude this week. We further anticipate that the issues lists
19 developed in those states could be used in Washington, with little modification.

21 4. Assuming that the parties agree this week to use the Florida/Rhode Island issues
22 list as a basis for the Washington issues list, Verizon would agree to filing opening briefs in this
23 case on January 5, 2005.

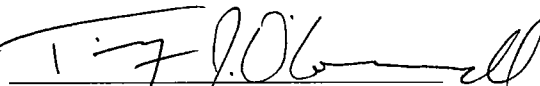
25 ¹ Order and Notice of Proposed Rulemaking, *Unbundled Access to Network Elements; Review of the*
26 *Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, FCC 04-179 (rel. Aug. 20, 2004)
("Interim Order"), at ¶ 22.

1 5. Verizon has reviewed the same e-mails as referenced by moving parties in the
2 Joint Motion, and concurs with all other parties that no hearing is necessary in this case.

3 6. Finally, Verizon has received the filing made by Covad in this docket on
4 November 22, 2004. The Exhibit A thereto was not filed until November 30, 2004. Verizon has
5 been researching the matters referenced in that filing, since it raised new factual allegations. So
6 that all parties may be aware of both sides' positions on those issues before briefs are filed,
7 Verizon will commit to filing its Response to Covad's letter by December 30, 2004.
8

9
10 Respectfully submitted,

11 Aaron M. Panner
12 Scott H. Angstreich
13 KELLOGG, HUBER, HANSEN,
14 TODD & EVANS, P.L.L.C.
15 Summer Square
16 1615 M Street, N.W., Suite 400
17 Washington, D.C. 20036
18 (202) 326-7900
19 (202) 326-7999 (fax)


20 Timothy J. O'Connell
21 STOEL RIVES, LLP
22 One Union Square
23 600 University St., Suite 3600
24 Seattle, WA 98101
25 (206) 624-0900
26 (206) 386-7500

Counsel for Verizon Northwest Inc.

27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
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December 15, 2004

CERTIFICATE OF SERVICE

I hereby certify that I have this 15th day of December, 2004, served the true and correct original, along with the correct number of copies, of *Verizon's Response to Joint Motion for Extension of Time to File Initial Briefs* and *Certificate of Service* upon the WUTC, via the method(s) noted below, properly addressed as follows:

Carole Washburn, Executive Secretary
Washington Utilities & Transportation
Commission
1300 S. Evergreen Park Drive SW
Olympia, WA 98503-7250

Hand Delivered
 U.S. Mail (1st class, postage prepaid)
 Overnight Mail
 Facsimile (360) 586-1150
 Email (records@wutc.wa.gov)

I hereby certify that I have this 15th day of December, 2004, served a true and correct copies of the foregoing documents upon parties noted below via E-Mail and U.S. Mail:

The Honorable Ann E. Rendahl
Washington Utilities & Transportation
Commission
1300 S. Evergreen Park Dr SW
Olympia, WA 98504-7250
Email: arendahl@wutc.wa.gov

Brooks E. Harlow
Miller Nash LLP
4400 Two Union Square
601 Union Street
Seattle, WA 98101-2352
Email: brooks.harlow@millernash.com

Edward W. Kirsch
Jon Frankel
Russell Blau
Swidler Berlin Shereff Friedman LLP
300 K Street NW, Suite 300
Washington, DC 20007-5116
Email: ewkirsch@swidlaw.com
Email: jsfrankel@swidlaw.com
Email: mblau@swidlaw.com

Heather T. Hendrickson
Andrew Klein
Genevieve Morelli
Kelley Drye & Warren LLP
1200 19th Street, N.W., Suite 500
Washington, DC 20036
Email: hhendrickson@kelleydrye.com
Email: aklein@kelleydrye.com
Email: gmorelli@kelleydrye.com

Letty Friesen
AT&T Communications
1875 Lawrence Street, Suite 1500
Denver, CO 80202
Email: lfriesen@lga.att.com

Richard A. Pitt
12119 Jacqueline Drive
P. O. Box 667
Burlington, WA 98233
Email: rapitt98232@msn.com

Tre E. Hendricks III
United Telephone Co. of the NW
902 Wasco Street
Hood River, OR 97031-3105
Email: tre.e.hendricks.iii@mail.sprint.com

Paul Masters
Ernest Communications Inc.
5275 Triangle Parkway, Suite 150
Norcross, GA 30092-6511
Email: pmasters@ernestgroup.com

Karen Shoresman Frame
Covad Communications Co.
7901 Lowry Boulevard
Denver, CO 80230
Email: kframe@covad.com

Gregory J. Kopta
Davis Wright Tremaine LLP
1501 Fourth Avenue, Suite 2600
Seattle, WA 98101-1688
Email: gregkopta@dwt.com

Michel L. Singer Nelson
Worldcom, Inc.
707 17th Street, Suite 4200
Denver, CO 80202-3432
Email: michel.singer_nelson@mci.com

Mark P. Trincherro
Davis Wright Tremaine
1300 SW Fifth Avenue, Suite 2300
Portland, WA 97201
Email: marktrincherro@dwt.com

Roy Harsila
Carrier Relations Manager
Comm South Companies Inc.
6830 Walling Lane
Dallas, TX 75231
Email: rharsila@commsouth.net

Lisa F. Rackner
Ater Wynne LLP
222 SW Columbia, Suite 1899
Portland, OR 97202
Email: lfr@aterwynne.com

William E. Braun, V.P. and General Counsel
Dennis Kelley, Director of Operations
(Provisioning)
1-800-RECONEX INC.
2500 Industrial Avenue
Hubbard, OR 97032
Email: bill.braun@reconex.com
Email: dennis.kelley@reconex.com

Barbara Fillinger
Regulatory Manager
Ionex Communication North, Inc.
2020 Baltimore
Kansas City, MO 64108
E-mail: bfillinger@birch.com

Karine Hellwig
Sprint Communications Company L.P.
6390 Spring Pkwy
Ms: KSOPHT010-Z2400
Overland Park, KS 66251-2400
E-mail: glenn.harris@mail.sprint.com

Richard A. Finnigan
2405 Evergreen Park Drive SW, Suite B-1
Olympia, WA 98502
Email: rickfinn@ywwave.com

Hong N. Huynh
Miller Nash LLP
111 SW Fifth Avenue, Suite 3400
Portland, OR 97204
Email: hong.huynh@millernash.com

Sam Vogel
CMO & SVP Interconnection
Metropolitan Telecomm. of Washington Inc.
44 Wall Street, 6th Floor
New York, NY 10005
Email: svogel@mettel.net

Brian Bolinger
dPi Teleconnect LLC
2997 LBJ Freeway
Dallas, TX 75234
Email: bbolinger@dpitelconnect.com

Michael E. Daughtry
United Communications, Inc., d/b/a Unico
389 SW Scalehouse Court
Bend, OR 97702
E-mail: mike@ucinet.com

Rowena Hardin
Nos Communications, Inc.
Tariff and Regulatory Affairs
4380 Boulder Highway
Las Vegas, NV 89121-3002
E-mail: hardin@nos.com

Schula Hobbs, Director of Regulatory Affairs
DSLNet Communications, LLC
545 Long Wharf Drive, Floor 5
New Haven, CT 06511
E-mail: wbluemling@dsl.net

William P. Hunt, III, V.P., Public Policy
Level 3 Communications, LLC
1025 El Dorado Blvd.
Broomfield, CO 80021
E-mail: bill.hunt@level3.com

Bernard Chao
Covad Communications Company
110 Rio Robles
San Jose, CA 95134-1813
E-mail: bchao@covad.com

Arthur L. Magee, Comptroller
Budget Phone, Inc.
PO Box 19360
Shreveport, LA 71149
E-mail: amagee@budgetphone.com

Sam G. Maropis
Associate Director – Regulatory
SBC Telecom, Inc.
Regulatory/Municipal Affairs
1010 N. St. Mary's, Room 13K
San Antonio, TX 78215
E-mail: sm3745@SBC.com

Daniel Meldazis
Senior Manager Regulatory Affairs
Focal Communications Corporation of Wash
200 North Lasalle Street, Suite 1100
Chicago, IL 60601
E-mail: dmeldazis@focal.com

Andrew Metcalfe, President
Northwest Telephone, Inc.
1630 N. Wenatchee Avenue, Suite 9
Wenatchee, WA 98801
E-mail: metcalfe@nwi.net

William Oberlin
Bullseye Telecom, Inc.
25900 Greenfield Road, Suite 330
Oak Park, MI 48237
E-mail: sloney@bullseyetelecom.com

Heather Qualey
Director Of Product Marketing, Telephony
Metstream Communications, Inc.
1815 NW 169th Place, Suite 4060
Beaverton, OR 97006
E-mail: heather_qualey@metstream.com

Karen Johnson
Corporate Regulatory Attorney
Integra Telecom of Washington, Inc.
1201 NE Loyd Blvd., Suite 500
Portland, OR 97232
E-mail: karen.johnson@integratelecom.com

Joanne Lyons, Director of Accounting
ICG Telecom Group, Inc.
Government and External Affairs
161 Inverness Drive West
Englewood, CO 80112
E-mail: donna-mozina@cgcomm.com

Dimitri Mandelis, President
Computers 5*, Inc., d/b/a Localtel
341 Grant Road
East Wenatchee, WA 98802
E-mail: dimitri@clandt.com

Randall C. Meacham
Senior Manager – Government Affairs
KMC Telecom V, Inc.
1755 N. Brown Road
Lawrenceville, GA 30043
E-mail: rmeach@kmctelecom.com

Becki Merkel, Cost Accountant II
McLeodUSA Telecommunications Services
6400 C Street SW
PO Box 3177
Cedar Rapids, IA 52405-3177
E-mail: bmerkel@mcleodusa.com

Nicole Mizell, Regulatory Specialist
Vartec Telecom, Inc.
1600 Viceroy Drive
Dallas, TX 75235
E-mail: nymizell@vartec.net

Jon Pesnell, Controller
Preferred Carrier Services, Inc. (T953)
14681 Midway Road, Suite 105
Addison, TX 75001
E-mail: alex.valencia@phonesforall.com

Teresa S. Reff, Senior Financial Analyst
Global Crossing Local Services, Inc.
Regulatory Affairs
1080 Pittsford Victor Road
Pittsford, NY 14534
E-mail: teresa.reff@globalcrossing.com

Jill Sanford, Senior Attorney
Robert Sokota, General Counsel
Abovenet Communications, Inc.
360 Hamilton Avenue
White Plains, NY 10601
E-mail: knations@mmfn.com

David L. Starr
Director, Regulatory Compliance
Allegiance Telecom of Washington, Inc.
9201 North Central Expressway
Dallas, TX 75231
E-mail: david.starr@algx.com

Dick Van Aggelen
Quantumshift Communications, Inc.
101 Rowland Way, Suite 300
Novato, CA 94945
Email: regulatory@quantumshift.com

Rhonda Weaver
Director of Government Affairs & Telephone
Comcast Phone of Washington, LLC
440 Yaeger Way SW
Olympia, WA 98502-8153
Email: rhonda_weaver@cable.comcast.com

Sally Johnston, Assistant Attorney General
Attorney General Office
Representing WUTC
State Mail Stop 40128
Email: ajohnston@wutc.wa.gov

Marathon Communications, Inc.
1550 N. 34th Street, #200
Seattle, WA 98109-2904
E-mail: ageorge@marathon.net

Tax Department
International Telcom, Ltd.
417 2nd Avenue West
Seattle, WA 98119
E-mail: yvette@ms.kallback.com

Penny H. Bewick
New Edge Network, Inc.
3000 Columbia House Blvd., Suite 106
Vancouver, WA 98661
E-mail: pbewick@newedgenetworks.com

Timothy M. Seat
Z-Tel Communications, Inc.
601 S. Harbour Island Blvd., Suite 220
Tampa, FL 33602
E-mail: tseat@z-tel.com

Ladonna Truelock
DMJ Communications, Inc.
2525 N. Grandview, Suite 900
Odessa, TX 79761
Email: ltruelock@palomanet.net

Sultan Weatherspoon
Weatherspoon Telephone, LLC
16410 NE 32nd Street
Vancouver, WA 98682
Email: sultan@wtel.com

Arthur Butler
Ater Wynne LLP
Representing Us Cellular
601 Union Street, Suite 5450
Seattle, WA 98101-2327
Email: aab@aterwynne.com

Simon Ffitch
Office of the Attorney General
Public Counsel
Representing Public Counsel
900 4th Avenue, Suite 2000
Seattle, WA 98164
Email: simonf@atg.wa.gov

President
Tel West Communications, LLC
3701 S. Norfolk Street, Suite 300
Seattle, WA 98118
E-mail: dtaylor@telwestservices.com

John P. Andrist, President
NCI Data.Com, Inc.
700 B Okoma Drive
Omak, WA 98841
E-mail: jandrist@ncidata.com

Lon E. Blake
Director of Regulatory Affairs
Advanced Telcom, Inc.
3723 Fairview Industrial Dr. SE
Salem, OR 97302
E-mail: lblake@atgi.net

Michael J. Bradshaw
Powertelnet Communications, Inc.
Po Box 1150
Prosser, WA 99350
E-mail: asstmanager@bentonrea.org

Steven C. Clay, President
New Access Communications, Llc
801 Nicollet Mall, Suite 350
Minneapolis, MN 55042
E-mail: sclay@newaccess.com

Chris Crowe
Pac-West Telecomm, Inc.
1776 March Lane, Suite 250
Stockton, CA 95207
E-mail: ccrowe@pacwest.com

Kimberley A. Bradley
Senior Director of Regulatory Affairs
Winstar Communications, LLC
1850 M Street, N.W., Suite 300
Washington, DC 20036
E-mail: info@winstar.com

I hereby certify that I have on the 15th day of December, 2004, served true and correct copies of the foregoing documents upon parties noted below via U.S. Mail:

Dudley Upton
Cellco Partnership
1300 I Street, NW, Suite 400W
Washington, DC 20005

Jill Mounsey
Director - External Affairs
AT&T Wireless Services Inc.
7277 164th Avenue NE
Redmond, WA 98052

Richard Stevens
President
Centel Communications Inc.
P.O. Box 25
Goldendale, WA 98620

Tom Cook
Cook Telecom Inc.
2963 Kerner Blvd.
San Rafael, CA 94901

Deanne Laidler
US Cellular
8410 W. Bryn Mawr, Suite 700
Chicago, IL 60631

Robert E. Heath, Vice President
American Fiber Network Inc.
9401 Indian Creek Parkway, Suite 140
Overland Park, KS 66210

Thomas Sawatzki
HighSpeed.Com LLC
6 W. Rose Street, Suite 500
Walla Walla, WA 99362

Rudolph J. Geist
Executive Vice President
O 1 Communications of Washington, LLC
770 L Street, Suite 960
Sacramento, CA 95814

John B. Glicksman
Vice President, General Counsel
Adelphia Business Solutions
1 North Main Street
Coudersport, PA 16915

Becky Gipson, Director
Excel Telecommunications, Inc
Regulatory Affairs Department
1600 Viceroy Drive
Dallas, TX 75235

Ken Goldstein
Metrocall Inc.
6677 Richmond Highway
Alexandria, VA 22306

Rick Weaver, Regulatory Contact
Westgate Communications, LLC
Po Box 1903
Brewster, WA 98812

Robert T. Hale, President/CEO
Granite Telecommunications, LLC
234 Copeland Street
Quincy, MA 02169

Mary Taylor
TCG Seattle
AT&T Communications of the Pac. NW
2120 Caton Way SW, Suite 3
Olympia, WA 98502

Woody Traylor
Broadband Office Communications, Inc.
2900 Telestar Cr.
Falls Church, VA 22182

John Coonan
Washington RSA No. 8 Limited Partnership
C/O Inland Cellular Telephone Company
PO Box 171
Rosland, WA 98941

General Counsel
T-Mobile USA Inc.
12990 SE 38th Street
Bellevue, WA 98006

Irina Armstrong, Regulatory Contact
Metropolitan Telecomm. of Washington
44 Wall Street, Floor 14
New York, NY 10005

Robert Benson, Tariff Support
Fox Communications Corp.
5210 Carillon Point
Kirkland, WA 98033

Dale Crouse, President
Premiere Communications Systems, Inc.
4509 Interlake Ave. N, #110
Seattle, WA 98103

Lance Tade
Electric Lightwave, Inc.
4 Triad Center, Suite 200
Salt Lake City, UT 84180

Brian Thomas
Time Warner Telecom of Washington LLC
223 Taylor Avenue N.
Seattle, WA 98109

Eleanor Spillman
Vice President Operations / Corp. Counsel
Gold Tel
16212 Bothell Way SE, #F-107
Mill Creek, WA 98012

Felicia Mayo, Point Of Contact
Comm South Companies, Inc.
Regulatory Affairs
8035 East R.L. Thornton Freeway, Suite 410
Dallas, TX 75228

Carl Nickens, Sr. Counsel
Pacific Bell Wireless Northwest, LLC
5565 Glenridge Connector, Suite 1700
Atlanta, GA 30346

David M. Pikoff, Vice President
DPI-Teleconnect, L.L.C.
2997 LBJ Freeway, Ste 225
Dallas, TX 75234

Rebecca McGrew, Point of Contact
Ciera Network Systems, Inc.
1250 Wood Branch Park Drive, Suite 600
Houston, TX 77079

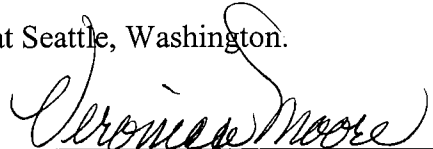
Bob McCoy, General Counsel
Williams Local Network, Inc.
4100 One Williams Center
Tulsa, OK 74172

Rex Knowles
XO Washington, Inc.
1111 East Broadway
Salt Lake City, UT 84111

Catherine Murray
Manager, Regulatory Affairs
Eschelon Telecom Of Washington, Inc.
730 Second Avenue South, Suite 900
Minneapolis, MN 55402-2489

I declare under penalty under the laws of the State of Washington that the foregoing is correct and true.

DATED this 15th day of December, 2004, at Seattle, Washington.



Veronica Moore