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## VIA ELECTRONIC MAIL AND HAND DELIVERY

Ms. Carole J. Washburn, Executive Secretary Washington Utilities and Transportation Commission 1300 South Evergreen Park Drive SW Olympia, WA 98504-7250

Re: Docket No. UT-063038 - Request for Continuance

Dear Ms. Washburn:

By Notice of Hearing on Settlement Agreement, the proposed Qwest Corporation (Qwest) and MCI Metro Access Transmission Services LLC d/b/a Verizon Access Transmission Services (Verizon Access) joint motion to approve a proposed settlement has been set for hearing on April 3, 2007. However, I have a previously scheduled vacation that calls for me to be out of the state on April 3, 2007.

The Washington Independent Telephone Association (WITA) will have a position to offer on the settlement, particularly in light of Commission Staff's response. In the course of that response, while asking that the Commission consideration of the settlement be deferred, Commission Staff raised the possibility that use of VNXX for access to dial-up ISPs may be in the public interest. From WITA's perspective, there are trunking considerations perhaps unique to rural local exchange carriers that are related to the use of VNXX services for dial-up ISP purposes for traffic that originates from WITA's member companies. The trunking issues arise where the competitive local exchange carrier (CLEC) offering the VNXX service does not have trunks directly to that WITA member. Who pays for the trunking or who pays for the transport for the traffic to get from an end use customer in a WITA member territory to an ISP that has a VNXX presence in an exchange with which the WITA member company has

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extended area service? In order that the Commission has the entire consideration of what might or might not be in the public interest before it, WITA desires to present its views as the public interest issues are being considered.

Therefore, WITA respectfully requests that the hearing on the proposed settlement agreement be continued. Unfortunately, it is not clear what date would be the best date. In contacting the other parties, Qwest and Commission Staff as well as Electric Lightwave, Pac-West, Northwest Telephone, Inc., Broadwing and Global Crossing have no objection to a continuance. However, some counsel are not available the week of April 9. Further, while Verizon Access has stated that it is not opposed to a continuance of the hearing on the proposed settlement, it would like to have a hearing sufficiently in advance of the hearing on the complaint so that it knows whether it must participate in the hearing on the merits or not. Level 3 raised some concerns about the schedule, but did not state a final position one way or the other on the continuance. And, obviously, with the shortness of time, not all counsel were able to respond to the inquiry as to whether any party would object to a continuance.

Taking all of this into account, WITA respectfully requests that the April 3, 2007 hearing date be continued and that the parties' views as to the appropriate date be solicited.

RICHARD A' FINNIGAN

RAF/km

cc: Service List (via e-mail)

Terrence Stapleton (via e-mail)

ALJ Mace (via e-mail and hand delivery)