



Rob McKenna

## ATTORNEY GENERAL OF WASHINGTON

Utilities and Transportation Division

1400 S Evergreen Park Drive SW • PO Box 40128 • Olympia WA 98504-0128 • (360) 664-1183

February 22, 2006

Carole J. Washburn, Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P. O. Box 47250  
Olympia, Washington 98504-7250

Re: *In the Matter of the Petition of Douglas and Jessica Rupp, et al.*  
Docket No. UT-050778

Dear Ms. Washburn:

Enclosed for filing in the above-referenced docket, per the request of Judge Wallis, is a copy of the e-mail and attachments regarding Mr. Rupp's request for a protective order, and Staff's response. If you have any questions regarding these documents, please contact me.

Sincerely,

SALLY G. JOHNSTON  
Sr. Assistant Attorney General

SGJ:klg  
Enclosures  
cc: Parties



Printed by Krista

Sally Johnston/WUTC  
02/22/2006 02:14 PM

To Krista Gross/WUTC@WUTC  
cc  
bcc  
Subject Fw: [URGENT] Letter Requesting Protective Order in docket  
UT-050778

Sally Johnston  
UTC Division Chief

----- Forwarded by Sally Johnston/WUTC on 02/22/2006 02:18 PM -----

Bob Wallis/WUTC  
02/22/2006 02:11 PM

To Sally Johnston/WUTC@WUTC  
DLundsgaard@GrahamDunn.com, Records Center,  
cc "Douglas B Rupp" <rupp@gnat.com>,  
sjohnston@wutc.wa.gov  
Subject Re: [URGENT] Letter Requesting Protective Order in docket  
UT-050778

Thank you Ms. Johnston -- in my effort to respond quickly I did not read to the end.

All parties, please file hard copies of your messages, including attachments, with the records center -- preferably by overnight service.

Bob Wallis, Director  
Administrative Law Division  
Washington Utilities & Transportation Commission  
1300 S. Evergreen Park Drive SW  
Olympia, Washington 98504-7250  
360-664-1142

Sally Johnston/WUTC

Sally Johnston/WUTC  
02/22/2006 02:07 PM

To Bob Wallis/WUTC@WUTC  
DLundsgaard@GrahamDunn.com, Records Center,  
cc "Douglas B Rupp" <rupp@gnat.com>,  
sjohnston@wutc.wa.gov  
Subject Re: [URGENT] Letter Requesting Protective Order in docket  
UT-050778

Judge Wallis, I was speaking on behalf of my client. I request that Mr. Rupp file these comments with the Records Center. It is he who is seeking the protective order. Thank you for your consideration.

Sally Johnston  
UTC Division Chief

Printed by Krista

Bob Wallis/WUTC

Bob Wallis/WUTC

02/22/2006 02:03 PM

To "Douglas B Rupp" <rupp@gnat.com>  
DLundsgaard@GrahamDunn.com, "Douglas B Rupp"  
cc <rupp@gnat.com>, sjohnston@wutc.wa.gov, Records  
Center  
Subject Re: [URGENT] Letter Requesting Protective Order in docket  
UT-050778

Mr. Lundsgaard and Ms. Johnston, please let us know if your clients have any objection to the request.

All parties, please file written copies of your messages for our records center.

Bob Wallis, Director  
Administrative Law Division  
Washington Utilities & Transportation Commission  
1300 S. Evergreen Park Drive SW  
Olympia, Washington 98504-7250  
360-664-1142  
"Douglas B Rupp" <rupp@gnat.com>



"Douglas B Rupp"  
<rupp@gnat.com>  
02/22/2006 01:46 PM

To <bwallis@wutc.wa.gov>  
<DLundsgaard@GrahamDunn.com>,  
cc <sjohnston@wutc.wa.gov>, "Douglas B Rupp"  
<rupp@gnat.com>  
Subject [URGENT] Letter Requesting Protective Order in docket  
UT-050778

Judge Wallis,

An urgent matter has come up in Judge Caille's absence.

Respondent (Verizon) in UT-050778 has a due date for their responsive testimony of March 1st. I cannot break my promise to the other petitioners to not reveal some of their responses given in confidence, without a protective order.

Petitioner's have therefore requested a protective order. I have obtained the email consent of both Verizon's attorney Mr. Lundsgaard and Staff attorney Ms. Johnston as to the conditions of the order which are stated in the attached files. (See copies of consent emails below).

Therefore I'm very much hoping that you will issue the protective order in Judge Caille's absence. The due date for my responses to Verizon's data

Printed by Krista

request is either today or tomorrow, depending on who is counting (we compromised on some data today and the rest to be sent tomorrow).

Sorry for the trouble.

--Douglas Rupp, Lead Petitioner

-----Original Message-----

From: Douglas B Rupp [mailto:rupp@gnat.com]  
Sent: Tuesday, February 21, 2006 1:58 PM  
To: 'Karen Caille'  
Cc: 'DLundsgaard@GrahamDunn.com'; 'sjohnston@wutc.wa.gov';  
'records@wutc.wa.gov'  
Subject: Letter Requesting Protective Order in docket UT-050778

Please find attached files, containing a request for a protective order.

--Douglas Rupp

(See attached file: UT-050778 Ltr to ALJ requesting Protective Order.doc)  
(See attached file: UT-050778 Ltr to ALJ requesting Protective Order.pdf)

-----Original Message-----

From: Sally Johnston [mailto:sjohnsto@wutc.wa.gov]  
Sent: Wednesday, February 22, 2006 12:27 PM  
To: Douglas B Rupp  
Subject: RE: Letter Requesting Protective Order in docket UT-050778

Mr. Rupp,

I have no objection to the entry of a protective order in this case.

Sally Johnston  
UTC Division Chief

-----Original Message-----

From: DLundsgaard@GrahamDunn.com [mailto:DLundsgaard@GrahamDunn.com]  
Sent: Wednesday, February 22, 2006 1:14 PM  
To: rupp@gnat.com  
Subject: RE: Karen Caille/WUTC is out of the office.

I don't have an objection to the protective order as requested, with the caveat that Verizon would have the right to move to modify the protective order if it deemed appropriate.



UT-050778 Ltr to ALJ requesting Protective Order.doc UT-050778 Ltr to ALJ requesting Protective Order.pdf

February 21, 2006

ALJ Karen M. Caillé  
1300 S. Evergreen Park Dr. SW  
P.O. Box 47250  
Olympia, WA 98504-7250

Re: *In the Matter of the Petition of Douglas and Jessica Rupp, et al. v. Verizon Northwest, Inc.*, Docket No. UT-050778

Dear Judge Caillé:

Petitioners hereby request a Special Protective Order (as described in WAC 480-07-420 paragraph 3) be entered in the above named docket.

Respondent has asked, in their data request, for confidential medical and financial data. Respondent has also asked for raw community survey audio recordings and transcriptions. In order to get frank and honest answers to the community survey questions, the petitioners were promised that this data would be held in confidence.

Petitioners request the order include the following restrictions, with respect to disclosure to petitioners.

- a) The petitioner's confidential data will be used only for purposes of this proceeding.
- b) That petitioner's confidential data will not be revealed to other petitioners, except the lead petitioner.
- c) In the future, redacted filings will be sent to petitioners except the lead petitioner or alternately that all filings (confidential and redacted) will be sent to lead petitioner for distribution.

Sincerely,

Douglas B Rupp, Lead Petitioner  
PO Box 207  
Index, WA 98256

cc: Parties of Record