

DAVID C. LUNDGAARD
(206) 340-9691
dlundsgaard@grahamdunn.com

February 24, 2006

By Messenger

Carol Washburn
Secretary
Washington Utilities & Transportation Commission
P. O. Box 47250
1300 South Evergreen Park Dr. SW
Olympia, WA 98504-7250

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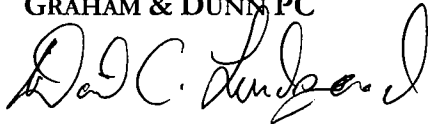
Re: *In the Matter of the Petition of Douglas and Jessica Rupp, et al.*
Docket No. UT-050778

Dear Ms. Washburn:

Enclosed for filing in the above-referenced docket, per the request of Judge Wallis, is a copy of Mr. Rupp's 2/21/06 letter to Administrative Law Judge Caille regarding a Special Protective Order, and email exchange of Judge Wallis and the parties, including Verizon's response to Mr. Rupp's letter. If you have any questions regarding these documents, please contact me.

Very truly yours,

GRAHAM & DUNN PC



David C. Lundgaard

DCL/ceh

Enclosures

Cc: Douglas B. Rupp (w/enc.)
Sally G. Johnston (w/enc.)

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Lundsgaard, David C.

From: Lundsgaard, David C.
Sent: Wednesday, February 22, 2006 2:20 PM
To: 'Bob Wallis'; Douglas B Rupp
Cc: 'Douglas B Rupp'; sjohnston@wutc.wa.gov; Records Center
Subject: RE: [URGENT] Letter Requesting Protective Order in docket UT-050778

Judge Wallis,

Verizon does not object to the requested protective order as indicated. We support Petitioners' request for an expeditious ruling to keep our schedule intact.

Thank you for your attention.

David Lundsgaard

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

From: Bob Wallis [mailto:bwallis@wutc.wa.gov]
Sent: Wednesday, February 22, 2006 2:04 PM
To: Douglas B Rupp
Cc: Lundsgaard, David C.; 'Douglas B Rupp'; 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>

02/22/2006 01:46
PM

<bwallis@wutc.wa.gov>

To

cc

<DLundsgaard@GrahamDunn.com>,
<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 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.

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