

[Service Date June 3, 2009]

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

PAC-WEST TELECOMM, INC.,)	DOCKET UT-053036
)	
Petitioner,)	
)	
v.)	
)	
QWEST CORPORATION,)	
)	
Respondent.)	
.....)	
)	
LEVEL 3 COMMUNICATIONS, LLC,)	DOCKET NO. UT-053039
)	
Petitioner,)	
)	LEVEL 3 COMMUNICATIONS,
v.)	LLC's SECOND SUBMISSION OF
)	SUPPLEMENTAL AUTHORITY
QWEST CORPORATION,)	
)	
Respondent.)	
)	
.....)	

Level 3 Communications LLC ("Level 3") hereby submits a copy of the following documents in Consolidated Dockets UT-053039 and UT-053036:

Exhibit E Order No. 08-1365 in Core Communications v. FCC, -08-262, dated February 12, 2009, setting forth the schedule in the case.

Level 3 Communications, LLC Second Submission of Supplemental Authority

Dated this 3rd day of June, 2009.

Respectfully submitted,

By:



Lisa F. Rackner
MCDOWELL & RACKNER PC
520 SW 6th Avenue, Suite 830
Portland, OR 97204
Tel: (503) 595-3925
Fax: (503) 595-3928
lisa@mcd-law.com

Greg L. Rogers, Esq.
LEVEL 3 COMMUNICATIONS, LLC
1025 Eldorado Boulevard
Broomfield, CO 80021
(Tel) (720) 888-2512; (Fax) (720) 888-5128
greg.rogers@level3.com

Tamar E. Finn
Edward W. Kirsch
BINGHAM MCCUTCHEN LLP
2020 K Street, NW
Washington, DC 20006
(Tel) (202) 373-6117; (Fax) (202) 373-6001
edward.kirsch@bingham.com
tamar.finn@bingham.com

ATTORNEYS FOR LEVEL 3 COMMUNICATIONS, LLC

Exhibit E

Order No. 08-1365 in Core Communications v. FCC, -08-262,
dated February 12, 2009

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 08-1365

September Term 2008

FCC-08-262
FCC-73FR72732

Filed On: February 12, 2009

Core Communications, Inc.,

Petitioner

v.

Federal Communications Commission and
United States of America,

Respondents

EarthLink, Inc., et al.,
Intervenors

Consolidated with 08-1393

No. 09-1044

People of the State of New York and the
Public Service Commission of the State of
New York

Petitioners

v.

Federal Communications Commission and
United States of America,

Respondents

Consolidated with 09-1046

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 08-1365

September Term 2008

BEFORE: Tatel, Garland, and Griffith, Circuit Judges

ORDER

Upon consideration of the motion to intervene filed by the National Association of Regulatory Utility Commissioners (NARUC) in No. 08-1365, and the motion to consolidate, the responses thereto, and the reply, it is

ORDERED that the motion to consolidate be granted, and the above-captioned cases be consolidated. It is

FURTHER ORDERED that the motion to intervene be granted. It is

FURTHER ORDERED that the following briefing schedule will apply in the consolidated cases:

Joint Brief of NARUC, State Petitioners, and any State Intervenors in Support of Petitioners (not to exceed 10,000 words)	March 27, 2009
Joint Brief of Industry Intervenors in Support of Petitioners (not to exceed 8,750 words)	April 10, 2009
Brief of Respondents (not to exceed 20,000 words)	May 1, 2009
Joint Brief of Intervenors in Support of Respondents (not to exceed 8,750 words)	May 15, 2009
Reply Brief of Petitioner Core Communications (not to exceed 7,000 words)	June 5, 2009
Joint Reply Brief of NARUC, State Petitioners, and any State Intervenors in Support of Petitioners (not to exceed 5,000 words)	June 5, 2009

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 08-1365

September Term 2008

Joint Reply Brief of Industry Intervenors
in Support of Petitioners
(not to exceed 4,375 words)

June 5, 2009

Deferred Joint Appendix

June 12, 2009

Final Briefs

June 19, 2009

The parties are directed to address in their briefs the timeliness of State Petitioners' petitions for review.

The Clerk is directed to schedule oral argument on the first appropriate date following the completion of briefing.

The court reminds the parties that

In cases involving direct review in this court of administrative actions, the brief of the appellant or petitioner must set forth the basis for the claim of standing. . . . When the appellant's or petitioner's standing is not apparent from the administrative record, the brief must include arguments and evidence establishing the claim of standing.

See D.C. Cir. Rule 28(a)(7).

The parties are strongly encouraged to file and serve their briefs and the appendix by hand on the date due. Filing by mail may delay the processing of the brief. All briefs and the appendix must contain the date the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

The parties will be notified by separate order of the oral argument date and the composition of the merits panel.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Sabrina M. Crisp
Deputy Clerk