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2                   Senior Counsel, 1875 Lawrence Street, Suite 1500,  
3                   Denver, Colorado, 80202.

4                   MCI, by MICHEL SINGER NELSON (via bridge  
5                   line), Senior Attorney, 707 17th Street, Suite 4200,  
6                   Denver, Colorado, 80202.

7                   DEPARTMENT OF DEFENSE/FEDERAL EXECUTIVE  
8                   AGENCIES, by STEPHEN S. MELNIKOFF (via bridge line),  
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11                   Arlington, Virginia, 22203-1837.

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1 P R O C E E D I N G S

2 JUDGE MACE: Let's be on the record in  
3 UT-030614 in the matter of the petition of Qwest  
4 Corporation for competitive classification of basic  
5 business exchange telecommunications services.

6 Today is June 6th, 2003, the date the  
7 Washington Utilities and Transportation Commission has  
8 established for a prehearing conference on the  
9 petition. We are convened in hearing room 206 at the  
10 offices of the Commission in Olympia, Washington. My  
11 name is Theodora Mace, the administrative law judge  
12 holding this hearing.

13 I would like to have the oral appearances of  
14 counsel now. I'll begin with the petitioner. I would  
15 like to have the long form of your appearance so that  
16 we have all contact information for you on the record.

17 MS. ANDERL: Lisa Anderl, associate general  
18 counsel with Qwest. My business address is 1600  
19 Seventh Avenue, Room 3206, Seattle Washington, 98191;  
20 telephone, (206) 345-1574; fax, (206) 343-4040, and my  
21 new e-mail is lisa.anderl@qwest.com. That's supposed  
22 to be effective today. If for some reason you have  
23 problems with it, I'm told that the old e-mail,  
24 landerl@qwest.com, will also work.

25 JUDGE MACE: I'll take appearances from the

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1 remaining counsel who are here in the hearing room, and  
2 then I will turn to those who are on the conference  
3 bridge for appearances. Go ahead, Ms. Rackner.

4 MS. RACKNER: My name is Lisa Rackner with  
5 AterWynne Law Firm. I'm here on behalf of the  
6 Washington Electronic Business Telecommunications  
7 Coalition, or WeBTEC. My address is 222 Southwest  
8 Columbia, Suite 1800, Portland, Oregon, 97201. My  
9 phone number is (503) 226-8693. Fax is (503) 226-0079,  
10 and my e-mail address is lfr@aterwynne.com.

11 MR. FFITCH: Simon ffitich, assistant attorney  
12 general, office of Public Counsel, Washington attorney  
13 general, 900 Fourth Avenue, Suite 2000, Seattle,  
14 Washington, 98164. The phone number is area code (206)  
15 389-2055. Fax is (206) 389-2058. E-mail is  
16 simonf@atg.wa.gov.

17 MR. THOMPSON: Your Honor, I'm Jonathan  
18 Thompson, assistant attorney general, appearing on  
19 behalf of the Commission staff. My address is 1400  
20 South Evergreen Park Drive Southwest, PO Box 40128,  
21 Olympia, 98504. My telephone number is (360) 664-1225.  
22 Fax is (360) 586-5522, and my e-mail address is  
23 jthompso@wutc.wa.gov.

24 JUDGE MACE: Let's turn to AT&T on the  
25 conference bridge.

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1 MS. FRIESEN: This is Letty Friesen, senior  
2 counsel with AT&T. My address is 1875 Lawrence Street,  
3 Suite 1500, Denver, Colorado, 80202. My telephone  
4 number is (303) 298-6475. My fax number is (303)  
5 298-6301. My e-mail address is lsfriesen@att.com.

6 JUDGE MACE: Mr. Melnikoff?

7 MR. MELNIKOFF: Your Honor, my name is  
8 Stephen S. Melnikoff, M-e-l-n-i-k-o-f-f. I'm the  
9 general attorney. I'm appearing on behalf of the  
10 Department of Defense and all other federal executive  
11 agencies. My address is Regulatory Law Office, U.S.  
12 Army Litigation Center, 901 North Stuart, S-t-u-a-r-t,  
13 Street, Suite 700, Arlington, Virginia, 22203-1837. My  
14 telephone number is (703) 696-1643. My fax number is  
15 (703) 696-2960. My e-mail address is  
16 stephen.melnikoff@hqda.army.mil.

17 JUDGE MACE: Thank you, Mr. Melnikoff.  
18 Mr. Cromwell, are you going to enter an appearance  
19 today?

20 MR. CROMWELL: No.

21 JUDGE MACE: Ms. Singer Nelson?

22 MS. SINGER NELSON: Michelle Singer Nelson,  
23 senior attorney at MCI. My address is 707 17th Street,  
24 Suite 4200, Denver, Colorado, 80202. My phone number  
25 is (303) 390-6106. My fax number is (303) 390-6333,

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1 and my e-mail address is michel.singer nelson@mci.com,  
2 and that e-mail address is a new e-mail address.

3 JUDGE MACE: Thank you. Are there any others  
4 on the conference bridge who want to enter an  
5 appearance this morning? I hear no response. Let's  
6 deal next with the question of petitions. Yes?

7 MS. JOHNSON: I'd like to enter an  
8 appearance.

9 JUDGE MACE: Let's be off the record for a  
10 minute.

11 (Discussion off the record.)

12 MS. JOHNSON: Karen Johnson, Integra Telecom  
13 of Washington. My address is 19545 Northwest Von  
14 Neumann Drive, Beaverton, Oregon, 97006. My phone is  
15 (503) 748-2048. My fax is (503) 748-1976. E-mail is  
16 karen.johnson@integratelecom.com.

17 JUDGE MACE: Any other person seeking to  
18 enter an appearance today? It appears there are none.  
19 Let's turn next to the question of petitions to  
20 intervene. I've received three written petitions, one  
21 from Integra, one from AT&T, and one from Eschelon. I  
22 guess it's Eschelon Telecommunications. I don't have  
23 the full name in front of me. Eschelon's petition to  
24 intervene has been withdrawn as of today, and I'm just  
25 reciting that for the record in case you may have

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1 received a copy of that petition to intervene.

2 MS. SINGER NELSON: Excuse me, Your Honor.

3 You have not received a written petition to intervene  
4 from MCI?

5 JUDGE MACE: I have not, and I checked with  
6 the records center this morning, and my understanding  
7 is there was no petition received, but you can make  
8 your oral petition on the record today. If the written  
9 petition comes in, then so be it, but we haven't  
10 received it as of today. Is there anyone else who  
11 filed a written petition but whose name I didn't  
12 indicate?

13 MS. ANDERL: We received AT&T's petition to  
14 intervene. We didn't receive either the Eschelon one,  
15 which is moot, or the Integra one.

16 MS. JOHNSON: I mailed a copy to you.

17 MS. ANDERL: Regular mail?

18 MS. JOHNSON: Yes.

19 MS. ANDERL: We did not receive it prior to  
20 today. Do you have an extra copy with you?

21 MS. JOHNSON: Yes, I do.

22 JUDGE MACE: Are there any other parties who  
23 seek to intervene other than Integra and AT&T, who  
24 filed written petitions, who seek to intervene orally  
25 today, and I'll start with WebTEC.

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1 MS. RACKNER: Yes, Your Honor. WeBTEC seeks  
2 to intervene in the case.

3 JUDGE MACE: Ms. Singer Nelson?

4 MS. SINGER NELSON: Yes, Your Honor. MCI  
5 seeks to intervene.

6 JUDGE MACE: Mr. Melnikoff?

7 MR. MELNIKOFF: Yes, Your Honor. The  
8 Department of Defense and Federal Executive Agencies  
9 seek to intervene.

10 JUDGE MACE: Thank you. Is there any  
11 objection to the granting of these petitions to  
12 intervene?

13 MS. ANDERL: Your Honor, I would not object  
14 to AT&T, WorldCom, and Integra. I might just have for  
15 the record statements from WeBTEC and DOD as to what  
16 their interest in the proceeding is. That would be  
17 helpful for me.

18 JUDGE MACE: Ms. Rackner?

19 MS. RACKNER: WeBTEC members are purchasers  
20 of telecommunications services and in particular, the  
21 business services that are at issue in this case.

22 MS. ANDERL: I understand from Ms. Rackner  
23 earlier today that she is prepared to identify who the  
24 WeBTEC members are.

25 MS. RACKNER: That's correct; Boeing and



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1 Weyerhauser for the purposes of this docket.

2 JUDGE MACE: Mr. Melnikoff?

3 MR. MELNIKOFF: Yes, Your Honor. Our  
4 interest in this proceeding is the consumer interest of  
5 the federal government in the State of Washington. We  
6 are one of the largest users. We take both military  
7 and civilian purposes both bid as well as tariff  
8 services in Qwest territory.

9 MS. ANDERL: No objections to those petitions  
10 either.

11 JUDGE MACE: Thank you. My reading of the  
12 written petitions as well as my hearing of the oral  
13 petitions today leads me to conclude that the petitions  
14 meet the requirements of the Commission with regard to  
15 petitions to intervene. Since I've heard no objection  
16 to the granting of the petitions, I will grant them at  
17 this time.

18 With regard to the MCI petition, Ms. Singer  
19 Nelson, I would ask that you somehow in some written  
20 form for this docket submit to the Commission an  
21 indication of the name change that's taken place  
22 between WorldCom and MCI. Would you do that, please?

23 MS. SINGER NELSON: Yes, I will, Judge.

24 JUDGE MACE: Is there anything else we need  
25 to address with regard to petitions to intervene? If

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1 not, then the next thing is the question of a  
2 protective order. Do the parties seek protection of  
3 information in this docket? Ms. Anderl?

4 MS. ANDERL: Yes, Your Honor and we would at  
5 this point request that the Commission's standard form  
6 protective order be entered. Just as a heads-up, the  
7 parties have informally discussed, at least Qwest,  
8 Public Counsel, and Staff have discussed the potential  
9 need for a different type of protective order further  
10 down the road, but I think we reached a consensus that  
11 that issue might wait for another day until the parties  
12 were more certain of the type of information might need  
13 some special protection and what type of an order might  
14 be entered to tailor those needs.

15 JUDGE MACE: Surely. I'm aware that there is  
16 some form of an order that gives a higher level of  
17 protection, but for purposes right now --

18 MR. THOMPSON: Your Honor, just for the  
19 benefit of discussion, it's Staff's intention, like in  
20 the most recent competitive classification proceeding,  
21 to ask the Commission to issue an order to the various  
22 CLECs, Qwest competitors, to produce information that  
23 would assist us in evaluating Qwest's petition, and I  
24 can anticipate that -- well, it would be helpful to be  
25 able to give those competitors the assurance that the

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1 information they provide will not be subject to  
2 disclosure to their competitors. That, I think,  
3 promises to be an issue as we work out a protective  
4 order.

5 JUDGE MACE: Well, having said that, my  
6 impulse would be to go ahead and have the Commission  
7 enter a standard protective order, and if you want to  
8 pursue further discussions with the CLECs about the  
9 terms of some other protective order that would be  
10 beneficial to them or this protective order that allows  
11 for a higher degree of confidentiality, then contact me  
12 and we can address it at that point.

13 MR. FFITCH: Public Counsel does not object  
14 to the issuance of a standard protective order in this  
15 matter. We have had a discussion with counsel  
16 beforehand, and I just want to state our position for  
17 the record. At this time, we object to the entry of  
18 any higher level of protective order. Both generally  
19 and specifically, we object for the record to the entry  
20 of a protective order, of a higher level protective  
21 order in the same form that was entered in the  
22 proceeding competitive classification docket, and I  
23 will note that we don't have a proposal of any kind, a  
24 motion or any other kind of formal request before the  
25 Commission at this point for that kind of order. In

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1 our view, that would come, in fact, most appropriately  
2 from the competitive parties who would seek to protect  
3 their interests. They, in fact, did not raise that  
4 issue yet. It's coming from Staff at this point.

5 I would agree with the other counsel who  
6 spoke that this is a matter that the parties can  
7 discuss following the prehearing today, and we can find  
8 out what is proposed and whether it's reasonable, and  
9 we will be happy to participate in those discussions.

10 JUDGE MACE: Thank you.

11 MS. RACKNER: I would just like to second  
12 Public Counsel's statement. WebTEC also is quite  
13 concerned about the entrance of a highly confidential  
14 order similar as that one that was entered in the last  
15 competitive classification case, so at the point in the  
16 future where there might be a motion to the entry of  
17 such an order, we would like the opportunity to brief  
18 the issue and to object.

19 JUDGE MACE: I assure you if there is a  
20 motion made for that type of order, you will have an  
21 opportunity to comment. Is there anyone on the  
22 conference bridge who wants to address this issue?

23 MS. FRIESEN: Just to give forewarning to all  
24 the parties in this proceeding, AT&T will seek to  
25 protect its highly sensitive competitive information

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1 from greater disclosure than is absolutely necessary.  
2 So to the extent that that tends to ask AT&T for highly  
3 sensitive information, we will be filing a motion, and  
4 we would be happy to talk to the parties off line in  
5 regard to that motion before we file it.

6 JUDGE MACE: Thank you. Anyone else?

7 MR. MELNIKOFF: We will not take a position  
8 at this time.

9 JUDGE MACE: Thank you. Let's turn next to  
10 the question of discovery. Do the parties request the  
11 discovery rule be invoked? It's sound like it.

12 MS. ANDERL: Yes, Your Honor.

13 JUDGE MACE: I'll indicate the discovery rule  
14 is invoked.

15 MS. ANDERL: Your Honor, we, in connection  
16 with the scheduling, have also made an agreement with  
17 Staff that because of the somewhat constrained time  
18 line for this docket that we will agree to a  
19 seven-business-day turnaround instead of a  
20 ten-business-day turnaround, and would ask that that be  
21 the rule of general applicability for all parties.

22 JUDGE MACE: Anyone have any comments on that  
23 proposal? Anyone on the conference bridge? It appears  
24 that that's agreeable to all parties. I'll probably  
25 make some statement about that in the prehearing

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1 conference order just so that it's in writing.

2 Anything else about discovery?

3           Then let's turn to the question of a schedule  
4 of proceedings. My understanding is that an order must  
5 be entered by November 1st of this year in this docket,  
6 so there is a fairly constrained period of time in  
7 which to have proceedings. I'm wondering if the  
8 parties had had any chance to discuss scheduling prior  
9 to coming on the record today.

10           MS. ANDERL: Yes, Your Honor, we did.

11           JUDGE MACE: Have you come to any kind of  
12 agreement, or do you still need time to discuss this  
13 further?

14           MS. ANDERL: Staff and Qwest agreed on  
15 something yesterday, and I think Public Counsel can  
16 endorse that with maybe some minor modifications that  
17 we need to talk about.

18           JUDGE MACE: Do you want more time to make  
19 sure the people on the conference bridge are on board  
20 and everything else works out amongst you?

21           MS. ANDERL: That would be fine, Your Honor.  
22 I don't actually have all the dates written down. I  
23 think I can do them from memory. Maybe Mr. Thompson  
24 has them written down.

25           MR. THOMPSON: I've got them here.

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1 MS. ANDERL: Maybe we could just announce the  
2 agreement.

3 MR. THOMPSON: This is the basic proposal. I  
4 will start with the date the petition was filed, which  
5 was May 1st, 2003. The date that we proposed for Qwest  
6 to file the testimony for its direct case would be July  
7 1st, and then the date for other parties to file their  
8 testimony in response would be August 1st, and the date  
9 for Qwest to file its rebuttal testimony and presumably  
10 for other parties to file rebuttal testimony would be  
11 August 21st. Then the date we were proposing for the  
12 cross-examination hearings would be September 17, 18,  
13 and 19.

14 JUDGE MACE: Let's be off the record for a  
15 moment.

16 (Discussion off the record.)

17 JUDGE MACE: We have spent a fair amount of  
18 time discussing scheduling. The parties have come up  
19 with a proposed schedule that would require Qwest to  
20 file direct testimony on July 1st. Public Counsel in  
21 the initial schedule and Staff and Intervenors were to  
22 file on August 1st, but my understanding is that  
23 depending on the hearing schedule we come up with, that  
24 will move to August 6th. Qwest would file rebuttal and  
25 others as well, then, on the 26th, and a prehearing

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1 conference may take place on September 15th, depending  
2 on the hearing schedule we come up with.

3           We have talked about a number of different  
4 approaches to hearing this case. It is possible that  
5 we could hold hearings from September 4th through  
6 September 9th. Those dates are available with the  
7 Commission, and it appears that those days would  
8 resolve problems with the availability of witnesses for  
9 WeBTEC and the availability of witnesses for AT&T.

10           The problem with that earlier time frame for  
11 hearing is that Public Counsel has indicated that would  
12 not give Public Counsel, and probably Intervenors and  
13 Staff, sufficient time to prepare for what may be a  
14 very complicated hearing.

15           MR. FFITCH: I'm sorry, Your Honor, what were  
16 those dates?

17           JUDGE MACE: Those dates were September 4th  
18 through 9th. The parties have suggested holding the  
19 hearing September 15th through 19th. The 19th is now  
20 not available on the Commission's calendar nor actually  
21 at present are the 17th and 18th due to commissioner  
22 unavailability.

23           It appears that if commissioners could be  
24 made available during that time frame, the 16th through  
25 the 18th would be a period when we would try to hold



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1 the hearing, but that's tentative, and I would have to  
2 work that out with the commissioners. Until I get some  
3 greater clarity from the Commission, I will not be able  
4 to give the parties any kind of firm hearing dates, so  
5 we may have to revisit the issue of the hearing  
6 schedule, hopefully very shortly so we can get some  
7 clarity and finality about that.

8 The parties have suggested in their proposed  
9 schedule posthearing briefs filed October 6th. I  
10 think, again, we are going to have to wait and see what  
11 the actual hearing schedule is. Qwest has indicated  
12 that if hearing is held in the third week of September  
13 and briefs were filed October 6th that Qwest would  
14 waive the statutory deadline for an order to November  
15 7th; is that correct?

16 MS. ANDERL: That's correct, Your Honor.

17 JUDGE MACE: Do any of the parties want to  
18 address at this point any issues that they feel need to  
19 be placed on the record with regard to scheduling? And  
20 I guess I turn first to Public Counsel.

21 MR. FFITCH: Thank you, Your Honor. We did  
22 have a couple of points we wanted to make on the  
23 record. First of all, I appreciate the accommodation  
24 of the other parties in dealing with our scheduling  
25 issue around the filing dates for intervenor testimony.

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1 Secondly, I wanted to put on the record our concern  
2 that the much anticipated FCC TRIennial Review Order  
3 may, in our view, have a significant impact on this  
4 proceeding. We would ask that when the order comes out  
5 that the Commission call for briefs from the parties,  
6 schedule an opportunity for parties to make a  
7 presentation to the Bench regarding the impact of the  
8 TRIennial Order on this case, and whether we need to,  
9 for example, stay this case, change the schedule,  
10 dismiss the case, just what procedural options would  
11 make the most sense in light of the TRIennial Order,  
12 contents of which we can now only speculate about.

13 The second point I wanted to make with regard  
14 to the schedule we have before us, Your Honor, is to  
15 strongly urge the Commission to not move up the hearing  
16 dates in this matter. We are by statute required to  
17 complete this in six months. That, I think everyone  
18 would admit, is quite a tight time line, particularly  
19 in this case where the request by the Company is very  
20 broad, affecting every business customer in the state  
21 for every service that customer uses. That has a very  
22 broad impact. The technical issues are very broad.  
23 The amount of information and analysis that will have  
24 to be reviewed and conducted is very broad.

25 We believe that moving the hearing dates up

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1 significantly or at all in this case really precludes  
2 the parties from conducting a reasonable analysis and  
3 putting on a fair case in response to the Company's  
4 petition, and it really gives an unfair advantage to  
5 the petitioning party, to Qwest as the petitioning  
6 party. So we would again just ask that the Commission  
7 keep that in mind and try to keep the hearings and the  
8 briefing within the last part of the schedule.

9 I guess another couple of points. First all,  
10 Qwest has indicated a willingness to move the statutory  
11 deadline a bit here. That is another option here.  
12 They've been gracious in willing to consider that, if  
13 that is an option here for them to consider in  
14 providing other scheduling opportunities that work for  
15 everyone, including giving them some more time on  
16 things like rebuttal, so that still is a potential  
17 option out there.

18 Another one I would suggest and request that  
19 the Commission consider the possibility of proceeding  
20 with less than all commissioners on the Bench. It's my  
21 understanding with the applicable APA requirements and  
22 so on that a matter can be heard with two commissioners  
23 on Bench. The third commissioner can still participate  
24 in the decision after appropriate review of the record,  
25 and that might provide us with some more scheduling

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1 flexibility here, and Public Counsel would not object  
2 to the commission proceeding in that fashion if, in  
3 fact, it's amenable to the Commission.

4 JUDGE MACE: Thank you. Ms. Anderl, did you  
5 want to address these matters?

6 MS. ANDERL: Just briefly, Your Honor. The  
7 Triennial Review, I think, would be just pure  
8 speculation at this point to anticipate what impact on  
9 this docket it might have, if any, and I would  
10 recommend that either the affected parties or the  
11 Commission deal with that when that issue arises, be  
12 that later this afternoon when the orders are coming  
13 out or after we see if the DC Circuit is going to stay  
14 the Triennial Review Order. It's just impossible to  
15 tell at this point what impact it could have on this  
16 proceeding.

17 Turning to the specifics of the schedule, we  
18 can live with what was outlined by Your Honor if  
19 hearings are on the 16th, 17th and 18th. I would only  
20 ask that if do you select the 4th, 5th, 8th and 9th for  
21 hearings that we learn about that as soon as possible  
22 because it would obviously require us to very  
23 significantly accelerate our testimony filing for  
24 opening testimony.

25 JUDGE MACE: Certainly, given the tight time

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1 frames, I'll let you know as soon as possible.

2 MS. ANDERL: Obviously, we are going to start  
3 working on our testimony or already are working on it,  
4 so it's not that we are going to wait until closer to  
5 the filing date, but if we have less time, we need to  
6 know that.

7 JUDGE MACE: Mr. Thompson?

8 MR. THOMPSON: Just if I may, Your Honor.  
9 Just following up on Ms. Anderl's point, if the  
10 Commission is to consider those September 4 through 9  
11 dates for hearing, I would urge that the Commission, as  
12 Ms. Anderl suggested, seriously accelerate the  
13 petitioner's filing deadline. I would suggest that it  
14 would not be at all inappropriate to require filing of  
15 Qwest's direct testimony by the 20th of June in that  
16 event.

17 The reason I say that is really for two  
18 reasons. I understand that Qwest has been involved in  
19 other hearings in the recent or past couple of weeks,  
20 but the time for the filing of this petition was a  
21 decision of their choosing, and particularly as  
22 Mr. ffitich has pointed out, in a petition seeking a  
23 regulatory change as broad as this, I think it could  
24 hardly fairly be anticipated that the Commission would  
25 have made that decision simply in the open meeting

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1 context, and I would also point out that the Staff  
2 memorandum recommending suspension of this docket was  
3 published, I believe, on May 23rd, so at least as of  
4 that date, Qwest was on notice that Staff was going to  
5 recommend suspension of this case. So I would ask the  
6 Commission to bear those things in mind in the event  
7 that it chooses to hold hearings in the very first week  
8 of September, but otherwise, the schedule that was  
9 initially proposed is satisfactory to Staff.

10 JUDGE MACE: Thank you. Ms. Rackner?

11 MS. RACKNER: Yes, thank you. I would like  
12 to second Public Counsel's comments again. Number one,  
13 with respect to the impact of the TRIennial Review on  
14 this case, WeBTEC believes it will surely be  
15 significant one way or the other, and we will be  
16 petitioning the Commission to allow briefing on that  
17 issue if and when that order ever comes out.

18 Also, like Public Counsel, WeBTEC has serious  
19 concerns about seeing the schedule accelerated further  
20 than the proposed schedule that we have in front of us  
21 and would urge the Commission not to set the hearing  
22 date as early as that first week in September.

23 MS. JOHNSON: No comment.

24 JUDGE MACE: Anyone on the conference bridge  
25 want to address these scheduling issues?

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1 Mr. Melnikoff, anything?

2 MR. MELNIKOFF: We wouldn't burden the record  
3 at this point to add anything that's already been  
4 thrown on the table, Your Honor.

5 JUDGE MACE: Ms. Singer Nelson?

6 MS. SINGER NELSON: MCI joins in the comments  
7 of Commission staff on the schedule.

8 JUDGE MACE: Ms. Friesen?

9 MS. FRIESEN: Thank you, Your Honor. AT&T  
10 simply shares the same concerns of Staff.

11 JUDGE MACE: Thank you. Let's turn away from  
12 scheduling now and let me address some housekeeping  
13 matters. Let me encourage the parties to discuss the  
14 possibility of settlement of this matter. The  
15 Commission encourages settlements, and if the parties  
16 need assistance with regard to settlement, please  
17 contact me, and we may be able to help in some way to  
18 facilitate those types of discussions.

19 With regard to prefiled evidence and document  
20 preparation, the prehearing conference order will  
21 contain instruction for the preparation of prefiled  
22 evidence and other documents that the parties may need  
23 to submit during the proceeding. WAC 480-09-120 is the  
24 Commission's rule governing filing services documents.

25 In this case, you must file an original and

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1 14 copies of any document subject to the provisions of  
2 that rule. Filing by fax is only permitted if you have  
3 previously asked me or whoever the presiding officer  
4 may be and have received permission to do so. You must  
5 indicate you have received that permission in the cover  
6 page to the fax filing. Service may be made by e-mail  
7 if the party to be served agrees in writing.

8 I think that that completes the housekeeping  
9 nature of things I would like to discuss today. Are  
10 there any other items that the parties would like to  
11 present at this point? If not, then I will work as  
12 quickly as I can to try to get to some finality about  
13 our schedule of proceedings, and I appreciate your  
14 patience today.

15 (Prehearing conference concluded at 10:53 a.m.)

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