

McDowell Rackner & Gibson pc



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June 18, 2010

VIA ELECTRONIC FILING AND OVERNIGHT DELIVERY

Judge Ann Rendahl, Administrative Law Judge
Washington Utilities and Transportation Commission
PO Box 47250
1300 S. Evergreen Park Drive, S.W.
Olympia, WA 98504-7250

Re: Consolidated Docket Nos. UT-053036 and UT 053039

Dear Judge Rendahl:

In these consolidated cases there are currently pending 3 cross motions for summary judgment:

Level 3's Motion for Summary Determination filed on 2/09/09
Qwest's Motion for Summary Determination filed on 2/09/09; and
Pac-West's Motion for Summary Determination filed on 2/09/09.

At the status conference held on June 16, 2010, the parties agreed that it would be appropriate for the Commission to issue a Final Order on these motions without an Initial Order having first been issued by the presiding ALJ. Accordingly, Level 3 formally waives any right it may have under RCW 34.05.461 to request review of an Initial Order on these motions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lisa Rackner", written over a horizontal line.

Lisa F. Rackner

cc: Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing document in consolidated Dockets UT-053036 and UT 053039 to the following named person(s) on the date indicated below by email and first-class mail addressed to said person(s) at his or her last-known address(es) indicated below.

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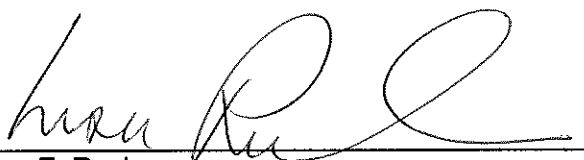
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DATED: June 18, 2010



Lisa F. Rackner

Of Attorneys for Level 3 Communications, LLC