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August 31, 2004

VIA E-MAIL AND HAND DELIVERY

Administrative Law Judge Moss
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Docket No. UT-041239 - Washington Exchange Carrier Association
v. WebTel Wireless, Inc.

Dear ALJ Moss:

On August 26, 2004, you granted WECA permission to take the deposition of one or more persons designated by WebTel as having knowledge of the facilities and operations of WebTel in providing services to customers in Washington.

On the morning of August 27, my associate, Brita Long, called Jeff Grieff, WebTel's attorney, to schedule the deposition. When Ms. Long did not hear back from Mr. Grieff, she e-mailed him later that day to try to establish a time for the deposition. In her e-mail, she stated that if we did not hear from Mr. Grieff by late afternoon on Monday, August 30, we would be forced to request that the Commission set the date for the deposition.

Mr. Grieff did call Ms. Long on August 30 and informed her that he would get back to us at 5:00 or 6:00 p.m. after speaking with his client. Mr. Grieff called Ms. Long at 10:30 this morning informing her that he was sending me a settlement agreement. He had not checked with his client regarding deposition dates as he believes we have a settlement. Mr. Grieff informed Ms. Long that he would e-mail the settlement agreement to me tomorrow.

ALJ Moss
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While I am hopeful that we will reach a settlement in this case, WECA is not comfortable waiting to proceed with the schedules since at this date I have not reviewed proposed agreement. Since we have not been able to reach an agreement on the time and place of the deposition, I respectfully request that the Commission set the time and place for the deposition or depositions, depending on how many people Webtel designates. I request that the deposition take place on Tuesday, September 7, 2004 or as an alternative on Monday, September 13, 2004. The deposition can be scheduled for my office here in Olympia.

Sincerely,

Richard A. Finnigan

cc: Clients
Service List