

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)	DOCKET NO. UT-050606
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	ORDER NO. 02
)	
v.)	
)	PREHEARING CONFERENCE
INLAND TELEPHONE COMPANY,)	ORDER
)	
Respondent.)	
)	
.....)	

1 **NATURE OF PROCEEDING.** Docket No. UT-050606 involves the suspension of a tariff filed by Inland Telephone Company (Inland) on April 19, 2005. The tariff provided for the removal from Inland’s service area the territory at the southern edge of the Roslyn exchange comprised of the Suncadia Resort and the addition of other territory north of the Roslyn exchange. On June 29, 2005, the Commission suspended the proposed tariff revisions.

2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington on August 11, 2005, before Administrative Law Judge Theodora M. Mace.

3 **APPEARANCES.** Richard A. Finnigan, attorney, Olympia, Washington, represents Inland. Robert Cromwell, Assistant Attorney General, Seattle, Washington, represents the Public Counsel Section of the Washington Office of the Attorney General. Chris Swanson, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff (“Commission Staff”

or "Staff").¹ John L. West and Richard M. Peterson, attorneys, Seattle, Washington, represent Suncadia LLC (Suncadia). Gregory J. Kopta, attorney, Seattle, Washington, represents Intelligent Community Services (ICS). Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.

4 **PETITIONS FOR INTERVENTION.** Suncadia and ICS petitioned in writing to intervene in the docket. No party objected to the petitions to intervene and they were granted.

5 **PROTECTIVE ORDER.** A protective order will be entered in this docket.

6 **DISCOVERY.** The parties asked that the discovery rules be invoked in this docket, pursuant to WAC 480-07-400. The matter is one that qualifies for discovery, and the rules are invoked.

7 **PROCEDURAL SCHEDULE.** The Commission adopts the following procedural schedule:

First settlement conference	September 20, 2005
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Direct testimony – Inland/Suncadia	October 21, 2005
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Responsive testimony – Staff/Public Counsel/Intervenor	December 16, 2005
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Second Settlement Conference	January 5, 2006
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¹ In formal proceedings, such as this case, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party to the proceeding. There is an "ex parte wall" separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners' policy and accounting advisors from all parties, including Staff. RCW 34.05.455.

Rebuttal testimony – Inland	February 3, 2006
Filing witness/exhibit lists/ Cross examination estimates	February 24, 2006
Evidentiary hearing	March 2-3, 2006
Initial briefs	March 24, 2006
Reply briefs	April 3, 2006
Initial Order target date	April 17, 2006
Petition for Review	May 5, 2006
Replies to Petition	May 17, 2006
Expiration of tariff suspension	July 1, 2006 ²

- 8 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file with the Commission an original plus six (6) copies of all pleadings, motions, briefs, and other prefiled materials. Paper copies of these materials are required to conform to the format and publication guidelines set forth in WAC 480-07-395 and 480-07-460, and must be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

² On August 12, 2005, Inland agreed to extend the tariff suspension date by two months, from May 1 to July 1, 2005, to allow additional time for the Commission to enter a final order in this proceeding.

- 9 All filings must be mailed to the Commission Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250, or delivered by hand to the Commission Secretary at the Commission's Records Center at the Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 10 An electronic copy of all filings must be provided by e-mail delivery to <records@wutc.wa.gov>. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette including the filed document(s). The Commission prefers that parties furnish electronic copies in .pdf (Adobe Acrobat) format, supplemented by a separate file in MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format. Parties are required to organize and identify electronic files as specified in WAC 480-07-140(5).
- 11 **ELECTRONIC FILING.** Parties may only file documents electronically with the Commission in this proceeding with the permission of the administrative law judge. Under WAC 480-07-145(6), electronic filing of documents provides a one-day extension of the paper-filing requirement. If, at any time during this proceeding, parties are authorized to file documents with the Commission electronically under WAC 480-07-145(6), Parties must submit the document to records@wutc.wa.gov, and file an original, plus six (6) copies, of the document with the Commission by the following business day.
- 12 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1142.

- 13 **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective this 16th day of August, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

THEODORA M. MACE
Administrative Law Judge

APPENDIX A

PARTIES' REPRESENTATIVES
DOCKET NO. UT-050606

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Inland Telephone Company	Richard A. Finnigan Attorney 2112 Black Lake Blvd. S.W. Olympia, WA 98512	360-956-7001	360-753-6862	rickfinn@localaccess.com
Commission Staff	Chris Swanson Assistant Attorney General 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia WA 98504-0128	360-664-1220	360-586-5522	cswanson@wutc.wa.gov
Suncadia LLC	John L. West Hillis Clark Martin & Peterson, P.S. 500 Galland Building 1221 Second Avenue Seattle WA 98101-2925	206-623-1745	206-623-7789	jlw@hcmp.com
Intelligent Community Services	Gregory J. Kopta Davis Wright Tremaine LLP 2600 Century Square 1501 Fourth Avenue Seattle, WA 98101-1688	206-628-7692	206-628-7699	gregkopta@dwt.com
Public Counsel	Robert Cromwell Office of the Attorney General 900 Fourth Avenue, Suite 2000 Seattle WA 98164-1012	206-464-6595	206-389-2058	Robertc1@atg.wa.gov

APPENDIX B

**PROCEDURAL SCHEDULE
DOCKET NO. UT-050606**

EVENT	DATE	INTERVAL DAYS
Order suspending tariff	6/29/05	
Prehearing Conference	8/11/05	46
First settlement conference	9/20/05	40
Direct testimony filed	10/21/05	31
Responsive testimony filed	12/16/05	56
Second settlement conference	1/5/06	20
Rebuttal testimony filed	2/3/06	29
Evidentiary hearing	3/2/06	27
Initial briefs	3/24/06	22
Reply briefs	4/3/06	10
Initial order target date	4/17/06	14
Petition for review	5/5/06	18
Replies to petition	5/17/06	12
Tariff suspension expiration date	7/1/06	45