

Law Office of
Richard A. Finnigan

Richard A. Finnigan

(360) 956-7001

Brita A. Long

(360) 956-7211

2405 Evergreen Park Drive SW
Suite B-1

Olympia, Washington 98502

Fax (360) 753-6862

Kathy McCrary, Paralegal

(360) 753-7012

Lisa Skelley, Legal Asst.

(360) 753-4679

September 3, 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 31, 2004, I requested that the Commission set a deposition date in this case because Mr. Grieff, WebTel's attorney, and I have not be able to agree on a deposition date.

There have been several statements that a settlement agreement would be forthcoming. The last was on September 1, 2004, when Mr. Grieff called my associate, Brita Long, and informed her that he would be faxing a proposed settlement agreement to me first thing yesterday morning. The proposed settlement agreement was delivered with an electronic date stamp of 12:45 p.m. It contains terms unacceptable to my clients.

Therefore, I respectfully request that the Commission set the time and place for the deposition or depositions, depending on how many people WebTel designates.

At this date, I request that the depositions take place on Monday, September 13, 2004. The original preferred date of September 7 is probably

ALJ Moss
September 3, 2004
Page 2

unrealistic. The depositions can be scheduled for my office in Olympia.

Sincerely,

RICHARD A. FINNIGAN

RAF/bal

cc: Clients
Service List