BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AT&T BROADBAND PHONE OF WASHINGTON, LLC,)) DOCKET NO. UT-020388)
) NOTICE SHORTENING TIME
Complainant) FOR ANSWERS (April 11, 2002)
V.)
) NOTICE OF EMERGENCY
QWEST CORPORATION,) HEARING; NOTICE OF
) PREHEARING CONFERENCE
Respondent.) (April 12, 2002)
)

- I On March 29, 2002, AT&T Broadband Phone of Washington, LLC filed with the Commission a Complaint for Emergency Relief for Violation of WAC 480-120-139 (Reverse Slamming). A more detailed account of the dispute is reflected in the complaint which is available for inspection at the Commission's offices located at Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. It is appropriate that the matters raised in the pleadings be brought for hearing before the Commission.
- Hearing in this matter is being held pursuant to Part IV of chapter 34.05 RCW pertaining to adjudicative proceedings, including but not limited to RCW 34.05.413, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, RCW 34.05.452, RCW 80.01.100, RCW 80.36.610, and WAC 480-09-530. The Commission has jurisdiction over this matter under Title 80 RCW, having legal authority to regulate the rates, services, and practices of telecommunications companies providing service within the state of Washington and to hear complaints brought by one public service company against another such company. In addition to the foregoing, statutes and rules involved include those within chapter 80.36 RCW, chapter 480-09 WAC, and chapter 480-120 WAC. The issues involved are generally stated above and more specifically contained in the complaint.
- On April 1, 2002, the Commission served the complaint on the respondent. In accordance with WAC 480-09-425(3)(a), a party who files an answer must do so within twenty days after the service of the pleading. In accordance with WAC 480-09-425(3)(c), the Commission shortens the time allowed for parties to file an answer to **Thursday, April 11, 2002.**

- 4 NOTICE IS HEREBY GIVEN That in accordance with WAC 480-09-700(1)(a), the Commission has determined that good cause exists for this matter to be heard upon shortened notice.
- 5 NOTICE IS FURTHER GIVEN That, in accordance with WAC 480-09-530(4)(a), an emergency hearing and a prehearing conference in this matter will be held beginning at 9:30 a.m., on Friday, April 12, 2002, in the Commission's Hearing Room, Room 206, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.
- ⁶ The purpose of the emergency hearing is to consider pursuant to RCW 34.05.479 and WAC 480-09-510 what are the circumstances giving rise to the complaint and whether they constitute a dangerous condition that must be terminated or corrected or whether they constitute a situation involving an immediate danger to the public health, safety or welfare that requires emergency action by the Commission.
- 7 In furtherance of the consideration of this question, the complainant must file with the Commission and deliver to the respondent and the Commission Staff no later than the close of business on April 10, 2002, a statement of the evidence on which it relies, and a statement of its reasoning for its contention that the matter falls within the emergency adjudication provisions of the APA and Commission rules.
- The purpose of the prehearing conference is to consider formulating the issues in the proceeding, and to determine other matters to aid in its disposition, as specified in WAC 480-09-460. The time and place for any further evidentiary hearing will be set at the prehearing conference or by later written notice. Appearances will be taken.
- 9 If any party or witness needs an interpreter or other assistance, please fill out the form attached to this notice and return it to the Commission.
- 10 NOTICE IS FURTHER GIVEN THAT ANY PARTY WHO FAILS TO ATTEND OR PARTICIPATE IN THE HEARING SET BY THIS NOTICE, OR ANY OTHER STAGE OF THIS PROCEEDING, MAY BE HELD IN DEFAULT IN ACCORDANCE WITH RCW 34.05.440. THE PARTIES ARE FURTHER ADVISED THAT THE SANCTION PROVISIONS OF WAC 480-09-700(4) ARE SPECIFICALLY INVOKED.
- 11 The names and mailing addresses of all parties and their known representatives are as follows:

Complainant: AT&T Broadband Phone of Washington, LLC 22025 30th Drive SE Bothell, WA 98021-4444 (303) 858-3000

Representative:	Gregory J. Kopta Davis Wright Tremaine LLP 2600 Century Square 1501 Fourth Avenue Seattle, WA 98101-1688 (206) 622-3150
Respondent:	Qwest Corporation 1600 Seventh Avenue Seattle, WA 98191
Representative:	Lisa Anderl Attorney at Law 1600 Seventh Avenue, Room 3206 Seattle, WA 98191 (206) 345-1574
Commission Staff:	Washington Utilities and Transportation Commission 1300 S. Evergreen Park Drive S.W. P.O. Box 47250 Olympia, WA 98504-7250
Representative:	Shannon Smith Assistant Attorney General 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia, WA 98504-0128 (360) 664-1192

- 12 An Administrative Law Judge from the Utilities and Transportation Commission's Administrative Law Division, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250, will preside at the prehearing conference.
- 13 The Public Counsel section of the Office of the Attorney General has been designated by the Attorney General to represent the public. The address of the Commission, shown below, may be used for inquires of Public Counsel, or Public Counsel may be contacted directly by writing or calling the address or telephone number listed below.
- 14 Notice of any other procedural phase will be given in writing or on the record as the Commission may deem appropriate during the course of this proceeding.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN Executive Secretary

April 4, 2002

Inquires may be addressed to:

Executive Secretary Washington Utilities and Transportation Commission Chandler Plaza Building 1300 S. Evergreen Park Drive S.W. P. O. Box 47250 Olympia, WA 98504-7250 (360) 664-1160 or Public Counsel Section Office of Attorney General 900 Fourth Avenue, Suite 2000 Seattle, WA 98164-1012 (206) 464-7744

<u>NOTICE</u>

PLEASE BE ADVISED that the hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and that if limited English-speaking or hearing impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be designated below and returned to:

Carole J. Washburn, Executive Secretary Washington Utilities and Transportation Commission 1300 S. Evergreen Park Drive S.W. P. O. Box 47250 Olympia, WA 98504-7250.

(SUPPLY ALL REQUESTED INFORMATION)

Docket No.: UT-0203	388	
Case Name: AT&T B	Broadband Phone of Washington, LLC, v. Qwest Corporatio	n
Hearing Date:	Hearing Location:	_
Primary Language:		
Hearing Impaired (Yes) (No)	
Do you need a certified	sign language interpreter: (Yes) (No)	
Visual	Tactile	
Other type of assistance	e needed:	
English-speaking person	n who can be contacted if there are questions:	
Nar	me:	
Ade	dress:	
Pho	one No.: ()	

DOCKET NO. UT-020388

PAGE 6