

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AT&T COMMUNICATIONS OF)	
THE PACIFIC NORTHWEST, INC.,)	DOCKET NO. UT-020406
)	
Complainant,)	THIRD SUPPLEMENTAL ORDER
v.)	
)	PREHEARING CONFERENCE
VERIZON NORTHWEST, INC.,)	ORDER; NOTICE OF PREHEARING
)	CONFERENCE
Respondent.)	(August 13, 2002)
)	
.....)	

1 **Proceeding:** On April 3, 2002, AT&T Communications of the Pacific Northwest, Inc. (AT&T) filed with the Commission a complaint against Verizon Northwest, Inc. (Verizon). The complaint alleges that Verizon’s switched access charges far exceed Verizon’s cost of providing that access. The complaint further alleges that Verizon is using revenues generated by excessive switched access rates to fund a “price squeeze” designed to force competitors from toll markets in Washington.

2 **Conference:** The Commission convened a prehearing conference in this docket at Olympia, Washington on June 12, 2002 before Administrative Law Judge Marjorie R. Schaer.

3 **Appearances.** Gregory J. Kopta, attorney, Seattle, represents AT&T Communications of the Pacific Northwest, Inc. (AT&T); Judith Endejan, attorney, Seattle, represents Verizon Northwest, Inc. (Verizon); Michel Singer-Nelson, attorney, Denver, and Brooks Harlow, attorney, Seattle, represent WorldCom and its regulated subsidiaries (WorldCom); Gregory J. Trautman, assistant attorney general, Olympia represents the staff of the Washington Utilities and Transportation Commission (Staff). Contact information provided at the conference for the parties’ representatives is attached as Appendix A to this order.

4 **Petitions for Intervention.** The Commission received a request for intervention orally from WorldCom and its subsidiaries. WorldCom and its subsidiaries are both

purchasers of the access services that are the subject of this complaint, and competitors in providing retail toll services. No party objected to the intervention, which was granted.

5 **Protective order.** The parties asked the Commission to enter a protective order in this docket pursuant to RCW 34.05.446 and RCW 80.04.095, to protect the confidentiality of proprietary information. The request was granted, and a protective order was entered as the First Supplemental Order in this proceeding on June 28, 2002.

6 **Motion to dismiss.** On April 11, 2002, Verizon filed with the Commission a motion to dismiss the complaint. Answers opposing the motion to dismiss were filed by AT&T on May 13, 2002, and by Staff on May 17, 2002. Verizon was permitted to file a reply to the answers, and filed it on May 24, 2002. WorldCom filed an answer to the motion to dismiss on June 19, 2002, and Verizon replied to the answer on June 27, 2002. The Commission entered its Second Supplemental Order denying the motion to dismiss on July 16, 2002.

7 **Issues lists.** The parties agreed to file by June 21, 2002, a statement of the issues they see in the proceeding.

8 **Discovery.** Parties desire to engage in discovery of information in the proceeding. The proceeding qualifies under WAC 480-09-480 as a proceeding in which inquiries may be made to the extent provided in the rule. The discovery rule is invoked.

9 **Hearing schedule.** The parties agreed that a second prehearing conference will be necessary if Verizon's motion to dismiss was denied. That hearing will be held August 13, 2002. The schedule for the remainder of the proceeding will be planned at that hearing.

10 **Notice of Prehearing Conference.** The Commission convenes a prehearing conference in this matter for the exchange and marking of exhibits. The conference will be held on Tuesday, **August 13, 2002, at 9:30 a.m.**, in Room 206 of the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S. W., Olympia, Washington.

11 **Document preparation and process issues.** Parties must file 14 copies of each document filed with the Commission. Appendix B states relevant Commission rules and other directions for the preparation and submission of evidence and for other process in this docket. Parties will be expected to comply with these provisions.

Dated at Olympia, Washington, and effective this 24th day of July, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARJORIE R. SCHAER
Administrative Law Judge

NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this statement, pursuant to WAC 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.