

#### RECEIVED DY FAX ON 12-8-63 HARD COPIES RECEIVED 12-12-03

December 8, 2003

VIA FAX: (360) 586-1150 AND FIRST CLASS MAIL

Carole Washburn Executive Secretary Washington Utilities & Transportation Commission 1300 S. Evergreen Pk. Dr. S.W. P.O. Box 47250 Olympia, WA 98504-7250

Re:

In the Matter of Petition of Owest Corporation

To Initiate a Mass-Market Switching and Dedicated Transport Case

Pursuant to the Triennial Review Order

Docket No: UT-033044

Dear Ms. Washburn:

Enclosed please find the originals and fifteen copies each of Allegiance Telecom of Washington, Inc.'s Designation of James I. Harlan as Attorney in charge, and a Notice of Entry of Appearance, along with an executed Attorney Agreement and Highly Confidential Information Agreement for filing in the above-entitled docket.

Also enclosed is an original and fifteen copies of the executed Expert Agreement and Highly Confidential Information Agreement for Theresa Larkin for filing in the above-entitled docket as well.

Sincerely,

James I\Harlan

Regulatory Counsel (469) 259-2067

JIH:il Enclosures

cc: Service List (U.S. Mail)

[Service Date December 8, 2003]

# BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of	§	DOCKET NO. UT ~ 033044
OWEST CORROD ATIOM	§	
QWEST CORPORATION	8	ALLEGIANCE TELECOM OF WASHINGTON,
	§	INC.'S DESIGNATION OF JAMES I. HARLAN
	§	AS ATTORNEY IN CHARGE
To Initiate a Mass-Market	§	
Switching and Dedicated Transport	§	NOTICE OF ENTRY OF APPEARANCE
Case Pursuant to the Triennial	§	
Review Order	§	
	§	

Allegiance Telecom of Washington, Inc. respectfully submits this Entry of Appearance and Designation of Attorney in Charge as follows:

- 1. Allegiance Telecom of Washington, Inc. designates JAMES I. HARLAN as attorney in charge and in substitution for JEFFREY J. BINDER.
- 2. JAMES I. HARLAN will be responsible for the proceedings and shall be the attorney to receive all communications from the Commission, Department, court and other parties. Attached hereto and incorporated herein for all purposes are executed Exhibit A (Attorney Agreement) and Exhibit C (Highly Confidential Information Agreement) pursuant tp Order No. 2 (Protective Order, dated October 21, 2003).
- 3. Notice of this designation has been provided to all other parties, according to Washington Rules of Civil Procedure.
  - 4. Please amend the Distribution List accordingly:

IP JAMES I. HARLAN, ESO.

PH: (469)259-2067

11/14/03

REGULATORY COUNSEL

FX: (469)259-9122

Representing Allegiance Telecom of Washington, Inc.

C/O Allegiance Telecom, Inc. Worldwide

9201 N. Central Expressway

Dallas, Texas 75231

Email: james.harlan@algx.com

Respectfully submitted

AMES I. HARLAN Regulatory Counsel

ALLEGIANCE TELECOM COMPANY WORLDWIDE

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Dallas, TX 75231

Voice: 469.259.2067; Fax: 469.259.9122

Email:james.harlan@algx.com

Attorney for Respondent

ALLEGIANCE TELECOM OF WASHINGTON, INC.

MARK A. STACHIW

Senior Vice President and General Counsel

ALLEGIANCE TELECOM COMPANY WORLDWIDE

9201 North Central Expressway

Dallas, TX 75231

Voice: 469.259,2099; Fax: 469.259.9122

Email:mark.stachiw@algx.com

Attorney for Respondent

ALLEGIANCE TELECOM OF WASHINGTON, INC.

#### CERTIFICATE OF SERVICE Docket No. UT - 033044

The undersigned certifies that a true copy of the foregoing Response was served on counsel of record in the captioned proceeding via United States First-Class Mail, hand-delivery, facsimile or by electronic transmission this 8<sup>th</sup> day of December 2003.

SEE ATTACHED SERVICE LIST.

James I. Harlan

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#### **EXHIBIT A (ATTORNEY AGREEMENT)**

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION
IN DOCKET NO. UT-033044
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, JAMES I. HAVE LAND as attorney in this proceeding for Alleanance Telecom on Washington (party to this proceeding) agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Docket No. UT-033044, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

Signature

Date

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ITESS 9201 N. Central Expression

617 floor-legal Dept.

Dalles Tx 75231

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#### EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKET NO. UT-033044
BEFORE THE

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, JAMES I, HARLAN	, as
<b>1</b> 1	
✓ In-house attorney	
In-house expert	
Outside counsel	
Outside expert	
Small company employee or in-house expert	
in this proceeding for Allegan Telean of Washington (a par proceeding) hereby agree to comply with and be bound by the Protective entered by the Washington Utilities and Transportation Commission No. UT-033044 and acknowledge that I have reviewed the Protective fully understand its terms and conditions.	ctive Order in Docket
Signature Date	
Allegione Taleum Enc.	
Employer 9 201 12, Central Expression  Graffer Lepel Dept.  Delles, Pt 75231  Regulatory	C01250
Permanent Address Position and	
Responsibilities	
***	

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

\_\_\_\_\_No objection.

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person having access to Highly Confident	ing party objects to the above-named ential Information. The objecting party n, supported by affidavit, setting forth the of the person from access to Highly
Signature	Date

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#### EXHIBIT B (EXPERT AGREEMENT)

### AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKET NO. UT-033044 BEFORE THE

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Theresa La	as expert
witness, consultant, or advisor in this proceed	ing for
Allegiance Telocom (a party to the	nis proceeding) hereby agree to
comply with and be bound by the Protective (	Order entered by the Washington
Utilities and Transportation Commission in D	ocket No. UT-033044 and
acknowledge that I have reviewed the Protecti	ive Order and fully understand its
terms and conditions.	
Therese PLacking	<u> 12-2-03</u> Date
Signature	Date
Allegiance Telecom Employer	
Employer	
700 E Butterfield Rd Lombord, IL 60148	1/2 - 1 de la contra Paraleta
Permanent Address	VP-Inclustry of State Regulation. Position and Responsibilities Affair
* * *	Position and Responsibilities HHaus
The following portion is to be completed by the the Commission within 10 days of receipt. Fail waiver and the above-named person will be deadvisor having access to Confidential Informational to the protective order.	lure to do so will constitute a semed an expert, consultant, or
No objection.	
Objection. The responding part	y objects to the above-named
expert, consultant, or advisor having access to t	Confidential Information. The
objecting party shall file a motion setting forth	the basis for objection and asking
exclusion of the expert, consultant, or advisor for information.	rom access to Confidential
Signature	Date

DOCKET NO. UT-0. J44 ORDER NO. 02

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## EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

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AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKET NO. UT-033044 BEFORE THE

WASHINGTON UTILITIES AND TRAI	NSPORTATION COMMISSION
I, Thecesa La	irkinas
In-house attorney	
✓In-house expert	
Outside counsel	
Outside expert	
Small company emplo	oyee or in-house expert
in this proceeding for Allegiance proceeding) hereby agree to comply with and entered by the Washington Utilities and Tran No. UT-033044 and acknowledge that I have fully understand its terms and conditions.	l be bound by the Protective Order  sportation Commission in Docket
Thursa PLantin Signature	<u>/                                    </u>
Allegiance Telecom Employer	
700 E. Butterfield Rd	
Lambard, 16 60148	Position and Affair
Permanent Address	Position and Affair
Responsibilities	
* * *	
The following portion is to be completed by th	
vorse war bornour is to be combleted by th	ie responding party and filed with

the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

No objection.

DOCKET NO. UT-05-J44 ORDER NO. 02

PĄGE 16

Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth basis for objection and asking exclusion of the person from access to Highly Confidential Information.	
Signature	Date

## Docket No. UT-033044 Qwest Mass Market Switching Non-Impairment Petition

#### SERVICE LIST

WUTC STAFF:

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#### **QWEST CORPORATION:**

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## DEPT OF DEFENSE & ALL OTHER FEDERAL AGENCIES

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#### WORLDCOM INC.

Lisa Rackner Ater Wynne LLP 222 SW Columbia #1800 Portland OR 97201

## ALLEGIANCE TELECOM OF WASHINGTON INC.

Jeffrey J. Binder Allegiance Telecom, Inc. 1919 M. Street – Suite 420 Washington, DC 20036

#### **SPRINT CORPORATION**

William E. Hendricks III Attorney – Sprint Corp. 902 Wasco Street Hood River, OR 97031

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