

# **WUTC v. CenturyLink Communications, LLC, et al.**

**Docket No. UT-240117 - Vol. I (April 30, 2025)**



1325 Fourth Avenue, Suite 1840 Seattle, Washington 98101  
6 South Second Street, Suite 718 Yakima, Washington 98901  
Bellingham | Everett | Tacoma | Olympia | Yakima | Spokane  
Seattle 206.287.9066 | Tacoma 253.235.0111 | Eastern Washington 509.624.3261

[www.buellrealtime.com](http://www.buellrealtime.com)

email: [audio@buellrealtime.com](mailto:audio@buellrealtime.com)

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| 1<br>2<br>3<br>4<br>5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14<br>15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23<br>24<br>25 | A P P E A R A N C E S:<br><br>FOR COMMISSION STAFF:<br><br>Lisa W. Gafken<br>lisa.gafken@atg.wa.gov<br>Attorney General of Washington<br>800 Fifth Avenue, Suite 2000<br>Seattle, Washington 98104<br>206.464.7740<br><br>FOR PUBLIC COUNSEL:<br>Tad Robinson O'Neill<br>Tad.ONeill@atg.wa.gov<br>Public Counsel Unit<br>Office of the Attorney General<br>Public Counsel Unit<br>800 Fifth Avenue, Suite 2000<br>Seattle, Washington 98104<br>206.464.7744<br><br>FOR THE RESPONDENTS CENTURYLINK ET AL.:<br>Adam Sherr<br>adam.sherr@lumen.com<br>Lumen Technology Inc.<br>120 Lenora Street<br>5th Floor<br>Seattle, Washington 98121<br>206.398.2507  | 1<br>2<br>3<br>4<br>5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14<br>15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23<br>24<br>25 | JUDGE THOMPSON: Thank you very much.<br>And for CenturyLink?<br>ATTORNEY SHERR: Good morning, your Honor.<br>Adam Sherr on behalf of CenturyLink.<br>JUDGE THOMPSON: Thank you. And for public<br>counsel?<br>ATTORNEY O'NEILL: Good morning, your Honor.<br>Tad Robinson O'Neill on behalf of public counsel.<br>JUDGE THOMPSON: Thank you very much.<br>Are there any other organizations on the call<br>that want to give a verbal notice of appearance at this<br>time?<br>Okay. Hearing none, we will go ahead and skip<br>over petitions for intervention. I do not see any<br>currently in the docket.<br>I do not believe that I have received a<br>proposed schedule prior to today's hearing. Would the<br>parties like some time to discuss the schedule?<br>And I can leave the Zoom.<br>ATTORNEY GAFKEN: So we do have an agreed set<br>of dates. There is a little bit of disagreement about<br>when public counsel should file its testimony and<br>exhibits, but we do have dates that are agreed upon. I'll<br>stop there and we can have a discussion.<br>JUDGE THOMPSON: Yeah, I think maybe the best |

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| <p>1 path forward is to go ahead and read those dates into the<br/>2 record, and then we can note which date or set of dates<br/>3 is perhaps not agreed upon.</p> <p>4 And also, I would ask, if you could, please<br/>5 email me those days after the hearing. It would be much<br/>6 appreciated. I've tried to scribble them down in the<br/>7 past, but I never quite get them all exactly right.</p> <p>8 And so at this time, if you want to go ahead<br/>9 and read that into the record, I appreciate that.</p> <p>10 ATTORNEY GAFKEN: Sure. And I can absolutely<br/>11 email it out as well.</p> <p>12 I guess before I read the dates in, the issue<br/>13 with when public counsel files its testimony really has<br/>14 to do with the company wanting public counsel to file at<br/>15 the same time as staff.</p> <p>16 From staff's perspective, we have the burden of<br/>17 proof, right? We're the moving party.</p> <p>18 And public counsel is a responding party, even<br/>19 if -- and we don't know the extent of the alignment. But<br/>20 there's some assumption that there may be some degree of<br/>21 alignment. But at the end of the day, staff has the<br/>22 burden of proof.</p> <p>23 And from a process standpoint, it makes sense<br/>24 in our mind for staff to file its case in chief, and then<br/>25 the other parties respond to that case as response</p> | <p>1 but the perspective that public counsel will offer in<br/>2 this case, I'm sure will be aligned with staff.</p> <p>3 And if public counsel goes second along with<br/>4 CenturyLink, then CenturyLink finds itself having to<br/>5 respond twice, essentially, to the same -- to the same<br/>6 arguments, the same information.</p> <p>7 The most recent example of a case where the<br/>8 three -- a penalty case where staff, public counsel, and<br/>9 CenturyLink were actively involved was the 911<br/>10 enforcement case, Docket UT-181051. And in that case,<br/>11 staff and public counsel filed in the first round and in<br/>12 the third round, and CenturyLink filed in the second<br/>13 round.</p> <p>14 That model seemed very logical. And it allowed<br/>15 CenturyLink to respond once, and it allowed staff and<br/>16 public counsel to reply or file rebuttal testimony there.</p> <p>17 So I agree with Ms. Gafken that staff has the<br/>18 burden to prove. There's no question.</p> <p>19 But that doesn't really foreclose the question,<br/>20 which is should public counsel be responding to staff or<br/>21 should it be filing first so that CenturyLink can respond<br/>22 to both at the same time.</p> <p>23 JUDGE THOMPSON: And you said that docket<br/>24 number was 10 -- or 180151?</p> <p>25 ATTORNEY SHERR: Let me repeat it. It was</p> |
| <p>1 testimony.</p> <p>2 And then the third round of testimony, staff<br/>3 would have rebuttal, and the other parties would have<br/>4 cross-answering.</p> <p>5 So that's -- that's the general nature of the<br/>6 question that we have for your Honor.</p> <p>7 And I'm sure that Mr. Sherr has some to add to<br/>8 that.</p> <p>9 And so let me pause and let him say a few<br/>10 words, and then I can read those dates into the record.</p> <p>11 JUDGE THOMPSON: Thank you for that.</p> <p>12 Mr. Sherr?</p> <p>13 ATTORNEY SHERR: Thank you. I appreciate that.</p> <p>14 Thank you, Lisa.</p> <p>15 Yes. Qwest agrees, or CenturyLink agrees, that<br/>16 staff has the burden of proof, and obviously needs to go<br/>17 first and put its case in chief into the record first so<br/>18 that we can respond.</p> <p>19 From our perspective, and based on recent prior<br/>20 complaint proceedings, it seems most appropriate for<br/>21 public counsel to file in the first round with staff; and<br/>22 in the third round responding to CenturyLink because<br/>23 public counsel will, in all likelihood, be aligned with<br/>24 staff that -- essentially acting to some extent as a<br/>25 co-prosecutor; understanding it's not their complaint,</p>  | <p>1 181051.</p> <p>2 JUDGE THOMPSON: Okay. Thank you.</p> <p>3 And public counsel, this most directly impacts<br/>4 you. Do you have a preference?</p> <p>5 ATTORNEY O'NEILL: So public counsel's position<br/>6 is that we are a responding party and we should be lumped<br/>7 into the response.</p> <p>8 So initially filed testimony by staff, which<br/>9 has the burden of proof. CenturyLink and public counsel<br/>10 would respond at the same time.</p> <p>11 CenturyLink would be able to cross-answer and<br/>12 respond to public counsel in the third round of briefs.</p> <p>13 So it's not that the -- CenturyLink would not<br/>14 have an opportunity to respond to public counsel's<br/>15 presentation; it's just it would be later.</p> <p>16 And public counsel's position -- public<br/>17 counsel's position is we are independent from staff. Our<br/>18 statutory obligation or directive is to represent the<br/>19 interest of the public writ large, kind of the public<br/>20 interest. Staff has that as well. And so does, frankly,<br/>21 CenturyLink. We're all going to represent different<br/>22 versions of what we believe the public interest to be.</p> <p>23 But in terms of information, staff opened this<br/>24 investigation more than a year ago. At this point, they<br/>25 have collected data and information. CenturyLink has</p>     |

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| <p>1 that information in its possession. Public counsel<br/>2 doesn't. We haven't seen the documents that were<br/>3 produced to staff.</p> <p>4 And I understand from Mr. Sherr and Ms. Gafken<br/>5 that this is a very data intensive case. There's a lot<br/>6 of data that's been produced. And we don't have the<br/>7 access that CenturyLink has to the data. So we're<br/>8 already in a catch-up phase.</p> <p>9 And I will concede, as Mr. Sherr says, it's<br/>10 likely that we are going to support penalties and that we<br/>11 would be -- you know, we think that customer service<br/>12 quality is an important issue for the public and needs to<br/>13 be protected.</p> <p>14 So it's likely that we will align with staff to<br/>15 some degree, but it will be an independent review. We<br/>16 don't share -- we're separate offices. We have separate<br/>17 analysts, separate experts, et cetera.</p> <p>18 So I think that the proper procedure is for us<br/>19 to be a responsive party.</p> <p>20 I think Mr. Sherr is correct, however, that in<br/>21 the 911 case, public counsel did file with -- in the<br/>22 first round and then in the rebuttal, so for what that's<br/>23 worth in terms of precedential value.</p> <p>24 JUDGE THOMPSON: Okay. I think what I want to<br/>25 do in this case is go back and look at the prehearing</p>                  | <p>1 due on September 18, 2025.</p> <p>2 Party only settlement conference would be the<br/>3 week of October 27.</p> <p>4 Response testimony from CenturyLink and public<br/>5 counsel would be December 19, 2025.</p> <p>6 And I'm really just reading it as it's written,<br/>7 understanding that there's still an outstanding decision<br/>8 point about when public counsel will file.</p> <p>9 On December 19, 2025, when that response<br/>10 testimony is filed, discovery responses would reduce from<br/>11 ten business days to seven business days.</p> <p>12 There's a second parties-only settlement<br/>13 conference that will be held in early January. I<br/>14 actually had a week for that. I'm -- I apologize.</p> <p>15 ATTORNEY O'NEILL: Week of the 19th.</p> <p>16 ATTORNEY GAFKEN: Thank you. The week of<br/>17 January 19th.</p> <p>18 Rebuttal and cross-answering testimony would be<br/>19 due February 19, 2026, and at that point, discovery<br/>20 responses reduced from seven business days to five<br/>21 business days.</p> <p>22 The discovery deadline would be March 5, 2026.</p> <p>23 The exhibit lists, cross-examination exhibits,<br/>24 witness lists, time estimates, and exhibit errata would<br/>25 be due March 18, 2026.</p> |
| <p>1 conference order in 181051 and take this under<br/>2 advisement. For now, I'll go ahead and include, you<br/>3 know, the decision in the prehearing conference order.<br/>4 But not having that in front of me, I just want to see if<br/>5 there were any special considerations noted either in<br/>6 that transcript or in the prehearing conference order<br/>7 before making a decision.</p> <p>8 But I appreciate hearing from each party on<br/>9 that point. I do agree that staff does carry the burden<br/>10 as I think it sounds like everyone is in consensus there.<br/>11 And so I think under the normal course, staff would file<br/>12 first, and then public counsel would respond.</p> <p>13 But I will go ahead and take a look at that<br/>14 prior case just to see if there were any special<br/>15 considerations in that matter regarding the timing of<br/>16 public counsel's testimony.</p> <p>17 With that, I think if you want to go ahead and<br/>18 read the dates into the record, Ms. Gafken, I greatly<br/>19 appreciate that.</p> <p>20 ATTORNEY GAFKEN: I will do that. I'll start<br/>21 with when -- I'll start with the first testimony date.<br/>22 When you get the email version, it starts with the<br/>23 complaint filed, but I'm going to start with the<br/>24 testimony date.</p> <p>25 So staff direct testimony and exhibits would be</p> | <p>1 The evidentiary hearing would occur the week of<br/>2 March 23, 2026.</p> <p>3 And post-hearing briefs would be due April 23,<br/>4 2026.</p> <p>5 And the parties have agreed that one round of<br/>6 briefing would be sufficient.</p> <p>7 JUDGE THOMPSON: For the evidentiary hearing,<br/>8 do the parties have any thoughts on how many days are<br/>9 needed?</p> <p>10 And I can go ahead and start with staff.</p> <p>11 ATTORNEY GAFKEN: No, I don't have a specific<br/>12 thought about how many days would be needed. Scheduling<br/>13 two would be safe.</p> <p>14 (Overlapping speech)</p> <p>15 ATTORNEY GAFKEN: Yeah. I think we could<br/>16 probably get it done in a day, but it also depends on how<br/>17 many witnesses there are from staff. We may have one or<br/>18 two witnesses.</p> <p>19 But I don't know how many witnesses the parties<br/>20 may bring.</p> <p>21 So I think scheduling two would be safe in case<br/>22 we need that second day.</p> <p>23 JUDGE THOMPSON: Okay.</p> <p>24 ATTORNEY SHERR: Your Honor, from CenturyLink's<br/>25 perspective, it's challenging to identify the number of</p>  |

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| <p>1 days now. I don't know how many witnesses staff's going<br/>2 to have, nor what witnesses we'll need, nor how many<br/>3 witnesses public counsel is going to have.</p> <p>4 So it's a very -- you know, it's a year out<br/>5 from now. It's pretty -- it's pretty challenging to know<br/>6 that.</p> <p>7 I think obviously it's fine to schedule however<br/>8 many days we want and adjust on the fly. It might be --<br/>9 it would be wise to do at least two days, just it's<br/>10 easier to cut down than to go up, probably from the<br/>11 perspective of the commissioners that they're going to<br/>12 provide.</p> <p>13 JUDGE THOMPSON: Agreed.</p> <p>14 Public counsel, do you have any thoughts?</p> <p>15 ATTORNEY O'NEILL: I'm in even less -- less<br/>16 ability to project because I haven't seen the files,<br/>17 productions from either side. So I don't know. It would<br/>18 be really, really hard for me to predict.</p> <p>19 JUDGE THOMPSON: Fortunately, I'm looking at<br/>20 commissioner calendars right now. And because this is so<br/>21 far out, it looks like as it stands right now, that whole<br/>22 week should be available.</p> <p>23 And the reason I ask is we did recently have<br/>24 one case where the parties asked for three days. Normally<br/>25 we keep it to one or two. Given what sounds like to be a</p>  | <p>1 schedules do fill up pretty quickly. I wonder if we<br/>2 should take the even safer route of scheduling three days<br/>3 and then reducing it from there if need be.</p> <p>4 I mean, I do think that it's likely that we'll<br/>5 be able to complete this hearing in two days. But in the<br/>6 off chance that, you know, all the parties bring way more<br/>7 witnesses than I might be anticipating in the way that<br/>8 I'm imagining the case, which, you know, obviously that<br/>9 could happen, maybe we should grab that third day, since<br/>10 it's available at this point, and then reduce it from<br/>11 there.</p> <p>12 JUDGE THOMPSON: We can plan on that.</p> <p>13 And then it also alleviates having to run until<br/>14 6:00 or move up the hearing start time and pushing<br/>15 everybody for short lunches as well.</p> <p>16 So we can, we can go ahead and do that and then<br/>17 take time off if it happens -- it so happens that we<br/>18 don't need the full three days.</p> <p>19 Okay. For data requests, if the parties have<br/>20 discovery disputes, we'd ask that you attempt to work<br/>21 those out in good faith. But if you cannot, then please<br/>22 bring any motions to the commission for resolution.</p> <p>23 I would encourage any party to pick up the<br/>24 phone or schedule a Zoom call with opposing counsel<br/>25 before filing a motion to compel or a motion to strike</p> |
| <p>1 very data intensive case, I wanted to check now to see if<br/>2 we thought special consideration for three days might be<br/>3 needed because as we all know, the commissioner's<br/>4 calendars do fill up pretty rapidly. And so in the next<br/>5 month or two, I expect to start seeing things scheduled<br/>6 for March.</p> <p>7 But as we sit right now, I think we should be<br/>8 okay. I'll plan for two days at this point in time.</p> <p>9 If we get a sense -- and I'm almost wondering<br/>10 if September 18 might be too late. And I'm not asking<br/>11 the parties to, you know, make any special consideration<br/>12 to dive in and be ready before the September 18 testimony<br/>13 comes along.</p> <p>14 But as the parties start to dive into this<br/>15 case, if there's a sense that a third day might be<br/>16 needed, I would just ask that you reach out and let me<br/>17 know or, you know, if there's changes in presiding<br/>18 officers, let us know in ALD as early as possible, just<br/>19 so that we don't run into a scheduling conflict where<br/>20 maybe we have two days scheduled, and then if we need a<br/>21 third day, it's no longer available. And just keep that<br/>22 in mind.</p> <p>23 But we'll go ahead and plan for two days at<br/>24 this point in time, if that sounds good to the parties.</p> <p>25 ATTORNEY GAFKEN: Given how the commissioners'</p> | <p>1 testimony for a discovery violation.</p> <p>2 And I'd also ask that should a motion be filed,<br/>3 that you indicate in the motion that you've made those<br/>4 good faith attempts to reach out to opposing counsel to<br/>5 resolve the dispute.</p> <p>6 Given what sounds like to be a pretty complex<br/>7 case, do the parties want to institute discovery<br/>8 requirements that we've previously had?</p> <p>9 For instance, in the Avista GRC, not this last<br/>10 one, but the prior one, where the parties identified each<br/>11 data request by subject. And then the cover letter and<br/>12 the distribution email and data request propounded in a<br/>13 single set will be grouped by subject in the cover letter<br/>14 and distribution email. Or do we not feel that that's<br/>15 necessary?</p> <p>16 I can go ahead and start with staff.</p> <p>17 ATTORNEY GAFKEN: I don't know that that's<br/>18 necessary. I mean, just in an ordinary course, similar<br/>19 DRs tend to be grouped together anyway when data sets are<br/>20 sent out.</p> <p>21 But if the other parties want that, we're not<br/>22 going to object to it.</p> <p>23 ATTORNEY SHERR: From respondent's perspective<br/>24 -- I apologize, Tad. Go ahead.</p> <p>25 ATTORNEY O'NEILL: I just think this isn't --</p>   |

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| <p>1 this is not like a general rate case, where you've got<br/>2 multiple different kind of isolated topics where it would<br/>3 be useful to segregate them.</p> <p>4 Here, it's going to be service quality. There<br/>5 might be outage issues, (inaudible) stuff, but it's<br/>6 grouped together enough that I don't think we need to<br/>7 identify the subject matter. I don't think that would be<br/>8 useful or helpful to the commission or to the parties.<br/>9 So I don't think it's necessary here.</p> <p>10 JUDGE THOMPSON: Okay. And for the company?<br/>11 ATTORNEY SHERR: Yes, CenturyLink agrees it's<br/>12 not necessary.</p> <p>13 JUDGE THOMPSON: Okay. Wonderful. We will not<br/>14 include that.</p> <p>15 I'd also ask that data requests and responses<br/>16 be shared with each party, just to make it easier so that<br/>17 we don't have duplicative discovery requests. Is there<br/>18 any objection to me including that requirement in the<br/>19 prehearing conference order?</p> <p>20 ATTORNEY GAFKEN: There is no objection to that<br/>21 request. And quite frankly, we find that very, very<br/>22 useful in cases.</p> <p>23 I will note that we know that one of the<br/>24 discovery requests will be from public counsel to the<br/>25 company asking for all the data that the company provided</p>  | <p>1 also covered by the protective order so that we don't<br/>2 have to go in and relabel all the materials that we<br/>3 provided to staff. Does that request make sense?</p> <p>4 JUDGE THOMPSON: I believe so. Confidential<br/>5 pursuant to the rule pertaining to investigations.</p> <p>6 ATTORNEY SHERR: The confidentiality rule,<br/>7 which I believe off the top of my head is WAC 480-07-160.</p> <p>8 So when we would have produced -- when we<br/>9 produced all that information to staff during its<br/>10 investigation, we identified on every page that it was<br/>11 confidential pursuant to that rule.</p> <p>12 Typically, during the course of formal<br/>13 litigation, we would identify -- that label would say<br/>14 confidential pursuant to the protective order. That<br/>15 protective order didn't exist at the time.</p> <p>16 We're going to pick up all that information and<br/>17 just send it over to public counsel. We don't want to re<br/>18 -- I don't -- it would be very helpful if we didn't have<br/>19 to relabel every page of all of that, since it already<br/>20 has a confidentiality designation on it. It just doesn't<br/>21 reference a protective order which didn't exist at the<br/>22 time.</p> <p>23 So if the protective order could indicate<br/>24 anything that is marked confidential pursuant to<br/>25 WAC 480-07-160 is likewise deemed covered by the</p> |
| <p>1 to staff during its investigation.</p> <p>2 And I just want to say on the record that the<br/>3 company does not have to resend all of the stuff that it<br/>4 sent to staff in making that discovery response. So<br/>5 that's like the one DR that we don't need the full<br/>6 response. We can have a paper that says the company sent<br/>7 all of the same data to public counsel. It is a lot of<br/>8 data. So you know, it would be a waste of resources if<br/>9 we required the company to send that again to staff.</p> <p>10 JUDGE THOMPSON: Okay. That sounds like a good<br/>11 plan. And I'm all for efficiency and saving of<br/>12 resources.</p> <p>13 I assume the answer to this next question will<br/>14 be yes, but would the parties like a protective order?</p> <p>15 ATTORNEY SHERR: Yes, your Honor.</p> <p>16 And the one -- I don't know if this is a<br/>17 special provision or is already in the standard<br/>18 protective order, but with reference to what Ms. Gafken<br/>19 just referred to, CenturyLink is going to replicate the<br/>20 production it gave to staff during its informal<br/>21 investigation and provide that information to public<br/>22 counsel.</p> <p>23 What we would -- it would be very helpful if<br/>24 the protective order could reference that anything that<br/>25 is marked confidential pursuant to the rule is deemed</p> | <p>1 protective order, that would be helpful.</p> <p>2 ATTORNEY GAFKEN: And I'll make a friendly<br/>3 amendment to that request. Staff supports the request.</p> <p>4 You know, we're really just talking about<br/>5 information that was shared during the investigation.<br/>6 And so everything going forward would have the marking<br/>7 that it would normally have in litigation.</p> <p>8 But we're really just talking about that<br/>9 particular data set that has already been marked. And<br/>10 instead of having the company go back and re-mark the<br/>11 prior data set, to allow them to simply pick it up and<br/>12 send it to public counsel.</p> <p>13 ATTORNEY SHERR: Thank you.</p> <p>14 ATTORNEY GAFKEN: The friendly amendment is, it<br/>15 only applies to that data set. And everything going<br/>16 forward would be done under the ordinary course.</p> <p>17 ATTORNEY SHERR: (Inaudible) concurs with that.<br/>18 Thank you.</p> <p>19 JUDGE THOMPSON: Thank you.</p> <p>20 And public counsel, do you have any concerns<br/>21 about that?</p> <p>22 ATTORNEY O'NEILL: The parties met yesterday,<br/>23 and we discussed this. And this was the solution we came<br/>24 up with to avoid duplication of effort from making<br/>25 CenturyLink re-label all of the documents.</p>   |

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| <p>1 So we intend to treat materials produced with</p> <p>2 that stamp as being covered by the protective order.</p> <p>3 It would be helpful if the order referenced</p> <p>4 that so that if anyone ever requested this in a public</p> <p>5 records act, we had a clear statement in the order that</p> <p>6 materials produced in the investigation are deemed to be</p> <p>7 covered by the protective order. That would be helpful.</p> <p>8 JUDGE THOMPSON: Wonderful. I will include</p> <p>9 that.</p> <p>10 And then should there be any discussions about</p> <p>11 potentially non-confidential information that might be</p> <p>12 included in that data set, that, of course, could</p> <p>13 hopefully be resolved amongst the parties. And then, you</p> <p>14 know, if not, please bring a motion.</p> <p>15 Okay. I think the rest of this is pretty much</p> <p>16 boilerplate that you've all heard many a time, so I'll go</p> <p>17 ahead and go through it.</p> <p>18 The commission requires electronic filing of</p> <p>19 documents for formal filings. We will also -- well, I</p> <p>20 don't believe that we need to have paper copies of</p> <p>21 testimony and exhibits in this matter, given that it's</p> <p>22 not a GRC, unless the parties feel differently about</p> <p>23 that. Is electronic copies sufficient for everybody?</p> <p>24 ATTORNEY GAFKEN: Staff would prefer electronic</p> <p>25 testimony and exhibits and no paper copies.</p> | <p>1 would help alleviate some of the burdensome nature of</p> <p>2 providing paper copies.</p> <p>3 Okay. I'd also remind the parties that it is</p> <p>4 within the commission's rules to provide electronic</p> <p>5 service of documents. And the commission will serve the</p> <p>6 parties electronically, and the expectation is that the</p> <p>7 parties will serve one another electronically.</p> <p>8 If any party has not yet designated a lead</p> <p>9 representative for service, which I don't believe is an</p> <p>10 issue -- I believe each of you have -- please do so via</p> <p>11 email to me as soon as possible. My email is</p> <p>12 connor.thompson@utc.wa.gov. That's C-O-N-N-O-R, period,</p> <p>13 T-H-O-M-P-S-O-N@utc.wa.gov.</p> <p>14 If you would like to add names and email</p> <p>15 addresses of other representatives or support staff who</p> <p>16 should receive electronic courtesy copies of all</p> <p>17 documents filed in this proceeding, please email that to</p> <p>18 us as well.</p> <p>19 And I believe we've already discussed this, but</p> <p>20 just for clarity's sake, under WAC 480-07-460(1)(b), the</p> <p>21 deadline for filing errata sheets to exhibits may be</p> <p>22 established in the prehearing conference order. Does</p> <p>23 anyone have an objection to setting a deadline a week</p> <p>24 prior to the evidentiary hearing?</p> <p>25 ATTORNEY GAFKEN: No objection.</p> |
| <p>1 JUDGE THOMPSON: Okay.</p> <p>2 ATTORNEY O'NEILL: Given the nature of the data</p> <p>3 requests and the data heavy nature of it, I think that</p> <p>4 the paper copies would be very difficult to comply with</p> <p>5 and counterproductive. So I think that we should not</p> <p>6 have paper copies in this matter; although, public</p> <p>7 counsel is kind of of the opinion that paper copies</p> <p>8 should not be included just generally. But that's, I</p> <p>9 think, particularly justified in this case.</p> <p>10 JUDGE THOMPSON: Okay. And I see a head nod</p> <p>11 from CenturyLink.</p> <p>12 So we will go ahead and go with electronic</p> <p>13 filing of all documents at this point in time.</p> <p>14 I did mention last week during the Cascade</p> <p>15 prehearing conference that we do have a new commissioner,</p> <p>16 and sometimes the paper copy rule is sort of subject to</p> <p>17 commissioner preferences. And so I noted that I would</p> <p>18 discuss that with the commissioners during our next</p> <p>19 meeting.</p> <p>20 And so the plan right now will be for</p> <p>21 electronic filings for testimony and exhibits. If that</p> <p>22 changes, I will let the parties know.</p> <p>23 But I would just remind the parties that any</p> <p>24 spreadsheets or models would be exempted if they exceed</p> <p>25 five pages. So if there is a change, hopefully that</p>   | <p>1 ATTORNEY O'NEILL: No objections.</p> <p>2 ATTORNEY SHERR: No.</p> <p>3 JUDGE THOMPSON: Wonderful. Hearing none, we</p> <p>4 will incorporate that date into the prehearing conference</p> <p>5 order.</p> <p>6 And aside from the unresolved issue of public</p> <p>7 counsel testimony filing dates, is there anything else we</p> <p>8 need to address today?</p> <p>9 ATTORNEY SHERR: No.</p> <p>10 ATTORNEY GAFKEN: No from staff.</p> <p>11 JUDGE THOMPSON: Okay. Wonderful.</p> <p>12 Well, I will plan on issuing an order shortly</p> <p>13 containing the procedural schedule. Usually that does</p> <p>14 take just a couple of days because I do need to check in</p> <p>15 with the commissioners on availability. But like I said,</p> <p>16 the calendars are looking good right now, absent some</p> <p>17 planned vacation that isn't showing up on the calendars</p> <p>18 at this point in time.</p> <p>19 And with that, I believe we can be adjourned</p> <p>20 and go off the record. Thank you all for your appearances</p> <p>21 this morning.</p> <p>22 (Proceedings concluded at 9:58 a.m.)</p> <p>23</p> <p>24</p> <p>25</p>   |

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| <div>1</div> <div>2</div> <div>CERTIFICATE OF REPORTER)</div> <div>3 STATE OF WASHINGTON )</div> <div>4 ) ss</div> <div>5</div> <div>6 I, Elizabeth Patterson Harvey, a Certified</div> <div>7 Court Reporter and Registered Professional Reporter</div> <div>8 within and for the State of Washington, do hereby</div> <div>9 certify under penalty of perjury that the foregoing legal</div> <div>10 recordings were transcribed under my direction; that I</div> <div>11 received the electronic recording in the proprietary</div> <div>12 format; that I am not a relative or employee of any</div> <div>13 attorney or counsel employed by the parties hereto, nor</div> <div>14 financially interested in its outcome.</div> <div>15 IN WITNESS WHEREOF, I have hereunto set my</div> <div>16 hand this 11th day of May, 2025.</div> <div>17 <i>Elizabeth Patterson Harvey</i></div> <div>18 Elizabeth Patterson Harvey</div> <div>19 CCR 2731</div> <div>20 Certified Court Reporter in</div> <div>21 The State of Washington</div> <div>22 My license expires December 21, 2025</div> <div>23</div> <div>24</div> <div>25</div> |  |
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