



# ATTORNEY GENERAL OF WASHINGTON

800 Fifth Avenue #2000 • Seattle WA 98104-3188

June 13, 2013

**VIA ELECTRONIC FILING & ABC LMI**

Steven V. King  
Executive Director  
Washington Utilities & Transportation Commission  
1300 S. Evergreen Pk. Dr. S.W.  
P. O. Box 47250  
Olympia, WA 98504-7250

Re: WUTC v Frontier Competitive Classification  
Docket No. UT-121994

Dear Mr. King:

Enclosed please find the originals and six (6) copies Public Counsel Statement of Position and Certificate of Service for filing in the above entitled docket.

Sincerely,

Simon J. Ffitch  
Senior Assistant Attorney General  
Public Counsel Division  
(206) 389-2055

SJf:bc

Enclosures

cc: Service List (E-mail and U.S. Mail)

BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of

FRONTIER COMMUNICATIONS  
NORTHWEST INC.,

To be Regulated as a Competitive  
Telecommunications Company  
Pursuant to RCW 80.36.320

DOCKET UT-121944

PUBLIC COUNSEL STATEMENT  
OF POSITION

1. Pursuant to the Commission's Notice of Tentative Rejection of Settlement Agreement (June 3, 2013), each party to the Settlement Agreement between Frontier Communications Northwest, Inc., Commission Staff, and Public Counsel is required to file a position statement by June 13, 2013, responding to three questions stated in the Notice. Public Counsel responds as follows:
2. Public Counsel does not request an evidentiary hearing.
3. Question 1: Public Counsel waives cross-examination of the witnesses who sponsored the prefiled testimony and exhibits the Commission admitted into the record in this docket on May 29, 2013.
4. Question 2: This question is moot, due to the response to Question 1.
5. Question 3: Public Counsel does not object to the Commission considering (a) the testimony filed in support of the Settlement Agreement or presented orally at the hearing on May 29, 2013, or (b) the provisions of the Agreement.
6. Public Counsel's position statement is premised on the understanding that no other party to the agreement is requesting a hearing and that no further hearing will be held in this docket. In

the event that the Commission sets this matter for hearing on its own motion or the request of another party, this statement of position is withdrawn, and Public Counsel retains the right to review its position with respect to any of the issues in the notice. By waiving its right to cross-examination and not requesting a hearing, Public Counsel does not waive any other procedural or substantive rights under Washington law.

7. DATED this 13 day of June, 2013.

ROBERT W. FERGUSON  
Attorney General

A handwritten signature in cursive script, appearing to read "Simon J. Fitch", with a horizontal line extending to the right and the word "for" written below it.

Simon J. Fitch  
Senior Assistant Attorney General  
Public Counsel Division

**Docket UT-121994**  
**FRONTIER COMPETITIVE CLASSIFICATION**

I hereby certify that a true and correct copy of the Public Counsel Statement of Position was sent to each of the parties of record shown below in sealed envelopes, via: First class mail, and Email.

**SERVICE LIST**

**\*\* = Receive Highly Confidential; \* = Receive Confidential; NC = Receive Non-Confidential**

**SERVICE LIST**

**FRONTIER COMMUNICATIONS**

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**FRONTIER**

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DATED: June 14, 2013.

  
CAROL BAKER  
Legal Assistant