

**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

In the Matter of the Petition of:

Douglas and Jessica Rupp; Kathie Dunn
and Chris Hall; Melinda Inman; Verlin
Jacobs; Anthony Williams; Christine and
Samuel Inman; and Sam Haverkemp and
Chris Portrey,

Petitioners

v.

Verizon Northwest, Inc.,
Respondent.

NO. UT-050778

MOTION FOR CONTINUANCE

1. HISTORY

Petitioners filed a Motion to Add Petitioners on March 20. It was denied in Order 05 filed March 29, on procedural and substantive grounds.

The original petition did not include all the residents simply because the lead petitioner was confused about who was eligible to petition, thinking originally that only full time resident (or those intending to become so in the near future) property owners were eligible. Persons who were listed on Petitioner's recently denied Motion to Add are either part-time residents or don't own property in the area (e.g. renters, helpers, housemates, companions, relatives). This thinking was reinforced, with respect to the requirement to own property at least, during the first prehearing. Reference transcript volume 1 page 9 line 23 through page 11 line 3 regarding Petitioner's Motion to Replace Petitioner:

23 MR. RUPP: Michelle Lechuga was not the
24 property owner, as originally thought. Her mother,
25 Melinda Inman, wants to take her place.

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1 JUDGE CAILLE: Ah, that's a different
2 matter. Let's take that matter up first. Is there
3 any objection to replacing Michelle Lechuga with
4 Melinda Inman? And my understanding, Mr. Rupp, is
5 that the person, Michelle Lechuga, was the previous
6 property owner?
7 MR. RUPP: She was a resident.
8 JUDGE CAILLE: Oh, all right. Maybe you can
9 explain the basis for the amendment.
10 MR. RUPP: **Well, there was a petition put up**
11 **at the Index General Store and there was a sign-up**
12 **sheet and various parties signed up, and I thought it**
13 **was clear that it was only property owners were**
14 **supposed to sign for the -- on the petition. They're**
15 **the only ones that have standing.**
16 JUDGE CAILLE: Right.
17 MR. RUPP: Michelle Lechuga signed and I put
18 her name on the original petition. I found out
19 later, when I went around to visit the various
20 locations, that Michelle was not the property owner
21 at that residence, that her mother was the property
22 owner.
23 JUDGE CAILLE: And her mother's Melinda?
24 MR. RUPP: Melinda Inman.
25 JUDGE CAILLE: All right. Is there any
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1 objection to amending the petition to replace
2 Michelle Lechuga with Melinda Inman?
3 MS. ENDEJAN: No objection.

[emphasis added]

Note also that a petition posted at the Index General Store (and Post Office) would likely collect only full-time residents, e.g. those with local PO Boxes. Petitioners did not and had no reason to question this notion of eligibility until the beginning of February when Respondent requested that Petitioners provide the names of other residents who wanted telephone service. Petitioners went to great lengths track down every resident of Skyko 2, explained all the costs associated with new service, and gathered verbal, email, or written commitments and submitted those names to Respondent. When Respondent's testimony was filed on March 1st and was seen to contain a cost per customer figure that could not be reconciled with the information that had been provided, Petitioners felt their only alternative was to attempt to have those residents added to the petition, however untimely, and it was denied.

Petitioners are not formally represented by an attorney and as the case has progressed so has our understanding of the law and the rules. What is common knowledge to those specializing in public utility law comes only through the school of hard knocks followed by repeated readings of the WAC and RCW statutes at issue and we beg the Commission's limited indulgence.

2. MOTION

Petitioners move for a nine week continuance¹ to give Petitioners time to amend their Petition and to give Respondent time to conduct discovery, make new construction estimates, and revise its testimony.

If the Petition is granted and the exchange area boundary is expanded to include the eleven petitioners it will be the case that other residents along the route will be entitled to apply for telephone service. Snohomish County records show approximately 29 improved properties out of 50 total properties along Index-Galena Rd within the proposed expansion. It serves the public interest and also the interest of all Parties to know if the residents of those properties want telephone service so that the capacity of the proposed line extension can be sized properly, precluding a potentially costly and time consuming future upgrade for Verizon and weeks or months of waiting for service by other residents.

¹ Petitioners believe that a continuance would be preferable to withdrawing the petition and re-filing it later with 14 (plus or minus) more petitioners.

Motion for Continuance
Docket No. UT-050778

DATED this 30th day of March 2006.

_____/Original Signed By/
Douglas B Rupp
Spokesman and Lead Petitioner
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