

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AT&T COMMUNICATIONS OF THE)	
PACIFIC NORTHWEST, INC.,)	Docket No. UT-003120
)	
Complainant,)	NOTICE OF FILING DIRECT
v.)	TESTIMONY FOR
)	CONSIDERATION
QWEST CORPORATION,)	
)	
Respondent.)	
)	

AT&T Communications of the Pacific Northwest, Inc. ("AT&T") hereby submits its direct testimony in support of its complaint in this docket. AT&T is in receipt of the Washington Utilities and Transportation Commission's (the "Commission") Order dated March 13, 2001 indicating that AT&T need not file its testimony until March 30 pending the Commission's ruling on Qwest's summary determination motion. Even though AT&T appreciates the Commission's consideration of the resources necessary to prepare such testimony, under the circumstances of Qwest's actions of prohibiting AT&T from providing service to certain Washington consumers located in residential Multi-Tenant Environments, AT&T cannot afford to hold up in any way the progress of this case by taking an additional two weeks to submit its direct case. If AT&T's complaint survives Qwest's Motion for Summary Determination, the remaining docket calendar and resolution of claims should not be pushed out two additional weeks when Washington consumers are being deprived of competitive telecommunication services. It is for these reasons that AT&T has sought expedited treatment of its claims from the inception of this matter. Finally, because Qwest's actions as set forth in AT&T's complaint are directly hindering the competitive choice in Washington that this Commission is charged with encouraging, and because WAC 480-09-426 requires the

Commission to consider **all** "properly admissible evidentiary support" in ruling on a motion for summary determination, AT&T encourages the Commission to consider the direct testimony filed herewith as part of the record on Qwest's Motion for Summary Determination. As set forth in WAC 480-09-426, a review of all pleadings and evidentiary support must lead to the conclusion that "**there is no genuine issue as to any material fact**" before a Motion for Summary Determination can be granted, AT&T believes the Commission must be fully informed regarding the facts of the case before issuing its ruling. Obviously if the Commission believes any issue of fact exists in what has been filed in this case, it must deny the Motion for Summary Determination. Because the movant's burden is so great in supporting a Motion for Summary Determination, AT&T does not object to the Commission's awaiting, and reviewing, Qwest's filing of responsive testimony as well before issuing its ruling on the Motion. Nevertheless, AT&T believes that the parties should continue to prepare the case for hearing while they await the Commission's ruling so as not to further delay the progress of this case.

RESPECTFULLY submitted this 19th day of March 2001.

AT&T COMMUNICATIONS OF
THE PACIFIC NORTHWEST, INC.

By: _____
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