

September 15, 2010

**NOTICE OF OPPORTUNITY TO RESPOND TO MOTION REQUESTING
MODIFICATION OF THE PROTECTIVE ORDER
(Responses due by Wednesday, September 22, 2010, 3:00 p.m.)**

RE: *In the Matter of the Joint Application of Qwest Communications International Inc. and CenturyTel, Inc. For Approval of Indirect Transfer of Control of Qwest Corporation, Qwest Communications Company LLC, and Qwest LD Corp., Docket UT-100820*

TO PARTIES OF RECORD:

On September 13, 2010, the United States Department of Defense and all other Federal Executive Agencies (DoD/FEA) filed a motion requesting that the Washington Utilities and Transportation Commission (Commission) modify the protective order, Order 01, currently in effect (DoD/FEA Motion). DoD/FEA asserts that paragraph 15 of the protective order exempts in-house counsel for the Commission's regulatory staff (Staff) and the Public Counsel Section of the Washington Office of the Attorney General (Public Counsel) from the access restrictions associated with information which has been designated as highly confidential.¹ DoD/FEA argues that its in-house counsel and litigation staff, like those of Staff and Public Counsel, should also be exempt from these restrictions.² DoD/FEA contends that it, like Staff and Public Counsel, is not a competitor of the subsidiaries of Qwest Communications International, Inc. or CenturyTel, Inc. (collectively, Joint Applicants), and instead is "a Federal governmental entity-customer."³

¹ DoD/FEA Motion, at 1.

² *Id.*, at 2.

³ *Id.*

DoD/FEA states that the Joint Applicants support its Motion, as do Staff and Public Counsel.⁴

Pursuant to WAC 480-07-375(4), the Commission may establish a time for responses to written motions. If any party wishes to respond to the Dod/FEA Motion, they should do so by **September 22, 2010, at 3:00 p.m.**

If you have any questions, please contact Marguerite E. Friedlander, at 360-664-1285, or by e-mail at mfriedla@utc.wa.gov.

Sincerely,

MARGUERITE E. FRIEDLANDER
Administrative Law Judge

⁴ *Id.* DoD/FEA has not indicated that the remaining parties, namely Pac-West Telecomm, Inc., tw telecom of Washington, LLC, McLeodUSA Telecommunications Services, Inc., d/b/a PAETEC Business Services, XO Communications Services, Inc., Integra Telecom of Washington, Inc., Electric Lightwave, Inc., Advanced TelCom, Inc., and United Communications, Inc., d/b/a Unicom, Charter Fiberlink WA-CCVII, LLC, Level 3 Communications, LLC, Covad Communications Company, 360networks (USA) inc., Cbeyond Communications LLC, Sprint Nextel Corporation, and T-Mobile West Corporation, also support its Motion.