

[Service Date August 13, 2009]

August 13, 2009

**NOTICE OF EXTENSIONS OF TIME TO FILE SETTLEMENT AGREEMENT
AND NARRATIVE IN SUPPORT OF PROPOSED SETTLEMENT
(Settlement Agreement Now Due on Thursday, August 13, 2009)
(Narrative Now Due on Monday, August 17, 2009)**

**NOTICE OF OPPORTUNITY TO FILE COMMENTS ON SETTLEMENT
DOCUMENTS
(Comments Due on Wednesday, August 19, 2009)**

RE: *Verizon Select Services, Inc.; MCIMetro Access Transmission Services, LLC; MCI Communications Services, Inc.; Teleconnect Long Distance Services and Systems Co. d/b/a Telecom USA; and TTI National, Inc., v. United Telephone Company of the Northwest, d/b/a Embarq*, Docket UT-081393

TO ALL PARTIES:

On August 5, 2009, the Washington Utilities and Transportation Commission (Commission) entered Order 04, *Third Prehearing Conference Order*, in this docket. Order 04 set out a revised procedural schedule for this matter, including a filing deadline of Wednesday, August 12, 2009, for the Settlement Agreement and the required Narrative.

On Wednesday, August 12, 2009, Embarq filed a letter indicating that it would need one more day to complete and file the Settlement Agreement¹ and also requested a short extension of the filing deadline for the supporting Narrative. Embarq explained that it was working diligently with Verizon Access to complete both filings and that Verizon Access concurred that an extension was necessary. Embarq did not note whether it had informed or otherwise sought concurrences from the other parties in this docket.

¹ Although Embarq's letter seeks an extension of the filing date for the Settlement Agreement to "Thursday, August 12, 2009", we understand the company's request is to extend that due date to Thursday, August 13, 2009.

Also on Wednesday, August 12, 2009, Commission Staff left a voicemail message with Judge Torem to make known its desire to file written comments in response to the settlement documents. Commission Staff did not indicate whether this request had been coordinated with AT&T, an Intervenor in this docket, or with either of the settling parties.

Embarq's request for extensions of time to sequentially file the Settlement Agreement and the supporting Narrative is granted. The request complies with the requirements contained in WAC 480-07-385 and, given the short delays, will not prejudice the parties or the Commission, nor does this brief extension of time jeopardize the established date for the evidentiary hearing on the proposed settlement. **The deadline for submission of the Settlement Agreement shall be today, Thursday, August 13, 2009. The deadline for submission of the Narrative shall now be Monday, August 17, 2009.**

Commission Staff's request for permission to amend Order 04, *Third Prehearing Conference Order*, in order to allow for the filing of written comments on the settlement documents is timely under WAC 480-07-430(3) and well taken. Such comments will assist the Commission in reviewing the proposed Settlement Agreement and the supporting Narrative, particularly if the commenting parties are not signatories to the proposed agreement. Therefore, Commission Staff's request is granted, and both Commission Staff and Intervenor AT&T are allowed the opportunity to file written comments on the proposed settlement documents. **The deadline for filing such comments shall be Wednesday, August 19, 2009.**

All other provisions of Order 04 remain in effect. Thank you for your attention to these matters.

Sincerely,

ADAM E. TOREM
Administrative Law Judge