



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
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October 13, 2015

**NOTICE SUSPENDING PROCEDURAL SCHEDULE
AND
NOTICE OF ORAL ARGUMENT
(Set for 1:00 p.m., Tuesday, November 3, 2015)**

RE: *Frontier Communications Northwest Inc. v. Puget Sound Energy*, Docket UE-151344

TO ALL PARTIES:

On June 30, 2015, Frontier Communications Northwest Inc. (Frontier) filed with the Washington Utilities and Transportation Commission (Commission) a formal complaint against Puget Sound Energy (PSE) involving a dispute over the proper method for calculating utility pole attachment rates.

On August 7, 2015, Frontier filed a motion for summary determination (Motion) prior to the prehearing conference held on August 12, 2015.

On August 13, 2015, the Commission issued Order 01, Prehearing Conference Order (Order 01) establishing a procedural schedule in this matter. Order 01 set a deadline for responses to Frontier's Motion by September 18, 2015.

On September 18, 2015, PSE filed a response to Frontier's Motion for Summary Determination and Cross-Motion for Summary Determination.

On October 8, 2015, Frontier filed a response to Cross-Motion for Summary Determination and a request for oral argument.

The Commission has determined that providing an opportunity for the Parties to present oral argument would enhance the Commission's ability to analyze and render a determination on the Motion. The Commission, therefore, will conduct oral argument on November 3, 2015. The parties should be prepared to address the following issues:

- Does Frontier's current methodology correctly account for the poles it jointly owns with the Snohomish County Public Utility District when calculating pole attachment rates?

- If so, can the language in the parties' agreement be interpreted to require the parties to use that methodology?
- If so, what is the Commission's authority to provide any relief beyond ordering PSE to pay the pole attachment rate based on that methodology on a going-forward basis?
- If the Commission has such authority, to what extent must or should the Commission defer to the Superior Court to determine whether to grant such relief?

The Commission, on its own motion, finds good cause to suspend the procedural schedule in the above matter, pending Commission decision on the Motion.

THE COMMISSION GIVES NOTICE That it will conduct oral argument on Frontier's Motion at 1:00 p.m., on Tuesday, November 3, 2015, in Room 139, First Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S. W., Olympia, Washington.

THE COMMISSION GIVES FURTHER NOTICE That the procedural schedule in this proceeding is suspended.

GREGORY J. KOPTA
Administrative Law Judge