

December 29, 2003

**NOTICE OF RECEIPT OF PETITION FOR DECLARATORY ORDER
AND OPPORTUNITY TO SUBMIT COMMENTS AND STATEMENTS OF
INTEREST AND CONSENT
(Due on Tuesday, January 6, 2004)**

RE: *In re the Matter of the Petition of Qwest Corporation for a Declaratory Order re WAC 480-120-262(3), or, in the Alternative, Petition for Waiver of WAC 480-120-262(3), Docket No. UT-032063.*

On December 15, 2003, Qwest Corporation (Qwest) filed with the Commission a Petition for a Declaratory Order re WAC 480-120-262(3), or, in the Alternative, Petition for Exemption From WAC 480-120-262 (3) in this matter pursuant to RCW 34.05.240 and WAC 480-09-230. Specifically, Qwest seeks an order declaring that the rule applies to the provision of retail operator services and does not apply to operator services provided through wholesale agreements. A copy of Qwest's petition is posted on the Commission's web site, www.wutc.wa.gov/032063.

Pursuant to RCW 34-05-240 and WAC 480-09-230,¹ the Commission gives notice of this Petition to all persons required by law and such other persons as deemed appropriate. Within thirty days of receiving the petition, the Commission must either enter a declaratory order; notify the petitioner that no order will be entered; set a time by which the Commission will enter an order; or set a time for a hearing.

RCW 34.05.240(7) provides: "An agency may not enter a declaratory order that would substantially prejudice the rights of a person who would be a necessary party and who does not consent in writing to the determination of the matter by a declaratory order proceeding." The Commission provides this notice to ensure that all necessary parties are informed of the Petition and provided an opportunity to state their status as a

¹ The Commission's new procedural rules are not effective until January 1, 2004. Notice is therefore given under the current rule.

necessary party, express consent to the determination, and to ensure that all interested persons are provided an opportunity to comment on the relief requested in the Petition.

NOTICE IS GIVEN That the Commission requests that interested persons who assert their status as a necessary party file a statement declaring their interest and whether they consent to the determination of this matter by a declaratory order. Persons interested in this matter, but who do not assert their status as a necessary party should submit a request to be placed on the Commission's service list in the event of further proceedings. **All statements must be filed with the Commission no later than 5:00 p.m., Tuesday, January 6, 2004.**

NOTICE IS ALSO GIVEN That the Commission requests that interested persons who desire to be heard in this docket submit comments to the Commission concerning both the substantive issues raised by the petition and the process the Commission should use to reach a determination. **All comments must be filed with the Commission no later than 5:00 p.m., Tuesday, January 6, 2004.**

Procedural questions regarding this matter may be addressed to Ann E. Rendahl, Administrative Law Judge, at 360-664-1144 or arendahl@wutc.wa.gov.

Sincerely,

CAROLE J. WASHBURN
Secretary