

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	DOCKETS UT-060762, UT-
)	060920 and UT-060921
Complainant)	(consolidated)
)	
v.)	
)	ORDER 02
WESTGATE COMMUNICATIONS)	
LLC, d/b/a WEAATEL,)	
)	PREHEARING CONFERENCE
Respondent.)	ORDER
.....)	

- 1 **PROCEEDINGS.** On May 10, 2006, in Docket UT-060762, Westgate Communications LLC, d/b/a WeavTel, filed with the Washington Utilities and Transportation Commission a petition for waiver of the notice and filing dates prescribed in Paragraph 8 of the Washington Carrier Access Plan as approved by the Commission in Docket UT-971140. WeavTel also petitioned for approval of its proposed, company-specific revenue objective pursuant to the plan.
- 2 On June 2, 2006, in Docket UT-060920, WeavTel filed a replacement tariff to its currently effective Tariff WN U-1, designated as WN U-2. The effect of the new tariff would be to increase local rates, reduce switched access charges and eliminate the vacation rate under Tariff WN U-1. On the same day, WeavTel filed in Docket UT-060921 a new tariff designated as WN U-3 related to 9-1-1 services.
- 3 The stated effective date of the tariff sheets is July 2, 2006. On June 23, 2006, WeavTel sent the Commission a letter extending the July 2 effective date to July 15. On July 7, 2006, WeavTel sent the Commission a letter extending the July 15, 2006, effective date to July 28, 2006.
- 4 The Commission set these matters for hearing and allowed the tariff changes to go into effect on a temporary basis, subject to refund, by order entered on July 27, 2006.

5 **PREHEARING CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in these dockets at Olympia, Washington on September 11, 2006 before Administrative Law judge Dennis J. Moss.

6 **APPEARANCES.** Richard L. Weaver, a principal in the company, represents WeaveTel. Donald T. Trotter, Assistant Attorney General, Olympia, Washington, represents the Commission's regulatory staff (Staff).

7 **REQUESTS FOR INTERESTED PERSONS STATUS; PETITIONS FOR INTERVENTION.** No party appeared at the conference seeking to be included on the Commission's list of interested person or seeking to intervene. However, the presiding officer learned after the prehearing conference that certain persons who previously filed comments in one or more of the subject dockets had not been served directly with notice of the prehearing conference. Accordingly, by separate notice issued today, the Commission invites interested persons to indicate their preference to be included in the list of persons who will receive direct service of all Commission notices and orders in this proceeding. In addition the Commission reopens and extends the period during which any person who can demonstrate a substantial interest in this proceeding or whose participation would be in the public interest may file a timely petition to intervene in accordance with the requirements of WAC 480-07-355.

8 **PROTECTIVE ORDER.** The parties indicated there is no present need for the Commission to enter a protective order.

9 **DISCOVERY.** The parties will conduct discovery consistent with the Commission's rules governing discovery practice, WAC 480-07-400 – 425.

10 **PROCEDURAL SCHEDULE.** The parties agreed upon a procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B, and incorporated into the body of this Order by this reference. The parties stated their intention to conduct settlement negotiations

but requested that no specific date be established for a settlement conference at this time.

Direct Testimony by WeavTel	November 17, 2006
Response Testimony by Staff	February 16, 2007
Rebuttal Testimony by WeavTel	March 30, 2007
Evidentiary Hearing	April 18-20, 2007
Simultaneous Briefs	May 11, 2007

WeaveTel agreed to waive any otherwise applicable suspension dates until July 27, 2007, to accommodate this procedural schedule, taking into account the period that may be required for Commission review of an Initial Order.

- 11 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **eleven** copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.
- 12 All filings must be mailed or delivered to the Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 13 An electronic copy of all filings must be provided through the Commission's Web Portal (www.wutc.wa.gov/e-filing) or by e-mail delivery to <records@wutc.wa.gov>. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette including the filed document(s). The Commission directs that parties furnish electronic copies in .pdf (Adobe Acrobat)

format, supplemented by a separate file in MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format. Parties are required to follow WAC 480-07-140(5) in organizing and identifying electronic files.

- 14 **ELECTRONIC FILING.** Parties may only submit documents by electronic delivery (*i.e.*, via the Web Portal or e-mail) with the permission of the administrative law judge. Requests must be made at least two business days prior to the scheduled filing date. Under WAC 480-07-145(6), electronic submission of documents provides a one-day extension of the paper-filing requirement. If, at any time during this proceeding, parties are authorized to file documents with the Commission electronically under WAC 480-07-145(6), parties must submit the document to records@wutc.wa.gov by 3:00 p.m. on the scheduled filing date, and file an original, plus **eleven** copies, of the document with the Commission by the following business day.
- 15 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1142.
- 16 **NOTICE TO PARTIES:** Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review. Parties must provide courtesy copies of filings to the presiding administrative law judge.

Dated at Olympia, Washington, and effective September 12, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKETS UT-060762, UT-060920 and UT-060921**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
WeavTel	Richard Weaver Manager Westgate Communications, LLC (T739) PO Box 2937 Chelan, WA 98816	509-682-5556	509-682-5558	Richard@Weavenet.com
Commission Staff	Donald T. Trotter Assistant Attorney General 1400 S Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504-0128	360-664-1189	360-586-5522	DTrotter@wutc.wa.gov

APPENDIX B
PROCEDURAL SCHEDULE
DOCKETS UT-060762, UT-060920 and UT-060921

EVENT	DATE	INTERVAL
Direct Testimony by WeavTel	November 17, 2006	
Response Testimony	February 16, 2007	91 days
Rebuttal Testimony	March 30, 2007	42 days
Hearing	April 18- 20, 2007	18 days
Simultaneous Briefs	May 11, 2007	21 days