



Davis Wright Tremaine LLP

ANCHORAGE BELLEVUE LOS ANGELES NEW YORK PORTLAND SAN FRANCISCO SEATTLE WASHINGTON, D.C. SHANGHAI

GREGORY J. KOPTA

DIRECT: (206) 628-7692
gregkopta@dwt.com

2600 CENTURY SQUARE

1501 FOURTH AVENUE
SEATTLE, WA 98101-1688

TEL (206) 622-3150

FAX (206) 628-7699
www.dwt.com

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By E-Mail and Federal Express

Ms. Carole J. Washburn
Washington Utilities & Transportation Commission
P.O. Box 47250
1300 S. Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Docket No. UT-043013; Comments on Issues

Dear Ms. Washburn:

Pursuant to Order No. 02 in the above-referenced docket, XO Washington, Inc. ("XO") provides the following response to the Motion to Dismiss ("Motion") of Sprint Communications Company L.P. ("Sprint"). XO takes no position on the Motion to the extent that Sprint seeks to be dismissed from this case based on facts specific to Sprint. XO, however, continues to adhere to its previously stated position that the Commission should address the requirements in the FCC's Triennial Review Order ("TRO") that are not at issue in the judicial appeals and that the Commission should ensure that Verizon does not take unilateral actions, particularly customer-affecting actions, pending resolution of the judicial appeals of the TRO. The Petition for Arbitration filed by Verizon Northwest Inc. ("Verizon") provides an opportunity to address these issues. In the absence of another proceeding in which the Commission can resolve these issues within a comparable time frame, XO opposes dismissal of Verizon's Petition.

Please contact me if you have any questions about this response.

Very truly yours,

Davis Wright Tremaine LLP

Gregory J. Kopta
Counsel for XO Washington, Inc.

cc: Rex Knowles

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Seattle