

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

In the Matter of the Application of	)	DOCKET NO. UT-021120
	)	
QWEST CORPORATION	)	
	)	SEVENTH SUPPLEMENTAL
Regarding the Sale and Transfer of	)	ORDER: GRANTING MOTION
Qwest Dex to Dex Holdings, LLC, a	)	TO SUPPLEMENT RECORD
non-affiliate	)	
.....	)	

1     **PROCEEDINGS:** Qwest Corporation (“Qwest”) filed its “Application Regarding Transfer and Sale of Directory Business and Notice of Possible Affiliated Interest Transaction on September 3, 2002. The Commission established a procedural schedule in its Second Supplemental Order, which was entered following a prehearing conference. All scheduled prefiled testimony dates have passed. On April 24, 2003, Staff filed a motion to strike certain portions of Qwest and Dex Holding’s prefiled rebuttal. Qwest and Dex Holding have answered and the matter is ready for decision.

2     **PARTIES:** Lisa A. Anderl, Senior Attorney, U S WEST, Inc. Seattle, Washington, represents Qwest Corporation. Brooks Harlow, Miller Nash LLP, Seattle, Washington, represents Dex Holdings, LLC. Gregory J. Kopta, Davis Wright Tremaine LLP, Seattle, Washington represents XO Washington, Inc. Arthur A. Butler and Lisa Rackner, Ater Wynne LLP, Seattle, Washington and Portland, Oregon, represent WeBTEC, f/k/a TRACER. Stephen S. Melnikoff, Department of the Army, Judge Advocate General, represents the Department of Defense and Federal Executive Agencies. Ronald Roseman, attorney, Seattle, Washington, represents the AARP. Simon ffitich and Robert Cromwell, Assistant Attorneys General, Seattle, Washington, represents the Public Counsel Section, Office of Attorney General (“Public Counsel”). Greg Trautman, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff (“Commission Staff” or “Staff”).

3     **MOTION TO SUPPLEMENT RECORD:** On June 20, 2003, Commission Staff filed a motion to supplement the record with Qwest Communications

International, Inc.'s SEC Form 8-K filing dated June 9, 2003. Staff asserts the evidence is directly relevant to the issues in this proceeding and that it was not available during the hearing.

- 4 The Commission afforded the parties an opportunity to respond. No formal response was filed, but several of the parties informally informed the presiding ALJ that they did not wish to respond.

**MEMORANDUM**

- 5 Staff's motion demonstrates that the evidence it seeks to admit is relevant to the issues in this proceeding. The evidence was not available prior to the close of evidentiary hearings. Staff sought promptly after the evidence became available to have it admitted to the record and did so sufficiently in advance of the date for initial briefs to permit orderly consideration and determination of the motion. There is no objection to Staff's proffer. The Commission finds good cause to reopen the record for the limited purpose of admitting Qwest's SEC Form 8-K filing dated June 9, 2003, as Exhibit No. 20.

**ORDER**

- 6 The Commission grants Staff's Motion To Supplement the Record.

DATED at Olympia, Washington, and effective this 27<sup>th</sup> day of June 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS  
Administrative Law Judge