

July 31, 2012

NOTICE OF ORAL ARGUMENT ON LIMITED ISSUE

(Set for Monday, August 6, 2012, at 1:30 p.m.)

NOTICE OF DEADLINE FOR QWEST TO FILE SUPPORTING DOCUMENTS

(Set for Friday, August 3, 2012, by 3:00 p.m.)

RE: *Pac-West Telecomm, Inc. v. Qwest Corporation,*
Docket UT-053036 *(consolidated)*

Level 3 Communications, LLC v. Qwest Corporation,
Docket UT-053039 *(consolidated)*

TO ALL PARTIES:

The Washington Utilities and Transportation Commission (Commission) is reviewing the parties' pending motions and requests clarification on the applicability of Qwest Corporation's access tariff(s) to the parties' interconnection agreements (ICAs).

In their motion for summary determination, Pac West Telecomm, Inc. (Pac-West) and Level 3 Communications, LLC (Level 3) assert that "a review of Qwest's interstate access tariff demonstrates that it does not apply to the traffic at issue" or "depict the serving arrangements applicable to VNXX ISP-bound traffic."¹ In response, Qwest Corporation (Qwest) contends that Pac-West and Level 3 "ignore completely that the ICAs contain express language referring to and incorporating Qwest's tariffs"² but Qwest does not directly cite to this incorporating language. Elsewhere, Qwest's response does cite to its ICAs with Pac-West and Level, but not for this same assertion.³ The Commission asks Qwest to clarify this point by producing the express language, if any, in its interconnection agreements that refer to and incorporate Qwest's tariffs.

¹ Motion, ¶ 49, nn. 62-63.

² Qwest's Response, ¶ 32.

³ *Id.*, ¶¶ 26-27, 30-31.

The procedural schedule in this consolidated proceeding includes a status conference on Monday afternoon, August 6, 2012. By this notice, the Commission provides the parties a limited opportunity to orally address this matter at the status conference. In addition, the Commission directs Qwest to submit the relevant excerpts of the interconnection agreement(s) that discuss Qwest's access tariffs.

NOTICE IS GIVEN That the agenda for the telephonic status conference previously scheduled in this matter for Monday, August 6, 2012, beginning at 1:30 p.m., in Room 108, First Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, will now include oral argument on this limited issue. The Commission continues to encourage parties to make use of the Commission's Bridge Line (360-664-3846) and appear by telephone.

NOTICE IS FURTHER GIVEN That the deadline for Qwest to submit the requested supporting documentation is Friday, August 3, 2012, by 3:00 p.m.

ADAM E. TOREM
Administrative Law Judge