

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

TEL WEST COMMUNICATIONS, LLC,)	
)	DOCKET NO. UT-013097
Petitioner,)	
)	THIRD SUPPLEMENTAL
vs.)	ORDER; PREHEARING
)	CONFERENCE ORDER;
QWEST CORPORATION, INC.,)	NOTICE OF PREHEARING
)	CONFERENCE
Respondent.)	(March 1, 2002, at 9:30 a.m.);
)	NOTICE OF HEARING
)	(March 11, 2002, at 9:30 a.m.)
.....)	

- 1 Docket No. UT-013097 is a proceeding for enforcement of an interconnection agreement between Tel West Communications, LLP (“Tel West”) and Qwest Corporation, Inc. (“Qwest”) pursuant to WAC 480-09-530.
- 2 The Commission convened a prehearing conference in this docket at Olympia, Washington on February 7, 2002, before Administrative Law Judge Lawrence J. Berg, the presiding officer. The purpose of the prehearing conference was to establish a bifurcated procedural schedule consistent with the Second Supplemental Order in this proceeding, and to address other procedural issues.
- 3 **Appearances.** Brooks Harlow and David Rice, Miller Nash, LLP, Seattle, Washington, appeared on behalf of Tel West. Adam Sherr and Lisa Anderl, corporate counsel, Seattle, Washington, appeared on behalf of Qwest.
- 4 **Discovery.** Parties desire to engage in discovery as to the issues in the proceeding. The proceeding qualifies under WAC 480-09-480 as a proceeding in which inquiries may be made to the extent provided in the rule. The discovery rule is invoked.
- 5 The parties sought guidance on two discovery-related disputes. Tel West requested to visit a Qwest service center to observe the company’s service order processing system in action. The Tel West request was denied; however, it would be relevant to consider an “apples-to-apples” comparison of the work times required for Qwest’s internal order processing system and the mediated access provided to CLECs. The parties were directed to work together to develop that kind of comparison. If the parties are unable to cooperatively develop a relevant comparison of service order processing work times, the Commission will reconsider this matter upon request.

6 Subsequent to the prehearing conference, the parties presented another dispute to be resolved. Tel West was directed to produce a sampling of ten current customer bills from its list of November 2001 billing disputes on or before March 8, 2002.

7 **Hearing Schedule.**

OS/DA and Billing Dispute Issues

Tel West direct evidence	February 8, 2002
Qwest amended answer	February 8, 2002
Qwest 1 st set of data requests to Tel West	February 8, 2002
Qwest supplemental response to Tel West DR 11	February 12, 2002
Tel West supplemental direct to amended answer	February 13, 2002
Qwest supplemental response to TW DR 11	February 15, 2002
Tel West responses to Qwest's 1 st set of DRs	February 15, 2002
Qwest's 2 nd set of DRs to Tel West	February 18, 2002
Tel West responses to Qwest's 2 nd set of DRs	February 22 or 25, 2002
Qwest responsive evidence	February 27 or 28, respectively ¹
Prehearing conference	March 1, 2002, at 9:30 a.m.
Tel West production of billing sample	March 8, 2002
Legal briefs	March 8, 2002
Hearing begins (including legal and closing arguments)	March 11, 2002, at 9:30 a.m. (March 12, 2002, if necessary)

Provisioning Parity Issues

Prehearing dates	To be scheduled at March 1, 2002 conference
Hearing begins(including legal and closing arguments)	May 6, 2002, at 9:30 a.m.

8 **Legal Briefs, Filing and Service Requirements.** The parties discussed the subject matter of legal briefs to be filed on March 8, 2002. The parties are requested to exchange correspondence acknowledging the broad issues to be addressed. Briefs must be no longer than thirty (30) pages.

¹ If TelWest files responses to Qwest's 2nd set of DRs on February 22, 2002, then Qwest's responsive evidence is due on February 27, 2002. If TelWest files responses on February 25, 2002, then Qwest's responsive evidence is due on February 28, 2002.

- 9 Parties must file an original and ten (10) copies of pleadings and briefs. The deadline for filing and serving pleadings, discovery responses, and briefs is 4:30 p.m. on the respective due date. Parties may file by facsimile transmission, if the requisite number of paper copies are delivered to the Commission on the following business day.

Notice of Prehearing Conference

- 10 **NOTICE IS HEREBY GIVEN That a prehearing conference will be held at 9:30 a.m. on Friday, March 1, 2002, in Room 108, Commission Headquarters, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 11 The purpose of the conference is to develop a procedural schedule for provisioning parity issues, to discuss the need for cross-examining witnesses, and to address any other procedural matters that may require attention. Parties may attend via the Commission's teleconference bridge line – **360-664-3846**. Please call in five minutes before the scheduled time.

Notice of Hearing

- 12 **NOTICE IS HEREBY GIVEN That a hearing will be convened beginning at 9:30 a.m. on Monday, March 11, 2002, in Room 108, Commission Headquarters, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 13 **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this document, pursuant to WAC 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington and effective this 26th day of February, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

LAWRENCE J. BERG
Administrative Law Judge