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BEFORE THE WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

QWEST CORPORATION,  
  
Complainant,

v.

LEVEL 3 COMMUNICATIONS, LLC; PAC-  
WEST TELECOMM, INC; NORTHWEST  
TELEPHONE INC.; TCG-SEATTLE;  
ELECTRIC LIGHTWAVE, INC.;  
ADVANCED TELCOM GROUP, INC. D/B/A  
ESCHELON TELECOM, INC.; FOCAL  
COMMUNICATIONS CORPORATION;  
GLOBAL CROSSING LOCAL SERVICES  
INC; AND, MCI WORLDCOM  
COMMUNICATIONS, INC,  
  
Respondents.

DOCKET NO. UT-063038

REPLY OF TCG SEATTLE TO WITA  
RESPONSE TO STAFF RESPONSE TO  
BENCH REQUEST NO. 2

**REPLY OF TCG SEATTLE TO WITA RESPONSE TO STAFF RESPONSE TO  
BENCH REQUEST NO. 2**

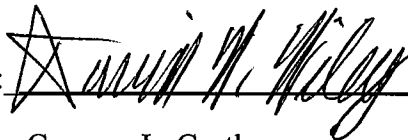
1. Pursuant to the August 22, 2007 Notice of Opportunity to Respond, TCG Seattle replies to the Washington Independent Telephone Association's (WITA's) response to Staff's response to Bench Request No. 2 (WITA Response). In short, WITA's Response is procedurally defective and untimely and should not be considered by the Commission in resolving the underlying complaint brought by Qwest.

REPLY OF TCG SEATTLE TO WITA RESPONSE TO STAFF  
RESPONSE TO BENCH REQUEST NO. 2 - 1

1 2. This complaint proceeding was initiated by Qwest against specified CLECs, including  
2 TCG Seattle, alleging *inter alia*, that those CLECs were providing VNXX service that  
3 is prohibited by Washington law and rule. WITA's "response" to Bench Request No. 2  
4 attempts in effect to reopen the proceeding after hearings and briefing have long been  
5 concluded, circumventing Commission rule, to now introduce theories related to  
6 transport obligations between rural independent telephone companies and CLECs.  
7 WITA's response, aside from being untimely, proffers nothing but general assertions  
8 about compensation that should flow from CLECs to independent companies for  
9 services allegedly provided by those independent companies. During the evidentiary  
10 phase of the hearing, WITA offered no witnesses under oath to support these  
11 allegations. The record thus lacks any evidence addressing such specific evolving  
12 theories proffered by WITA, an intervenor. WITA's assertions are therefore  
13 inappropriate, were not subject to cross-examination, and lack foundation in the record.  
14 For these reasons, WITA's argument in response to Bench Request No. 2 should be  
15 disregarded by the Commission.  
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DATED this 4th day of September, 2007.

By: 

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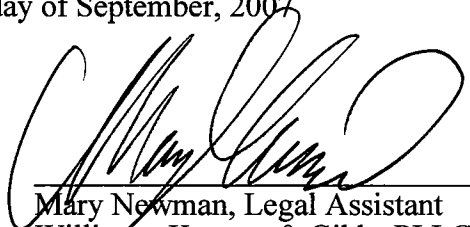
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REPLY OF TCG SEATTLE TO WITA RESPONSE TO STAFF  
RESPONSE TO BENCH REQUEST NO. 2 - 3

**Docket No. UT-063038**  
**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the attached document(s) upon the persons and entities listed on the Service List below by depositing a copy of said document(s) in the United States mail, first class postage prepaid, addressed as shown on said Service List, and/or by electronic mail as indicated by the e-mail address shown below:

DATED at Seattle, WA, this 4th day of September, 2007



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