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**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**IN THE MATTER OF THE CONTINUED  
COSTING AND PRICING OF UNBUNDLED  
NETWORK ELEMENTS, TRANSPORT,  
TERMINATION, AND RESALE**

Docket No. UT-003013  
  
JOINT RESPONSE RE SINGLE  
COMMISSIONER ISSUE

Advanced Telecom Group, Inc., AT&T of the Pacific NW, Inc., Covad  
Communications Company, Electric Lightwave, Inc., Focal Communications Corporation,  
McLeodUSA, Rhythms Links, Inc., TRACER, Verizon Northwest, Inc., and XO Washington,  
Inc. ("Parties"), respond to the inquiry by the administrative law judge ("ALJ") at the February  
15, 2001, conference in this docket. The ALJ asked whether Parties would have objections or  
concerns if at times during the Part B hearings one or the other of the Commissioners was not  
available, meaning that at times a majority of the Commission would not be present. The ALJ  
did not mention or request a waiver pursuant to RCW 34.05.050. The Parties interpret the ALJ's  
request as seeking a waiver only of potential objections based on alleged violations the  
Commission's own rules or procedures, including RCW 80.01.050 and 80.01.060.

1 As the Parties understand the ALJ's request, and based on the ALJ's statement that  
2 the Commissioners would read the transcripts of the portions of the hearing they miss, they have  
3 no objections to having less than a majority of the Commission present at times during the Part B  
4 hearing.

5 Dated this 28<sup>th</sup> day of February, 2001.

6 MILLER NASH, LLP

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9 Brooks E. Harlow  
10 WSB No. 11843

11  
12 Attorneys for Respondent  
13 Covad Communications Company

14 Gregory J. Kopta, counsel for:  
15 AT&T of the Pacific NW, Inc., McLeod USA, XO Washington, Inc.; Electric Lightwave, Inc.,  
16 Advanced Telecom Group, Inc., and Focal Communications Corporation

17 Jennifer McClellan, counsel for:  
18 Verizon Northwest, Inc.

19 Arthur A. Butler, counsel for:  
20 TRACER, and Rhythms Links, Inc.,

21 Of Counsel:

22 K. Megan Doberneck  
23 Covad Communications Company  
24 7901 Lowry Blvd.  
25 Denver, CO 80230  
26 Phone: (720) 208-3636  
E-mail: mdoberne@covad.com

ANSWER OF COVAD TO PUBLIC COUNSEL'S PETITION FOR  
RECONSIDERATION - 2

SEADOCS:96641. 1

MILLER NASH LLP  
ATTORNEYS AND COUNSELORS AT LAW  
TELEPHONE (206) 622-8484  
4400 TWO UNION SQUARE  
601 UNION STREET, SEATTLE, WASHINGTON 98101-2352