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July 12, 2004

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OFFICE OF THE ATTORNEY GENERAL
UTILITIES AND TRANSPORTATION DIVISION

C. Robert Wallis, Administrative Law Judge
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

Re: *Qwest Petition to Terminate Service Quality Performance Program*
Docket No. UT-991358

Dear Judge Wallis:

Since the close of the hearing, Staff and Public Counsel have been in communication with Qwest regarding the possibility of Qwest presenting inaccurate information as part of its argument relating to the existence of a rule in existence between 1993 - 2003. Specifically, the formerly in effect WAC 480-120-520 provided in part "(8) All reported interruptions of telecommunications service shall be restored within two working days, excluding Sundays and holidays, except interruptions caused by emergency situations, unavoidable catastrophes, and force majeure." Staff's recollection is that Qwest argued at oral argument that this measure was not covered by the 1993 - 2003 rules. Staff has been unable to confirm whether Staff's recollection of Qwest's argument is correct due to the quick issuance of the Sixteenth Supplemental Order and unavailability of the transcript to date.

On June 28, 2004, Qwest indicated a willingness to determine whether the information it presented was accurate and correct the record via a motion for clarification of the record if the information was found to be inaccurate. However, on July 7, 2004, nine days later, Qwest notified Staff and Public Counsel that based on the issuance of the Sixteenth Supplemental Order, the lack of transcript, and the

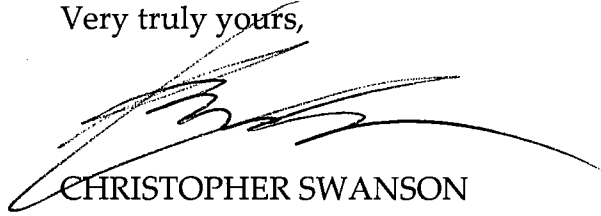


C. Robert Wallis
July 12, 2004
Page 2

fact that Qwest does not believe that any possible inaccuracy is material to the Commission's decision, it would not be addressing the issue.

Staff does not seek reconsideration of the Commission's decision based on this issue, but does seek to note its position for the record.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Chris Swanson', with a long, sweeping horizontal stroke extending to the right.

CHRISTOPHER SWANSON
Assistant Attorney General

CS:kl
Enclosure
cc: Parties