

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION**

June 14, 2006

Network Essentials, Ltd.,)	DOCKET UT-051602
)	
Complainant,)	and
)	
)	DOCKET UT-051742
)	<i>(consolidated)</i>
v.)	
)	MOTION TO DISMISS WITHOUT
)	PREJUDICE
GRANT COUNTY PUBLIC)	
UTILITY DISTRICT 2)	
)	
Respondent)	

1. In view of the recent ruling by Judge Moss on the Scope of Commission Jurisdiction under RCW 54.16, Network Essentials, Ltd. requests that its complaints against Grant County PUD 2 be dismissed without prejudice.
2. We have been in what we understood to be “negotiations” (we've met twice in two months (once with J.R. Simmons as a delegate of the PUD as their representative, and once in an open meeting of interested parties to a dark fiber lease proposal and introduction of a new rate schedule tied to that lease) with the District and while the District has not seen fit to keep us apprised of developments in its soon-to-be-released Rate Schedule 100, we feel that it would not be productive to move this particular case further.

3. Network Essentials, Ltd. would, however, like the opportunity to ensure that further complaints in regard to this matter are not closed by the dismissal of this particular case. Since we do not know what form the new Rate Schedule 100 will take, we cannot predict just what the results of the rate schedule will be.

4. The WUTC is encouraged to watch over the rates charged by Public Utility Districts under RCW 54.16 as a public service to the citizens of the State and to take whatever action it deems necessary in that regard.

Respectfully,

Craig R. Jungers, President
Network Essentials, Ltd.