

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PAC-WEST TELECOMM, INC.,	)	
	)	Docket No. UT-
Complainant,	)	
	)	PAC-WEST MOTION TO SHORTEN
v.	)	TIME
	)	
QWEST CORPORATION,	)	
	)	Expedited Consideration Requested
Respondent.	)	
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Pursuant to WAC 480-07-375, Pac-West Telecomm, Inc. (“Pac-West”), brings the following Motion requesting that the Commission schedule an expedited hearing date on Pac-West’s Complaint and/or Motion for Interim Relief and require Qwest Corporation (“Qwest”) to answer Pac-West’s Complaint and/or respond to Pac-West’s Motion for Interim Relief within three business days of Pac-West’s service of the Complaint and Motion on Qwest.

**MOTION**

1. Concurrently with this Motion, Pac-West is filing (1) a Complaint against Qwest alleging that Qwest’s refusal to port telephone numbers of customers who choose to obtain service from Pac-West or its wholesale customers is a breach of the Parties’ interconnection agreement and a violation of WAC 480-120-146 and federal law; and (2) a Motion for Interim Relief pending resolution of the Complaint. Commission rules provide, “A respondent must answer a formal complaint within twenty days after the commission serves the formal complaint on the respondent *or such shorter time as the commission specifies in its notice.*” WAC 480-07-370(1)(c)(iv) (emphasis added). “A party who opposes a written motion . . . may file a written response within five business days after the motion is served, *or may make an oral or written*

*response at such other time as the presiding officer may set.” WAC 480-07-375(4) (emphasis added).*

2. Qwest has refused to port its customers’ telephone numbers to Pac-West since October 24, 2007. Pac-West has attempted to negotiate with Qwest to resume provisioning of number portability without success. The dispute is simple and straightforward, and Qwest is fully aware of all of the relevant facts and the law. Qwest, therefore, will not be prejudiced by substantially shortening the time within which it is required to answer Pac-West’s Complaint and/or respond to Pac-West’s Motion.

3. Pac-West, on the other hand, would be severely prejudiced if Qwest is permitted to continue to refuse to provide number portability to its customers who want to obtain service from Pac-West or its wholesale customers during the standard answer and response time periods provided in the Commission rules. Each day that Qwest refuses to port its customers’ telephone numbers deprives those customers of their choice of service providers and causes more actual and substantial harm to the business operations and reputation of Pac-West and its wholesale customers.

### **PRAYER FOR RELIEF**

WHEREFORE, Pac-West prays for the following relief:


A. An order from the Commission scheduling an expedited hearing on Pac-West’s Complaint and/or Motion for Interim Relief and requiring Qwest to answer Pac-West’s Complaint and/or respond to Pac-West’s Motion for Interim Relief within three business days of Pac-West’s service of the Complaint and Motion on Qwest; and

B. Such other or further relief as the Commission finds fair, just, reasonable, and

sufficient.

DATED this 9th day of November, 2007.

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By  \_\_\_\_\_  
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