

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	)	DOCKET UT-073033
)	
QWEST CORPORATION,	)	ORDER 03
)	
For Commission Approval of 2007	)	ORDER OF CONSOLIDATION AND
Additions to Non-Impaired Wire Center	)	NOTICE OF PREHEARING
List	)	CONFERENCE
	)	(Set for July 31, 2007, 1:30 p.m.)
)	
.....)	
)	
In the Matter of the Petition of	)	DOCKET UT-073035
)	
QWEST CORPORATION,	)	ORDER 01
)	
For Investigation Concerning the Status	)	ORDER OF CONSOLIDATION AND
of Competition and Impact of the	)	NOTICE OF PREHEARING
FCC’s Triennial Review Remand Order	)	CONFERENCE
on the Competitive	)	(Set for July 31, 2007, 1:30 p.m.)
Telecommunications Environment in)	
Washington State)	
.....)	

1 On June 22, 2007, Qwest Corporation (Qwest) filed with the Washington Utilities and Transportation Commission (Commission) in Docket UT-073033 a petition for Commission approval of Qwest’s 2007 additions to its non-impaired wire center list as set for in the Commission’s Order 06 in Docket UT-053025 and the joint settlement agreement between Qwest and a coalition of Competitive Local Exchange Carriers (CLECs) that Qwest concurrently filed for Commission approval in Docket UT-053025.¹

¹ Qwest subsequently withdrew its filing in Docket UT-053025 and refilled the settlement agreement in Docket UT-073035.

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2 On June 29, 2007, Qwest filed with the Commission in Docket UT-073035 a petition
to approve a settlement agreement between Qwest and Joint CLECs² concerning the
status of competition and impact of the FCC's Triennial Review Remand Order³ on
the competitive telecommunications environment in Washington State.

3 The foregoing matters involve related principles of law. It is appropriate that they be
consolidated for hearing and determination pursuant to WAC 480-07-320.

4 **CONSOLIDATION.** The Commission finds consolidation of these proceedings for
purposes of hearing will promote judicial economy and best utilize the parties'
resources. Accordingly, the Commission orders that Dockets UT-073033 and
UT-073035 are consolidated as provided in WAC 480-07-320. The Commission
reserves the right to hold such separate hearings and to enter separate orders in the
individual dockets as it may deem appropriate.

5 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter
under RCW Title 80, and has legal authority to regulate the rates, services, and
practices of telecommunications companies providing service within the state of
Washington. The statutes that apply to this matter include RCW 80.01, RCW 80.04,
and RCW 80.28, including but not limited to RCW 80.01.040, and RCW 80.04.020.
The rules that apply to this matter include those within WAC 480-120, relating to
telecommunications.

6 The Commission will hear this matter under the Administrative Procedure Act (APA),
particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the
APA that relate to this proceeding include, but are not limited to RCW 34.05.413,
RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW
34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in
this proceeding.

² Covad Communications Company, Eschelon Telecom, Inc., McLeodUSA Telecommunications Services, Inc., Integra Telecom of Washington, Inc., and XO Communications Services, Inc. (collectively, the "Joint CLECs").

³ *In the Matter of Unbundled Access to Network Elements; Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, WC Docket No. 04-313, CC Docket No. 01-338, Order on Remand, FCC 04-290 (rel. Feb. 4, 2005) [Hereinafter "*Triennial Review Remand Order*" or "*TRRO*"].

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7 The Commission finds there is good cause to hear this matter on shortened notice.
See WAC 480-07-440(1)(a).

8 **THE COMMISSION GIVES NOTICE That the Commission will hold a prehearing conference in this matter at 1:30 p.m., on Tuesday, July 31, 2007, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** If you are unable to attend the prehearing conference in person, you may attend via the Commission's teleconference bridge line, **360-664-3846**. Please appear on the teleconference bridge five minutes before the conference is scheduled to begin.

9 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence and workpapers, to, identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

10 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See WAC 480-07-355(a).* The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See WAC 480-07-345(2).* If any party or witness needs an interpreter or other assistance, they should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

11 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440. The Commission specifically invokes the sanction provisions of WAC 480-07-450 which allow the Commission to seek penalties for a party in default.**

12 The names and mailing addresses of all known parties and their known representatives are as follows:

Petitioner: Qwest Corporation
1600 7th Avenue, Suite 3206
Seattle, WA 98191

Representatives: Lisa A. Anderl
Adam L. Sherr
1600 7th Avenue, Room 3206
Seattle, WA 98191
(206) 398-2500

Petitioner: Covad Communications Company
James Kirkland
Executive Vice-President, Strategic Development
and General Counsel
7901 Lowry Blvd.
Denver, CO 80230

Representative: Greg Diamond, Senior Counsel
Covad Communications Company
7901 Lowry Blvd.
Denver, CO 80230
(303) 562-7378

Respondent: Eschelon Telecom, Inc.
J. Jeffery Oxley
EVP, General Counsel, Secretary
730 Second Avenue South, Suite 900
Minneapolis, MN 55402

Representative: Karen Clauson
Eschelon Telecom, Inc.
730 Second Avenue South, Suite 900
Minneapolis, MN 55402
(612) 376-4400

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Respondent: McLeodUSA Telecommunications Services, Inc.
William A. Haas
Vice President & Deputy Counsel
1 Martha's Way
Hiawatha, IA 52233
(319) 790-7295

Representative: Gregory J. Kopta
Davis Wright Tremaine
1501 4th Avenue, Suite 2600
Seattle, WA 98101
(206) 628-7692

Respondent: Integra Telecom of Washington, Inc.
Charles L. Best
Vice President of Government Affairs
1201 NE Lloyd Blvd., Suite 500
Portland, OR 97232

Representative: Sheila Harris
Integra Telecom of Washington, Inc.
1201 NE Lloyd Blvd., Suite 500
Portland, OR 97232
(503) 453-8119

Respondent: XO Communications Services, Inc.
Heather B. Gold
SVP – External Affairs
11111 Sunset Hills Road
Reston, VA 20190

Representative: Rex Knowles
XO Communications Services, Inc.
111 E. Broadway, Suite 1000
Salt Lake City, UT 84111
(801) 983-1504

- 13 Administrative Law Judge Ann E. Rendahl, from the Commission's Administrative Law Division, will preside during this proceeding.
- 14 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective July 19, 2007.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

Inquiries may be addressed to:

Executive Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary
Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____