**BEFORE THE WASHINGTON STATE**

**UTILITIES AND TRANSPORTATION COMMISSION**

|  |  |
| --- | --- |
| In the Matter of the Petition for  Arbitration of an Interconnection  Agreement Between  NORTH COUNTY  COMMUNICATIONS  CORPORATION OF WASHINGTON,  with  QWEST CORPORATION  Pursuant to 47 U.S.C. Section 252(b). | Docket UT-093035  AFFIDAVIT OF JOSEPH G. DICKS IN SUPPORT OF NORTH COUNTY COMMUNICATIONS CORPORATION’S MOTION TO DISMISS QWEST CORPORATION’S PETITION FOR ARBITRATION |

I, Joseph G. Dicks, declare as follows:

I am the attorney of record for North County Communications Corporation of Washington (“North County”). If called as a witness, I could and would competently testify to all facts within my personal knowledge except where stated on information and belief.

This affidavit is submitted in support of North County’s Motion to Dismiss Qwest Corporation’s Petition for Arbitration. The matters stated herein are true and of my own personal knowledge.

A true and correct copy of the Interconnection Agreement between the parties that became effective on August 27, 1997 is attached hereto as Exhibit A, and incorporated herein as if set forth verbatim.

A true and correct copy of *In the Matter of the Request by GCI Communication Corp. d/b/a General Communication, Inc., and d/b/a GCI for Mediation Regarding Glacier State Study Area Interconnection Disputes with ACS Of The Northland, Inc. d/b/a Alaska Communications Systems, ACS Local Service and ACS*, Case No. U-02-18, Order No. 2, p. 5 (filed Aug 29, 2002) is attached hereto as Exhibit B, and incorporated herein as if set forth verbatim.

A true and correct copy of *In the Matter of the Petition of Global NAPs Ohio for Arbitration Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 to Establish an Interconnection Agreement with the Ohio Bell Telephone Company dba AT&T Ohio*, Finding and Order, Case No. 09-195-TP-ARB (filed January 7, 2010) is attached hereto as Exhibit C, and incorporated herein as if set forth verbatim.

I declare under penalty of perjury under the laws of the State of Washington and California, as well as under the laws of the United States, that the foregoing is true and correct and that this declaration was executed in San Diego, California on March 29, 2010.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Joseph G. Dicks, CSB 127362

Dicks & Workman, APC

750 B Street, Suite 2720

San Diego, CA 92101

Telephone: (619) 685-6800

Facsimile: (619) 557-2735

Email: [jdicks@dicks-workmanlaw.com](mailto:jdicks@dicks-workmanlaw.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have served the foregoing document this day upon all parties of record (listed below) in these proceedings by mailing a copy properly addressed with first class postage prepaid.

|  |  |
| --- | --- |
| Lisa A. Anderl  Qwest Corporation  1600 7th Avenue, Room 1506  Seattle, WA 98191  (206) 345-1574  [Lisa.anderl@qwest.com](mailto:Lisa.anderl@qwest.com) |  |
| David W. Danner,  Executive Director and Secretary  Washington Utilities & Transportation Commission  1300 S. Evergreen Park Drive, SW  P.O. Box 47250  Olympia, WA 98504-7250 |  |
| Adam E. Torem, Arbitrator  Washington Utilities & Transportation Commission  1300 S. Evergreen Park Drive, SW  P.O. Box 47250  Olympia, WA 98504-7250  [atorem@utc.wa.gov](mailto:atorem@utc.wa.gov) |  |

Dated this 29th day of March 2010, in San Diego, California.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jessica Hartgrave