

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In Re Petition of

U S WEST COMMUNICATIONS, INC.,

for an Accounting Order

DOCKET NO. UT-980948

AFFIDAVIT OF GREGORY J.
TRAUTMAN

GREGORY J. TRAUTMAN, first being duly sworn upon oath, deposes and says:

1. I am an assistant attorney general for the State of Washington and am counsel for Commission Staff in this case. I make this affidavit upon personal knowledge.

2. Attachment A to this affidavit is a true and correct copy of the Memorandum in Support of Plaintiff's Motion for Summary Judgment filed by US West on April 15, 1997 in the United States District Court, Western District of Washington at Tacoma, in US West, Inc., et. al v. Nelson, et. al, No. C96-6025FDB. In that case, US West contended that the Commission's practice of imputation was unconstitutional because it allegedly violated the First Amendment.

3. Attachment B to this affidavit is a true and correct copy of the Order Dismissing Action entered by Judge Burgess of the federal District Court on May 5, 1997, in US West, Inc., et. al v. Nelson, et. al, No. C96-6025FDB.

4. Attachment C to this affidavit is a true and correct copy of the Declaration of Ernest J. Sampias Re: Summary Judgment, filed by US West on April 15, 1997, in US West, Inc., et. al v. Nelson, et. al, No. C96-6025FDB.

5. Attachment D to this affidavit contains true and correct copies of excerpts of the Deposition of Ernest J. Sampias taken on May 1, 1997 and filed June 4, 1997, in US West, Inc., et. al v. Nelson, et. al, No. C96-6025FDB, which we wish the Commission to consider with reference to the Motion of Commission Staff for Partial Summary Judgment Dismissing Count III of US West Communications, Inc.'s Petition for a Declaratory Order Ending Imputation.

GREGORY J. TRAUTMAN, WSBA No. 15501

SUBSCRIBED AND SWORN to before me this 18th day of February, 1999.

Notary Public for the State of Washington,
residing at Olympia. My commission
expires _____.