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November 19, 2007

Ann Rendahl, Administrative Law Judge
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

Re: *Qwest Corporation v. Level 3 Communications, LLC; Pac-West Telecomm, Inc.; Northwest Telephone, Inc.; TCG-Seattle; Electric Lightwave, Inc.; Advanced Telecom Group, Inc. d/b/a Eschelon Telecom, Inc.; Focal Communications Corporation; Global Crossing Local Services, Inc.; and MCI WorldCom Communications, Inc.*
Docket No. UT-063038

Dear Judge Rendahl:

In its Answer to the Petitions for Administrative Review filed by Pac-West and others, Commission Staff proposed certain clarifications to the analysis contained in the initial order, but did not challenge any finding of fact, conclusion of law, remedy, or result proposed by an initial order. One possible exception is Staff's recommendation that the Commission modify the initial order's first ordering clause that purports to "dismiss" Qwest's complaint that VNXX service is illegal. Staff's Answer asserts that the initial order did not dismiss Qwest's complaint, but instead granted Qwest partial relief by allowing VNXX, subject to protective conditions.

Pac-West asserts a right to reply to Staff's Answer and asks for an extension of time to do so. Under WAC 480-07-825(5), parties may file replies to new challenges to an order that are raised in answers to petitions for review. Other than replying to such challenges, parties have no right to reply to an answer, but may seek leave to file a reply. Although Staff does not concede that its Answer raised a new challenge to the initial order, Staff does not object to Pac-West filing a reply, or to Pac-West's request for an extension. Staff believes that the Pac-West's reply should be limited, however, to addressing portions of Staff's Answer that



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arguably constitute a challenge to a "finding of fact, conclusion of law, remedy, or result proposed by the initial order." *See* WAC 480-07-825(1).

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Thompson', with a long horizontal flourish extending to the right.

JONATHAN C. THOMPSON
Assistant Attorney General

JCT:tmw

cc: Parties