

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

QWEST CORPORATION,)	DOCKET UT-063038
)	
Complainant,)	
)	ORDER 07
v.)	
)	
LEVEL 3 COMMUNICATIONS, LLC,)	ORDER GRANTING MOTION
PAC-WEST TELECOMM, INC.,)	FOR EXTENSION OF TIME TO
NORTHWEST TELEPHONE INC.,)	FILE REPLIES OF RIGHT AND
TCG SEATTLE, ELECTRIC)	PETITIONS FOR LEAVE TO
LIGHTWAVE, INC., ADVANCED)	FILE REPLIES
TELCOM, INC. D/B/A ESCHELON)	(Due Friday, November 30, 2007,
TELECOM, INC., FOCAL)	by 3:00 p.m.)
COMMUNICATIONS)	
CORPORATION, GLOBAL)	
CROSSING LOCAL SERVICES INC.,)	
AND, MCI WORLDCOM)	
COMMUNICATIONS, INC.,)	
)	
Respondents.)	
)	
.....)	

1 **NATURE OF PROCEEDING.** Qwest Corporation (Qwest) filed with the Washington Utilities and Transportation Commission (Commission) a complaint in this docket, Docket UT-063038, against nine competitive local exchange carriers or CLECs, alleging that the companies’ use of virtual NXX or VNXX numbering arrangements violates Qwest’s access tariffs, prescribed exchange areas, and state law, and is contrary to public policy.

2 **PROCEDURAL HISTORY.** On October 5, 2007, Administrative Law Judge Theodora M. Mace entered an Initial Order, Order 05 in this docket. Level 3 Communications, LLC (Level 3), Broadwing Communications, LLC (Broadwing), the Washington Independent Telephone Association (WITA), Electric Lightwave, Inc. (ELI), Advanced Telecom, Inc. (ATI), and Pac-West Telecomm, Inc. (Pac-West), filed petitions for administrative review of the Initial Order on October 25, 2007.

- 3 On November 14, 2007, Qwest, MCI Metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services (Verizon Access), TCG Seattle, Global Crossing Local Services, Inc. (Global Crossing) and Pac-West, Level 3 and Commission Staff filed responses to the petitions for review.
- 4 On November 15, 2007, Pac-West filed a motion to extend the date to file replies of right to answers to petitions for review in this proceeding from Wednesday, November 21, 2007, to Friday, November 30, 2007. Pac-West requests the Commission allow parties to submit replies electronically with the Commission by November 30, 2007, and file paper copies on Monday, December 3, 2007.
- 5 On Monday, November 19, Level 3, Broadwing, and Commission Staff filed comments stating they do not object to Pac-West's request.
- 6 **APPEARANCES.** Lisa A. Anderl, Associate General Counsel, and Adam Sherr, Senior Counsel, Seattle, Washington, represent Qwest. Gregory J. Kopta, Davis Wright Tremaine, LLP, Seattle, Washington, represents Pac-West, Northwest Telephone, Inc., Broadwing, and Global Crossing. Tamar E. King, Edward W. Kirsch and Frank G. Lamancusa, Bingham McCutchen, LLP, Washington, D.C., represent Level 3 and Broadwing. Gregory L. Castle, Senior Counsel, AT&T Services, Inc., San Francisco, California, and David W. Wiley, Williams, Kastner & Gibbs, PLLC, Seattle, Washington, represent TCG Seattle. Charles L. Best, Vice President, Government Affairs, Portland Oregon, and Dennis D. Ahlers, Associate General Counsel, Minneapolis, Minnesota, represent ELI and ATI. Richard A. Finnigan, attorney, Olympia, Washington, represents WITA. Calvin K. Simshaw, Associate General Counsel, Vancouver, Washington, represents CenturyTel. Gregory M. Romano, General Counsel - Northwest Region, Everett, Washington, represents MCI Metro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services (Verizon Access). Jonathan Thompson, Assistant Attorney General, Olympia, Washington, represents the Commission's regulatory staff (Commission Staff or Staff).¹

¹ In formal proceedings, such as this, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as other parties to the proceeding. There is an "ex parte wall" separating the Commissioners, the presiding Administrative Law Judge, and the

- 7 **MOTION FOR EXTENSION OF TIME.** Pac-West asserts that Commission Staff's answer to petitions for review includes challenges to the Initial Order by requesting the Commission modify the Initial Order. 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. The rule allows parties five days from service of the answer to file a reply or petition for leave to file a reply. Due to the difficulty of meeting the current deadline for filing replies given the Thanksgiving holiday, Pac-West requests the Commission allow parties to submit replies electronically with the Commission by November 30, 2007, and file paper copies on Monday, December 3, 2007.
- 8 Pac-West reports that it has communicated with other parties and, while still waiting for responses from some parties, has received no objection to the motion. Level 3, Broadwing, and Commission Staff do not object to Pac-West's request.
- 9 The Commission may establish a different time for filing replies of right and petitions for leave to file replies to answers for petitions for review. *WAC 480-07-825 (5)(c)*. Pac-West demonstrates sufficient cause to extend the time for filing replies of right or petitions for leave to file replies in this docket and no party objects to the requested extension. Pac-West's motion for an extension of time is granted.
- 10 Further, as allowed under WAC 480-07-145(6), the parties are granted a one-day extension of the paper-filing requirement, allowing parties to submit documents to the Commission electronically on the filing deadline. Parties may submit documents electronically either through the Commission's Records Center Web Portal (www.utc.wa.gov/e-filing) or via e-mail to records@utc.wa.gov, and must file an original, plus **seven** paper copies, of the document with the Commission by **Noon** on the following business day.
- 11 Parties may file replies of right or petitions for leave to file replies to answers to the petitions for administrative review by submitting them **electronically to the**

Commission by 3 p.m. on Friday, November 30, 2007, and filing an original and seven paper copies with the Commission by Noon on Monday, December 3, 2007.

- 12* **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-810. The service date appears on the first page of the order in the upper right hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective November 19, 2007.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary