

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

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	DOCKET NO. UT-033011
)	
Complainant,)	ORDER NO. 03
)	
v.)	ORDER GRANTING IN PART
)	MOTION OF COMMISSION
ADVANCED TELECOM GROUP, INC;)	STAFF; CORRECTING NAMES
ALLEGIANCE TELECOM, INC.; AT&T)	OF RESPONDENTS AND
CORP; COVAD COMMUNICATIONS)	AMENDING MASTER SERVICE
COMPANY; ELECTRIC LIGHTWAVE,)	LIST
INC.; ESCHELON TELECOM, INC. f/k/a)	
ADVANCED)	
TELECOMMUNICATIONS, INC.;)	
FAIRPOINT COMMUNICATIONS)	
SOLUTIONS, INC.; GLOBAL)	
CROSSING LOCAL SERVICES, INC.;)	
INTEGRA TELECOM, INC.; MCI)	
WORLDCOM, INC.; McLEODUSA,)	
INC.; SBC TELECOM, INC.; QWEST)	
CORPORATION; XO)	
COMMUNICATIONS, INC. f/k/a)	
NEXTLINK COMMUNICATIONS, INC.,)	
)	
Respondents.)	

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1 **Nature of the Proceeding:** This is a complaint proceeding brought by the Washington Utilities and Transportation Commission (Commission), through its staff, against Qwest Corporation (Qwest) and 13 other telecommunications companies alleging that the companies entered into certain interconnection agreements identified in Exhibit A to the Amended Complaint,¹ and failed to file, or timely file, the agreements with the Commission as required by state and

¹ The Commission issued a Complaint against the parties on August 14, 2003, and issued an Amended Complaint on August 15, 2003 to include Exhibits A and B to the Complaint.

federal law. The complaint also alleges that the companies entered into certain agreements to resolve disputes, but that the agreements violated federal and state law by failing to make terms and conditions available to other requesting carriers, providing unreasonable preferences, and engaging in rate discrimination.

2 **Procedural History:** On August 14, 2003, the Commission issued a Complaint in this proceeding against Qwest and 13 other telecommunications companies. The Commission issued an Amended Complaint on August 15, 2003. On September 4, 2003, Commission Staff filed a Motion to Dismiss Allegations Against Allegiance Telecom, Inc. (Allegiance), and a Motion to Amend Exhibit B to the Complaint. The Commission convened a prehearing conference in this proceeding on September 8, 2003. Staff's Motions to Dismiss and amend Exhibit B were granted at the conference.

3 After several parties raised concerns at the conference that party names were misspelled or incorrect, Commission Staff agreed to work with the parties to correct the names of the companies listed in the Amended Complaint. On September 18, 2003, Commission Staff filed with the Commission a Motion to Amend Caption.

4 On September 19, 2003, the Commission issued a notice to the parties providing an opportunity to respond to Staff's motion, and requesting corrections to the service list by September 30, 2003. No party filed a response to Staff's motion, but Advanced TelCom Inc. d/b/a Advanced TelCom Group (ATG), Covad Communications Corporation (Covad), Eschelon Telecom of Washington, Inc. (Eschelon), Integra Telecom of Washington, Inc. (Integra), and Qwest filed corrections and changes to the service list in this proceeding.

5 **Motion to Amend Caption.** Commission Staff moves to amend the caption of the Amended Complaint to properly name the respondents. Staff does not move to dismiss allegations against any of the respondents originally named in the complaint. Staff asserts that allegations against the respondents as originally named are made against the respondents as correctly named in Staff's motion. Staff moves to amend the caption as follows:

Advanced Telecom Group, Inc., should be changed to Advanced TelCom, Inc., d/b/a Advanced TelCom Group;

AT&T Corporation should be changed to AT&T Communications of the Pacific Northwest and TCG Seattle;

Electric Lightwave should be changed to Electric Lightwave, LLC;

Eschelon Telecom, Inc. should be changed to Eschelon Telecom of Washington, Inc. Delete reference to Advanced Telecommunications, Inc.;

FairPoint Communications Solutions, Inc. should be changed to FairPoint Carrier Services, Inc. f/k/a FairPoint Communications Solutions Corp.;

Integra Telecom, Inc. should be changed to Integra Telecom of Washington, Inc.;

McLeodUSA should be changed to McLeodUSA Telecommunications Services, Inc.;

MCI WorldCom Inc. should be changed to WorldCom, Inc.; and

XO Communications Inc. should be changed to XO Washington, Inc.

No party responded or objected to Staff's motion.

- 6 For purposes of maintaining a consistent record in this proceeding and avoiding the confusion that may be caused by modifying the caption in this proceeding, the caption will remain as it appears in the Amended Complaint. However, Staff's motion is granted in so far as the Commission recognizes that the allegations made in that Amended Complaint are now addressed to the proper parties, as corrected in Staff's motion. The Commission's master service list and the list of parties' representatives in this proceeding are modified to include the proper parties.

- 7 **Changes to Appendix A and Master Service List.** In the September 19, 2003, notice to parties, the Commission requested corrections to and clarifications of persons listed on the Commission's master service list and on Appendices A and B to the notice. ATG, Covad, Eschelon, Integra, and Qwest responded with corrections and changes to the service list and list of parties' representatives in this proceeding. Appendix A to this Order has been modified to reflect the parties to the proceeding and their representatives, and mirrors the Commission's master service list in this proceeding kept by the Commission's Records Center. Parties should use this list in Appendix A when serving documents on parties to the proceeding. Parties should notify the Commission of any additional changes to Appendix A.

Dated at Olympia, Washington, and effective this 3rd day of November 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ANN E. RENDAHL
Administrative Law Judge

APPENDIX A

<u>PARTIES REPRESENTATIVES</u>				
DOCKET NO. UT-033011			Updated 10/29/03	
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