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February 4, 2008

VIA E-MAIL AND HAND DELIVERY

Ms. Carole J. Washburn, Executive Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Qwest VNXX Complaint - Docket UT-063038/Docket UT-063055 -
Post-Hearing Bench Request No. 3

Dear Ms. Washburn:

The Washington Independent Telephone Association (WITA) hereby provides its response to Post-Hearing Bench Request No. 3.

POST-HEARING BENCH REQUEST NO. 3:

In view of the most recent briefing in this proceeding on the issues of whether the Initial Order addressed the issues the District Court remanded to the Commission in Dockets UT-053036 and UT-053039 and whether the Commission should address those issues in this proceeding, the Commission is considering consolidating the remand proceeding with this docket for decision. Please identify any concerns or objections you may have with the Commission consolidating these proceedings.

RESPONSE:

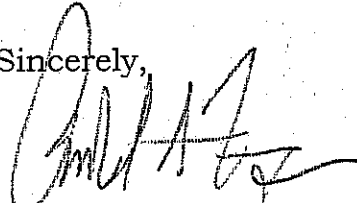
WITA has no objection to the consolidation of the District Court remand in Dockets UT-053036 and UT-053039 with the proceedings in this docket. WITA believes that consolidation makes sense and is consistent with the notions of judicial economy.

Carole Washburn
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Certainly, the outcome of the remand would be specific to the parties in UT-053036 and UT-053039, but the precedent related to the handling of VNXX issues in light of the District Court remand seems to be a broader issue that would apply on a forward-going basis and could be incorporated into Docket UT-063038.

Pursuant to the directions in this case, the original and three copies are filed herewith.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard A. Finnigan', written over a light blue grid background.

RICHARD A. FINNIGAN

RAF/km

cc: Service List (via e-mail and U.S. mail, or as otherwise specified)
ALJ Mace (via e-mail and hand delivery)
Terrence Stapleton (via e-mail)