

From: "Kopta, Greg" <GregKopta@DWT.COM>
To: <sgoodwill@utah.gov>
Date: 7/31/2006 9:54:16 AM
Subject: Re: 06-2249-01 Qwest's Motion to Admit Late Filed Exhibits

Judge Goodwill --

Thank you for your message. Mindful of the deadline for filing reply briefs, we will be filing McLeodUSA's opposition to Qwest's motion electronically today (with the original and hard copies sent via overnight delivery for official filing tomorrow).

That resolves the procedural issue of enabling a decision on the motion before reply briefs are due, but as discussed in its opposition, McLeodUSA does not believe that this new issue can be adequately addressed in the reply briefs if Qwest's motion is granted. Accordingly, McLeodUSA would suggest a brief procedural telephone conference if the motion is granted to discuss these issues.

I am out of my office until Friday but will try to respond to any additional discussion of these issues as soon as I can. Thank you for your consideration.

Greg Kopta

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Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Steven Goodwill <sgoodwill@utah.gov>

To: Kopta, Greg

Cc: melissa.thompson@qwest.com ~melissa.thompson@qwest.com~; Merilee Livingston <MLIVINGSTON@utah.gov> Sent: Mon Jul 31 08:32:57 2006

Subject: 06-2249-01 Qwest's Motion to Admit Late Filed Exhibits

Mr. Kopta,

Qwest filed the subject motion on 26 Jul 06. Reply briefs in this proceeding are due to the Commission on 7 Aug 06. Therefore, under normal Commission rules, McLeod's response to Qwest's motion would not be due until after the reply brief deadline.

Does McLeod plan to respond to Qwest's motion, or, alternatively, indicate that it has no objection to admission of the offered evidence?

I am open to any number of procedural options in this matter, ranging from reducing McLeod's response time to ensure a decision on Qwest's motion prior to the 7 Aug reply brief deadline to extending the reply brief deadline to ensure McLeod a fair opportunity to respond to Qwest's motion while giving the parties ample time to incorporate arguments regarding this evidence (assuming its admission) into their reply briefs.

I'd just like to have some sense of the parties' thinking on this.
Please advise at your earliest convenience. Thanks.

sfg

Steven F. Goodwill

Administrative Law Judge

Public Service Commission 160 East 300 South, 4th Floor Salt Lake City, UT 841 11 (80 1) 530-6709

CC: ~melissa.thompson@qwest.com~, <MLIVINGSTON@utah.gov>, "Scarsorie, Mary"

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