

Ruben Arredondo - RE: Qwest v. McLeod, Docket 09-49-37- Request for one-month extension of the procedural dates

From: "Kopta, Greg" <GregKopta@DWT.COM>
To: "Ruben Arredondo" <rarredondo@utah.gov>, "Alex Duarte" <Alex.Duarte@qwest.com>
Date: 12/10/2009 10:24 AM
Subject: RE: Qwest v. McLeod, Docket 09-49-37- Request for one-month extension of the procedural dates
CC: "James Farr" <James.Farr@qwest.com>, "Mike Williams" <Mike.Williams@qwest.com>, "Michael Ginsberg" <mginsberg@utah.gov>, <bill.haas@paetec.com>

① Judge Arredondo --

The parties are still working on a schedule that accommodates various conflicts, and we may require a bit more time to come up with a final proposal. Tentatively, I believe we are agreed on the following schedule with the exception of the hearing date:

Qwest and McLeodUSA motions due: January 28
 Qwest and McLeodUSA responses due: March 4
 Division Response due: March 18
 Qwest and McLeodUSA response to Division due: April 7
 Hearing (if necessary): April 22(?)

We understand you have another hearing on April 20-21, but McLeodUSA has hearings in another state scheduled the following two weeks. We do not anticipate the need for a hearing in this case, but we do not want to double-book ourselves just in case. We also do not want to create a problem with your schedule. We will continue to discuss this issue among ourselves but would appreciate any guidance you can offer. Thanks!

Gregory J. Kopta | Davis Wright Tremaine LLP
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 Tel: (206) 757-8079 | Fax: (206) 757-7079
 Email: gregkopta@dwt.com | Website: www.dwt.com

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From: Ruben Arredondo [mailto:rarredondo@utah.gov]
Sent: Tuesday, December 08, 2009 7:00 AM
To: Alex Duarte
Cc: Kopta, Greg; James Farr; Mike Williams; Michael Ginsberg
Subject: Re: Qwest v. McLeod, Docket 09-49-37- Request for one-month extension of the procedural dates

Everyone,

I received a Motion yesterday to extend the deadlines and hearing date in this matter. I understand that everyone is amenable to an extension. Below are the new dates I propose. If one of these dates doesn't work for you, let me know by Thursday at noon, MST. Otherwise I will use those dates for the new scheduling order. Thanks.

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From: "Kopta, Greg" <GregKopta@DWT.COM>
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Date: 12/10/2009 11:24 AM
Subject: RE: Qwest v. McLeod, Docket 09-49-37- Request for one-month extension of the procedural dates
CC: <bill.haas@paetec.com>, "James Farr" <James.Farr@qwest.com>, "Mike Williams" <Mike.Williams@qwest.com>, "Michael Ginsberg" <mginsberg@utah.gov>

Thank you, your Honor, we will do that.

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From: Ruben Arredondo [mailto:rarredondo@utah.gov]
Sent: Thursday, December 10, 2009 10:09 AM
To: Kopta, Greg; Alex Duarte
Cc: bill.haas@paetec.com; James Farr; Mike Williams; Michael Ginsberg
Subject: RE: Qwest v. McLeod, Docket 09-49-37- Request for one-month extension of the procedural dates

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Thanks for the update. Why don't the parties give me a proposed revised scheduling order once you are all done (sooner rather than later)? If you need a hearing date, call the Commission Secretary, Julie Orchard, at 801-530-6713 and she can give you possible hearing dates. Just FYI, looks like April might be filling up in the next few weeks, especially with so many things happening at the PSC in March. So I would set a hearing date soon.

Ruben H. Arredondo
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Public Service Commission of Utah
160 E. 300 S., 4th Floor
Salt Lake City, Utah 84111
Tel: 801-530-6716
Fax: 801-530-6796
E-mail: rarredondo@utah.gov

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Ruben Arredondo - Fwd: Re: Qwest v. McLeod, Docket 09-49-37- Request for one-month extension of the procedural dates

From: Ruben Arredondo
To: Arredondo, Ruben
Date: 12/9/2009 7:11 AM
Subject: Fwd: Re: Qwest v. McLeod, Docket 09-49-37- Request for one-month extension of the procedural dates
Attachments: Ruben Arredondo.vcf

Emails regarding extension of Deadlines

>>> Ruben Arredondo 12/8/2009 7:59 AM >>>

Everyone,

I received a Motion yesterday to extend the deadlines and hearing date in this matter. I understand that everyone is amenable to an extension. Below are the new dates I propose. If one of these dates doesn't work for you, let me know by Thursday at noon, MST. Otherwise I will use those dates for the new scheduling order. Thanks.

Item	OLD Deadline	NEW PROPOSED Deadline
Qwest and Paetec file any initial motions, affidavits, and factual stipulation	Friday, December 18, 2009 (Parties shall electronically file on this date, serving each other with electronic copies. Hard copies shall follow the next business day.)	Wednesday, January 20, 2010
Responses by Qwest and Paetec to initial motions	Tuesday, January 19, 2010	Thursday, February 18, 2010
Division of Public Utilities gives its response to moving and responding papers	Tuesday, February 2, 2010	Thursday, March 4, 2010
Qwest and Paetec respond to the Division	Tuesday, February 16, 2010	Thursday, March 18, 2010
Hearing	Tuesday, March 2, 2010 at 9:30 a.m., Room 451, before the ALJ of the Public Service Commission	Wednesday, April 14, 2010; same time and place

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>>> "Duarte, Alex" <Alex.Duarte@qwest.com> 12/7/2009 7:13 PM >>>
 Judge Arredondo-

Please excuse the informality of this email, and we can certainly file a formal letter or motion if Your Honor prefers. However, because the filing date of the simultaneous motions for summary judgment is next week, immediately before the holidays, I wanted to send you this email to advise you that the parties to this complaint, *Qwest v. McLeod*, Docket No. 09-49-37, have agreed to request a one-month extension of the procedural dates.

Currently, simultaneous motions for summary judgment are due on December 18, 2009, responses are due on January 19, 2010, Staff's comments are due February 2, 2010, responses to Staff's comments are due February 16, 2009, and the hearing (if necessary) is scheduled for March 2, 2009.

Thus, we would greatly appreciate an extension of the procedural schedule by at least one month. I would also request that the hearing not be scheduled during the first week of April because the last week of March is Spring Break for my sons' school schedule and we will be taking a family vacation that week.

Thank you for your attention to this matter.

Alex Duarte

Alex M. Duarte
 Corporate Counsel
 Qwest
 421 SW Oak Street, Suite 810
 Portland, OR 97204
 503-242-5623
 503-242-8589 (facsimile)
Alex.Duarte@qwest.com

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

From: Michael Ginsberg [<mailto:mginsberg@utah.gov>]
 Sent: Monday, December 07, 2009 5:26 PM
 To: Duarte, Alex
 Cc: Greg 'Kopta
 Subject: Re: FW: Utah Schedule

The Division has no objections let us know when and if a new schedule is needed.

>>> "Duarte, Alex" <Alex.Duarte@qwest.com> 12/7/2009 2:20 PM >>>

Mike-

Are you OK with McLeod and Qwest pushing off the procedural schedule in the Qwest complaint case against McLeod that currently has simultaneous summary judgment motions due next Friday, December 18?

Please let me know if this is OK with the DPU?

Thanks. Alex

Alex M. Duarte
Corporate Counsel
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From: Kopta, Greg [mailto:GregKopta@DWT.COM]
Sent: Monday, December 07, 2009 1:15 PM
To: Duarte, Alex
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Alex --

I checked with Bill Haas, and pushing the schedule in Utah out a month makes sense to him. Accordingly, you may represent to Mike and the ALJ that McLeodUSA agrees with your suggestion. We can even make it a joint request if you like. Just let me know how you would like to proceed.

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From: Michael Ginsberg
To: Arredondo, Ruben; Duarte, Alex
CC: Coleman, Casey; Duncan, William; Farr, James; 'Kopta, Greg'; William...
Date: 12/9/2009 9:47 AM
Subject: Re: Qwest v. McLeod, Docket 09-49-37- Request for one-month extension of the procedural dates

Because of other matters going on the date for the DPU response, I would like the DPU response moved later later in March, this would probably shift everything else out. At this point it is still not clear what role the DPU will have in this complaint.

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