

Qwest

421 Southwest Oak Street Suite 810 Portland, Oregon 97204 Telephone: 503-242-5420 Facsimile: 503-242-8589 e-mail: carla.butler@qwest.com

Carla M. Butler Sr. Paralegal

August 9, 2005

Frances Nichols Anglin Oregon Public Utility Commission 550 Capitol St., NE Suite 215 Salem, OR 97301

Re: ARB 665

Dear Ms. Nichols Anglin:

Enclosed for filing please find an original and (5) five copies of Qwest Corporation's Affidavit of Ted D. Smith for Admission Pro Hac Vice in the above entitled docket, along with a certificate of service.

If you have any question, please do not hesitate to give me a call.

Sincerely,

Carla M. Butler

CMB:

Enclosure

### BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

#### **ARB 665**

In the Matter of LEVEL 3
COMMUNICATIONS, LLC's Petition for
Arbitration Pursuant to Section 252(b) of the
Communication Act of 1934, as amended by the
Telecommunications Act of 1996, and the
Applicable State Laws for Rates, Terms, and
Conditions with QWEST CORPORATION

AFFIDAVIT OF TED D. SMITH IN SUPPORT OF MOTION FOR ADMISSION PRO HAC VICE

STATE	)
OF	) ss
UTAH	)

- I, TED D. SMITH, being first duly sworn, hereby state:
- 1. I am an Attorney with the firm of Stoel Rives LLP, in Salt Lake City, Utah representing Qwest Corporation in Denver, Colorado. I am an attorney licensed to practice law before the highest court of the state of Utah and am in good standing in the state of Utah.

  Attached hereto as Exhibit A is a Certificate of Good Standing from the Utah Supreme Court.
  - 2. I am not subject to any pending disciplinary proceedings in any jurisdiction.
- 3. I will associate with Alex M. Duarte (OSB No. 02045), an active member in good standing of the Oregon State Bar. Mr. Duarte will participate in the above-referenced action in a meaningful manner.
- 4. I will comply with all applicable statutes, laws, and procedural rules of the State of Oregon; be familiar with and comply with the disciplinary rules of the Oregon State Bar; and

submit to the jurisdiction of the Oregon courts and the Oregon State Bar with respect to acts and omissions occurring during my admission in this matter.

- As an in-house attorney, I am exempt from the Oregon State Bar Professional Liability Fund plan requirements.
- 6. I agree, as a continuing obligation under UTCR 3.170, to notify the Commission promptly of any changes in my insurance or status.

DATED: August 5, 2005

Ted D. Smith

SUBSCRIBED AND SWORN to before me this O

day of August, 2005

NOTARY PUBLIC - STATE OF UTAH
NINA HARWARD
2015 NAMES OF 100 - SQUARE OF TRAINING

Notary Public for the State of Colorado

My Commission Expires



# **Utah State Bar**

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834 Telephone: 801-531-9077 • Fax: 801-531-0660

August 5, 2005

## To Whom It May Concern:

This is to certify that **Ted D. Smith**, Utah State Bar **No. 03017**, was admitted to practice law in Utah on **September 29**, **1975** and is an active member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

No public disciplinary action involving professional misconduct has been taken against the license of **Ted D. Smith** to practice law.

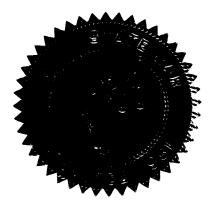
Katherine A. Fox General Counsel

Utah State Bar

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Rodney G. Snow

V. Lowry Snow





## ATTORNEYS' LIABILITY ASSURANCE SOCIETY, INC.,

A RISK RETENTION GROUP

311 South Wacker Drive / Suite 5700 / Chicago, Illinois 60606-6622

(312) 697-6900 FAX (312) 697-6901

Stoel Rives LLP

Standard Insurance Center 900 SW Fifth Avenue, Suite 2600 Portland, OR 97204-1268

Invoice Number

1653-22038

01/18/2005

ATTN: Kyle M. Davidson

Invoice Date

Policy Information

Policy Number 1653 Lawyers' Professional Liability Coverage

01-Jan-2005 to 31-Dec-2005 \$35MM/\$70MM Limits \$1,000,000/\$2,000,000 Retention

#### **CERTIFICATE OF SERVICE VIA E-MAIL**

I do hereby certify that a true and correct copy of the foregoing Qwest Corporation's Affidavit of Ted D. Smith for Admission Pro Hac Vice of was served on the 9th day of August, 2005 via e-mail electronic transmission upon the following individuals:

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skassman@kelleydrye.com

DATED this 9th day of August, 2005.

**QWEST CORPORATION** 

By:

Alex M. Duarte (OSB No. 02045) 421 SW Oak Street, Suite 810 Portland, OR 97204 503-242-5623 503-242-8589 (facsimile) alex.duarte@gwest.com

Attorney for Qwest Corporation