

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

DOCKET NO. UM 1191

QWEST CORPORATION

Complainant,

v.

CENTRAL ELECTRIC COOPERATIVE, INC.,

Defendant.

DECLARATION OF JOHN P. NUSBAUM
IN SUPPORT OF QWEST'S RESPONSE
TO DEFENDANT'S MOTION TO
DISMISS

I, John P. Nusbaum do depose and say:


1. I am one of the attorneys representing Complainant in this case. I make this declaration based on personal knowledge.

2. Attached hereto as Exhibit 1 is a true and correct copy of the electronic notice sent by the Public Utility Commission of Oregon confirming service of Qwest's Complaint in this matter on February 1, 2005.

3. Attached hereto as Exhibit 2 is a true and correct copy of the electronic notice sent by the Public Utility Commission of Oregon confirming that Defendant filed its Motion to Dismiss on February 24, 2005.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand that it is made for use as evidence in Court and is subject to penalty for perjury.

DATED: March 10, 2004.



John P. Nusbaum

1- DECLARATION OF JAY NUSBAUM

Nusbaum, Jay

From: WALKER Cheryl [Cheryl.Walker@state.or.us]
Sent: Tuesday, February 01, 2005 11:03 AM
To: 'meh@francishansenmartin.com'; 'leslie.kelly@qwest.com'; Nusbaum, Jay; Reichman, Lawrence
Subject: UM 1191 COMPLAINT FILED BY QWEST CORPORATION AGAINST CENTRAL ELECTRIC COOPERATIVE INC

UM 1191 - In the Matter of the Complaint of QWEST CORPORATION against CENTRAL ELECTRIC COOPERATIVE, INC., Pursuant to ORS 756.500, together with Appendix A and Exhibits 1-5; filed by Lawrence Reichman and John P. Nusbaum.

Filed Date: 1/28/05

Ack ltr electronically served and mailed 2/1/05.
Service form electronically served and mailed 2/1/05.
Answer due 2/22/05.

To view this document, please click on the below link:

<http://edocs.puc.state.or.us/efdocs/HAA/um1191haa11014.pdf>

Cheryl Walker
Administrative Specialist 2
Administrative Hearings Division
Public Utility Commission of Oregon
(503) 378-2849
Cheryl.walker@state.or.us

Nusbaum, Jay

From: TAYLOR Annette [Annette.M.Taylor@state.or.us]
Sent: Monday, February 28, 2005 11:10 AM
To: @Harlow, Brooks; WEIRICH Michael; 'oreca@oreca.org'; Reichman, Lawrence; Nusbaum, Jay; 'jevans@oreca.org'; 'meh@francishansenmartin.com'; 'leslie.kelly@qwest.com'; 'atykeson@bendcable.com'; 'rharris@kobi5.com'; 'pat@francishansenmartin.com'
Cc: BIRKO Woody; BUSCH Ed; CARTER Rick; EMMONS Irv; GONZALEZ JR; MURRAY Jerry; SIPLER Bob; WEIRICH Michael
Subject: Notice of Filing--Oregon Public Utility Commission

Notice of new activity for docket: UM 1191

Docket Name: COMPLAINT FILED BY QWEST CORPORATION AGAINST CENTRAL ELECTRIC COOPERATIVE INC

Utility Company:

Type of Activity: MOTION, filed on 2/24/2005.

Description: CENTRAL ELECTRIC COOPERATIVE INC 's (CEC's) Motion to Dismiss Complaint and Response to QWEST's Motion to Dismiss CEC's Counterclaim; together with Affidavit of Martin E. Hansen, and Exhibits 1-11; Filed Electronically by Martin E. Hansen; Hard copy rec'd 2-28-05.

To view this document, please click on the below link:

<http://edocs.puc.state.or.us/efdocs/HAO/um1191hao1152.pdf>

You are receiving this email notice as part of the Commission's electronic filing (eFiling) project. All parties on the Commission's service list will receive email notices of all documents filed in this docket. The Commission will also provide electronic service of all related rulings, notices, and orders via email. If you are unable to view documents electronically and therefore need to receive hard copies, please send a statement of need to:

Public Utility Commission
Administrative Hearings Division
PO Box 2148
Salem, OR 97308-2148

For more information about eFiling, please visit the eFiling page on the eDockets website at <http://www.puc.state.or.us>.

CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2005 I served the foregoing **DECLARATION OF JOHN P. NUSBAUM IN SUPPORT OF QWEST'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS** on the following person by causing to be emailed and mailed a full, true and correct copy thereof contained in a sealed envelope with postage prepaid addressed to said to person at the following addresses and deposited in the post office at Portland, Oregon:

Martin Hansen
Francis, Hansen & Martin, LLP
1148 N.W. Hill Street
Bend, OR 97701-1914

Amy Tykeson
Bend Cable Communications, Inc.
63090 Sherman Rd.
Bend, OR 97701

Michael T. Weirich
Department Of Justice
Regulated Utility & Business Section
1162 Court St. N.E.
Salem, OR 97301-4096

Brooks Harlow
Miller Nash LLP
601 Union St., Ste. 4400
Seattle, WA 98101-2352

Roger Harris
Crestview Cable Communications
125 South Fir Street
Medford, OR 97501

DATED: March 10, 2005.

PERKINS COIE LLP

By: 

Lawrence H. Reichman, OSB No. 86083

John P. (Jay) Nusbaum, OSB No. 96378

Telephone: (503) 727-2000

Of Attorneys for Complainant Qwest Corporation