

*FRANK G. PATRICK & ASSOCIATES*  
*CORPORATE LAWYERS P.C.*

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*Attorneys At Law*

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Portland, OR 97281

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February 17, 2010

Public Utility Commission of Oregon

Attn: Filing Center

550 Capitol St. NE, Ste. 215

PO Box 2148

Salem, OR 97308-2148

To: Electronic Filing Clerk  
Public Utility Commission of Oregon

**RE: NORTHWEST PUBLIC COMMUNICATIONS COUNCIL V. QWEST CORP.  
Docket DR 26/UC600  
Request for Prehearing Conference and  
Motion to Stay Pending Reconsideration**

Dear Judge Arlow,

Please find enclosed the Complainants Request for a Prehearing Conference and a Motion to Stay Proceedings until a Motion to Reconsider can be prepared and filed. I am requesting a conference out of an abundance of caution along with the Motion so that the time for filing is not broached. I have conferred with Mr. Reichman and sought to confer with Mr. Jones but report that there is no agreement on this matter.

Please advise.

Sincerely,

/s/

Frank G. Patrick  
Attorney at Law

Cc: Lawrence Reichman (email; US Mail) [reicl@perkinscoie.com](mailto:reicl@perkinscoie.com)  
Jason W. Jones (email; US Mail) [Jason.w.jones@state.or.us](mailto:Jason.w.jones@state.or.us)  
Alex M. Duarte (email; US Mail) [alex.duarte@qwest.com](mailto:alex.duarte@qwest.com)

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2  
3 BEFORE THE PUBLIC UTILITY COMMISSION  
4 OF OREGON  
5

6 THE NORTHWEST PUBLIC  
7 COMMUNICATIONS COUNCIL, on behalf  
8 of the NPCC MEMBERS: Central Telephone,  
9 Inc; Communication Management Services,  
10 LLC; Davel Communications a/k/a Phonetel  
11 Technologies, Inc., Interwest Tel, LLC;  
12 Interwest Telecom Services Corporation; NSC  
13 Communications Public Services Corporation;  
14 National Payphone Services, LLC; Pacific  
15 Northwest Payphones; Partners in  
16 Communication; T & C Management, LLC;  
17 Corban Technologies, Inc.; and Valley Pay  
18 Phones, Inc

19 v.

20 QWEST CORPORATION,

21 Defendant..

22 TO: Oregon Public Utility Commission

23 AND TO: All Parties

24  
25 Frank G. Patrick hereby requests a prehearing conference and MOVES for a stay of the  
26 proceedings pending the filing of a Motion to Reconsider the Commission's Order No. 10-027  
entered 02/01/10. This Motion is supported by the attached declaration or Frank G. Patrick.

**STATUS OF CASE:** The filing of the Third Amended Complaint was to be filed February 17,  
2010 after the Commission's Order denying the Second Amended Complaint.

DATED: February 17, 2010

27 /S/

28 \_\_\_\_\_  
FRANK G. PATRICK, OSB 76022

Attorney for Plaintiff

1 CERTIFICATE OF SERVICE

2 I, the undersigned below, hereby certify that I served the foregoing REQUEST FOR A  
3 PREHEARING CONFERENCE AND MOTION TO STAY AND SUPPORTING  
4 DECLARATION For The Northwest Public Communications Council on:

5 Lawrence Reichman  
6 Perkins Coie  
7 1120 N.W. Couch Street, 10<sup>th</sup> Floor  
8 Portland, Oregon 97209-4128  
9 [reicl@perkinscoie.com](mailto:reicl@perkinscoie.com)

10 Jason W. Jones  
11 Department of Justice  
12 1162 Court Street NE  
13 Salem, Oregon 97301  
14 [Jason.w.jones@state.or.us](mailto:Jason.w.jones@state.or.us)

15 Alex M. Duarte  
16 Qwest Corporation  
17 421 SW Oak St., Suite 810  
18 Portland, Oregon 97204  
19 [alex.duarte@qwest.com](mailto:alex.duarte@qwest.com)

20 by the following indicated method or methods:

21  X  by mailing & emailing (if indicated above) a full, true, and correct copy thereof in a  
22 sealed, first-class postage-prepaid envelope, addressed to the attorney as shown above, the last-  
23 known office address of the attorney, and deposited with the United States Postal Service at  
24 Portland, Oregon, and by electronic mail on the date set forth below;

25 \_\_\_\_\_ by sending full, true and correct copies thereof via overnight courier in sealed,  
26 prepaid envelopes, addressed to the attorneys as shown above, the last-known office addresses of  
the attorneys, on the date set forth below;

\_\_\_\_\_ by handing/delivering true and correct copies thereof to the attorney or one of the  
clerks at the above address, on the date set forth below;

And Certify that I did electronically file same with the PUC Filing Center, with a hard copy to  
PUC, Filing Center, 550 Capitol Street NE, Ste 215, PO Box 2148, Salem, OR 97308-2148.

Dated February 17, 2010

25  /s/ \_\_\_\_\_   
FRANK G. PATRICK, OSB 76022  
26 Attorney for Complainants Individually and  
for The Northwest Public Communications Council

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BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON

THE NORTHWEST PUBLIC COMMUNICATIONS COUNCIL, on behalf of the NPCC MEMBERS: Central Telephone, Inc; Communication Management Services, LLC; Davel Communications a/k/a Phonetel Technologies, Inc.a, Interwest Tel, LLC; Interwest Telecom Services Corporation; NSC Communications Public Services Corporation; National Payphone Services, LLC; Pacific Northwest Payphones; Partners in Communication; T & C Management, LLC; Corban Technologies, Inc.; and Valley Pay Phones, Inc

v.

QWEST CORPORATION,  
Defendant.

DOCKET NO. DR 26/UC 600

DECLARATION SUPPORTING REQUEST FOR PREHEARING CONFERENCE AND MOTION STAYING PROCEEDINGS PENDING THE FILING OF A MOTION FOR RECONSIDERATION

TO: Oregon Public Utility Commission

AND TO: All Parties

The undersigned Frank G. Patrick does hereby declare:

1. The Complainants in good faith believed that the relief to which they are entitled was adequately preserved by the filings by the NPCC and its former counsel in May of 2001.

2. During the course of discussions with opposing counsel to resolve any further language issues, it has become increasingly apparent that the rights of the Complainants may not be properly before the PUC.

3. Counsel is compelled to pursue reconsideration of the Commission’s Order and believes a conference to review the need and timing for filings is appropriate.



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4 DECLARATION For The Northwest Public Communications Council on:

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6 Perkins Coie  
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18 Portland, Oregon 97204  
19 [alex.duarte@qwest.com](mailto:alex.duarte@qwest.com)

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And Certify that I did electronically file same with the PUC Filing Center, with a hard copy to  
PUC, Filing Center, 550 Capitol Street NE, Ste 215, PO Box 2148, Salem, OR 97308-2148.

Dated February 17, 2010

25  /s/ \_\_\_\_\_   
FRANK G. PATRICK, OSB 76022  
26 Attorney for Complainants Individually and  
for The Northwest Public Communications Council