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**From:** Reichman, Lawrence [mailto:LReichman@perkinscoie.com]  
**Sent:** Thursday, May 05, 2005 1:56 PM  
**To:** Pat; FILINGCENTER Puc  
**Cc:** meh@francishansenmartin.com; @Harlow, Brooks; rharris@kobi5.com; Nusbaum, Jay; atykeson@bendcable.com; michael.weirich@state.or.us; jevans@oreca.org  
**Subject:** RE: UM 1191; CEC filing of "Stipulation"

### Qwest's Response to CEC's Filing

1. Qwest notes that the document CEC filed as a "Stipulation" is not signed by either party, and is not acceptable to Qwest. Accordingly, it is not a stipulation that binds Qwest and should not be accepted by the Commission as such.
2. CEC did provide Qwest with a draft stipulation on April 14. Qwest did not believe that draft was consistent with the parties' discussion at the pre-hearing conference and, thus, sent CEC a revised stipulation on April 22. CEC did not respond to that proposal until May 2. Mr. Hansen then told me that the revised stipulation was not consistent with the parties' discussion at the pre-hearing conference. I told Mr. Hansen that I would look into it.
3. Mr. Nusbaum of this office represented Qwest at the pre-hearing conference, and I was not present. Mr. Nusbaum is on vacation this week. Since the stipulation should be consistent with the parties' discussion at the pre-hearing conference, I would like to have the ability to discuss this matter with Mr. Nusbaum before responding to CEC, which I intend to do on Monday, May 9. After that, we will respond to Mr. Hansen as to whether we are willing to further revise the stipulation, or will need to ask the ALJ to intervene in the matter.

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