

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of an Investigation Into)
Collocation and Expanded Interconnection)

DOCKET NO. 94-999-01
PHASES III B, III C
ORDER GRANTING MOTIONS

ISSUED: September 1, 1998

By the Commission:

This matter came on for hearing before the Public Service Commission of Utah pursuant to the motions of the Division of Public Utilities and U S WEST Communications to reopen the record in Phase III B and to compel production of certain data by AT&T Communications of the Mountain States, Inc., in Phase III B and Phase III C. Proper notice was given and a hearing was held in Salt Lake City, Utah, August 19, 1998. All parties concerned with the motions appeared at the hearing through counsel and presented argument. The Division and U S WEST had moved to reopen the record in Phase III B for the purpose of taking evidence on the impact on costs as calculated by the HAI Model, of alleged understatements of required distribution facilities which is caused by features of the HAI Model preprocessing. The Division and U S WEST had also moved to compel the production in both Phase III B and Phase III C by AT&T of information that would permit an analysis of the "minimum spanning tree" distances of the customer clusters that are created by the HAI Model preprocessing, and would allow association of such distances with the diagonal distances of the respective minimum bounding rectangles, the numbers of customers in each cluster and the Common Language Location Identifier (CLLI) codes of the wire centers that serve each cluster. This is the same type of information as AT&T produced to U S WEST in discovery in a cost investigation in the state of Minnesota.

AT&T responded that the motions should be denied because they were untimely, and AT&T claimed that the Division and U S WEST had foregone an opportunity to view the information that is the subject of the motions, at the time when U S WEST viewed the similar information pertaining to Minnesota, in May, 1998. AT&T also argued that if the motion to reopen Phase III B is granted, AT&T should have the right to present similar analyses of the models sponsored by U S WEST and the Division.

ORDER

Having heard the arguments of counsel and having read the written motions and response thereto, and being fully advised, the Commission Finds and Orders that the motions to reopen the record in Phase III B of this Docket and to compel production of information by AT&T are well taken and they are hereby, granted as requested. The Commission also Orders that should AT&T desire to present analyses of models sponsored by U S WEST and/or the Division on the same general issue, i.e., the extent to which the said models understate the amount of investment necessary for distribution, evidence on this issue may also be presented by one or more parties in the reopened proceeding or in Phase III C.

DATED at Salt Lake City, Utah, this 1st day of September, 1998.

/s/ Stephen F. Mecham, Chairman

(SEAL) /s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary