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Attorneys for Qwest Corporation

## BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Petition of AUTOTEL for Arbitration of an Interconnection Agreement with QWEST CORPORATION Pursuant to Section 252(b) of the Telecommunications Act

Docket No. 03-049-19

SUPPLEMENTAL INFORMATION IN SUPPORT OF QWEST'S RESPONSE TO PROCEDURAL NOTICE AND REPLY OF AUTOTEL

Qwest Corporation ("Qwest") filed "Qwest's Response to Procedural Notice and Reply of Autotel" on July 14, 2005. In that filing, Qwest requested that the Commission conclude this arbitration proceeding by issuing an order to show cause requiring Autotel to identify specific provisions of Qwest's proposed interconnection agreement that Autotel believes do not comply with the Commission's Report and Order issued February 18, 2004 in this docket ("Order") and to propose specific alternative language which it contends does comply with the Order. After allowing Qwest to respond to any such filing and after any additional process deemed necessary or advisable, Qwest further requested that the Commission enter an order approving Qwest's proposed interconnection agreement or directing specific modifications to the agreement. Finally, Qwest requested that the Commission reject Autotel's request for negotiation of a new interconnection agreement as improper in light of the lengthy arbitration process requested by Autotel and largely completed by the Commission.

Since making that filing, the parties have exchanged additional correspondence regarding the issue. This correspondence, a copy of which is attached, supports Qwest's request by demonstrating that Autotel intends to attempt to renegotiate and then arbitrate a new interconnection agreement based on the premise that the agreement does not "meet the requirements of law and regulation." Qwest understands this statement to mean that Autotel believes the Commission's arbitration decisions do not comply with 47 U.S.C. §§ 251 and 252 or with the regulations adopted by the Federal Communications Commission pursuant to the Telecommunications Act of 1996. The proper remedy for Autotel if that is its position is to appeal the Commission's decision approving an interconnection agreement (a decision not yet made) to the federal district court, not to attempt to ignore the prior negotiations and arbitration. In addition, Autotel's expressed intent to rearbitrate issues before the Commission supports Qwest's request that the Commission take steps to conclude the first arbitration both as a matter of proper procedure and to avoid unnecessary expenditure of resources by the Commission and the parties.

Accordingly, Qwest respectfully requests that the Commission order Autotel to show cause, through specific identification of provisions of Qwest's proposed agreement and specific suggestions of alternative language, why the Commission should not

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approve Qwest's proposed agreement and that the Commission should then, after considering any response by Qwest and any additional process deemed appropriate, approve Qwest's proposed agreement or direct specific language modifications consistent with the Order. The Commission should reject Autotel's attempt to avoid the consequences of the arbitration it commenced through simply ignoring the Order and restarting negotiations.

**RESPECTFULLY SUBMITTED:** August 1, 2005.

Gregory B. Monson Stoel Rives LLP

Robert C. Brown Qwest Services Corporation

Attorneys for Qwest Corporation

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing

## SUPPLEMENTAL INFORMATION IN SUPPORT OF QWEST'S RESPONSE TO

## PROCEDURAL NOTICE AND REPLY OF AUTOTEL was served on the following

by electronic mail on August 1, 2005:

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