

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Withdrawal of Advice Letter )	<u>DOCKET NO. 00-049-T31</u>
00-15 and Introduction of an Equal Access and )	
Network Reconfiguration Recovery Charge )	<u>ORDER ON RECONSIDERATION</u>

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ISSUED: December 12, 2000

By The Commission:

On November 2, 2000, the Commission adopted the recommendation of the Division of Public Utilities and suspended Qwest Corporation's (Qwest) proposed true-up change to a denominated "Equal Access and Network Reconfiguration Recovery Charge (EANRRC)." On November 22, 2000, Qwest filed a Petition for Review and Reconsideration asking the Commission to reconsider its decision and permit the change to become effective. Alternatively, Qwest asked to conduct further proceedings to establish an alternative method for the recovery of costs of implementing intraLATA equal access which have not be fully recovered through an equal access recovery charge element implemented in July 1998.

To clearly identify our intent to permit recovery of these costs, we grant Qwest's alternative relief request. Our November 2nd rejection of the increase in the EANRRC was based upon our view that Utah Code §54-8b-2.4 precludes the rate increase during the three year 'freeze' period following the conclusion of the 1997 general rate case. We also recognize that the statutory prohibition on such a rate change frustrates the intention of Rule 356-8 and our 1998 approval of Qwest's equal access parity plan and the intention to permit Qwest to recover the costs associated with implementing intraLATA equal access dialing parity. Because of the inability to effectuate the rate increase (and simply due to the delay in implementing the proposed rate change on the date anticipated by Qwest in calculating its originally proposed revision), the time period for recovery of the equal access costs contemplated by Rule 356-8 cannot be obtained. Because the end of the three year 'freeze' is drawing near, we anticipate that rate modification and implementation, of a new rate calculated to fully recover equal access costs, could be implemented relatively soon. To that end, a recalculation of the necessary rate change, based on a later rate effective time period, the period length, and estimates of the quantity of the units used for recovery calculations, will need to be done.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

- Future proceedings will be held by the Commission to establish an alternative rate and alternative mechanism, if necessary, to permit Qwest to recover the costs of implementing equal access dialing parity.
- The Commission directs Qwest and the Division of Public Utilities to confer and submit a proposal (including a schedule for any exchange of information, filings, and hearings) for the Commission's consideration in scheduling these future proceedings.

DATED at Salt Lake City, Utah, this 12th day of December, 2000.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary