

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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

ISSUED: November 2, 2000

SYNOPSIS

Since the proposed tariff changes involved a rate increase contrary to § 54-8b-2.4, UCA 1953, as amended, the Commission rejected the proposed changes.

By The Commission:

PROCEDURAL HISTORY

On October 5, 2000, Qwest Corporation filed proposed tariff changes to its Access Service and Price List by withdrawing the changes proposed in Docket No. 00-049-T15 and substituting therefor an Equal Access and Network Reconfiguration Recovery Charge (EANRRC). The matter was referred for review to the Division of Public Utilities, Utah Department of Commerce (DPU), which on October 13, 2000, filed a memorandum recommending disapproval. The DPU based its recommendation on the fact that the proposed EANRCC amounts to a price increase contrary to § 54-8b-2.4, UCA 1953, as amended. We concur with the DPU's analysis and accordingly enter the following

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

- Qwest Corporation's advice letter dated and filed October 5, 2000, and the accompanying proposed tariff changes be, and they are, rejected and permanently suspended.
- Any person aggrieved by this Order may petition the Commission for review within 20 days of the date of this Order. Failure to do so will forfeit the right to appeal to the Utah Supreme Court.

Dated at Salt Lake City, Utah, this 2nd day of November, 2000.

/s/ Stephen F. Mecham, Chairman
/s/ Constance B. White, Commissioner
/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary