

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of an Investigation into)	<u>DOCKET NO. 94-999-01 (Phase IIIA)</u>
Collocation and Expanded Interconnection)	<u>ORDER ON COLLOCATION</u>

ISSUED: January 21, 2000

By The Commission:

On November 1, 1999, AT&T Communications of the Mountain States, Inc., the Division of Public Utilities, Electric Lightwave, Inc., NEXTLINK Utah, Inc., TCG Utah, and U.S. WEST Communications, Inc. (collectively "Joint Parties"), filed a Stipulation and Joint Motion on Collocation. The Joint Parties stipulated as follows:

1. Given the passage of time since the closure of the record and intervening developments such as the decision by the Federal Communications Commission ("FCC") in its *Advanced Services Order* affecting collocation, the Joint Parties stipulate that the objectives of the Commission would be best served by a more updated presentation than exists on the record, based on forward looking modeling. The Joint Parties therefore stipulate that the collocation portion of the above-captioned docket should be closed, and a new docket opened to receive such updated evidence. Interim prices for collocation should remain in effect subject to true-up to appropriate collocation prices established by the Commission in another docket to be established by the Commission; and
2. The other issues presented to the Commission for resolution in Phase IIIA of this docket, including cost recovery for interim local number portability and nonrecurring charges for unbundled network elements, remain, and should be resolved by the Commission in this docket.

Based on the foregoing stipulation, the Joint Parties moved that the Commission enter an Order:

- a. Concluding that the purposes of the Telecommunications Act of 1996 ("Federal Act") would be best served by opening a new docket to receive evidence that reflects current conditions on a forward looking basis and establish appropriate prices for collocation in compliance with the Federal Act, currently effective FCC orders and rules, and Utah law, and closing the collocation portion of the current docket; and;
- b. Retaining existing interim rates for collocation subject to true-up to appropriate prices established in a new docket to be opened to establish appropriate prices for collocation in compliance with the Federal Act, currently effective FCC orders and rules, and Utah law.

The Joint Parties further moved that the Commission enter another Order resolving issues presented in Phase IIIA other than collocation, including cost recovery for interim local number portability and nonrecurring charges for unbundled network elements.

We have reviewed the evidence on collocation submitted into the record in this docket and concur with the Joint Parties that a new presentation of evidence is necessary in order to establish collocation prices in compliance with the Federal Act, currently effective FCC orders and rules, and Utah law. We find and conclude that we should accept the Stipulation and enter the requested orders.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. A new presentation of evidence is necessary to enable the Commission to establish appropriate prices for collocation in compliance with the Federal Act, currently effective FCC orders and rules, and Utah law. Accordingly, the

Commission will open a separate docket to establish collocation pricing. Existing interim rates for collocation that were previously established by the Commission shall remain in effect pending completion of that separate docket, and shall remain subject to true-up to the prices established by the Commission in that docket.

2. The Commission's final order in Phase IIIA of this docket will not address collocation pricing but will resolve the remaining issues presented, including cost recovery for interim local number portability and nonrecurring charges for unbundled network elements. The Commission's final order in Phase IIIA will be the final order in this docket, and this docket will thereafter be closed.

DATED at Salt Lake City, Utah, this 21st day of January, 2000.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary