

MICHAEL L. GINSBERG (#4516)
Assistant Attorney General
Division of Public Utilities
MARK L. SHURTLEFF (#4666)
Attorney General
160 East 300 South
P.O. Box 140857
Salt Lake City, Utah 84114-0857
Telephone (801) 366-0353

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of
BROADWEAVE NETWORKS OF UTAH,
LLC for a Certificate of Public Convenience
and Necessity to Provide Local Exchange
and Facilities-Based Interexchange Services
within the State of Utah

**RESPONSE TO QWEST'S PETITION
FOR RECONSIDERATION**

Docket No. 03-2410-01

The Division of Public Utilities (DPU) files this response to the Petition for

Reconsideration filed by Qwest in this Docket. In support of Qwest's request to hold a hearing in this Certificate proceeding the DPU states as follows:

1. On September 5, 2003 the DPU filed its recommendation with the Commission. In that recommendation the DPU stated that although Broadweave has met the general standards for obtaining a Certificate their potential anti-competitive behavior should be reviewed prior to the grant of a Certificate rather than when a Complaint was filed.

2. Qwest Petition for Reconsideration raises similar issues to what the DPU raised in its Memorandum. Qwest outlines in its Petition an inability to resolve the issues or even establish contact with the appropriate parties.

3. The DPU has also been unable to contact the developer to address the issues Qwest has raised in its Petition for Reconsideration. The DPU was attempting to establish a meeting between Qwest and the Developer to see if their disputes could be resolved. To the best of the DPU's knowledge the issues raised by Qwest in its Petition are still present.

For these reasons the DPU believes a limited grant of Reconsideration is appropriate.

Dated this _____ day of October, 2003.

MICHAEL L. GINSBERG
Assistant Attorney General
Attorney for the Division of Public Utilities

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing **RESPONSE TO QWEST'S PETITION FOR RECONSIDERATION** was mailed on this _____ day of October, 2003 to the following:

Jerold G. Oldroyd
Yvonne R. Hogle, Esq.
BALLARD SPAHR ANDREWS & INGERSOLL
201 South Main St 600
Salt Lake City, UT 84111

Stephen T. Christensen
BROADWEAVE NETWORKS OF UTAH
1520 West 3600 North
Lehi, UT 84043

Gregory B. Monson
STOEL RIVES
201 South Main St 1100
Salt Lake City, UT 84111
