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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

<p>In the Matter of the Petition of QWEST CORPORATION for Arbitration of an Interconnection Agreement with UNION TELEPHONE COMPANY d/b/a UNION CELLULAR under Section 252 of the Federal Telecommunications Act</p>	<p>Docket No. 04-049-145</p> <p>QWEST'S MOTION FOR MODIFICATION OF SCHEDULE</p>
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Qwest Corporation ("Qwest"), pursuant to Utah Admin. Code R746-100-4.D, hereby requests that the Commission enter an order modifying the schedule in the Seventh Scheduling Order ("Order") issued by the Commission on November 9, 2006, to extend the date for Qwest to file supplemental surrebuttal testimony on the Union Telephone Company d/b/a Union Cellular ("Union") third revised cost study from January 5, 2007, to a date 21 days following the date on which Union provides complete answers and confirmations as agreed by the parties in resolution of Qwest's Motion to Compel and for Confirmation of Oral Representations

Regarding Discovery Matters (“Qwest’s Motion”) and to extend other dates as may be necessary based thereon. The grounds for this motion are as follows:

1. Qwest’s Motion was filed on November 1, 2006, seeking an order of the Commission compelling Union to provide full and complete responses to Qwest Data Request Nos. 4-002, 4-004, 4-005, 4-008, 4-009, 5-002 and 5-003. In addition, Qwest’s Motion requested that the Commission order Union to confirm in writing that (1) Qwest may utilize confidential information provided by Union in discovery in Colorado Public Utilities Commission Docket No. 04B-491T as confidential information in this docket; (2) Union does not have any information other than the information actually provided in its responses to Qwest in Data Request Nos. 1-017, 4-001, 5-001 that is responsive to those requests; and (3) Union does not track usage of its GSM switch or cell sites by busy or peak hour and, therefore, cannot respond to Qwest Data Request No. 4-019. In the alternative, Qwest’s Motion requested that if Union could not confirm the foregoing in writing with respect to any data request, the Commission enter an order compelling Union to provide a full and complete response to the data request.

2. On November 8, 2006, a scheduling conference was held before the Commission at which the parties generally agreed to a schedule pursuant to which Union would file a response to Qwest’s Motion and its own motion to compel, if desired, by November 15, 2006, Qwest would respond to Union’s motion to compel by November 28, a hearing would be held on the motions on November 30, parties would provide supplemental responses as ordered by the Commission by December 8, Qwest would file supplemental surrebuttal testimony in response to the revised Union cost study by January 5, 2007, the Division of Public Utilities (“Division”) would file testimony by January 12, if desired, the Division would file a Joint Issues Matrix by

January 17 and hearings would commence on January 24. The Commission issued the Order adopting the schedule proposed by the parties on November 9.

3. Union filed a response to Qwest's Motion on November 15, 2006, generally denying that it needed to provide additional information, but also confirming that Qwest could utilize information provided as confidential information by Union in Colorado as confidential information in this docket. Union also filed its motion to compel with regard to its discovery on issues other than the issues which are the subject of the discovery in Qwest's Motion on November 15.

4. Prior to November 28, 2006, the parties met by telephone to attempt to resolve issues associated with their motions to compel. As a result of those discussions, the parties reached tentative agreement for resolution of the motions. The parties agreed that Union would provide written confirmation of the understandings to Qwest for its review.

5. On November 29, 2006, the parties contacted the Commission, informing the Commission that they did not believe they needed a hearing on the motions to compel, requesting that the motions be held in abeyance and informing the Commission that they would provide a writing to the Commission confirming their understandings.

6. Accordingly, on November 30, 2006, the Commission issued a notice that the hearing on the motions to compel was postponed and might be cancelled without further notice.

7. On December 4, 2006, Union provided a letter to Qwest stating its understanding of the agreement of the parties for resolution of the motions to compel. With respect to Qwest's Motion, the letter confirmed that Union was going to provide additional information in response to Qwest Data Request Nos. 4-002, 4-004 and 4-008, and was going to provide a written confirmation with respect to oral representations related to Qwest Data Request No. 4-009. On

December 6, Qwest responded stating that it generally agreed with Union's understanding of the resolution of Qwest's Motion as far as it went, but providing clarifications and additional points of understanding with regard to resolution of Qwest's Motion, including that Qwest understood that Union would provide a broader written confirmation of oral representations with respect to Data Request No. 4-009 and that it would also provide written confirmation of oral representations regarding Data Request No. 4-019. Qwest's letter also stated that Qwest needed the additional information and confirmations Union had agreed to provide by December 8 or soon thereafter in order to comply with the schedule for filing supplemental surrebuttal testimony in the Order.

8. At 10:10 p.m. on December 12, 2006, Union responded to Qwest's letter with a brief email reporting that Union was working on providing the information it had agreed to provide and would provide a response to Qwest's December 6 letter if it believed Qwest's understanding with respect to any other aspects of the resolution of Qwest's Motion was inconsistent with Union's. At 10:57 a.m. on December 13, Qwest responded by email emphasizing the urgency of providing the information and confirmations immediately in order to avoid the need to extend the supplemental surrebuttal testimony filing date.

9. At 4:43 p.m. on December 15, 2006, having received no further word from Union, Qwest sent an email stating that Qwest would need to seek an extension of the supplemental surrebuttal testimony filing date. Union responded to that email at 8:27 p.m. on December 15, stating that it would oppose a motion for extension and that it would provide the information as soon as possible.

10. On December 22, 2006 at 3:27 p.m., Union forwarded the additional information on Qwest Data Request No. 4-004 it had agreed to provide as part of the resolution of Qwest's

Motion to counsel for Qwest. Unfortunately, Qwest's counsel's office was closed for the Christmas holiday at noon that day. Therefore, the information was not immediately forwarded to Qwest. To date, Union has still not provided the additional information with respect to Qwest Data Request Nos. 4-002 and 4-008 or provided the written confirmations of oral representations on Qwest Data Request Nos. 4-009 or 4-019.

11. The additional information Union agreed to provide but has not yet provided includes its current contracts with Nortel for the major equipment included in its cost study, including switches, base station controllers ("BSC") and base transceiver stations ("BTS") in all configurations, in response to Qwest Data Request No. 4-002 and an identification of equipment used for data services at cell sites in response to Qwest Data Request No. 4-008. Union also needs to confirm oral representations with respect to Qwest Data Request Nos. 4-009 and 4-019. In responses to those data requests and in later conversations regarding the responses, Union has stated that it does not have any data on the capacity of its 71 GSM cell sites by voice or data or in total other than general information previously provided (which does not provide the capacity information Qwest needs) and that it does not have usage of the cell sites during the peak or busy hour by voice or data or in total and that it does not have data on the usage of any of its cell sites by busy or peak hour. All of this information is essential to preparation of Qwest's supplemental surrebuttal testimony on Union's third revised cost study. Qwest needs to have and analyze this information prior to being able to complete and file the supplemental surrebuttal testimony. Analysis of this information, particularly relating the current contract information to the continuing property records that are a basis for Union's cost study, is a detailed and lengthy process. Furthermore, the time of the Qwest personnel involved in this analysis and testimony preparation cannot be devoted exclusively to this project.

12. Given that this motion is filed on December 29 and Union has not yet provided the additional information, Qwest will be unable to file its supplemental surrebuttal testimony before January 23, 2007, even assuming the additional information and confirmations are provided on January 2, 2007, the next business day. Therefore, it is highly likely that other dates in the schedule, including the hearing date will need to be changed.

Based upon the foregoing, Qwest requests that the Commission modify the schedule in the Order to provide an extension for Qwest to file its supplemental surrebuttal testimony to a date 21 days following the date on which Union provides the additional information and written confirmations it has agreed to provide in resolution of Qwest's Motion and adjusting other dates in the schedule as may be necessary based on that modification.

RESPECTFULLY SUBMITTED: December 29, 2006.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **QWEST'S MOTION FOR MODIFICATION OF SCHEDULE** was served upon the following by electronic mail on December 29, 2006:

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