

Robert C. Brown
Qwest Services Corporation
1801 California, 10th Floor
Denver, CO 80202
(303) 383-6642
(303) 296-3132 (fax)
robert.brown@qwest.com

Gregory B. Monson (2294)
Stoel Rives LLP
201 South Main Street, Suite 1100
Salt Lake City, Utah 84111
(801) 578-6946
(801) 578-6999 (fax)
gbmonson@stoel.com

Attorneys for Qwest Corporation

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Petition of QWEST CORPORATION for Amendment of Rules Based on 1 st Substitute Senate Bill 108	Docket No. 05-049-__ PETITION FOR RULES CHANGES BASED ON 1ST SUBSTITUTE SENATE BILL 108
---	--

Qwest Corporation (“Qwest”), pursuant to Utah Code Ann. § 63-46a-12 and Utah Admin. Code R15-2 and R746-100-14.A.2, petitions the Commission to change the following rules based on the enactment of 1st Substitute Senate Bill 108 (“SB 108”) in the 2005 General Session of the Utah Legislature and the signing of the bill by the Governor and Lieutenant Governor to be effective May 2, 2005:¹

¹ In addition to changes necessary to make the rules consistent with SB 108, Qwest also suggests various amendments consistent with the passage of time since some of the rules were enacted or to correct clerical errors in the rules noted while reviewing them for changes based on SB 108. Only changes to sections of rules otherwise being addressed based on SB 108 are suggested.

RULES TO BE AMENDED

1. R746-240 – Telecommunication Service Rules
 - a. R746-240-1 – General Provisions
 - b. R746-240-3 – Deposits and Eligibility for Service
 - c. R746-240-4 – Account Billing
 - d. R746-240-7 – Review and Resolution of Disputes
2. R746-340 – Service Quality for Telecommunications Corporations
 - a. R746-340-1 – General
 - b. R746-340-8 – End User Service Standards for Incumbent Telecommunications Corporations with 30,000 or More Access Lines in Utah, Not Subject to Sufficient Competition
3. R746-347 – Extended Area Service
 - a. R746-347-1 – Purpose and Authority
 - b. R746-347-2 – Definitions
4. R746-349 – Competitive Entry and Reporting Requirements
 - a. R746-349-4 – Reporting Requirements
 - b. R746-349-7 – CLEC Exemptions
5. R746-356 – Intrastate (IntraLATA) Equal Access To Toll Calling Services By Telecommunications Carriers
 - a. R746-356-2 – Definitions
 - b. R746-356-3 – Equal Access Implementation
 - c. R746-356-4 – Equal Access Implementation Plans
 - d. R746-356-8 – Equal Access Implementation Costs Recovery Procedure
6. R746-360 – Universal Public Telecommunications Service Support Fund
 - a. R746-360-2 – Definitions

- b. R746-360-6 – Eligibility for Fund Distributions
 - c. R746-360-8 – Calculation of Fund Distributions in Rate-of-Return Incumbent Telephone Corporation Territories
7. R746-405 – Filing of Tariffs for Gas, Electric, Telephone, and Water Utilities
- a. R746-405-1 – General Provisions

RULES TO BE REPEALED

- 8. R746-349-6 – Price Floor
- 9. R746-351 – Pricing Flexibility
- 10. R746-352 – Price Cap Regulation

Qwest requests that the rules changes be made in accordance with Attachment 1 to this petition.

SB 108 enacted sweeping changes to telecommunications law in the state. The changes generally granted Qwest parity with competitive local exchange carriers in retail pricing. In particular, SB 108 granted Qwest pricing flexibility for all retail services, subject to a price cap on basic residential service; allowed electronic filing of price lists; and eliminated the requirement that competitive contracts be filed, all under section 54-8b-2.3. It repealed price index regulation of prices of services provided under tariff under section 54-8b-2.4 and eliminated the price floor test under section 54-8b-3.3(3). It imposed limitations on retail service quality regulation under section 54-8b-3.3(6) at current levels. SB 108 eliminated the requirement that certain negotiated contracts be filed for approval under section 54-8b-4.5(3). Finally, it modified provisions related to discrimination and preferences in sections 54-3-7, 54-3-8 and 54-8b-3.3.

The foregoing rules have provisions inconsistent with these statutory changes. Therefore, Qwest respectfully requests that the rules be changed consistent with these statutory changes in accordance with Attachment 1.

DATED: March 7, 2005.

Gregory B. Monson
Stoel Rives LLP

Robert C. Brown
Qwest Services Corporation

Attorneys for Qwest Corporation

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **PETITION FOR RULES CHANGE BASED ON 1ST SUBSTITUTE SENATE BILL 108** was served by electronic mail on all persons on the Commission's service list for service of telecommunications notices and orders on March 7, 2005:
