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Division of Public Utilities

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Director, Division of Public Utilities

July 27, 2007

TO: PUBLIC SERVICE COMMISSION

FROM: DIVISION OF PUBLIC UTILITIES

Constance B. White, Director
Laura Scholl, Manager Telecommunications
Casey J. Coleman, Technical Consultant

Re: Qwest's Notice of Joint Filing and Amended Request for Order Approving Settlement Agreement Docket No. 06-049-40

RECOMMENDATION:

The Division recommends that the Commission approve the Settlement Agreement filed by the parties. All of the parties have negotiated the terms and conditions in good faith and agreed to terms that the Division sees no reason to reject.

ISSUES:

On February 16, 2006 the Joint CLECs filed a request with the Commission asking that the Commission develop and approve both a list of Non-Impaired Wire Centers and a process for future updates of the wire center list for Qwest in Utah. To meet the request of the Joint CLECs the Commission started a proceeding to review all of the information. Over the next few months both parties as well as the Division filed testimony providing direction to the Commission. On September 11, 2006 the Commission provided direction that concluded many of the contested areas of this Docket. On June 27, 2007 a Joint Filing was provided that resolved all remaining issues dealing with the TRRO wire centers.

The Division has reviewed the settlement agreement and recommends the Commission approve the agreement. The agreement incorporates the findings from the Commission and resolves the major remaining issue which was the Non-Recurring charge CLECs would be required to pay Qwest.

cc: Gregory J. Kopta, Attorney, Joint CLECs
Alex M. Duarte, Attorney, Qwest
Michael Ginsberg, Assistant Attorney General