

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Petition of Qwest vs.)
Dixie Communications and Old West) DOCKET NO. 06-049-43
Paging for Approval of Interconnection)
Agreement to Implement FCC Ruling in) ORDER DISMISSING PETITION
T-Mobile Order)

ISSUED: August 22, 2006

By The Commission:

On March 17, 2006, Qwest Corporation (“Qwest”), pursuant to 47 U.S.C. § 252(b), filed a Petition for Approval of Interconnection Agreements to Implement FCC Ruling in *T-MOBILE ORDER* (“Petition”) seeking Commission approval of a Type 1 and Type 2 interconnection agreement (“ICA”) between Qwest, Dixie Communications (“Dixie”) and Old West Paging (“Old West”) to implement the ruling of the Federal Communications Commission (“FCC”) in *In the Matter of Developing a Unified Intercarrier Compensation Regime, T-Mobile et al. Petition for Declaratory Ruling Regarding Incumbent LEC Wireless Termination Tariffs*, CC Docket 01-92, FCC 05-42 (rel. February 24, 2005) (“*T-Mobile Order*”). The Petition indicated Dixie and Old West had failed to negotiate an ICA with Qwest, forcing Qwest to seek approval of the ICA attached to the Petition.

The Commission thereafter set an arbitration hearing on this matter for August 24, 2006. However, on August 21, 2006, Qwest filed a Motion to Dismiss requesting dismissal of its Petition. In support of this request, Qwest states Qwest, Dixie, and Old West executed a Type 1 and Type 2 Paging Connection Service Agreement on August 1, 2006, and have filed

said agreement with the Commission for approval, thereby resolving the matter that was the subject of the Petition.

Wherefore, based upon the foregoing information, and for good cause appearing, the Administrative Law Judge enters the following proposed:

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The Petition filed herein is dismissed.
2. Pursuant to *Utah Code Annotated* §§ 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of *Utah Code Annotated* §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

Dated at Salt Lake City, Utah, this 22nd day of August, 2006.

/s/ Steven F. Goodwill
Administrative Law Judge

DOCKET NO. 06-049-43

-3-

Approved and Confirmed this 22nd day of August, 2006, as the Report and Order
of the Public Service Commission of Utah.

/s/ Ric Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/Julie Orchard
Commission Secretary
G#50197