

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

LeRoy Koppendraye
Marshall Johnson
Phyllis Reha
Thomas Pugh

Chair
Commissioner
Commissioner
Commissioner

In the Matter of the Petition of Eschelon
Telecom, Inc. for Arbitration of an
Interconnection Agreement with Qwest
Corporation Pursuant to 47 U.S.C. § 252(b)

ISSUE DATE: June 4, 2007

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ORDER DENYING RECONSIDERATION

PROCEDURAL HISTORY

On May 26, 2006, Eschelon Telecom, Inc. (Eschelon), asked the Commission to arbitrate disputed issues in an interconnection agreement with Qwest Corporation (Qwest) pursuant to Sections 251 and 252 of the federal Telecommunications Act of 1996.¹

On March 30, 2007, the Commission issued its ORDER RESOLVING ARBITRATION ISSUES, REQUIRING FILED INTERCONNECTION AGREEMENT, OPENING INVESTIGATIONS AND REFERRING ISSUE TO CONTESTED CASE PROCEEDING.

On April 9, 2007, Qwest petitioned the Commission to reconsider its decision on two issues:
1) limits on Qwest's discretion to characterize a missed deadline as "Customer Not Ready," and
2) limits on Qwest's discretion to discontinue processing orders for Eschelon.

On April 30, 2007, Eschelon and the Minnesota Department of Commerce each recommended that the Commission deny Qwest's request.

The Commission met on May 31, 2007, to consider this matter.

FINDINGS AND CONCLUSIONS

The Commission has reviewed the record and the arguments of the parties.

¹ Pub.L.No. 104-104, 110 Stat. 56, codified in various sections of Title 47, United States Code.

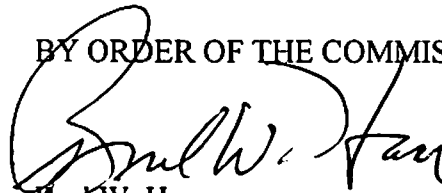
The Commission finds that the petition for reconsideration does not raise new issues, does not expose errors or ambiguities in the March 30 Order, and does not otherwise persuade the Commission that it should rethink the decision set forth therein. The Commission concludes that those decisions are the most consistent with the facts, the law and the public interest, and will therefore deny the petition for reconsideration.

The Commission will so order.

ORDER

1. The petition for reconsideration is hereby denied.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION



Burl W. Haar
Executive Secretary

(S E A L)

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