

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of Qwest Corporation's)
Petition for Commission Approval of 2008) DOCKET NO. 08-049-29
Additions to Non-Impaired Wire Center)
List) REPORT AND ORDER APPROVING
) TIER 2 DESIGNATION OF QWEST'S
) DRAPER WIRE CENTER
)

ISSUED: August 11, 2008

SYNOPSIS

The Commission approves Qwest Corporation's ("Qwest") designation of the Draper central office as a Tier 2 non-impaired wire center and its addition as such to Qwest's non-impaired wire center list. The Commission further determines the designation and addition to be effective the date of this Order.

By The Commission:

PROCEDURAL HISTORY

On June 20, 2008, Qwest Corporation ("Qwest") filed a Petition for Commission Approval of 2008 Additions to Non-Impaired Wire Center List and Motion for Expedited Issuance of Protective Order seeking the opening of a Commission docket for approval of Qwest's 2008 additions to its non-impaired wire center list and issuance of a protective order to govern disclosure of information relevant to Qwest's data supporting its list of additional non-impaired wire centers. Qwest seeks Commission approval of the Tier 2 non-impairment designation for its Draper Utah wire centers.

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On July 2, 2008, the Commission issued a Protective Order. However, on July 3, 2008, the Commission issued a Revised Protective Order, in lieu of that issued July 2, 2008, which included additional procedures governing the disclosure and handling of what may be denominated by Qwest as “Highly Confidential” information. This case has followed the procedural process arising from interested carriers’ stipulation approved in Docket No. 06-049-40 and used in Docket No. 07-049-30, to facilitate the exchange of information relevant to Qwest’s Petition and ultimate Commission designation of qualifying wire centers as non-impaired wire centers. As such, interested carriers have had opportunity to review Qwest’s data and no one has objected to the requested addition of the Draper exchange/wire center to Qwest’s Tier 2 Non-Impaired Wire Center List. The only filing submitted to the Commission is the July 30, 2008, memorandum of the Division of Public Utilities, which recommends approval.

DISCUSSION, FINDINGS, AND CONCLUSIONS

As no party or person has presented any opposition, it appears no dispute exists regarding the designation of Qwest’s Draper wire center as a Tier 2 non-impaired wire center. The Administrative Law Judge therefore views this matter as unopposed and uncontested and concludes it is in the public interest to proceed informally without hearing. Pursuant to Rule 746-110-2, the Administrative Law Judge also concludes good cause exists to waive the 20-day tentative period for an order issued in an informally adjudicated proceeding. Accordingly, the Administrative Law Judge recommends this order become effective on the date of issuance.

Based upon the record presented and recommendation, the Administrative Law Judge finds that Qwest’s Draper wire center should be designated a Tier 2 non-impaired wire

center. As was done in Docket 07-049-30, the non-impaired designation approved by this Report and Order should be effective upon issuance of this Report and Order.

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:

- This matter be, and it is, converted to an informal proceeding pursuant to §63-46b-4(3), UCA 1953, as amended.
- Qwest Corporation's designation of its Draper Utah central office as a Tier 2 non-impaired wire center and its addition as such to Qwest's non-impaired wire center list is approved, effective the date of this Order.

This Order constitutes a final order of the Commission with respect to those issued decided herein. 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

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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 11th day of August, 2008.

/s/ Sandy Mooy
Administrative Law Judge

Approved and Confirmed this 11th day of August, 2008, as the Report and Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#58429