



State of Utah  
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Division of Public Utilities

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December 10, 2009

**TO: PUBLIC SERVICE COMMISSION**

**FROM: DIVISION OF PUBLIC UTILITIES**  
Philip J. Powlick, Director  
Bill Duncan, Manager, Telecommunications and Water  
Casey J. Coleman, Utility Technical Consultant

**RE:** In the Matter of the Petition of Qwest Corporation for Arbitration of an Interconnection Agreement with FirstDigital Telecom Pursuant to Section 252 of the Federal Telecommunications Act of 1996 Docket No. 09-049-57

**RECOMMENDATION:**

The Division recommends that the Commission hold a scheduling conference in this Docket.

**ISSUES:**

On November 2, 2009 Qwest Corporation ("Qwest") filed a petition asking the Commission for Arbitration of an Interconnection Agreement with FirstDigital Telecom ("FirstDigital"). Qwest's petition alleges that both parties have been in conversations regarding the agreement, but no acceptable resolution had been reached by either party.

The Division recommends the Commission hold a technical conference where the issues outstanding with the agreement can be determined and a schedule for this docket can be established.

cc: Michael Ginsberg, Assistant Attorney General  
Wesley McDougal, President First Digital  
Sharon M. Bertelsen, Ballard Spahr LLP  
Jim Farr, Qwest  
Alex Duarte, Qwest