



State of Utah
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Division of Public Utilities

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May 13, 2010

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 Review and Termination of Qwest's Performance Assurance Plan Termination pursuant to Section 16.3 Docket No. 09-049-60.

ISSUES:

On December 15, 2009 Qwest Corporation ("Qwest") filed a request for a technical conference to accomplish the review contemplated in section 16.3 of the Qwest Performance Assurance Plan ("QPAP"). The Commission held a technical conference and determined more discussion was needed among the parties to determine what course of action, if any, was needed. Specifically the Commission ordered that "the parties meet and discuss these issues to determine if a settlement among the parties is possible."

The Division along with representatives from Qwest, Comcast, Integra, McLeod, and XO held settlement meetings over the course of the last few months. Many ideas and concerns were discussed, but ultimately the differences between the parties could not be bridged through discussions. No further discussions are scheduled at this time.

cc: Michael Ginsberg, Assistant Attorney General
Sharon M. Bertelsen, Ballard Spahr LLP
Jim Farr, Qwest
Alex Duarte, Qwest
Rex Knowles, XO
Douglas K. Denney, Integra
Julia Redman-Carter, McLeodUSA
Michael Nelson, Comcast