

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of AT&T)
Broadband Phone of Utah, LLC for a)
Certificate of Public Convenience and)
Necessity to Provide Switched and)
Dedicated, Resold and Facilities-Based Local)
Exchange and Resold and Facilities-Based)
Interexchange Services with the State of Utah)

DOCKET NO. 01-2383-01

In the Matter of the Petition of)
QWEST CORPORATION for Pricing)
Flexibility for Business Services in the Areas)
Served by the American Fork, Brigham City,)
Farmington, Layton, Lehi, Logan, Magna,)
Ogden West, Park City, Pleasant Grove,)
Riverton, Smithfield, Spanish Fork,)
Springville and Tooele Central Offices)

DOCKET NO. 02-049-82
ORDER GRANTING RECONSIDERATION
AND
ORDER ON RECONSIDERATION

ISSUED: March 5, 2003

By The Commission:

PROCEDURAL HISTORY

On February 14, 2003, Qwest Corporation (Qwest) petitioned for review, rehearing or reconsideration of our January 28, 2003, Report and Order (Order). Of the various points raised in Qwest=s Petition, we grant reconsideration of only one and enter this Order addressing that point.

In our January 28, 2003, Report and Order, we stated "in areas where there is only one competitor, or in areas where only resale competition exists the Commission believes protection of the public interest in this Docket requires the imposition of a price cap at the time pricing flexibility is granted." Order, at 7. Our understanding of the record at the time of the issuance of our Order was that there was only one competitor in the Tooele area. Based on that understanding, the Order imposed price caps on the business services offered by Qwest in the Tooele area, in the pricing flexibility granted in the Order. In its Petition, Qwest establishes that we erroneously applied our criteria to the Tooele area. Qwest shows that the record evidence indicates that Eschelon, McLeod and XO offer business services in the Tooele Central Office area. We acknowledge our error in applying our criteria to the Tooele Central Office and enter this order removing the price caps imposed on business services offered by Qwest.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

! The Commission grants reconsideration on the issue of the January 28, 2003, Report and Order=s imposition of price caps for business services in the Tooele Central Office area.

! The Commission denies reconsideration on all other issues raised in Qwest=s February 14, 2003, Petition.

! The provisions of the January 28, 2003. Report and Order imposing price caps on business services in the Tooele Central Office area (Ordering Paragraph No. 2, Order, at14) are hereby vacated and withdrawn. There will be no price

caps on business services in any of the central office areas for which Qwest was granted pricing flexibility.

Dated at Salt Lake City, Utah, this 5th day of March, 2003.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary

#32973 (Docket No. 02-049-82)

#32974 (Docket No. 01-2383-01)