

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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|---------------------------------------|---|-----------------------------|
| In the Matter of the Petition of      | ) |                             |
| QWEST CORPORATION for                 | ) | <u>DOCKET NO. 02-049-76</u> |
| Declaratory Ruling or, in the         | ) |                             |
| Alternative, for Approval of the Sale | ) | <u>PROCEDURAL ORDER</u>     |
| of the Utah Assets of Qwest Dex, Inc. | ) |                             |

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ISSUED: October 8, 2002

By The Commission:

A hearing was held before the Commission pursuant to notice on September 26, 2002. Counsel appearing in person were Gregory B. Monson and Ted D. Smith of Stoel Rives LLP for Qwest Corporation ("Qwest"); William J. Evans of Parsons Behle & Latimer for Dex Holdings, LLC ("Dex Holdings"); Michael Ginsberg, Assistant Attorney General, for the Division of Public Utilities ("Division"); and Reed Warnick, Assistant Attorney General, for the Committee of Consumer Services. Betsy Wolf also appeared for Salt Lake Community Action Program. Others appearing by telephone were Philip J. Roselli for Qwest Corporation, Richard R. Cameron of Latham & Watkins for Dex Holdings; and Gregory J. Kopta of Davis Wright & Tremaine LLP for XO Utah, Inc.

Qwest's request for a declaratory ruling was discussed. The Commission determined to schedule the matter without ruling on the request, and Qwest agreed to file its consent to an extension of the 60-day period within which the Commission would be required to rule on the request or it would be denied.

A proposed schedule was provided to the Commission and procedures for the proceeding were discussed. Based upon the foregoing and good cause appearing, the Commission makes the following procedural order.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. The following schedule shall govern future proceedings in this docket unless otherwise ordered by the Commission:

- |                      |                                                                                                                                                                                                                 |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| November 15, 2002    | Qwest direct testimony due                                                                                                                                                                                      |
| January 8, 2003      | Technical conference between the parties for the purpose of determining whether any issues may be resolved by stipulation                                                                                       |
| January 9, 2003      | Deadline for intervention. Parties intervening may not request an extension of the schedule on the basis of the time between the intervention deadline and the date testimony is due or hearings are scheduled. |
| January 27, 2003     | Testimony of all parties other than Qwest due                                                                                                                                                                   |
| February 14, 2003    | Qwest rebuttal testimony due                                                                                                                                                                                    |
| February 27-28, 2003 | Hearing                                                                                                                                                                                                         |
| February 27, 2003    | Public witness hearing commencing at 4:30 p.m.                                                                                                                                                                  |

2. The technical conference in the foregoing schedule shall be conducted by the Division and held in Room 427, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah, commencing at 10:00 a.m. If a party wishes to participate in the technical conference by telephone, it shall notify the Division at least three business days in advance of the conference.

3. Hearings in the foregoing schedule shall be held in the Commission's main hearing room, Room 426, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah, and shall commence at 9:00 a.m. unless otherwise directed by the Commission.

4. Written responses to discovery requests shall be provided within 14 days of the date the discovery requests are served. Discovery requests and responses shall be in writing and shall be served on counsel for the party to whom discovery is requested or the party requesting discovery, respectively. Qwest shall provide a copy of discovery requests served on it in dockets pending in other states to review the proposed sale of Qwest Dex, Inc.'s assets and operations to Dex Holdings to any party requesting the same through a discovery request.

5. The parties shall, if possible, serve all pleadings, motions, testimony, discovery requests, discovery responses and other filings by electronic mail. If any party does not have an electronic mail address or is unable to send documents by electronic mail, service shall, if possible, be by facsimile. If a party has neither an electronic mail address nor a facsimile number or a party is unable to serve documents by electronic mail or facsimile, documents shall be served by United States mail, hand delivery or overnight courier at the discretion of the serving party. In addition to service by electronic mail or facsimile, testimony, including exhibits, shall be served either by (i) United States Mail, hand delivery or overnight courier at the discretion of the serving party or (ii) electronically in an exact page image (pdf) format. It is understood that attachments or exhibits that are not available electronically and which are too bulky to be served by facsimile will be either hand-delivered or sent by overnight courier to parties who would otherwise be entitled to receive service of them by electronic mail or facsimile.

6. In compliance with the Americans with Disabilities Act, individuals needing special accommodations, including auxiliary communications aids and services, during any conference or hearing in this docket should notify Julie Orchard, Commission Secretary, 160 East 300 South, Room 400, Box 45585, Salt Lake City, Utah 84145-0585, Telephone: (801) 530-6713, at least three working days in advance of the conference or hearing.

DATED at Salt Lake City, Utah this 8<sup>th</sup> day of October, 2002.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard,  
Commission Secretary

G#31157