

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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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

REVISED PROCEDURAL ORDER

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ISSUED: December 6, 2002

By The Commission:

Following technical conferences in this matter held on November 15, 22 and 26, 2002, the parties to this docket agreed to an adjustment in the schedule. As part of this agreement, Qwest Corporation ("Qwest") agreed to a 30-day extension of the requirement of Utah Code Ann. § 54-8b-2.3(2)(b)(iv) that the Commission issue its final order in this matter within 90 days of the date Qwest's petition was filed in order to allow the Division of Public Utilities ("Division") additional time to investigate provision of business services by competitive local exchange carriers ("CLECs") in the wire centers which are the subject of Qwest's petition. Qwest made this agreement in this docket based on two understandings. First, if the parties are able to reach a stipulation regarding resolution of this matter at the conclusion of the Division's investigation, the parties may present the stipulation to the Commission prior to the scheduled hearing if the Commission's schedule permits. Second, in agreeing to extend the 90-day period in this docket, it is understood by the parties that no precedent would be set for any future docket.

Based upon the foregoing and good cause appearing, the Commission makes the following revised 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:

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|-------------------|---|
| December 19, 2002 | Technical conference between the parties for the purpose of presentation of Division findings regarding competition by CLECs in Qwest wire centers and for determining if issues may be resolved by stipulation |
| December 27, 2002 | Qwest may file supplemental testimony if it wishes to do so   |
| January 6, 2003   | Testimony of all parties other than Qwest due   |
| January 13, 2003  | Hearing   |

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 one business day 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 served through December 31, 2002 shall be provided within 10 days of the date the discovery requests are served. Written responses to discovery requests served after December 31, 2002 but not later than January 7, 2003 shall be provided by January 10, 2003. 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.

5. It is understood that the Division will be conducting discovery of CLECs that may not be parties to this proceeding. Such discovery is conducted not only as a part of this docket, but pursuant to the Division's authority to conduct investigations and compile information relevant to matters within the jurisdiction of the Commission pursuant to Utah Code Ann. § 54-4a-1. Given the limited time frame for this docket provided in Utah Code Ann. § 54-8b-2.3(2)(b)(iv), CLECs shall provide responses to the Division's requests in accordance with the schedule for discovery between parties set forth in the foregoing paragraph absent good cause shown for an extension to respond. Competitively sensitive information provided by CLECs that are not parties and marked as confidential or highly sensitive by them will be handled in accordance with the terms of the protective order issued by the Commission in this docket.

6. 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 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.

7. 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 6<sup>th</sup> day of December, 2002.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard,

Commission Secretary

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