

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the )  
Interconnection Agreement between )  
Qwest Corporation and Lightyear )  
Network Solutions, Inc. )  
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DOCKET NO. 04-049-112  
NOTICE OF HEARING AND  
ORDER TO SHOW CAUSE

ISSUED: February 18, 2005

By the Commission:

On July 15, 2004, the Commission received an Interconnection Agreement between Qwest Corporation and Lightyear Network Solution, LLC (Lightyear). On October 6, 2004, the Commission received a Memorandum from the Division of Public Utilities recommending that the Commission suspend or deny approval of the Interconnection Agreement because Lightyear had not qualified for a certificate of public need and convenience. In error, on October 6, 2004, the Commission sent a letter to Qwest Corporation indicating that the Commission had received a Division of Public Utilities recommendation to acknowledge an "Amendment" and that the "Amendment" would become effective 90 days from its filing and deemed approved on October 13, 2004.

Since that time, Lightyear has failed to obtain any certificate for its operations in the State of Utah. The Commission hereby enters this order to show cause to determine whether the Interconnection Agreement submitted July 15, 2004, should not be suspended and Lightyear be required to account for any operations conducted in the State of Utah without obtaining a certificate for its operations within the state.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

Lightyear Network Solution, LLC. and its officers or representatives, shall appear before the Administrative Law Judge of the Commission on **Wednesday, March 16, 2005, at 9:00 a.m.**, in the Fourth Floor Hearing Room #451, Heber M. Wells State Office Building, 160 East 300 South, Salt Lake City, Utah, to show cause, if any, why Lightyear Network Solution LLC has operated as a public utility without a certificate of public convenience and necessity, and further to show cause why Lightyear Network Solution LLC should not be fined for operating

without a certificate, and have other remedies imposed on Lightyear Solution LLC and its officers.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify the Commission at 160 East 300 South, Salt Lake City, Utah, 84111, (801) 530-6716, at least three working days prior to the hearing.

DATED at Salt Lake City, Utah, this 18<sup>th</sup> day of February, 2005.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary

GW#42830