

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Petition of Qwest) DOCKET NO. 06-049-91
Corporation Pursuant to Utah Code Ann.)
Section 54-7-13 for Rescission of Order) ORDER RESCINDING ORDER OF
Issued on August 14, 1992, in Docket No.) AUGUST 14, 1992, IN DOCKET NO.
91-049-13) 91-049-13

ISSUED: November 17, 2006

By The Commission:

On October 11, 2006, Qwest Corporation (“Qwest”), pursuant to *Utah Code Ann.* § 54-7-13, filed a Petition for Rescission (“Petition”) asking the Commission to rescind its Order of August 14, 1992, in Docket No. 91-049-13 (“1992 Order”) requiring US West, Qwest’s predecessor in interest, to file certain information and reports at the Commission relating to compliance with existing Federal Communications Commission (“FCC”) cost allocation procedures, known as “Part 64”. The 1992 Order also requires Qwest to inform customers that voice messaging service (“VMS”) may be available from other providers that are listed in telephone directories before explaining Qwest’s own VMS arrangements and rates. The Petition states Qwest has complied with the requirements of the 1992 Order, but that many changes have taken place in the telecommunications industry since 1992, including increased competition in the telecommunications industry and the fact that Qwest is no longer a rate-of-return regulated company, such that the requirements imposed on Qwest by the 1992 Order no longer make any sense. Qwest states rescinding the 1992 Order will remove several unnecessary administrative burdens on Qwest and notes that Utah is the only state in Qwest’s 14-state region that still requires Qwest to provide certain reports and information related to Part 64 and to inform customers that other carriers offer VMS.

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On November 6, 2006, the Utah Division of Public Utilities (“Division”) filed a memorandum recommending the Commission rescind the 1992 Order as requested. The Division notes that Qwest, then US West, was regulated under rate-of-return regulation when the 1992 Order was issued and was thus required to allocate costs separately for operations or services that were non-regulated per FCC Part 64 rules. Since Qwest is no longer rate-of-return regulated, the reasons for separation of VMS costs and compilation of required reports and information no longer exist. The Division believes enough competition exists in the VMS market that Qwest should be permitted to market VMS as it sees fit.

Having considered these pleadings, we concur and therefore determine to rescind our 1992 Order.

Wherefore, based upon the foregoing information, and for good cause appearing, we enter this Order rescinding the Order issued on August 14, 1992, in Docket No. 91-049-13.

Dated at Salt Lake City, Utah, this 17th day of November, 2006.

/s/ Ric Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#51391