

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Investigation into the Reasonableness of the Rate and Charges of THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY.)
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DOCKET NO. 88-049-07
REPORT AND ORDER

ISSUED: October 6, 2004

SYNOPSIS

In a memo dated October 1, 2004 the Division of Public Utilities recommended that the "Commission order the discontinuation of Qwest's obligation to file its Separated Results of Operations . . . required by Commission Order in Docket No. 88-049-07." The Commission concurs with the recommendation and so orders.

By The Commission:

On October 1, 2004, the Division of Public Utilities (Division) submitted a memo to the Commission explaining that Qwest continues to file a report semiannually (Separated Results of Operations - hereafter called the DPU Report) required by Commission Order in Docket No. 88-049-07. The Division and Qwest believed that the report currently serves no valid regulatory purpose. The Division noted that: "Qwest recently commented that the required report ("DPU Report") is burdensome to prepare and wished to discontinue this obligation" The Division stated that: "At this time, the Division is unaware of any need for this data for continued regulatory oversight of Qwest and agrees with Qwest that this report should no longer remain an obligation." The Commission has reviewed the reporting requirement and agrees with the Division that the information contained in the DPU Report is no longer required to accomplish the regulatory oversight that the Commission now exercises with respect to Qwest.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

- Qwest is no longer required to submit the Separated Results of Operations Report, originally Ordered in

this Docket, to either the Division or the Commission.

- Any person aggrieved by this Order may petition the Commission for review/rehearing pursuant to the *Utah Administrative Procedures Act, Utah Code Ann. §63-46b-1 et seq.* Failure so to do will preclude judicial review of the grounds not identified for review. *Utah Code Ann. §54-7-15.*

DATED at Salt Lake City, Utah, this 6th day of October, 2004.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

G#40743