

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Petition of U.S. WEST)
COMMUNICATIONS, INC., for Pricing)
Flexibility)

DOCKET NO. 99-049-17
PROCEDURAL ORDER AND NOTICE OF
HEARING

ISSUED: November 30, 1999

By The Commission:

A technical conference was held in this docket on November 29, 1999, pursuant to the Procedural Order entered by the Commission on November 18, 1999.

U.S. WEST COMMUNICATIONS, INC. ("US WEST"), the Division of Public Utilities ("Division"), the Committee of Consumer Services, Nextlink Utah, Inc., AT&T Communications of the Mountain States, Inc., and Electric Lightwave, Inc., participated in the conference. The Commission participated in the first portion of the conference and requested that the parties attempt to arrive at a list of the same or substitutable services and defined geographic areas in which they are offered, to determine whether any other issues existed with respect to granting pricing flexibility to US WEST for those services and making the pricing flexibility effective, and to schedule a hearing to resolve these issues during the month of December 1999 if possible.

The Division distributed a list of the same or substitutable services and a map identifying the geographic areas in which the services are offered by competitive local exchange carriers ("CLECs"). US WEST also distributed a list. However, it was determined that the Division's list, being based on information provided by CLECs as well as public information available to US WEST, was more complete. Therefore, the parties agreed to use the Division's list and map and to identify any problems with them by December 1, 1999.

Additional issues relating to a grant of pricing flexibility and effectiveness of pricing flexibility under Utah Code Ann. § 54-8b-2.3 were discussed. The parties agreed to determine whether there were disputes regarding these issues so that it could be determined whether a hearing would be required and the nature of the hearing. The parties agreed that a scheduling conference should be held on December 8, 1999 at 9:00 a.m. to determine whether disputes existed and, if so, how those disputes would be resolved.

Based upon the foregoing and good cause appearing, the Commission makes the following order and provides the following notice of hearing.

ORDER AND NOTICE OF HEARING

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

- Any party wishing to identify problems with the Division's list of the same or substitutable services or its map of defined geographic areas, shall provide a written identification of such problems to the Division by December 1, 1999. The written identification shall be served on all parties to this docket.
- Notice is hereby given that a hearing shall be held on Wednesday, December 8, 1999 at 9:00 a.m. in the Commission's main hearing room, Room 426, Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah 84111. Any person wishing to participate in the hearing by telephone should contact Julie Orchard, Commission Secretary, at (801) 530-6713 in advance of the hearing.
- At the hearing noticed in the foregoing paragraph, all parties shall be prepared to identify any reason they believe US WEST should not be granted pricing flexibility for the services identified in the Division's list in the

geographic areas identified on the Division's map, as modified based on comments received. In addition, all parties shall be prepared to identify any reasons why the grant of pricing flexibility to US WEST should not be effective immediately upon the grant and to propose procedures, including any discovery necessary, for resolution of any disputes.

- If necessary, the Commission will schedule further hearings and procedures based upon the positions of the parties at the hearing on December 8, 1999.

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

DATED at Salt Lake City, Utah, this 30th day of November, 1999.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary