

**Qwest**  
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Suite 810  
Portland, Oregon 97204  
Telephone: 503-242-5420  
Facsimile: 503-242-8589  
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**Carla M. Butler**  
Lead Paralegal

April 24, 2007

Frances Anglin-Nichols  
Oregon Public Utility Commission  
550 Capitol St., NE  
Suite 215  
Salem, OR 97301

Re: UM 1299

Dear Ms. Nichols:

Enclosed for filing in the above entitled matter please find an original and (5) copies of QWEST CORPORATION'S MOTION FOR A BRIEF EXTENSION OF TIME TO COMPLY WITH ORDER NO. 04-225 FOR A SMALL NUMBER OF CUSTOMERS DUE TO LACK OF TIMELY FCC § 214 APPROVAL, along with a certificate of service.

If you have any questions, please do not hesitate to give me a call.

Sincerely,



Carla M. Butler

**CMB:**  
Enclosures

L:\Oregon\Executive\Duarte\UM 1299 (UA 55)\UM 1299 Transmittal Ltr 4-24-07.doc

**BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON**

**UM 1299**

In the Matter of

QWEST CORPORATION

Petition to Abandon Local Exchange Services  
in the Beavercreek Exchange (UA 55 Area)

**QWEST'S MOTION FOR A BRIEF  
EXTENSION OF TIME TO COMPLY  
WITH ORDER NO. 04-225 FOR A  
SMALL NUMBER OF CUSTOMERS  
DUE TO LACK OF TIMELY FCC § 214  
APPROVAL**

Qwest Corporation ("Qwest") hereby moves for a brief extension of time to May 23, 2007 to comply with the Commission's Order No. 04-225 in docket UA 55 for a very small number of customers, if necessary. Qwest brings this motion for an extension due to the lack of timely approval by the Federal Communications Commission ("FCC") of Qwest's section 214 petition to discontinue service in the geographic area at issue (also known as the "UA 55 area").

**STATEMENT OF PERTINENT FACTS AND BACKGROUND**

On January 25, 2007, Qwest filed a petition, pursuant to OAR 860-032-0020(7), for approval to abandon (discontinue) local exchange services in the geographic area in the Beavercreek exchange that was at issue in Order No. 04-225 in docket UA 55 ("the UA 55 area"). In Order No. 04-225, issued April 27, 2004, the Commission had ruled that if Qwest decided to continue to serve its customers in the UA 55 area beyond a three-year transition period (i.e., after April 26, 2007), it could only do so as a Competitive Local Exchange Carrier ("CLEC"), and not as an incumbent carrier. See Order No. 04-225, pp. 19, 20.<sup>1</sup> Accordingly,

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<sup>1</sup> The UA 55 area is a geographic area in Oregon City that was formerly part of Qwest's incumbent (ILEC) service territory (in its Oregon City exchange), but that Qwest transferred to Beaver Creek Cooperative Telephone Company ("BCT") in 1997, based in part on Qwest's belief at the time that it did not have any customers in that geographic area. The Commission approved the transfer in Order No. 97-297 in docket UA 55 on August 6, 1997. Thereafter, Qwest discovered that it did in fact have a relatively small number of customers in the UA 55 area, and thus Qwest and BCT then entered into an agreement, or Memorandum of Understanding (MOU), for Qwest to continue serving these customers. Later, in 2003, after Qwest's serving of these customers in the Beavercreek territory became an issue in two interconnection arbitrations between Qwest and BCT (dockets ARB 365 and ARB

since Qwest has decided not to serve these customers as a CLEC, Qwest filed its petition on January 25, 2007 to abandon or discontinue these services with the requisite 90-day notice period prior to April 27, 2007.

In the meantime, Qwest has aggressively sought to have its customers (both retail and wholesale customers) terminate their local exchange services with Qwest in the UA 55 territory. This has included several notice letters to both retail and wholesale customers, as well as follow-up calls to customers who have not yet terminated their services with Qwest. (See e.g., Qwest's Petition, Exhibits ("Exs.") A, B; see also Exs. A-C of Ex. 1 (Qwest § 214 application); Exs. D-F to Ex. 3 (Qwest's amended § 214 application).) Indeed, as of Tuesday, April 24, 2007, there were only *two* retail Qwest customers that 1) had not yet terminated or disconnected their Qwest service, 2) did not have pending orders to disconnect their Qwest service, or 3) were not in the process of requesting service, or already had service, with BCT. However, as of that same date, there were also eight *CLEC* retail customers (for whom Qwest is not the retail carrier, but for whom Qwest is supplying the CLEC with underlying *wholesale* services) that are still in the UA 55 area. Qwest formally notified these CLECs and informally communicated with them on numerous occasions that Qwest will no longer provide wholesale services to such CLECs within this area. Thus, these CLECs need to secure other means to serve these customers or notify their retail customers of the fact that they must terminate their local exchange services in that UA 55 area. (See e.g., Ex. B to Ex. 1 (Qwest § 214 application); Ex. F to Ex. 3 (Qwest's amended § 214 application).)

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445), the Commission re-opened docket UA 55 to determine how to address the fact that Qwest had customers in a geographic area that was no longer in its incumbent service territory. After a contested case docket, including a hearing, the Commission then issued Order No. 04-225, which included the requirement that Qwest not serve any new customers in the geographic area at issue, and that it discontinue service in that area as an ILEC within three years (or by April 27, 2007).

In addition to Qwest's January 25, 2007 petition to abandon services that is at issue in this docket, Qwest filed an application with the Federal Communications Commission ("FCC"), pursuant to 47 U.S.C. § 214 and 47 U.S.C. § 63.71, for authority to discontinue services in the UA 55 area. (See Ex. 1, attached to this motion.) FCC Rule 63.71(a)(ii) provides a 30-day comment period for such application after the FCC issues its public notice of such application. Thereafter, and assuming no further FCC action, the petition is automatically granted 30 days later (i.e., 60 days after the public notice). 47 U.S.C. § 63.71(c).

Unfortunately, however, Qwest discovered soon after it had filed its section 214 application that a small number of affected customers had not been provided notice of Qwest's proposed discontinuation of service to them. Therefore, Qwest mailed notice of its proposed discontinuation to the affected customers on March 9, 2007 and March 12, 2007, and then amended its section 214 application on March 14, 2007. (See Ex. 2, attached to this motion.) The FCC then issued its Public Notice on March 23, 2007, with a comment period until April 23, 2007. (See Ex. 3, p. 2.) As of April 24, 2007, there have been no comments or objections filed to Qwest's section 214 application that are posted on the FCC's website, and thus Qwest expects its section 214 application will be automatically granted on May 22, 2007.

The problem, therefore, is that due to the timeframes involved, Qwest will not receive FCC approval to discontinue service in the UA 55 area until May 22, 2007, *after* the Order No. 04-225 deadline of April 27, 2007. Although Qwest is aggressively seeking to have all UA 55 area customers (including wholesale customers) terminate service by April 26, 2007, Qwest is necessarily and understandably concerned about disconnecting any customers (whether retail or wholesale) on April 27, 2007, or at any point before FCC section 214 approval on May 22, 2007.

This problem is further exacerbated by the fact that the majority of the affected customers are not even Qwest retail customers, but are, in fact, CLEC retail customers who are using Qwest

unbundled loops or Qwest resold service that Qwest supplies on a wholesale basis to the CLEC.<sup>2</sup> Obviously, if any of these customers (whether Qwest retail customers or CLEC retail customers) have still not terminated their service by the May 22, 2007 FCC approval date, Qwest can and will physically disconnect such services immediately thereafter. In the meantime, however, Qwest is concerned about possibly violating FCC regulations by involuntarily disconnecting any customers' services after April 26, 2007 but prior to May 22, 2007. Hence, Qwest seeks a brief extension of the April 27, 2007 deadline in Order No. 04-225, to the extent it is necessary.

### **CONCLUSION**

Accordingly, Qwest respectfully requests a brief extension of time to May 23, 2007 to comply with the Commission's Order No. 04-225 in docket UA 55 for a very small number of customers, if necessary, due to lack of timely approval by the FCC for Qwest's section 214 application to discontinue service in the UA 55 area.

DATED: April 24, 2007



By: \_\_\_\_\_  
Alex M. Duarte, OSB No. 02045  
Qwest  
421 SW Oak Street, Suite 810  
Portland, OR 97204  
503-242-5623  
503-242-8589 (facsimile)  
[Alex.Duarte@qwest.com](mailto:Alex.Duarte@qwest.com)  
Attorney for Qwest Corporation

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<sup>2</sup> Of these CLEC customers, a few are customers of CLECs who have given notice that they are likewise abandoning service in the UA 55 area. See <http://www.puc.state.or.us/PUC/telecom/discontinued/abandon.shtml>; see also docket UM 1303 (AT&T petition for waiver of notice requirements). Other CLECs have advised Qwest that they have notified their affected customers or that their customers are in the process of obtaining new service or that they have pending orders to port their telephone numbers.

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

2007 FEB 22 P 4: 28

In the Matter of )  
RECEIVED )  
Section 63.71 Application of )  
 )  
QWEST CORPORATION )  
 )  
 )  
For Authority to Discontinue )  
Certain Services )

FILED/ACCEPTED  
FEB 22 2007  
Federal Communications Commission  
Office of the Secretary

**SECTION 63.71 APPLICATION**

Qwest Corporation ("Qwest"), through undersigned counsel, hereby files this application to discontinue services pursuant to Section 63.71 of the Federal Communications Commission's ("Commission") rules, 47 C.F.R. § 63.71, and Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214. Under Oregon Public Utility Commission ("PUC") Order No. 04-225 in Docket UA 55, Qwest is mandated to stop providing local telephone service in the portion of Qwest's Oregon City exchange that had been previously transferred to Beaver Creek Cooperative Telephone Company. Qwest must cease providing such services after April 26, 2007. Accordingly, Qwest is seeking to discontinue retail and wholesale provision of local service, associated features and packages, and switched access services in that area.

Qwest submits the following information in support of its application:

**1. Name and address of carrier**

Qwest Corporation  
1801 California  
Denver, CO 80202

**2. Date of planned service discontinuance**

The Oregon PUC has directed Qwest to cease providing such services by April 26, 2007.

**3. Points of geographic areas of service affected**

Qwest seeks authority to discontinue the provision of local services in the portion of Qwest's Oregon City, Oregon exchange that was previously transferred to Beaver Creek Cooperative Telephone Company. The area is southeast of Oregon City, Oregon. It is located along Beaver Creek Road approximately 2.5 miles southeast of the intersection of Beaver Creek Road and Highway 213 in Oregon City, Oregon. The area includes the north half of Section 15, T3S, R2E, plus a rectangle in the northeast corner of Section 16, measuring 284 feet east-to-west by 1480 feet north-to-south. The area also includes the Fairway Downs housing development.

**4. Brief description of the type of services affected**

Qwest will cease offering retail and wholesale provision of local service, associated features and packages, interconnection, and switched access services. Pursuant to order of the Oregon PUC Beaver Creek Cooperative Telephone Company will now be the incumbent local exchange carrier.

**5. Brief description of the dates and methods of notice to all affected customers**

Qwest notified its retail local service customers by letter. A copy of the letter to retail customers is attached as Exhibit A.

Copies of the letters to wholesale customers are attached as Exhibits B and C. It should be noted that all letters to wholesale customers include a physical address for the recipient to use in communicating with Qwest: 1600 7th Avenue, Room 1806, Seattle WA 98191, as well as state that the communication is from Qwest Corporation. Although these items are coded to appear on all letters to wholesale customers, due to system limitations they could not be reproduced on the examples provided to the Commission.

6. **Dominance of carrier with respect to the service to be discontinued**

Qwest is a dominant carrier in Oregon.

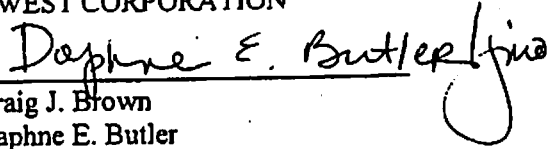
7. **Service**

In accordance with 47 C.F.R. § 63.71(a), Qwest has mailed a copy of this application to the Governor of Oregon and the Oregon PUC, as well as to the Special Assistant for Telecommunications under the Secretary of Defense.

Respectfully submitted,

QWEST CORPORATION

By:

  
Craig J. Brown  
Daphne E. Butler  
Suite 950  
607 14<sup>th</sup> Street, N.W.  
Washington, DC 20005  
303-383-6653  
[Daphne.Butler@qwest.com](mailto:Daphne.Butler@qwest.com)

Its Attorneys

February 22, 2007

Attachments



January 26, 2007

**Important Information about Your Qwest Service**[NAME]  
[ADDRESS]  
[CITY ST ZIP]

Dear [NAME]:

Our goal at Qwest is to provide you with products that meet your communications needs and to share information regarding changes or events that impact your service.

As we notified you in September, under Oregon Public Utility Commission (PUC) Order No. 04-225 in Docket No. UA 55, Qwest will no longer provide local telephone service to your area after April 26, 2007. We have filed petitions with both the PUC and the Federal Communications Commission (FCC) to formally discontinue our local service and associated features and packages in the portion of Qwest's Oregon City exchange area that was transferred to Beaver Creek Cooperative Telephone Company.

- Upon request from affected customers or providers, the PUC may, but is not required to, deny Qwest's petition to discontinue local telephone service or set it for hearing.
- The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 30 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20054, and include in your comments a reference to the "\$63.71 Application of Qwest." Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

We wanted to also let you know the following information related to this issue:

- Qwest will no longer be your local telephone service provider after April 26, 2007. To avoid being without local service after that date, you must arrange service with another provider.
- Payments received for any Qwest services billed after April 26, 2007, will be refunded on your final Qwest bill.
- If you have paid Qwest a deposit for service, your deposit will also be refunded on your final Qwest bill.
- If you subscribe to DIRECTV® and it is included in your Qwest bill, you may continue to receive DIRECTV®. However, you will begin to be billed directly by DIRECTV® when you discontinue your Qwest local service. You do not need to do anything for this to happen. If you receive a bundled discount on the service based on a qualifying Qwest package, the discount will no longer apply.
- Qwest Wireless® service will still be available in your area. However, if you receive a bundled discount on the service based on a qualifying Qwest package, the discount will no longer apply once you discontinue your Qwest local service.

If you have any questions about this issue, please call us at 1 877-440-8959, or write us at the following address:

Qwest Corporation  
1801 California Street Room 430  
Denver CO 80202

We appreciate your business and hope we may continue to serve you in any way we can in the future.

Sincerely,

A handwritten signature in black ink that reads "Laura Sankey". The signature is written in a cursive, flowing style.

Laura Sankey  
Executive Vice President, Marketing

**Announcement Date:** February 9, 2007  
**Effective Date:** April 26, 2007  
**Document Number:** GNRL.02.09.07.A.001580.LocalSvc\_OregonCity\_  
**Notification Category:** General Notifications  
**Target Audience:**  
**Subject:** Qwest No longer providing Local Service – Oregon City Exchange

Our goal at Qwest Wholesale is to provide you with products and services that meet your business requirements. A recent development will prohibit Qwest from continuing to be your local service provider in a portion of Qwest's Oregon City exchange.

The Oregon Public Utility Commission (PUC) issued Order No. 04-225 in Docket No. UA 55, mandating that after April 26, 2007 Qwest no longer provide local telephone service to the portion of Qwest's Oregon City exchange area that was transferred to Beaver Creek Cooperative Telephone Company. The result of this order is that Qwest will no longer providing you the following services that you've historically purchased via your Interconnection Agreement with Qwest:

Qwest has filed a petition with the Federal Communications Commission (FCC) to formally discontinue our local service and associated features and packages in that area.

- The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 30 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20054, and include in your comments a reference to the §63.71 Application of Qwest. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

**Announcement Date:** February 21, 2007  
**Effective Date:** April 26, 2007  
**Document Number:** GNRL.02.21.07.A.001586.SaleExchange\_OregonCity  
**Notification Category:** General Notifications  
**Target Audience:** CLECs, Wireless & IXC— Oregon  
**Subject:** Discontinuance of Service in Part of Qwest's Oregon City Exchange

Under Oregon Public Utility Commission (PUC) Order No. 04-225 in Docket No. UA 55, Qwest will no longer provide local telephone service, interconnection or exchange access in a certain portion of Qwest's Oregon City exchange after April 26, 2007. Pursuant to the PUC's order, a portion of Qwest's Oregon City exchange will be transferred to Beaver Creek Cooperative Telephone Company. The area to be transferred is southeast of Oregon City. It is located along Beaver Creek Road approximately 2.5 miles southeast of the intersection of Beaver Creek Road and Highway 213. The area to be transferred includes the north half of Section 15, T3S, R2E, plus a rectangle in the northeast corner of Section 16, measuring 284 feet east-to-west by 1480 feet north-to-south. The area includes the Fairway Downs housing development.

Since our records indicate Qwest provides services to your company in Oregon, Qwest wants to notify you about the transaction, and alert you that we will no longer be providing exchange access, interconnection or local service in this area after April 26, 2007. We will file a petition with the Federal Communications Commission (Commission or FCC) to formally discontinue our service in that area.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 30 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20054, and include in your comments a reference to the §63.71 Application of Qwest. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

CERTIFICATE OF SERVICE

I, Joan O'Donnell, do hereby certify that I have caused the foregoing SECTION 63.71 APPLICATION to be 1) filed with the Secretary of the FCC via courier (original and four copies plus one for stamp and return), 2) served, via U.S. Mail on the Governor of Oregon, 3) served, via U.S. Mail, on the Oregon Public Utilities Commission, and 4) served via U.S. Mail on the Special Assistant for Telecommunications under the Secretary of Defense.



Joan O'Donnell  
Joan O'Donnell

February 22, 2007

Governor of Oregon  
Governor Kulongoski  
160 State Capitol  
900 Court Street  
Salem, OR 97301-4047

Oregon Public Utilities Commission  
Lee Beyer  
POB 2148  
Salem, OR 97308-2148

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
Pentagon  
Washington, DC 20301

DOCKET FILE COPY ORIGINAL

FILED/ACCEPTED

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

MAR 14 2007

Federal Communications Commission  
Office of the Secretary

In the Matter of	)	
	)	
Section 63.71 Application of	)	WC Docket No. 07-34
	)	
QWEST CORPORATION	)	
	)	
	)	
For Authority to Discontinue	)	
Certain Services	)	

**AMENDMENT TO SECTION 63.71 APPLICATION**

Qwest Corporation ("Qwest"), files this amendment to the Section 63.71 application of Qwest Corporation filed with the Federal Communications Commission ("Commission") on February 22, 2007, for approval to discontinue local telephone service in a certain portion of Qwest's Oregon City, Oregon exchange that had previously been transferred to Beaver Creek Cooperative Telephone Company. Qwest files this amendment at the request of Commission staff to provide more detailed information about the process that Qwest used to provide notice to the wholesale customers. In addition, Qwest updates its statement in the above-referenced application concerning the method Qwest used to send its wholesale and retail customers notice of the discontinuance of local service.

Qwest sent the letters to wholesale customers, Exhibits B and C of the February 22 application, via its normal process for sending notification to wholesale customers. This process is used by Qwest's wholesale group to communicate official notification to its wholesale customers on a variety of subjects, including product promotions, deployment of new products, modifications and price changes to existing products, cancellation or retirement of existing products, and operational issues. When wholesale customers sign interconnection agreements

No. of Copies rec'd 0 + 4  
List A B C D E

with Qwest, the customers provide their e-mail address, are made aware that notices are via email, and are made aware of the subscription tool described below. As a result, the wholesale customers expect to receive product discontinuance notices via this process.

Qwest's process allows each wholesale customer to designate multiple contacts to receive notices. Qwest has an online subscription tool through which customers can submit names and contact information for individuals to receive notices. The tool is found at <http://www.qwest.com/wholesale/notices/cnla/maillist.html>. Customers can also submit names and contact information for individuals to receive notices through their Service Manager or Sales Manager or via postal mail. If a particular customer contact person states a preference to receive postal mail, then Qwest provides notice to that contact by postal mail. Similarly, if Qwest does not have an e-mail address for a contact person, then Qwest assumes that the individual would prefer to receive postal mail, and sends that individual postal mail. When Qwest has information that it wishes to communicate to its wholesale customers, it sends the notification to the individuals designated as recipients by each wholesale customer according to the information regarding mail preferences in the database. Qwest has used this process for over seven years, and has found it to be the most effective and efficient method of communicating with its wholesale customers.

Thus, the method of providing notice to wholesale customers was both postal mail and e-mail. One customer of the three that received Exhibit B has some individuals who prefer postal mail, so those contact people received postal mail. Certain contact people at five of the 308 wholesale customers that received Exhibit C prefer postal mail, so those contact people received postal mail notices of Exhibit C. The other recipients of Exhibits B and C received notice via e-mail.



In addition, Qwest has provided corrected notice to retail and certain wholesale customers. Qwest discovered that some retail customers did not receive notice of the discontinuance, Exhibit A of the February 22 filing. Accordingly, on Friday, March 9 and Monday, March 12, Qwest mailed notice to its entire retail customer base whose service will be discontinued. Roughly half of the notices were mailed on each day. Exemplars are attached as Exhibits D and E. Further, Qwest discovered that it provided an incomplete list of circuits to each of the competitive local exchange carrier ("CLEC") customers who received Exhibit B of the February 22 application. Accordingly, on Monday, March 12, Qwest sent corrected notification including the complete list of circuits to each of the CLEC customers. An exemplar of that notice is attached as Exhibit F. That notice was sent via e-mail and postal mail using the process described above.

Respectfully submitted,

QWEST CORPORATION

By: Daphne E. Butler  
Craig J. Brown  
Daphne E. Butler  
Suite 950  
607 14<sup>th</sup> Street, N.W.  
Washington, DC 20005  
303-383-6653  
Daphne.Butler@qwest.com

Its Attorneys

March 14, 2007

Attachments

EXHIBIT D



March 9, 2007

**Important Information about Your Qwest Service**

«name1» «name2»  
«address1» «address2»  
«city», «state» «zip»

Dear «name1»:

Our goal at Qwest is to provide you with products that meet your communications needs and to share information regarding changes or events that impact your service.

As we notified you in September, under Oregon Public Utility Commission (PUC) Order No. 04-225 in Docket No. UA 55, Qwest will no longer provide local telephone service to your area after April 26, 2007, or as soon thereafter as all government approvals are received. We have filed petitions with both the PUC and the Federal Communications Commission (FCC) to formally discontinue our local service and associated features and packages in the portion of Qwest's Oregon City exchange area that was transferred to Beaver Creek Cooperative Telephone Company.

- Upon request from affected customers or providers, the PUC may, but is not required to, deny Qwest's petition to discontinue local telephone service or set it for hearing.
- The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 30 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20054, and include in your comments a reference to the "\$63.71 Application of Qwest." Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

We wanted to also let you know the following information related to this issue:

- Qwest will no longer be your local telephone service provider after April 26, 2007, or as soon thereafter as all government approvals are received. To avoid being without local service after that date, you must arrange service with another provider.
- Payments received for any Qwest services billed after April 26, 2007, will be refunded on your final Qwest bill.
- If you have paid Qwest a deposit for service, your deposit will also be refunded on your final Qwest bill.
- If you subscribe to DIRECTV® and it is included in your Qwest bill, you may continue to receive DIRECTV®. However, you will begin to be billed directly by DIRECTV® when you discontinue your Qwest local service. You do not need to do anything for this to happen. If you receive a bundled discount on the service based on a qualifying Qwest package, the discount will no longer apply.
- Qwest Wireless® service will still be available in your area. However, if you receive a bundled discount on the service based on a qualifying Qwest package, the discount will no longer apply once you discontinue your Qwest local service.

EXHIBIT D

If you have any questions about this issue, please call us at 1 877-440-8959, or write us at the following address:

Qwest Corporation  
1801 California Street Room 430  
Denver CO 80202

We appreciate your business and hope we may continue to serve you in any way we can in the future.

Sincerely,

A handwritten signature in cursive script that reads "Laura Sankey".

Laura Sankey  
Executive Vice President, Marketing

EXHIBIT E



March 9, 2007

**Important Information about Your Qwest Service**

«name1» «name2»  
«address1» «address2»  
«city», «state» «zip»

Dear «name1»:

Our goal at Qwest is to provide you with products that meet your communications needs and to share information regarding changes or events that impact your service.

Under Oregon Public Utility Commission (PUC) Order No. 04-225 in Docket No. UA 55, Qwest will no longer provide local telephone service to your area after April 26, 2007, or as soon thereafter as all government approvals are received. We have filed petitions with both the PUC and the Federal Communications Commission (FCC) to formally discontinue our local service and associated features and packages in the portion of Qwest's Oregon City exchange area that was transferred to Beaver Creek Cooperative Telephone Company.

- Upon request from affected customers or providers, the PUC may, but is not required to, deny Qwest's petition to discontinue local telephone service or set it for hearing.
- The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 30 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20054, and include in your comments a reference to the "§63.71 Application of Qwest." Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

We wanted to also let you know the following information related to this issue:

- Qwest will no longer be your local telephone service provider after April 26, 2007, or as soon thereafter as all government approvals are received. To avoid being without local service after that date, you must arrange service with another provider.
- Payments received for any Qwest services billed after April 26, 2007, will be refunded on your final Qwest bill.
- If you have paid Qwest a deposit for service, your deposit will also be refunded on your final Qwest bill.
- If you subscribe to DIRECTV® and it is included in your Qwest bill, you may continue to receive DIRECTV®. However, you will begin to be billed directly by DIRECTV® when you discontinue your Qwest local service. You do not need to do anything for this to happen. If you receive a bundled discount on the service based on a qualifying Qwest package, the discount will no longer apply.
- Qwest Wireless® service will still be available in your area. However, if you receive a bundled discount on the service based on a qualifying Qwest package, the discount will no longer apply once you discontinue your Qwest local service.

EXHIBIT E

*If you have any questions about this issue, please call us at 1 877-440-8959, or write us at the following address:*

Qwest Corporation  
1801 California Street Room 430  
Denver CO 80202

We appreciate your business and hope we may continue to serve you in any way we can in the future.

Sincerely,

A handwritten signature in cursive script that reads "Laura Sankey".

Laura Sankey  
Executive Vice President, Marketing

EXHIBIT F

**Announcement Date:** March 12, 2007  
**Effective Date:** April 26, 2007  
**Document Number:** GNRL.03.12.07.A.001593.LocalSvc\_OregonCity\_XXXXXX2nd  
Notice  
**Notification Category:** General Notifications  
**Target Audience:** XXXXXX  
**Subject:** Qwest No longer providing Local Service – Oregon City  
Exchange – 2<sup>nd</sup> Notice

Our goal at Qwest Wholesale is to provide you with products and services that meet your business requirements. As we notified you last month, the Oregon Public Utility Commission (PUC) issued Order No. 04-225 in Docket No. UA 55, mandating that after April 26, 2007, pending FCC approval, Qwest no longer provide local telephone service to the portion of Qwest's Oregon City exchange area that was transferred to Beaver Creek Cooperative Telephone Company. The result of this order is that Qwest will no longer providing you the services that you've historically purchased via your Interconnection Agreement with Qwest. In our February notice (GNRL.02.09.07.A.001580.LocalSvc\_OregonCity\_XXXXXX) we provided an incomplete list of the affected services. Please refer to the following list of services:

Unbundled Loops

- XXXXXXXXXXXX
- XXXXXXXXXXXX
- XXXXXXXXXXXX
- XXXXXXXXXXXX
- XXXXXXXXXXXX

Qwest has filed a petition with the Federal Communications Commission (FCC) to formally discontinue our local service and associated features and packages in that area.

- The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 30 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20054, and include in your comments a reference to the §63.71 Application of Qwest. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

CERTIFICATE OF SERVICE

I, Richard Grozier, do hereby certify that I have caused the foregoing **AMENDMENT TO SECTION 63.71 APPLICATION** to be 1) filed with the Secretary of the FCC (original and four copies plus one for stamp and return), 2) served, via U.S. Mail on the Governor of Oregon, 3) served, via U.S. Mail on the Oregon Public Utilities Commission, and 4) served via U.S. Mail on the Special Assistant for Telecommunications under the Secretary of Defense.

/s/ Richard Grozier

March 14, 2007

Governor of Oregon  
Governor Kulongoski  
160 State Capitol  
900 Court Street  
Salem, OR 97301-4047

Oregon Public Utilities Commission  
Lee Beyer  
POB 2148  
Salem, OR 97308-2148

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
Pentagon  
Washington, DC 20301





# PUBLIC NOTICE

EXHIBIT 3

Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Fax-On-Demand 202 / 418-2830  
TTY 202 / 418-2555  
Internet: <http://www.fcc.gov>  
<ftp.fcc.gov>

**DA 07-1399**  
**March 23, 2007**

## **COMMENTS INVITED ON APPLICATION OF QWEST CORPORATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

**WC Docket No. 07-34**  
**Comp. Pol. File No. 780**

**Comments Due: April 23, 2007**

### **Section 214 Application** **Applicant: Qwest Corporation**

On **February 22, 2007**, **Qwest Corporation (Qwest or Applicant)**, located at **1801 California Street, Denver, CO 80202**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services to customers in a portion of Oregon. By an amendment filed March 14, 2007, Qwest corrected certain deficiencies in its initial application and updated the record regarding notice to customers.<sup>1</sup> Accordingly, Qwest's application is deemed complete as of March 14, 2007.

Qwest indicates that it offers local service, associated features and packages, interconnection and switched access services, as appropriate, to retail and wholesale customers in Oregon. Specifically, Qwest states that it provides these services in a portion of Qwest's Oregon City, Oregon exchange located southeast of the city along Beaver Creek Road approximately 2.5 miles southeast of the intersection of Beaver Creek Road and Highway 213 in Oregon City, Oregon. Qwest describes this area as including the north half of Section 15, T3S, R2E, plus a rectangle in the northeast corner of Section 16, measuring 284 feet east-to-west by 1480 feet north-to-south. Qwest asserts that Beaver Creek Cooperative Telephone Company soon will be the incumbent local exchange carrier in this area pursuant to an order of the Oregon PUC. Consequently, Qwest sought Commission authority in its original application to discontinue service in this portion of Oregon by April 26, 2007. Qwest represents that it is a dominant carrier with respect to the services to be discontinued.

Qwest asserts that it mailed notice to all affected retail customers on March 9, 2007 and March 12, 2007 after discovering that some retail customers previously had not received notice of the proposed

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<sup>1</sup> This amendment was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on March 16, 2007.

discontinuance. In addition, Qwest states that it notified its wholesale customers by postal mail and e-mail in accordance with its normal process for sending notification to wholesale customers. Qwest represents that it used this process to send notice to some affected wholesale customers on February 21, 2007. Qwest states, however, that it later discovered that some of its competitive local exchange carrier customers originally did not receive a complete list of the services that would be affected by the proposed discontinuance. Consequently Qwest asserts that on March 12, 2007 it sent corrected notifications including a complete list of affected circuits to each of these CLEC customers in accordance with its usual wholesale notification process. Qwest explains that when wholesale customers sign interconnection agreements with Qwest, they provide their e-mail address, are made aware that notices are provided via e-mail, and are informed of Qwest's online subscription tool. Qwest maintains that customers can use the subscription tool to submit names and contact information for individuals to receive notices, and to specify their preference for receiving notice by postal mail or by e-mail. Furthermore, Qwest maintains that if it does not have an e-mail address for a contact person, it will assume that the individual would prefer to receive postal mail. Qwest indicates that its wholesale group has used this notification process for over seven years to communicate official notification to wholesale customers on a variety of subjects including product promotions, deployment of new products, modifications and price changes to existing products, cancellation or retirement of existing products, and operational issues. Qwest asserts that wholesale customers expect to receive product discontinuance notices via this process, and that it has found the process to be the most effective and efficient method of communicating with its wholesale customers.

We seek comment on Qwest's proposed discontinuance of service, including the steps it has taken to notify customers, given the particular circumstances in this case and in light of the notification procedures prescribed in section 63.71(a) of the Commission's rules. In accordance with section 63.71(c) of the Commission's rules, Qwest's application will be deemed to be automatically granted on the sixtieth (60th) day after the release date of this public notice, unless the Commission notifies Qwest that the grant will not be automatically effective. Accordingly, pursuant to section 63.71(c), absent further Commission action, Qwest may terminate service on **May 22, 2007**. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **April 23, 2007**. Such comments should refer to **WC Docket No. 07-34 and Comp. Pol. File No. 780**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM). People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [carmell.weathers@fcc.gov](mailto:carmell.weathers@fcc.gov), or Rodney McDonald, (202) 418-7513 (voice), [rodney.mcdonald@fcc.gov](mailto:rodney.mcdonald@fcc.gov) of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit [http://www.fcc.gov/wcb/cpd/other\\_adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

-FEDERAL COMMUNICATIONS COMMISSION-

UM 1299

**CERTIFICATE OF SERVICE**

I hereby certify that on the 24<sup>th</sup> day of April, 2007, I served the foregoing QWEST'S MOTION FOR A BRIEF EXTENSION OF TIME TO COMPLY WITH ORDER NO. 04-225 FOR A SMALL NUMBER OF CUSTOMERS DUE TO LACK OF TIMELY FCC § 214 APPROVAL by placing a copy of same in a sealed, first-class postage-prepaid envelope deposited with the United States Postal Service at Portland, Oregon and addressed to:

Michael Weirich, Esq.  
Assistant Attorney General  
Oregon Department of Justice  
100 Justice Building  
1162 Court St. NE, Room 100  
Salem, OR 97302

Mr. Phil Nyegaard  
Administrator-Telecommunications Svcs.  
Oregon Public Utility Commission  
P. O. Box 2148  
Salem, OR 97308-2148

Rick Finnigan, Esq.  
2112 Black Lake Blvd. SW  
Olympia, WA 98512

Mr. Tom Linstrom  
Beaver Creek Cooperative Telephone Co.  
P.O. Box 69  
Beavercreek, OR 97004

DATED: April 24, 2007.



By: \_\_\_\_\_  
Alex M. Duarte, OSB No. 02045  
Qwest  
421 SW Oak Street, Suite 810  
Portland, OR 97204  
503-242-5623 (phone)  
503-242-8589 (facsimile)  
[Alex.Duarte@qwest.com](mailto:Alex.Duarte@qwest.com)  
Attorney for Qwest Corporation