

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UA 55

In the Matter of )  
 )  
U S WEST TELECOMMUNICATIONS, )  
INC. (QWEST CORPORATION) )  
 )  
Application for an Order Transferring )  
Right to Exclusively Served Territory, )  
Fairway Downs, Oregon City, to Beaver )  
Creek Telephone Company. )

RULINGS

**DISPOSITION: MOTION TO CORRECT TRANSCRIPT GRANTED;  
MOTION FOR OFFICIAL NOTICE DENIED**

On October 16, 2003, Beaver Creek Cooperative Telephone Company (Beaver Creek) filed a motion to correct the transcript in this docket. No party responded to the motion and the time for response is past. The motion is granted.

On February 17, 2004, I received a letter from Qwest Corporation (Qwest) advising of a February 13, 2004, order issued by the Honorable Ancer Haggerty of the United States District Court for the District of Oregon granting Qwest's motion to dismiss Beaver Creek's judicial review of Commission Order No. 03-073 in docket ARB 445. Qwest requested that I take official notice of that court order.

On February 20, 2004, Beaver Creek filed an opposition to Qwest's motion for official notice. Beaver Creek argues that the District Court's order has no bearing on the Commission's case (UA 55). The District Court order does not address the merits of Beaver Creek's court case but simply decides that the federal court is not the appropriate forum.

I see no relevance of the District Court's action to the case before the Commission. Therefore I deny Qwest's motion for official notice of the District Court's order.

Dated this 19<sup>th</sup> day of March 2004, at Salem, Oregon.

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Ruth Crowley  
Administrative Law Judge