

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

In the matter of the petition)
by Western Radio Services Co.)
for arbitration of an)
interconnection agreement)
with Qwest pursuant to)
Section 252(b) of the)
Telecommunications Act)

Docket No. ARB 706

Motion to Strike

A. Background

On December 12, 2005, Qwest Corporation (Qwest) filed with this Commission a Request for Official Notice of Utah Commission Order Dismissing Petition for Arbitration.

B. Argument

As of this date, Western Radio Services Co.'s (Western) affiliate, Autotel, has not been served, either electronically or by hard copy any order in Docket No. 05-049-95. In a previous Docket before the Utah Commission, Autotel was served via email on the date of the order. A search of the Calendar/Log on the Utah Commission website shows two filings each made by Autotel and Qwest in Docket No. 05-049-95 but there is no notice that the Utah Commission has issued an Order.

At best, the circumstances surrounding Qwest's possession of the alleged Order are suspect. Had the Utah Commission issued such an Order, Western would be able to furnish a copy of Autotel's Petition for Reconsideration.

Conclusion

For the above reasons, Western respectfully requests this Commission to strike Qwest's Official Notice of Utah Order Dismissing Petition for Arbitration.

Respectfully Submitted, this 27th day of December 2005,

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