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4 BEFORE THE PUBLIC UTILITY COMMISSION
5 OF OREGON
6 UT 125/PHASE II
7 RATE DESIGN

8 In the Matter of the Application of QWEST
9 CORPORATION for an Increase in
10 Revenues.

11
12 NORTHWEST PUBLIC
13 COMMUNICATIONS COUNCIL'S REPLY
14 BRIEF

15 The Northwest Public Communications Council ("NPCC") files this narrow and
16 limited reply, to clarify one argument raised in Staff's briefs. NPCC does not take a position on
17 the merit's of Staff's argument, only that if the Commission upholds the argument, it should do
18 so on narrow grounds.

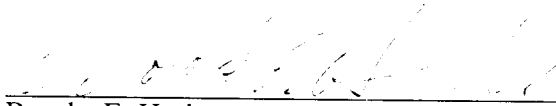
19 Staff argues in its opening brief that "the filed rate doctrine prevents the
20 Commission from retroactively altering the price caps established in Order No. 01-810." Staff's
21 Opening Brief at 6. As the NPCC understands Staff's argument, the Staff is only seeking to
22 apply the filed rate doctrine to Qwest's proposed increase to residential caller ID services and is
23 not implying that the filed rate doctrine should have any impact on PAL services. Assuming that
24 Staff did not intend any broader application than that, then the NPCC does not take issue with
25 Staff's argument.

26 At this stage of this docket, it is important to recognize that since the FCC
preempted Qwest's PAL rates in 1996 pursuant to 47 U.S.C. § 276(c), the state filed rate doctrine

1 does not apply to PAL rates.¹ Accordingly, any Commission ruling based on the filed rate
2 doctrine should be narrow, addressing only caller ID tariffs. The question of application of the
3 filed rate doctrine to PAL tariffs should not be addressed one way or the other until the
4 Commission rules in Docket No. DR 26/UC 600.

5 Respectfully submitted this 23rd day of June, 2006.

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26 Attorneys for Intervenors
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¹ See, e.g., Order, 12 FCC Rcd. 21,370 at ¶ 2 (1997); Order on Reconsideration, 11 FCC Rcd. 21233, ¶¶ 131, 163 (1996).

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June 23, 2006

VIA ELECTRONIC MAIL & U.S. MAIL

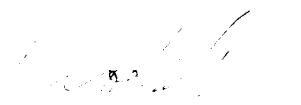
Public Utility Commission of Oregon
Attn: Filing Center
550 Capitol Street NE, #215
Salem, Oregon 97308-2148

Subject: UT 125/Phase II

Dear Filing Center:

Enclosed, for filing are an original and five copies of the Northwest Public Communications Council's Reply Brief in the above-referenced docket.

Very truly yours,



Brooks E. Harlow

cc w/enc: Parties of Record
Phil Nyegaard

**Service List for
OPUC Docket No. UT-125**

I hereby certify that a true and correct copy of NPCC's Reply Brief has been electronically mailed and also sent by United States first class mail, postage prepaid in sealed envelopes to the following:

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DATED this 23rd day of June 2006 at Seattle, Washington.



Carol Mungerlyn, Secretary