



Qwest
421 Southwest Oak Street
Suite 810
Portland, Oregon 97204
Telephone: 503-242-5420
Facsimile: 503-242-8589
e-mail: carla.butler@qwest.com

Carla M. Butler
Lead Paralegal

January 25, 2007

Vikie Bailey-Goggins
Oregon Public Utility Commission
550 Capitol St., NE
Suite 215
Salem, OR 97301

Re: New Filing - UM

Dear Ms. Bailey-Goggins:

Enclosed for filing in the above entitled matter please find an original and (5) copies of Qwest Corporation's Petition to Abandon Local Exchange Services in the Beavercreek Exchange (UA 55 Area), along with a certificate of service. Exhibits A and B are contained on the enclosed CD disk.

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

Sincerely,

A handwritten signature in black ink that reads "Carla".

Carla M. Butler

CMB:
Enclosures
L:\Oregon\Executive\Duarte\Beaver Creek UM___ Transmittal Ltr.doc

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

Docket UM ____

In the Matter of

QWEST CORPORATION

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

**QWEST'S PETITION TO ABANDON
LOCAL EXCHANGE SERVICES IN
THE BEAVERCREEK EXCHANGE (UA
55 AREA)**

Pursuant to OAR 860-032-0020, Qwest Corporation ("Qwest") hereby petitions the Commission for authority to abandon its local exchange services in the Beavercreek exchange. The reasons for this petition are as a result of the Commission's Order No. 04-225 in docket UA 55 and Qwest's decision to not serve the affected customers as a Competitive Local Exchange Carrier ("CLEC").

STATEMENT OF PERTINENT FACTS AND BACKGROUND

In Order No. 04-225 in docket UA 55 (issued April 27, 2004), the Commission ruled that if Qwest decided to continue to serve its customers beyond a three-year transition period that ends April 27, 2007 in a geographic area that was formerly part of its Incumbent Local Exchange Carrier ("ILEC") service territory, but that was transferred to Beaver Creek Cooperative Telephone Company ("BCT") in 1997, it could only do so as a CLEC. See Order No. 04-225, pp. 19, 20. This was the result of the fact that in 1997, Qwest and BCT agreed to transfer certain territory in Qwest's Oregon City ILEC exchange to the Beavercreek exchange (in which BCT is the ILEC). They did so because the developer of a new residential subdivision in Qwest's Oregon City exchange, Fairway Downs, preferred to take service from BCT, and thus would not give Qwest access to the subdivision, which was then private property. Qwest had no facilities or customers in the development and thus agreed to the transfer. *Id.*, pp. 1-2.

Transferring just the Fairway Downs subdivision, however, would have resulted in an “island” of BCT service territory in Qwest’s Oregon City exchange. Thus, at Commission Staff’s suggestion, and in order to make the boundaries between the Oregon City exchange and the Beavercreek exchange more rational, the parties agreed that a larger portion of the Oregon City exchange than just the Fairway Downs subdivision would be transferred to the Beavercreek exchange. Thus, the parties agreed to “square off” a certain area (referred to in docket UA 55, and here, as “the subject territory”) to avoid a “service island.” At the time, Qwest believed it did not have any customers in the subject territory. Order No. 04-225, p. 2.

After the Commission approved the transfer of service territory in August 1997 (Order No. 97-297 in docket UA 55), it was discovered that Qwest *did have customers* in the subject territory. Thus, to avoid amending Order No. 97-297, the parties entered into an agreement (a memorandum of understanding or “MOU”) with respect to the Qwest customers in the subject territory. The parties operated under the MOU from 1997 to 2004. However, after various disputes between Qwest and BCT in dockets ARB 365 and ARB 445, the Commission reopened docket UA 55 (in Order No. 03-132, on March 21, 2003) to correct the mistake that resulted in the transfer of the squared-off area (subject territory) where Qwest was serving customers and to amend its previous order (Order No. 97-297). See also Order No. 04-225, pp. 2-3.

Accordingly, docket UA 55 was reopened. Qwest, BCT and Commission Staff then filed testimony and appeared at an evidentiary hearing, and the parties subsequently filed post-hearing briefs. On April 27, 2004, the Commission issued Order No. 04-225. In that order, the Commission affirmed Order No. 97-297 and determined that if Qwest decides to continue to serve its customers in the subject territory, it would need to do so as a CLEC only. However, the Commission also ruled that “Qwest will have three years from the date this order is issued to complete the necessary steps to operate as a CLEC in the Beavercreek exchange,” “if Qwest

continues service in the Beavercreek exchange beyond the three year transition period.” Order No. 04-225, pp. 19, 20. Thus, the Commission ruled that from the date of the order forward (April 27, 2004), Qwest would not be allowed to serve new customers as an ILEC in the Beavercreek exchange, whether at an existing Qwest service location or at a new location. *Id.*

Qwest has decided not to serve the affected customers as a CLEC. Accordingly, Qwest intends to abandon its local exchange services to its customers in the subject territory as of April 26, 2007, and thus respectfully files this petition to abandon pursuant to OAR 860-032-0020.

REQUIREMENTS FOR THE DISCONTINUATION OF SERVICES

OAR 860-032-0020 provides that a telecommunications utility that intends to discontinue or abandon a regulated intrastate telecommunications service, for which there are any current customers, must file a petition with the Commission at least 90 days before the telecommunications utility intends to abandon the service. OAR 860-032-0020(2), (7)(a). A telecommunications utility petitioning to abandon a service must also provide certain notifications. OAR 860-032-0020(5), (6).

Further still, if the Commission does not deny the petition or set it for hearing within 90 days after receiving the petition, the petition shall be deemed approved. OAR 860-032-0020(7)(a). There is also a requirement to mail a notification to any affected customer and to any other telecommunications provider affected by the proposed abandonment at the same time that the telecommunications utility files the petition with the Commission. OAR 860-032-0020(7)(b). The telecommunications utility must also file with the Commission a copy of the notification at the same time it mails the notification and files the petition. OAR 860-032-0020(7)(c). Further still, the telecommunications utility must also demonstrate the abandonment will not deprive the public of “necessary telecommunications services.” OAR 860-032-

0020(7)(d). Finally, the telecommunications utility must obtain Commission approval before transferring customers to another telecommunications provider. 860-032-0020(7)(e).

REQUEST TO ABANDON ALL SERVICES IN THE SUBJECT TERRITORY

The following sets forth the information regarding notifications required by OAR 860-032-0020(5) and (6) and the information required of an abandonment of a regulated service for which there are current customers required by OAR 860-032-0020(7):

OAR 860-032-0020(5)

(5) Notifications required by this rule shall include the following at a minimum:

(a) Name of the exiting provider: **Qwest Corporation**

(b) Address and telephone number where the public, customers, Commission staff, and affected telecommunications providers may contact the exiting provider for information regarding the abandonment: **The contact number for Commission staff is: Qwest Corporation, 421 SW Oak Street, Room 810, Portland, Oregon, 97204, 503-242-7454. The contact for the public, customers, and affected telecommunications providers is Qwest Corporation, 1801 California St., Room 430, Denver, Colorado, 80202, 1 877-440-8959.**

(c) Description of telecommunications services to be abandoned: **The telecommunications services to be abandoned are all Qwest Corporation local exchange services, as well as associated features and packages, in the subject territory at issue in Order No. 04-225 and docket UA 55.**

(d) Identification of geographic areas where the services will be abandoned: **The geographic area where services will be abandoned is the subject territory in docket UA 55 and Order No. 04-225 which was formerly (prior to 1997) in Qwest's incumbent local exchange territory (Oregon City exchange), but which was transferred to Beaver Creek Cooperative Telephone Company ("BCT") in 1997, and which is therefore now part of BCT's incumbent local exchange territory (the Beavercreek exchange).**

(e) Date the service(s) will be abandoned: **Per Order No. 04-225 in docket UA 55, the date the services will be abandoned is April 26, 2007.**

(f) If applicable, a statement whether customers of the services(s) to be abandoned will be converted to different service(s) offered by the exiting provider, and if so, what customers must do to be converted to the different service(s): **Not applicable because the affected customers will not be converted to a different service offered by Qwest Corporation (since Qwest Corporation is exiting the subject territory). It is possible, however, that some customers may wish to purchase Qwest Wireless service. Nevertheless, Qwest Corporation will not be providing local exchange service in the subject territory after April 26, 2007.**

(g) If applicable, a statement that all customers will be automatically transferred to a specified receiving provider unless they disconnect or obtain service from another provider. The exiting provider must identify the receiving provider to which customers will be transferred: **Not applicable because the affected customers will not be automatically transferred to a specified receiving provider. However, BCT, the incumbent local exchange carrier and carrier of last resort in the subject territory, has previously stated it is willing to provide local exchange service to all affected customers who request service from BCT.**

(h) If the exiting provider intends to transfer customers to a specified receiving competitive provider and the receiving competitive provider will not accept all customers, a statement that customers may or will lose their service unless they obtain services from a provider of their choice. The exiting provider must provide reasonable means for each customer to determine whether he or she will be accepted by the receiving competitive provider: **Not applicable because the affected customers will not be automatically transferred to a specified receiving provider. See above.**

(i) If applicable, a statement that service will be abandoned and that customers must obtain the service(s) to be abandoned from another provider: **The Qwest local exchange services at issue will be abandoned and the affected customers must obtain the services to be abandoned from another provider. Qwest has so notified all affected customers of such abandonment. In addition, BCT, the incumbent local exchange carrier and carrier of last resort in the subject territory, has notified all affected customers that they can obtain such services from BCT.**

(j) An explanation of how customers may receive a refund of payments or deposits for service they will not receive because of the abandonment: There will be no conversion or termination charges to migrate from the subject services to Centrex Prime (although installation charges may apply for line changes or additions): **Qwest will refund or credit to any affected customer any payments or deposits for service the customer does not receive because of the abandonment. Qwest will do so in its final billings to such affected customers.**

(k) An electronic document containing the notice in a format suitable for posting on the Commission website. The Commission will post such notification within two business days of receipt from the exiting carrier: **See attached notices, Exhibits A and B (Qwest's initial customer notice letter in September 2006 and its most recent notification letter in January 2007). Qwest also provides copies of these letters to the Commission on a disk for the notices' electronic posting on the Commission's website.**

OAR 860-032-0020(6)

(6) In addition to other notifications required by this rule, the following notifications are also required at the same time the exiting provider files notice with the Commission. Notifications here required shall include the information required by section (5) of this rule plus the information specified in subsections (6)(a) or (6)(b) of this rule.

(a) An exiting provider that intends to abandon any service which allows access to the emergency 9-1-1 reporting system shall:

(A) Mail notification to Oregon Emergency Management, which notification shall include the number of customers affected by the proposed abandonment of service: **Qwest has notified Oregon Emergency Management. See Exhibit C.**

(B) Provide access to its customer records in the Enhanced 9-1-1 database(s), so that other telecommunications providers can update those customer records: **Qwest will provide access to its customer records in the Enhanced 9-1-1 database(s), so that other telecommunications providers can update those customer records.**

(C) Send a letter to the appropriate Enhanced 9-1-1 database provider(s), with copies to the incumbent local exchange carrier(s), the Commission and Oregon Emergency Management, authorizing the Enhanced 9-1-1 database provider(s) to allow access by other telecommunications providers to any remaining Enhanced 9-1-1 database records belonging to the exiting provider, after the exiting provider has abandoned the service: **Qwest has notified the E-911 database administrator. See Exhibit D.**

(b) An exiting provider that intends to abandon service so that it will no longer use a central office code or a thousands block of numbers (i.e., an NXX or an NXX-X) shall notify the North American Numbering Plan Administrator and the national administrator of the Local Exchange Routing Guide: **Not applicable.**

OAR 860-032-0020(7)

(7) A telecommunications utility that intends to abandon any regulated service, whether throughout its service territory or in limited geographic areas, for which there are current customers, shall:

(a) Petition the Commission for authority to abandon the service. The petition shall be filed at least 90 days before the telecommunications utility intends to abandon the service. If the Commission does not deny the petition or set it for hearing within 90 days after receiving the petition, it shall be deemed approved: **This constitutes Qwest's petition, and it has been filed at least 90 days before Qwest intends to abandon the local exchange services at issue in the subject territory on April 26, 2007.**

(b) Mail a notification to each affected customer and to each telecommunication provider affected by the proposed abandonment at the same time it files the petition with the Commission. The notification shall include the information required by section (5) of this rule. In addition, the notification shall include a statement that upon request from affected customers or providers the Commission may, but is not required to, deny the petition or set it for hearing: **See attached notifications, Exhibits A and B.**

(c) File with the Commission a copy of the notification at the same time it mails the notification and files the petition. In addition, the telecommunications utility shall inform the Commission of the number of customers and the number of other providers affected by the proposed abandonment: **See attached notifications, Exhibits A and B. The numbers of Qwest customers affected by this abandonment is approximately 35 as of January 22, 2007. There are no other providers directly affected by the proposed abandonment. However, as stated, BCT, the incumbent local exchange carrier and**

the carrier of last resort in the subject territory, has previously stated it is willing to provide service to all affected customers who request service from BCT.

(d) Demonstrate that the abandonment will not deprive the public of necessary telecommunications services. The telecommunications utility shall reinstate service at the Commission's request to prevent the public from being deprived of necessary services: **The abandonment at issue in this petition will not deprive the public of necessary telecommunications services, especially because, as stated, BCT, the incumbent local exchange carrier and carrier of last resort in the subject territory, has previously stated it is willing to provide service to all affected customers who request service from BCT.**

(e) Obtain Commission approval before transferring customers to other telecommunications providers. If the telecommunications utility seeks such approval, it shall include in the petition to abandon service a request for approval to automatically transfer customers: **Not applicable because Qwest is not transferring the affected customers to other telecommunications providers. However, as stated, BCT, the incumbent local exchange carrier and the carrier of last resort in the subject territory, has previously stated it is willing to provide service to all affected customers who request service from BCT.**

CONCLUSION

Accordingly, pursuant to OAR 860-032-0020 and for the reasons set forth above, Qwest respectfully submits the Commission should grant Qwest's petition to abandon its local exchange local exchange services in the subject territory in the Beaver Creek exchange that was at issue in Order No. 04-225 in docket UA 55.

DATED: January 25, 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

Attorney for Qwest Corporation

September 15, 2006

Important Information about Your Qwest Service

Warren H Burley
15060 Glen Oak Rd
Oregon City, OR 97045-9007

Dear Warren H Burley:

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 Order No. 04-225 in a regulatory proceeding between Qwest and Beaver Creek Cooperative Telephone Company, docket UA 55, Qwest may only continue to provide local telecommunications service in your area after April 26, 2007, as a “competitive provider.” Because we have elected not to operate as a competitive provider in your area at this time, we will no longer be able to provide service to you after that date.


It has been – and continues to be – our pleasure to provide you with quality telecommunications services. And although we will not be able to provide your service after April 26, 2007, we will be pleased to continue the same great service that you’ve come to expect until then.

We wanted to provide as much notice of the change as possible because it may take some time to arrange for service from another provider in your area to begin after that date. As part of the service transfer, you will need to get a new telephone number.

If you have any questions about this transfer of service, please call us at 1 877-440-8959.

We appreciate your business.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Copeland".

Stephanie Copeland
Vice President, Marketing

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

James Carroll
911 Product Manager
Qwest Services Corporation
600 Stinson Blvd, 3N
Minneapolis MN 55413-0000
James.Carroll@qwest.com
(612) 664-4905



Oregon Emergency Management
Ken Keim
Technology and Response Section Director
P.O. Box 14370
Salem, OR 97309-5062

January 17, 2007

Dear Mr. Keim,

Qwest Corporation (“Qwest”) has petitioned the **PUBLIC UTILITY COMMISSION OF OREGON** for authority to abandon its customers in the Beaver Creek exchange pursuant to OAR 860-032-0020

In 1997, Qwest and Beaver Creek Cooperative Telephone Company (“BCT”) agreed to transfer certain territory in Qwest’s Oregon City ILEC exchange to BCT’s Beaver Creek exchange. The result was Qwest retained a small number of customers. There was a period of time that Qwest could continue serving these customers as an ILEC. However, pursuant to an order of the PUC, effective April 26, 2007, Qwest can only continue offering service to these customers as a CLEC, or otherwise would be required to exit the territory. Accordingly, Qwest has decided to exit the territory.

Accordingly, Qwest notified its remaining 35 local exchange services customers in the subject territory that as of April 26, 2007, we will no longer offer service. As such we respectfully file this notice with the your office pursuant to OAR 860-032-0020. However, BCT, which has the carrier of last resort obligations in that area, has indicated a willingness and ability to serve these customers.

As these customers select new service providers Qwest will allow access to its customer records in the Enhanced 9-1-1 database(s), so that other telecommunications providers can update those customer records.

If you have any questions or concerns please contact me.

James Carroll

Michael W Dalebout
Regulatory Manager
250 East 200 South
Salt Lake City, UT 84111
Michael.Dalebout@qwest.com
(801) 237-7634



January 24, 2007

Qwest Services Corporation
Regional 911 Database Administrator
David Aschkinasi
1801 California St, 900
Denver CO 80202-2658

Dear Mr. Aschkinasi,

Qwest Corporation (“Qwest”) has petitioned the **PUBLIC UTILITY COMMISSION OF OREGON** for authority to abandon its customers in the Beavercreek exchange pursuant to OAR 860-032-0020.

In 1997, Qwest and Beaver Creek Cooperative Telephone Company (“BCT”) agreed to transfer certain territory in Qwest’s Oregon City ILEC exchange to BCT’s Beavercreek exchange. Notwithstanding this transfer, Qwest continued to provide service as an ILEC to a small number of customers pursuant to an agreement with BCT. However, under a subsequent order of the PUC, effective April 26, 2007, Qwest can only continue offering service to these customers as a CLEC, or otherwise it must exit the territory. Accordingly, Qwest has decided to exit the territory.

Qwest is in the process of notifying its remaining 35 local exchange services customers in the subject territory that as of April 26, 2007, we will no longer offer service. As such we respectfully file this notice with your office pursuant to OAR 860-032-0020. As the Enhanced 9-1-1 data base administrator for Oregon, you are authorized to allow access by other telecommunications providers to any remaining Enhanced 9-1-1 database records for these 35 customers after Qwest has discontinued providing them with service. BCT, which now has the carrier of last resort obligations in that area, has indicated a willingness and ability to serve these customers.

If you have any questions or concerns, please contact me.

A handwritten signature in black ink that reads 'Michael W. Dalebout'. The signature is written in a cursive, flowing style.

Michael Dalebout

Cc: Oregon Emergency Management – Ken Keim
Beaver Creek Telephone – Tom Linstrom

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **QWEST'S PETITION TO ABANDON, LOCAL EXCHANGE SERVICES IN THE BEAVERCREEK EXCHANGE (UA 55 AREA)** 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
Office of the General Counsel
100 Justice Building
1162 Court St. NE, Room 100
Salem, OR 97302

Mr. Phil Nyegaard
Administrator- Telecommunications Services
Oregon Public Utility Commission Staff
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 Company
PO Box 69
Beavercreek, OR 97004

DATED: January 25, 2007



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

Attorney for Qwest Corporation