

1 GTE. Further, upon Staff's recommendation, the Commission suspended the payphone tariffs
2 filed by Pacific Telecom, Inc. and United Telephone Company of the Northwest.

3 6. Attached to this Declaration as Exhibit 4 is a true and correct copy of a Staff
4 Report dated March 24, 1997, for the April 1, 1997 meeting of the Public Utility Commission of
5 Oregon, addressing Advice No. 1668 filed by U S WEST Communications, Inc. ("U S WEST"),
6 predecessor to Qwest.

7 7. Attached to this Declaration as Exhibit 5 is a true and correct copy of a form letter
8 dated May 20, 1997, sent by U S WEST to interexchange carriers, setting forth U S WEST's
9 certification that it has met all the requirements of the FCC in order to be eligible to receive
10 payphone compensation from carriers in all of its states except one (New Mexico).


11 8. Attached to this declaration as Exhibit 6 is a true and correct copy of the non-
12 confidential portions of Advice No. 1935 filed by Qwest with the Commission on February 14,
13 2003, with a proposed effective date of March 17, 2003, along with Supplement No. 1 to Advice
14 No. 1935 filed by Qwest with the Commission on February 28, 2003, which bears markings
15 acknowledging its receipt by the PUC.

16 9. Attached to this declaration as Exhibit 7 is a true and correct copy of a letter dated
17 March 19, 2003 from the Commission to Qwest, relating to Advice No. 1935.

18 10. Attached to this declaration as Exhibit 8 is a true and correct copy of a Stipulation
19 among The Northwest Public Communications Council, Qwest, and Commission Staff filed with
20 the Commission on October 15, 1997 in Docket UT 125.

21 *I hereby declare that the above statement is true to the best of my knowledge and belief,*
22 *and that I understand it is made for use as evidence in court and is subject to penalty of perjury.*

23 DATED this 30th day of April, 2010.

24 
25 _____
26 Lawrence Reichman

KELLOGG, HUBER, HANSEN, TODD & EVANS, P.L.L.C.

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April 10, 1997

Ex Parte Filing

Mary Beth Richards
Deputy Bureau Chief
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 500
Washington, D.C. 20554

In re Implementation of the Pay Telephone
Reclassification and Compensation Provisions
of the Telecommunications Act of 1996,
CC Docket No. 96-128

Dear Mary Beth:

I am writing on behalf of the RBOC Payphone Coalition to request a limited waiver of the Commission's intrastate tariffing requirements for basic payphone lines and unbundled features and functions, as set forth in the Commission's Orders in the above-captioned docket. I am also authorized to state that Ameritech joins in this request.

As we discussed yesterday, and as I explained in my Letter of April 3, 1997, none of us understood the payphone orders to require existing, previously-tariffed intrastate payphone services, such as the COCOT line, to meet the Commission's "new services" test. It was our good faith belief that the "new services" test applied only to new services tariffed at the federal level. It was not until the Bureau issued its "Clarification of State Tariffing Requirements" as part of its Order of April 4, 1997, that we learned otherwise.

In most States, ensuring that previously tariffed payphone services meet the "new services" test, although an onerous process, should not be too problematic. We are gathering the relevant cost information and will be prepared to certify that those tariffs satisfy the costing standards of the "new services" test. In some States, however, there may be a discrepancy between the existing state tariff rate and the "new services" test; as a result, new tariff rates may have to be filed. For example, it appears that, in a few States, the existing state tariff rate for the COCOT line used by independent PSPs may be

Mary Beth Richards
April 10, 1997
Page 2

too low to meet the "new services" test and will therefore have to be raised.

In order to allow deregulation to move forward and ensure that LEC PSPs are able to compete on a level playing field starting, as planned, on April 15, 1997, we propose that the limited waiver issued by the Commission on April 4 for interstate tariffs apply to intrastate payphone tariffs as well. Specifically, we request that the Commission grant us 45 days from the April 4th Order to file new intrastate tariffs, in those States and for those services where new tariffs are required. Each LEC will undertake to file with the Commission a written *ex parte* document, by April 15, 1997, attempting to identify those tariff rates that may have to be revised.

Unlike with federal tariffs, there is of course no guarantee that the States will act within 15 days on these new tariff filings, particularly where rates are being increased pursuant to federal guidelines. Provided, however, that we undertake and follow-through on our commitment to ensure that existing tariff rates comply with the "new services" test and, in those States and for those services where the tariff rates do not comply, to file new tariff rates that will comply, we believe that we should be eligible for per call compensation starting on April 15th. Once the new state tariffs go into effect, to the extent that the new tariff rates are lower than the existing ones, we will undertake to reimburse or provide a credit to those purchasing the services back to April 15, 1997. (I should note that the filed-rate doctrine precludes either the state or federal government from ordering such a retroactive rate adjustment. However, we can and do voluntarily undertake to provide one, consistent with state regulatory requirements, in this unique circumstance. Moreover, we will not seek additional reimbursement to the extent that tariff rates are raised as a result of applying the "new services" test.)

The LECs thus ask the Commission to waive the requirement that effective intrastate payphone tariffs meet the "new services test," subject to three conditions: (1) LECs must file a written *ex parte* with the Commission by April 15, 1997, in which they attempt to identify any potentially non-compliant state tariff rates, (2) where a LEC's state tariff rate does not comply with the "new services" test, the LEC must file a new state tariff rate that does comply within 45 days of the April 4, 1997 Order, and (3) in the event a LEC files a new tariff rate to comply with the "new services" test pursuant to this waiver, and the new tariff rate is lower than the previous tariff rate as a result of applying the "new services" test, the LEC will undertake

KELLOGG, HUBER, HANSEN, TODD & EVANS, P.L.L.C.

Mary Beth Richards
April 10, 1997
Page 3

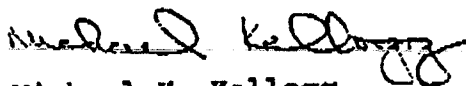
(consistent with state regulations) to provide a credit or other compensation to purchasers back to April 15, 1997.

The requested waiver is appropriate both because special circumstances warrant a deviation from the general rule and because the waiver will serve the public interest. Because the federal "new services" test has not previously been applied to existing state services -- and because the LECs did not understand the Commission to be requiring such an application of the test until the Commission issued its clarification order just a few days ago -- special circumstances exist to grant a limited waiver of brief duration to address this responsibility. In addition, granting the waiver in this limited circumstance will not undermine, and is consistent with, the Commission's overall policies in CC Docket No. 96-128 to reclassify LEC payphone assets and ensure fair PSP compensation for all calls originated from payphones. And competing PSPs will suffer no disadvantage. Indeed, the voluntary reimbursement mechanism discussed above -- which ensures that PSPs are compensated if rates go down, but does not require them to pay retroactive additional compensation if rates go up -- will ensure that no purchaser of payphone services is placed at a disadvantage due to the limited waiver.

Accordingly, we request a limited waiver, as outlined above, of the Commission's intrastate tariffing requirements for basic payphone lines and unbundled features and functions.

We appreciate your urgent consideration of this matter. Copies of this letter have been served by hand on the APCC, AT&T, MCI and Sprint.

Yours sincerely,



Michael K. Kellogg

cc: Dan Abeyta
Thomas Boasberg
Craig Brown
Michelle Carey
Michael Carowitz
James Casserly
James Coltharp
Rose M. Crellin
Dan Gonzalez

Christopher Heimann
Radhika Karmarkar
Regina Keeney
Linda Kinney
Carol Matthey
A. Richard Metzger
John B. Muleta
Judy Nitsche

Brent Olson
Michael Pryor
James Schlichting
Blaise Scinto
Anne Stevens
Richard Welch
Christopher Wright

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MARK L. EVANS
JEFFREY A. LAMKEN
AUSTIN G. SCHLICK

April 11, 1997

Ex Parte Filing

Mary Beth Richards
Deputy Bureau Chief
Common Carrier Bureau
Federal Communications Comm'n
1919 M Street, N.W., Room 500
Washington, D.C. 20554

In re Implementation of the Pay Telephone
Reclassification and Compensation Provisions
of the Telecommunications Act of 1996,
CC Docket No. 96-128

Dear Mary Beth:

This letter will clarify the request I made yesterday on behalf of the RBOCs for a limited waiver of the Commission's intrastate tariffing requirements for basic payphone lines and unbundled features and functions.

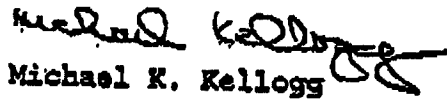
To the best of my knowledge, all the RBOCs have (or will by April 15, 1997, have) effective state tariffs for all the basic payphone lines and unbundled features and functions required by the Commission's order. We are not seeking a waiver of that requirement. We seek a waiver only of the requirement that those intrastate tariffs satisfy the Commission's "new services" test. The waiver will allow LECs 45 days (from the April 4 Order) to gather the relevant cost information and either be prepared to certify that the existing tariffs satisfy the costing standards of the "new services" test or to file new or revised tariffs that do satisfy those standards. Furthermore, as noted, where new or revised tariffs are required and the new tariff rates are lower than the existing ones, we will undertake (consistent with state requirements) to reimburse or provide a credit back to April 15, 1997, to those purchasing the services under the existing tariffs.

KELLOGG, HUBER, HANSEN, TODD & EVANS, P.L.L.C.

Mary Beth Richards
April 11, 1997
Page 2

I hope this clarification is helpful. Copies of this letter have been served by hand on the APCC, AT&T, MCI and Sprint.

Yours sincerely,


Michael K. Kellogg

cc: Dan Abeyta
Thomas Boasberg
Craig Brown
Michelle Carey
Michael Carowitz
James Casserly
James Coltharp
Rose M. Crellin
Dan Gonzalez
Christopher Heimann
Radhika Karmarkar
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Brent Olson
Michael Pryor
James Schlichting
Blaise Scinto
Anne Stevens
Richard Welch
Christopher Wright

**Public Utility Commission of Oregon
April 1, 1997 Public Meeting
Transcript of Excerpt of Audiotapes**

Jim Stanage:

Jim Stanage, PUC staff. All of the tariff filings that we've received that I'll be discussing here today have been filed by Oregon telephone utilities in response to orders of the FCC. The primary order was effective on October 8, issued September 20th, and there was a subsequent Reconsideration Order that was effective about a month later, in early November. We received filings from the four fully regulated telephone utilities, from the 12 partially regulated telephone utilities who were still required to file tariffs with the Commission. We received letters from the four partially regulated telephone utilities who are no longer required to file tariffs with the Commission, as well as letters from most of the telephone cooperatives in Oregon, of which there are 11. All telling us that they intended to comply in various respects with the FCC's Order and the Telecommunications Act of 1996, which was the basis of the Commission's orders.

All of the companies have filed to provide one thing, one thing in common, that is they filed to provide what's referred to as a coin control function or feature which can be used on dumb telephones, dumb pay telephones, which I'll explain in a few minutes. And in that way they are able to operate on the same basis that the pay telephones of local exchange companies have always operated, in most places most of the time. Also, all of the companies except U S WEST filed to delete their public telephone service from their tariffs.

U S WEST did not file to delete their public telephone service from the tariff, and as an aside I could explain that I asked the company why all the others did and they didn't and they responded that they didn't believe that the FCC order required them to do so. GTE, since I sent my memo to you last week, has filed a supplement to their filing, with a less than statutory notice, and has proposed to remove the pages, the sheets, from their tariff filing that deleted public telephone service, such that now their filing would read to do nothing to public telephone service, leave it as it is.

The filings and my recommendations are different enough that I'll have to treat some of these separately, and so I'd like to begin now with U S WEST's filing, Advice 1668.

U S WEST proposes to establish Smart Public Access Line service, or Smart PAL, PAL representing public access line service. The filing is intended to meet the requirements of the FCC Order. Smart PALs could be used by public service, I'm sorry, payphone service providers, which are referred to as PSPs. They're formerly known also as independent payphone providers. The coin control function has been sought by independent payphone providers for several years. They have consistently argued that access to such a service would be an important contribution toward their ability to compete on a more equal basis with local exchange companies in providing pay telephone service. U S WEST has proposed in this filing to offer Smart PAL on a usage-sensitive basis, with a per-message rate usage element. Under this approach, the subscriber would pay \$20.74 per line per month, plus 7 cents per message or per call. Thus, a payphone service provider who wanted to use a dumb payphone, one without the coin controlled function built into the telephone instrument itself, would be able to use such an instrument through Smart PAL service. The \$20.74 per month would be \$2.74 more than the same service would cost without the coin control or smart feature, thus the PAL subscriber would effectively be paying \$2.70 for the Smart PAL feature. However, the coin control function would not be available to PAL subscribers under U S WEST's other PAL options. The PAL service most frequently chosen by subscribers is the measured with 300 call allowance option, which I would for the sake of convenience characterize as the semi-flat measured option. U S WEST doesn't currently offer flat-rated PAL service in Oregon.

Staff believes that the confinement of the Smart PAL to the straight measured option of \$18.00 per line per month plus message charges could be viewed as anticompetitive. By imputing the semi-public, or semi-flat measured option to itself, U S WEST could gain an advantage over its PSP competitors in the views of some members of the industry,

because they would be confined strictly to the straight measured option. However, I should emphasize that I believe that it's unlikely that U S WEST would intentionally impute what would amount [end of Tape 1] . . .

service, because doing so would violate the rules of the Commission. On the other hand, even if U S WEST imputed the straight measured PAL service rate to its own pay telephone service, the company's proposed pricing plan would still be anticompetitive. In order to alleviate this concern, Staff has asked U S WEST to make an additional filing that makes the smart feature available under its other primary PAL service option, the semi-flat measured service. This would be the semi-flat measured option, and the \$2.74 charge for the smart feature would then be added to that service. The company has agreed by letter to make the filing on September 12th, to be effective October 15. This agreement to make the smart feature available with the semi-flat measured service removes Staff's concerns about this filing. I recommend the filed tariff be allowed to go into effect.

Chairman Hamilton: Thank you, Jim. I think. Questions?

Commissioner Eachus: Mr. Chairman, I move adoption of the Staff recommendation Item No. 3.

Chairman Hamilton: There's one question.

Commissioner Smith: I'm likely to support it, but I'm curious, Jim, why, when the difference is the smart feature, which is not available to competitors right now unless they buy this one service, why you're letting the company wait until September 12th and then it's not even part of the Staff's recommendation that they send a letter?

Jim Stanage: They've already sent a letter agreeing to make the filing by that date. If they sent a letter to the Commission . . .

Commissioner Smith: Why do we have to wait so long for the filing?

Jim Stanage:

The company originally agreed to provide the service but then sent us a letter telling us that they couldn't do so for about 12 months because the priority they'd give the reprogramming of their central office switches around the state would be fairly low if they took it in the normal order of things. I told them that that wouldn't be quite adequate and so asked them if they could move it up, and they offered to move it up by six months. In the meantime, I might explain that this is a service that the independent payphone providers in the industry probably won't be rushing to subscribe to since they already have smart phones at all of their current sites and probably have an inventory of smart phones that they would want to deplete before they started buying the new dumb phones to replace phones. So the likely installations of the service would be at independent payphone sites that were new to the providing company.

Commissioner Smith: Thank you. I have no objection to the motion.

Chairman Hamilton: I'm sorry, did you want to make a comment?

Kathy Brady: I'm sorry. This is Kathy Brady with U S WEST. I just wanted to make a few comments. We have been working with Jim on this filing, and my concern was the issue of whether U S WEST would impute something to itself that it would not offer to its – the other payphone providers. And I just want to assure the Commissioners that we will only impute to ourselves what we do offer other payphone providers, and that we did not offer the 300 message allowance in the beginning mainly because it requires a billing change in our CRIS system, and the scheduling had it put out 'til September, but we certainly plan on implementing it as soon as possible.

Chairman Hamilton: Thank you. Any other questions? There is a motion to adopt the recommendation. Hearing no opposition to that, it is so ordered. Thank you very much.

ITEM N

PUBLIC UTILITY COMMISSION OF OREGON

STAFF REPORT

PUBLIC MEETING DATE: April 1, 1997

REGULAR AGENDA X CONSENT AGENDA EFFECTIVE DATE

DATE: March 24, 1997

TO: Mike Kane through Pete Paris through Lance Ball

FROM: Jim Stanage

SUBJECT: U S WEST Communications, Inc. Advice No. 1668

Establishes Smart Public Access Line (Smart PAL) service

SUMMARY RECOMMENDATION:

Allow the filed tariff to go into effect.

DISCUSSION:

U S WEST Communications, Inc. (U S WEST) proposes to establish Smart Public Access Line (Smart PAL) service. The filing is intended to meet the requirements of Federal Communications Commission (FCC) Order 96-388 as modified by FCC Order 96-439 to provide this type of access lines. Smart PALs could be used by Payphone Service Providers (PSPs), also known as independent payphone providers, who want their payphone service arranged such that the "coin control" function is present in the line (through local central office of the serving Local Exchange Carrier [LEC]) rather than in the terminal telephone instrument owned by the PSP. The coin control function has been sought by independent payphone providers for several years. They have consistently argued that access to such a service would be an important contribution toward their ability to compete on a more equal basis with LECs in the payphone industry.

This filing also removes tariff text which was intended to regulate the operational methods used by PSPs relating to disconnection of service for failure to comply with certain consumer protection and disclosure rules under state law or the rules of the Oregon Public Utility Commission. In the regulatory environment created by the 1996 Telecommunication Act and the FCC's orders, the company believes that it could not assume such regulatory authority.

US WEST has proposed in this filing to offer Smart PAL service on a usage-sensitive basis with a per message rated usage element. Under this approach, the subscriber would pay \$20.74 per line per month, plus \$0.07 per message (call). Thus, a PSP who wanted to use a "dumb" payphone, one without the coin control function (feature) built into the telephone instrument itself, would be able to use such an instrument through Smart PAL service. The \$20.74 monthly rate would be \$2.74 more than the same service without the coin control ("smart") feature. Thus, the PAL subscriber would effectively be paying \$2.74 for the smart feature.

However, the coin control function would not be available to PAL subscribers under U S WEST's other PAL options. The PAL service most frequently chosen by subscribers is the "Measured with 300 Call Allowance" option which I would, for the sake of convenience, characterize as the "semi-flat/measured" option. This version is \$30.87 per line monthly and includes an allowance for 300 local calls per month with no additional charge. The monthly flat-rated Extended Area Service (EAS), which would typically be \$2.00 to \$4.00 dollars per line, would be in addition to the flat monthly rate. The monthly rate of \$30.87 for this service is the same as the monthly rate for the company's simple flat-rated business service. For each call in excess of 300 per month, the subscriber to this service would pay predetermined usage charges of either \$0.07 per call or regular usage charges. Most PAL subscribers choose the \$0.07 per call usage option. U S WEST does not currently offer flat-rated PAL service in Oregon.

Staff believes that the confinement of Smart PAL to the straight measured option of \$18.00 per line plus message charges could be viewed as anti-competitive. The anti-competitive nature of this pricing scheme is evident in the effective rate differential between straight measured PAL service---the only rate option with the smart feature proposed in this filing for PSPs---and the other primary PAL option available to PSPs, the semi-flat/measured option. By imputing the semi-flat/measured option to itself, U S WEST could gain an advantage over its PSP competitors who would be confined to the straight measured option because those competitors would have to pay approximately \$4.00 to \$6.00 more per month for equivalent service. For example, the straight measured option is \$18.00 per month plus message charges for 300 calls at \$0.07 each is an additional \$21.00 which totaled equals \$39.00 (\$18.00+\$21.00); the semi-flat/measured option is \$30.87 per month (including up to 300 calls) plus \$4.30 for EAS in Portland or \$2.05 for EAS in Salem or Eugene, i.e., a total of about \$35.00 in Portland or \$33.00 in Salem or Eugene. Thus, there is a difference of \$4.00 to \$6.00 for equivalent service.

Furthermore, staff believes that even if U S WEST imputed the straight measured "Smart PAL" service rate to its own payphone service, the company's proposed pricing scheme would still be anti-competitive. By providing only the higher priced option---i.e., straight measured Smart PAL service---to PAL subscribers, the cost of payphone service for both PSPs and U S WEST would unnecessarily be forced upward to the Smart PAL price. Thus, as described above, both the company and its prospective PAL subscribers would incur costs of service that were at least \$4.00 to \$6.00 more per line monthly than is necessary. The extra costs are unnecessary because there is not an adequate reason for failing to offer the smart feature on any PAL. When staff asked the company why it did not offer the smart feature except under the straight measured PAL option, the company stated that it simply preferred to restrict it to that option only.

Staff has asked U S WEST to make an additional filing that makes the smart feature available under its other primary PAL service option, the semi-flat/measured service. The company has agreed by letter to do make the filing on September 12 to be effective October 15.

The company submitted a cost study which shows that the proposed rates cover the long-run incremental cost of service. U S WEST estimates that this filing will reduce annual net revenues by \$26,000.

STAFF RECOMMENDATION:

I recommend that the filed tariff be allowed to go into effect.

U S WEST Communications, Inc.
1601 California Street, Suite 4730
Denver, Colorado 80202
303 896-4811
Facsimile 303 896-6378

Frank H. Hatzebuehler
Vice President

May 20, 1997

Name
Title
Company
Street Address
City, State, Zip

Dear Mr./Ms.. Name: (Carriers with Interim Compensation Obligations - see attached list)

In response to the FCC's implementation requirements for Section 276 of the Telecommunications Act of 1976 regarding the new rules and policies governing the payphone industry, U S WEST Communications ("U S WEST") hereby certifies that it has met all the requirements of the FCC to receive payphone compensation from carriers in all of its states except one.⁴³ The seven requirements for eligibility were initially set forth by the Commission in paragraphs 131 and 132 of the Reconsideration Order in the Payphone Reclassification Proceeding, and have been clarified and modified by subsequent Orders. Specifically⁴⁴ U S WEST certifies that:

1. It has an effective cost accounting manual (CAM) filing. (Attachment A)
2. It has an effective CCL tariff reflecting a reduction for deregulated payphone costs and reflecting additional multiline subscriber line charge (SLC) revenue. (Attachment A)
3. It has effective intrastate tariffs reflecting the removal of charges that recover the costs of payphones and any intrastate subsidies. (Attachment B)
4. It has deregulated and reclassified or transferred the value of payphone customer premises equipment ("CPE") and related costs as required in the Report and Order. (Attachment A)
5. It has in effect intrastate tariffs for basic payphone services (for "dumb" and "smart" payphones), (except for New Mexico where the tariff for dumb payphones (Smart PAL) is still pending approval). (Attachment C)

⁴³ The eligible states are Arizona, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. Approval of the tariff for "dumb" payphone service (Smart PAL) is still pending in New Mexico.

⁴⁴ Attachments A through D contain specific information associated with U S WEST's compliance with the FCC's requirements for compensation.

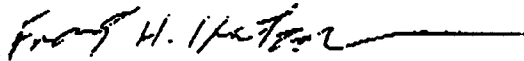
6. It has in effect intrastate and interstate tariffs for unbundled functionalities associated with those lines. (Attachments A & D)
7. It has an approved comparably efficient interconnection (CEI) plan for basic payphone services and unbundled functionalities. (Attachment A)

In addition, U S WEST certifies that it has effective intrastate payphone services tariffs which are cost-based, consistent with the requirements of Section 276, nondiscriminatory and consistent with Computer III guidelines. Pursuant to the Commission's limited waiver of the "new services" test granted in its Order of April 15, 1997 (DA 97-805), U S WEST has filed any rate changes required in the existing intrastate tariffs for unbundled functionalities to achieve compliance with the "new services" test.

Accordingly, U S WEST is in full compliance with the applicable requirements as set forth in the Payphone Orders. It is, therefore, eligible to receive flat rate interim compensation and per call compensation from carriers as of April 15, 1997, in 13 of its 14 States and on the first day following certification eligibility in New Mexico.

In order to effectuate the FCC's interim compensation provisions, U S WEST will bill carriers per payphone, per month, the amounts specified in Appendix F of the Payphone Order.

Sincerely,



Frank H. Hatzenbuehler
Vice President Markets Pricing & Regulatory Support
U S WEST Communications

Attachments

cc: Tom Bystrzycki, U S WEST	Minnesota Public Utilities Commission
David Anastasi, U S WEST	Montana Public Service Commission
Regina Kenney, FCC	Nebraska Public Service Commission
Mary Beth Richards, FCC	New Mexico Public Utility Commission
John B. Muleta, FCC	North Dakota Public Service Commission
Michael Carowitz, FCC	Oregon Public Utility Commission
Arizona Corporation Commission	South Dakota Public Utilities Commission
Colorado Public Utilities Commission	Utah Public Service Commission
Idaho Public Utilities Commission	Wyoming Public Service Commission
Iowa Utilities Board	
Washington Utilities and Transportation Commission	

**INTERIM COMPENSATION OBLIGATIONS
U S WEST Certification Letter Distribution**

AT&T Communications, Inc.
ALASCOM, Inc.
MCI Telecommunications Corp.
Sprint Communications Co.
LDDS WORLDCOM
Frontier Communications Services
Frontier Communications International, Inc.
Frontier Communications of the North Central Region
Frontier Communications of the West, Inc.
Cable & Wireless Communications, Inc.
LCI International Telecom Corp.
Excel Telecommunications, Inc.
Telco Communications Group, Inc.
Midcom Communications, Inc.
Tel-Save, Inc.
U.S. Long Distance, Inc.
VarTec Telecom, Inc.
GE Capital Communications Services Corp.
General Communication, Inc.
MFS Intelenet, Inc.
Business Telecom, Inc.
Communication Telesystem International
Oncor Communications, Inc.
The Furst Group, Inc.
American Network Exchange, Inc.

**PAYPHONE CERTIFICATION
MAILING LIST**

**Charlotte Field
Vice President Access Management
AT&T Communications, Inc.
1875 Lawrence, Room 1433
Denver, CO 80202**

Dear Ms. Field:

**Charlotte Field
Vice President Access Management
ALASCOM, Inc.
1875 Lawrence, Room 1433
Denver, CO 80202**

Dear Ms. Field:

**Bill Wilde
Director, Local Financial Systems Management
MCI Telecommunications Corporation
8521 Leesburg Pike
Vienna, VA 22182**

Dear Mr. Wilde:

**Randy Malcik
Sprint Communications Co.
903 E. 104th Street
Kansas City, MO 64131**

Dear Mr. Malcik:

Gary Seales
LDDS WORLDCOM
P.O. Box 21348
Tulsa, OK 74121

Dear Mr. Seales:

Frontier Communications Services
Frontier Communications International Inc.
Frontier Communications of the North Central Region
Frontier Communications of the West, Inc.

Michael Nighan
Regulatory Affairs
Frontier Companies
180 S. Clinton Avenue, 5th Floor
Rochester, NY 14646-0500

Dear Mr. Nighan:

Tom King
Cable & Wireless Communications, Inc.
8219 Leesburg Pike
Vienna, VA 22182

Dear Mr. King:

Ann Scott
Manager - Carrier Relations
LCI International Telecom Corp.
8180 Greensboro Drive
McLean, VA 22102

Dear Ms. Scott:

Chris Dance
EXCEL Telecommunications, Inc.
9330 LBJ Freeway, Suite 1200
Dallas, TX 75243

Dear Mr. Dance:

Cecile Lucas
Telco Communications Group, Inc.
4219 Lafayette Center Drive
Chantilly, VA 20151

Dear Ms. Lucas:

Pat Arnold
Midcom Communications, Inc.
1111 Third Avenue, Suite 1600
Seattle, WA 98101

Dear Ms. Arnold:

Emanuel DeMaio
Tel-Save, Inc.
22 Village Square
New Hope, PA 18938

Dear Mr. DeMaio:

Kenneth F. Melley, Jr.
Director of Regulatory Affairs
U.S. Long Distance, Inc.
9311 San Pedro, Suite 100
San Antonio, TX 78216

Dear Mr. Melley, Jr:

Debby Helton
VarTec Telecom, Inc.
3200 West Pleasant Run Road
Lancaster, TX 75146

Dear Ms. Helton:

Meredith Gifford
GE Capital Communications Services Corp.
6540 Powers Ferry Road
Atlanta, GA 30339

Dear Ms. Gifford:

Fred Walker
General Communication, Inc.
2550 Denali Street, Suite 1000
Anchorage, AK 99503

Dear Mr. Walker:

Joseph Kahl
MFS Intelenet, Inc.
3 Wing Drive, Suite 200
Cedar Knolls, NJ 07927

Dear Mr. Kahl:

Barbara Greene
Business Telecom, Inc.
4300 Six Forks Road, Suite 500
Raleigh, NC 27609

Dear Ms. Green:

Esther Rosenthal
Communication Telesystem International
4350 La Jolla Village Dr., Suite 100
San Diego, CA 92122

Dear Ms. Rosenthal:

Tammy Howard
Oncor Communications, Inc.
6903 Rockledge Drive, Suite 1320
Bethesda, MD 20817

Dear Ms. Howard:

Jeffrey Bocker
The Furst Group, Inc.
459 Oakshade Road
Shamong, NJ 08088

Dear Mr. Bocker:

Amy S. Gross
American Network Exchange, Inc.
100 West Lucerne Circle, Suite 100
Orlando, FL 32801

Dear Ms. Gross:

U S WEST Communications

FEDERAL FILING REQUIREMENTS			
<i>FCC Requirement</i>	<i>Filed</i>	<i>Approved/ Implemented</i>	<i>Tariff Transmittal</i>
1.) Cost Allocation Manual (CAM)	9/1/96	9/1/96	Adjustment made with RM8181 filing
2.) Interstate CCL Tariff	1/15/97	Public Notice released 4/15/97	Transmittal No. 823, Tariff FCC No. 5
4.) Deregulation/Reclassification of Payphone CPC	N/A	4/15/97	N/A
6.) Interstate Tariffs for Unbundled Features	1/15/97 Revised 4/14/97	Public Notice released 4/15/97	Transmittal Nos. 301, 823 and 826, Tariff FCC No. 5
7.) CEI Plans	1/6/97	Order released 4/15/97	(DA 97-796)

5/19/97

**U S WEST Communications
State Filing Requirements**

3.) Intrastate Subsidy Removal			
<i>State</i>	<i>Explicit Payphone Cost Recovery Elements</i>	<i>Elimination of Subsidy/ Adjustment to Rates (Effective Date)</i>	<i>Other Activities</i>
Arizona	None	N/A No Subsidy	Not Applicable
Colorado	None	N/A No Subsidy	Not Applicable
Idaho - North	None	N/A No Subsidy	Not Applicable
Idaho - South	None	N/A No Subsidy	Not Applicable
Iowa	None	N/A No Subsidy	Not Applicable
Malheur	Intrastate application of Part 69	N/A No Subsidy	No adjustment to rates; revenue requirement adjusted in pending access charge filing
Minnesota	None	N/A No Subsidy	Not Applicable
Montana	None	N/A No Subsidy	Not Applicable
Nebraska	None	N/A No Subsidy	Not Applicable
New Mexico	None	N/A No Subsidy	Not Applicable
North Dakota	None	N/A No Subsidy	Not Applicable
Oregon	Intrastate application of Part 69 used in past	N/A No Subsidy	No adjustment to rates; revenue requirement adjusted 4/15/97*
South Dakota	SD rules allocate pay phone costs to CCL	N/A No Subsidy	No adjustment to rates; revenue requirement adjusted 4/11/97*
Utah	None	N/A No Subsidy	Not Applicable
Washington	Intrastate application of Part 69 used in past	N/A No Subsidy	No adjustment to rates; revenue requirement adjusted 4/15/97*
Wyoming	None	N/A No Subsidy	Not Applicable

* A specific analysis of payphone revenue to costs shows there is no payphone subsidy. No adjustment to current rates required because current intrastate CCL charge is below the current adjusted revenue requirement.

5/19/97

**U S WEST Communications
State Filing Requirements**

5) Payphone Services Intrastate Tariff Filings			
<i>Jurisdiction</i>	<i>Tariffs for "Dumb" Payphone Smart Lines Filed On</i>	<i>Date Approved Date Effective</i>	<i>Tariff/Order No.</i>
Arizona	1/15/97	Approved 4/17/97 Effective 4/15/97	Decision No. 60135
Colorado	1/15/97	Approved 2/12/97 Effective 4/15/97	Advice No. 2649
Idaho - North	1/15/97	Approved 4/23/97 Effective 4/15/97	Advice No. 97-02-N
Idaho - South	1/15/97	Approved 4/23/97 Effective 4/15/97	Advice No. 97-01-S
Iowa	1/15/97	Approved 2/6/97 Effective 4/15/97	Advice No. 1444
Maine	1/15/97	Effective 4/15/97	Advice No. 97-04-C
Minnesota	1/15/97	Effective 4/15/97	Docket P421/EM-97-93
Montana	1/13/97	Effective 4/15/97	Advice No. 97-02-N
Nebraska	1/15/97	Effective 4/15/97	NE 96-080
New Mexico	1/15/97	Approved 8/21/97 Effective 4/15/97	97-69-TC/Order
North Dakota	1/15/97	Effective 4/15/97	ND 96-036
Oregon	1/15/97	Approved 4/1/97 Effective 4/15/97	Advice No. 1668
South Dakota	1/15/97	Approved 9/26/97 Effective 4/15/97	Docket TC 97-006
Utah	1/15/97	Approved 4/22/97 Effective 4/15/97	A.L. 97-03
Washington	1/15/97	Approved 3/12/97 Effective 4/15/97	Advice No. 2825T
Wyoming	1/13/97	Effective 4/15/97	WY 96-064

10/24/97

**U S WEST Communications
Filing Requirements**

6.) Unbundled Features and Functions		
<i>Feature/ Function</i>	<i>Availability</i>	<i>Tariff</i>
Answer Supervision - Line Side	Arizona, Colorado, Iowa, Idaho-South, Minnesota, North Dakota, Nebraska, New Mexico, Oregon, Utah, Washington	Tariff FCC No. 5, Applicable State Tariffs
Blocking for 10XXX1+/10XXX011+	Arizona, Colorado, Iowa, Idaho-North, Idaho- South, Malheur, Minnesota, Montana, North Dakota, Nebraska, New Mexico, Oregon, South Dakota, Utah, Washington, Wyoming	Tariff FCC No. 5, Applicable State Tariffs
International Blocking	Minnesota	Tariff FCC No. 5, Applicable State Tariffs
Billed Number Screening	Arizona, Colorado, Idaho-South, Iowa, Malheur, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming	Tariff FCC No. 5, Applicable State Tariffs

**U S WEST Communications
State Filing Requirements**

6.) Unbundled Features and Functions - State Tariffs				
State	Answer Supervision - Line Side	Blocking for 10XXX1+/ 10XXX011+	International Blocking	Billed Number Screening
Arizona	Job 2320R 5/17/92	Job 2867R/3941T 3/02/93	N/A	Job 2612R/3693T 6/17/92
Colorado	Advice No. 2318 12/18/92	Transmittal No. 77 3/1/93	N/A	Advice No. 2496 9/30/94
Idaho - North	N/A	Advice No. 94-01-N 2/7/94	N/A	N/A
Idaho - South	Transmittal No. 92-1-SC 3/11/92	Transmittal No. 93-2-SC 3/1/93	N/A	Transmittal No. 92-13- SC 11/23/92
Iowa	3/20/92	4/12/93	N/A	Docket RPU-82-49 6/8/83
Malheur	N/A	Transmittal No. 95-03-C 2/10/95	N/A	Transmittal No. 95-03-C 2/10/95
Minnesota	Job 5002r/4 2/24/92	Job 5017r/2 3/1/93	Docket P421/EM- 95-1015 10/15/95	11/23/87
Montana	N/A	Job 2870R/1495c 3/17/93	N/A	Job 2613R 7/1/92
Nebraska	Job 0572f 12/31/91	Job 0630f 3/1/93	N/A	Job 0669e 2/4/94
New Mexico	Docket No. 87-54-TC 7/22/92	Job 2871R/761 /W 5/26/93	N/A	Job 3965R 10/24/94
North Dakota	5/26/92	3/8/93	N/A	2/23/94
Oregon	Transmittal No. 3814 5/15/92	5/5/93	N/A	2/23/94
South Dakota	N/A	Advice No. 1504 3/1/93	N/A	Advice No. 1555 1/18/93
Utah	Advice Letter 92-05 3/20/92	Advice Letter 93-02 3/5/93	N/A	Available at no charge - not tariffed
Washington	Advice No. 2271T 3/20/92	Advice 2375T 3/4/93	N/A	Advice No. 2502T 6/6/94
Wyoming	N/A	Job 2873R/8047T 3/3/93	N/A	Job WY93-39 9/15/94

**U S WEST Communications
State Filings**

FCC New Service Test Application - State Rates								
State	Answer Supervision - Line Side	Blocking for 10XXX1+/ 10XXX011+	International Blocking	Billed Number Screening	Basic PAL Flat	Basic PAL Measured	Smart PAL Flat	Smart PAL Measured
Arizona	Passed	Passed	N/A	Passed	Passed	Passed	Passed	Passed
Colorado	Passed	Passed	N/A	Passed	Passed	Passed	Passed	Passed
Idaho - North	N/A	Passed	N/A	N/A	Passed	N/A	Passed**	N/A
Idaho - South	Passed	Passed	N/A	Passed	Passed	Passed	N/A	Passed
Iowa	Passed	Passed	N/A	Passed	Passed	Passed	Passed	Passed
Maine	Passed	Passed	N/A	Passed	Passed	Passed	Passed	Passed
Minnesota	Passed	Passed	Passed	Passed	Passed	Passed	Passed	Passed
Montana	N/A	Passed	N/A	Passed	Passed	Passed#	N/A	Passed
Nebraska	Passed	Passed	N/A	Passed	Passed	Passed	Passed	Passed
New Mexico	Passed	Passed	N/A	Passed	Passed	Passed	N/A	Passed
North Dakota	Passed	Passed	N/A	Passed	Passed	N/A	Passed	N/A
Oregon	Passed	Passed	N/A	Passed	Passed	Passed	N/A	Passed
South Dakota	N/A	Passed	N/A	Passed	Passed	Passed	Passed	Passed
Utah	Passed	Passed	N/A	Passed	Passed	Passed	Passed	Passed
Washington	Passed*	Passed	N/A	Passed	Passed	N/A	Passed	N/A
Wyoming	N/A	Passed	N/A	Passed	Passed	Passed	Passed	Passed

N/A - Service not available

* Rate adjustment filing 5/16/97, withdrawn 6/25/97, Advice No. 2866T

Rate below new service test level, adjusted rate filed 5/16/97, Docket D96.12.220

** Rate below new service test level, adjusted rate filed 5/16/97, Approved 6/10/97, Effective 6/15/97, Advice No. 97-06-N

11/11/97

Qwest
421 Southwest Oak Street
Suite 870
Portland, Oregon 97204
Phone 503-242-5234
FAX 503-242-5456

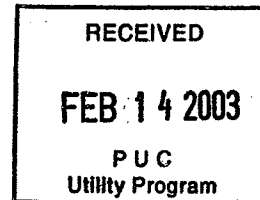
Judith A. Pepler
President - Oregon



Letter of Acknowledgment

February 14, 2003

Advice No. 1935



The Honorable Roy Hemmingway, Commission Chair
Oregon Public Utility Commission
P. O. Box 2148
Salem, OR 97308-2148

ATTENTION: Vikie Bailey-Goggins, Administrator
Tariffs and Data Analysis

Dear Commissioner Hemmingway:

Qwest is forwarding for filing the sheets listed on Attachment A. This filing proposes revisions to the Exchange and Network Services tariff. The effective date is March, 17, 2003.

The proposed revisions are rate reductions to the following Public Access Line (PAL) elements:

- Basic PAL
- Smart PAL
- Basic PAL Measured
- Message Line
- Smart PAL Message Line
- PAL Message Charge
- PAL Measured Per Minute Charge

The rate reductions have been calculated in accordance with FCC Order No. 02-025. Qwest has reviewed the FCC order and is making this filing without prejudice to its pending appeal of the FCC order, and without prejudice to its position in the pending appeals of this Commission's orders in Dockets Nos. UT 125 and DR 26/UC 600.

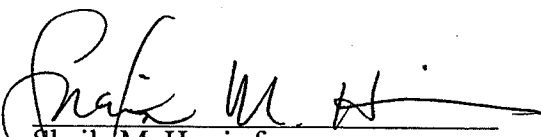
The estimated annualized revenue impact of this filing can be found herein under confidential cover.

Page 2

Attachment B contains commercially valuable information and/or trade secrets and are submitted to Staff in confidence pursuant to ORS 192.501, 192.502 and 646.641 Et seq. We understand that you will notify us prior to release of any such information in sufficient time to seek a protective order from the Commission or to otherwise preserve its confidentiality.

If you have questions concerning this filing, please contact Sheila Harris on (503)242-5950.

Yours very truly,

By 
Sheila M. Harris for
Judy Pepler President - Oregon
Qwest Communications, Inc.

Attachments

EXCHANGE AND NETWORK SERVICES
P.U.C. OREGON NO. 29

<u>SECTION</u>	<u>SHEET</u>	<u>REVISION</u>
5	136	3 rd
5	137	3 rd

U S WEST COMMUNICATIONS, INC.

**P.U.C. OREGON NO. 29
EXCHANGE AND
NETWORK SERVICES**

**SECTION 5
3rd Revised Sheet 136
Cancels 2nd Revised Sheet 136**

5. EXCHANGE SERVICES

5.5 PUBLIC COMMUNICATIONS SERVICE - COIN AND COINLESS

5.5.7 PUBLIC ACCESS LINE SERVICE (Cont'd)

C. Rates and Charges

1. Each Basic Public Access Line

	USOC	NON-RECURRING CHARGE	MONTHLY RATE PER RATE GROUP			
			1	2	3	
• Measured						
- Two-way, per line[1]	17Q	[2]	\$ 7.98 (R)	\$ 7.98 (R)	\$ 7.98 (R)	
- Outgoing only, per line[1]	16Q	[2]	7.98	7.98	7.98	
• Measured with 300 Call Allowance						
- Two-way, per line[1,3]	15W	[2]	14.05	14.05	14.05	
• Message						
- Two-way, per line[1]	1MA	[2]	7.98	7.98	7.98	(T)
• Message with 300 Call Allowance						
- Two-way, per line[1,3]	1W3	[2]	15.21	15.21	15.21	(T)
• Flat						
- Two-way, per line[3]	1KY	[2]	8.88	8.88	8.88	
• Carrier Package[4]	1N8	[2]	10.88 (R)	10.88 (R)	10.88 (R)	(T)

- [1] Message usage charge specified, following, applies. (C)
- [2] The business access line nonrecurring charge specified in 5.2 applies. (C)
- [3] EAS rate increment also applies. See 5.1.1. (D)
- [4] Outgoing only service commonly used by Interexchange Carriers. Service includes CUSTOMNET Service and local call restrictions. (T)

Advice No. 1935
Issued by U S WEST Communications, Inc.
By J. A. Pepler
OR2002-067

Effective: March 17, 2003
Title President

U S WEST COMMUNICATIONS, INC.

**P.U.C. OREGON NO. 29
EXCHANGE AND
NETWORK SERVICES**

**SECTION 5
3rd Revised Sheet 137
Cancels 2nd Revised Sheet 137**

5. EXCHANGE SERVICES

5.5 PUBLIC COMMUNICATIONS SERVICE - COIN AND COINLESS

5.5.7 PUBLIC ACCESS LINE SERVICE

C. Rates and Charges (Cont'd)

			NON- RECURRING	MONTHLY RATE PER RATE GROUP		
	USOC		CHARGE	1	2	3
2. Smart Public Access Line, each						
• Flat						
- Outgoing only, per line[1]	5FO		[2]	\$9.50 (R)	\$9.50 (R)	\$9.50 (R)
- Two-way, per line[1]	5FP		[2]	9.50	9.50	9.50
• Message						
- Outgoing only, per line[3]	14C		[2]	8.61	8.61	8.61
- Two-way, per line[3]	1NH		[2]	8.61 (R)	8.61 (R)	8.61 (R)

3. Message Usage Charges

	MESSAGE RATE	
• Per message	\$0.02 (R)	
	PER MINUTE RATE	
• Per Minute of Use Placed within the customer's local calling area	\$0.01	(N) (N)

[1] EAS rate increment also applies. See 5.1.1.

[2] The business access line nonrecurring charge from 5.2 applies.

[3] Message usage charges apply.

Advice No. 1935
Issued by U S WEST Communications, Inc.
By J. A. Pepler
OR2002-067

Effective: March 17, 2003
Title President

421 Southwest Oak Street
Suite 870
Portland, Oregon 97204
Phone 503-242-5234
FAX 503-242-5456

Judith A. Pepler
President - Oregon

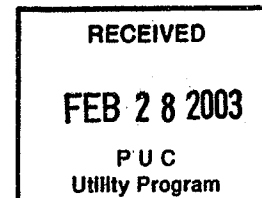
Letter of Acknowledgment



February 28, 2003

Advice No. 1935
Supplement No. 1

The Honorable Roy Hemmingway, Commission Chair
Oregon Public Utility Commission
P. O. Box 2148
Salem, OR 97308-2148



ATTENTION: Vikie Bailey-Goggins, Administrator
Tariffs and Data Analysis

Dear Commissioner Hemmingway:

Qwest is forwarding for filing the sheets listed on Attachment A. This supplemental filing proposes further revisions to the Exchange and Network Services tariff. The effective date is March, 17, 2003.

The purpose of this supplemental filing is to reestablish a deaveraged rate structure for Qwest's Public Access Line Service Rates.

The original filing introduced rate reductions that were calculated in accordance with FCC Order No. 02-025. Qwest reviewed the FCC order and its filing without prejudice to its pending appeal of the FCC order, and without prejudice to its position in the pending appeals of this Commission's orders in Dockets Nos. UT 125 and DR 26/UC 600.

The estimated annualized revenue impact of this filing can be found herein under confidential cover.

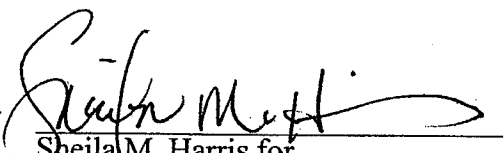
Attachment B contains commercially valuable information and/or trade secrets and are submitted to Staff in confidence pursuant to ORS 192.501, 192.502 and 646.641 Et seq. We understand that you will notify us prior to release of any such information in sufficient time to seek a protective order from the Commission or to otherwise preserve its confidentiality.

The Honorable Roy F. Cummings, Commission Chair
Oregon Public Utility Commission
Advice No. 1935

Page 2

If you have questions concerning this filing, please contact Sheila Harris on (503) 242-5950.

Yours very truly,

By 
Sheila M. Harris for
Judy Pepler President - Oregon
Qwest Communications, Inc.

Attachments

EXCHANGE AND NETWORK SERVICES
P.U.C. OREGON NO. 29

<u>SECTION</u>	<u>SHEET</u>	<u>REVISION</u>
5	136	3 rd
5	137	3 rd

U S WEST COMMUNICATIONS, INC.

**P.U.C. OREGON NO. 29
EXCHANGE AND
NETWORK SERVICES**

**SECTION 5
3rd Revised Sheet 136
Cancels 2nd Revised Sheet 136**

5. EXCHANGE SERVICES

**5.5 PUBLIC COMMUNICATIONS SERVICE - COIN AND COINLESS
5.5.7 PUBLIC ACCESS LINE SERVICE (Cont'd)**

C. Rates and Charges

1. Each Basic Public Access Line

	USOC	NON-RECURRING CHARGE	MONTHLY RATE PER RATE GROUP			
			1	2	3	
• Measured						
- Two-way, per line[1]	17Q	[2]	\$ 7.98 (R)	\$ 7.98 (R)	\$ 7.98 (R)	
- Outgoing only, per line[1]	16Q	[2]	7.98	7.98	7.98	
• Measured with 300 Call Allowance						
- Two-way, per line[1,3]	15W	[2]	13.94	15.28	16.35	
• Message						
- Two-way, per line[1]	1MA	[2]	7.98	7.98	7.98	(T)
• Message with 300 Call Allowance						
- Two-way, per line[1,3]	1W3	[2]	15.19	16.65	17.82	(T)
• Flat						
- Two-way, per line[3]	1KY	[2]	8.78	9.62	10.30	
• Carrier Package[4]	1N8	[2]	10.88 (R)	11.85 (R)	12.63 (R)	(T)

- [1] Message usage charge specified, following, applies. (C)
- [2] The business access line nonrecurring charge specified in 5.2 applies. (C)
- [3] EAS rate increment also applies. See 5.1.1. (D)
- [4] Outgoing only service commonly used by Interexchange Carriers. Service includes CUSTOMNET Service and local call restrictions. (T)

Advice No. 1935
Issued by U S WEST Communications, Inc.
By J. A. Pepler
OR2002-067 Supplement #1

Effective: March 17, 2003
Title President

U S WEST COMMUNICATIONS, INC.

**P.U.C. OREGON NO. 29
EXCHANGE AND
NETWORK SERVICES**

**SECTION 5
3rd Revised Sheet 137
Cancels 2nd Revised Sheet 137**

5. EXCHANGE SERVICES

5.5 PUBLIC COMMUNICATIONS SERVICE - COIN AND COINLESS

5.5.7 PUBLIC ACCESS LINE SERVICE

C. Rates and Charges (Cont'd)

	USOC	NON- RECURRING CHARGE	MONTHLY RATE PER RATE GROUP		
			1	2	3
2. Smart Public Access Line, each					
• Flat					
- Outgoing only, per line[1]	5FO	[2]	\$8.45 (R)	\$9.05 (R)	\$9.50 (R)
- Two-way, per line[1]	5FP	[2]	9.50	10.17	10.68
• Message					
- Outgoing only, per line[3]	14C	[2]	8.61	8.61	8.61
- Two-way, per line[3]	1NH	[2]	8.61 (R)	8.61 (R)	8.61 (R)

3. Message Usage Charges

• Per message	MESSAGE RATE	\$0.02 (R)	
• Per Minute of Use Placed within the customer's local calling area	PER MINUTE RATE	\$0.01	(N) (N)

[1] EAS rate increment also applies. See 5.1.1.

[2] The business access line nonrecurring charge from 5.2 applies.

[3] Message usage charges apply.

Advice No. 1935
Issued by U S WEST Communications, Inc.
By J. A. Pepler
OR2002-067 Supplement #1

Effective: March 17, 2003
Title President



Oregon

Theodore R. Kulongoski, Governor

RCU 3/20/03

Public Utility Commission

550 Capitol Street NE, Suite 215

Mailing Address: PO Box 2148

Salem, OR 97308-2148

Consumer Services

1-800-522-2404

Local: 503-378-6600

Administrative Services

503-373-7394

March 19, 2003

JUDITH A PEPPLER
VICE PRESIDENT - OREGON
QWEST CORPORATION
421 SW OAK ST - RM 870
PORTLAND OR 97204

RE: Advice No. 1935

On February 14, 2003, Qwest Corporation filed revised sheets for inclusion in its tariff, PUC OR No. 29. On February 28, 2003, the company filed replacement sheets.

This filing reduces rates to the following Public Access Line (PAL) elements: Basic PAL; Smart PAL; Basic PAL Measured; Message Line; Smart PAL Message Line; PAL Message Charge; and PAL Measured Per Minute Charge.

The sheets are acknowledged and became effective with service rendered on and after March 17, 2003:

Section 5, 3rd Revised Sheet 136

Section 5, 3rd Revised Sheet 137

One receipted copy of each sheet is returned for your files.

Phil Nyegaard

Administrator

Telecommunications Division

(503) 378-6436

Fax: (503) 373-7752

qwest1935

Enclosures





Oregon

Theodore R. Kulongoski, Governor

Public Utility Commission

550 Capitol St NE, Suite 215

Mailing Address: PO Box 2148

Salem, OR 97308-2148

Consumer Services

1-800-522-2404

Local: (503) 378-6600

Administrative Services

(503) 373-7394

October 15, 2007

OREGON PUBLIC UTILITY COMMISSION
ATTENTION: FILING CENTER
PO BOX 2148
SALEM OR 97308-2148

RE: **Docket No. UT125 PHASE II** - In the Matter of the application of QWEST CORPORATION – Public Access Lines Rates.

Enclosed for electronic filing in the above-captioned docket is the Stipulation between Qwest Corporation, Northwest Public Communications Council and Staff.

/s/ Kay Barnes

Kay Barnes

Regulatory Operations Division

Filing on Behalf of Public Utility Commission Staff

(503) 378-5763

Email: kay.barnes@state.or.us

c: UT 125 Service List - parties

**PUBLIC UTILITY COMMISSION
OF OREGON**

UT 125

STIPULATION

**Entered into between
Qwest Corporation, Northwest Public
Communications Council and Staff**

**QWEST CORPORATION
UT 125 Phase II—Public Access Line Rates**

OCTOBER 15, 2007

1 4. On November 13, 2001, NPCC filed an application for reconsideration of Order No.
2 01-810. On January 8, 2002, the Commission entered Order No. 02-009 denying NPCC's
3 application for reconsideration.

4 NPCC appealed Order Nos. 01-810 and 02-009 ("the rate design orders") to Marion
5 County Circuit Court. On October 1, 2002, the Court entered a judgment affirming the
6 Commission's orders. NPCC thereafter filed an appeal with the Oregon Court of Appeals.

7 5. On November 10, 2004, the Court of Appeals entered a decision reversing and
8 remanding Order Nos. 01-810 and 02-009. The Court determined that the rate design orders
9 were unlawful in that: (1) the Commission's rates for PAL did not comply with certain federal
10 requirements, and (2) the Commission did not adequately consider whether Qwest's proposed
11 rates for CustomNet were subject to the same federal requirements.

12 6. On March 13, 2006, the presiding Administrative Law Judge (ALJ) convened a
13 telephone conference to establish procedures necessary to comply with the Court's remand.
14 During the conference, Qwest indicated that it would file proposed PAL and Fraud Protection
15 (formerly CustomNet) rates to comply with the Court's decision. Qwest also indicated that it
16 would seek to adjust other Qwest rates because of the recalculation of payphone service rates.

17 7. On March 31, 2006, Qwest filed its proposed PAL and Fraud Protection rates¹. On
18 April 25, 2006, Qwest filed a letter on behalf of the parties requesting that the Commission
19 decide, as a threshold matter, whether Qwest may raise any customer rates to offset reduced
20 revenues resulting from a Commission decision approving lower PAL and Fraud Protection
21 rates. On September 11, 2006, the Commission entered Order No. 06-515 denying Qwest's
22 proposal to raise residential Caller ID rates to offset a decrease in PAL and Fraud Protection
23 rates resulting from the Court-ordered remand in Docket No. UT 125.

24

25

26 ¹ These were the same rates that Qwest submitted in Advice 1935 and that the Commission
approved on March 17, 2003.

1 8. As a result of Order No. 06-515, the unresolved issues on remand are whether the
2 PAL and Fraud Protection rates filed on March 31, 2006, comply with the Oregon Court of
3 Appeals remand. Specifically, (1) whether Qwest's proposed PAL rates comply with federal
4 requirements, and (2) whether Qwest's proposed Fraud Protection rates comply with federal
5 requirements.

6 9. Since Order No. 06-515 was entered, Staff has performed a cost review of the rates
7 proposed by Qwest on March 31, 2006. In addition, the Parties have held several settlement
8 conferences to discuss whether the proposed rates are consistent with the Court of Appeals
9 remand and federal requirements.

10 AGREEMENT

11 10. The Parties agree that Qwest's proposed PAL rates filed on March 31, 2006, comply
12 with federal requirements. The Parties further agree that the proposed PAL rates, filed on March
13 31, 2006, satisfy the Court of Appeals Remand Order.

14 11. The Parties agree that Qwest's proposed Fraud Protection rates filed on March 31,
15 2006, comply with federal requirements. The Parties further agree that the proposed Fraud
16 Protection rates, filed on March 31, 2006, satisfy the Court of Appeals Remand Order.

17 12. The written testimony of Staff, which is attached hereto, will be received in evidence
18 pursuant to this Stipulation without requiring any Stipulating Party to lay a foundation for its
19 admission.

20 13. The Parties agree that this Stipulation represents a compromise in the positions of the
21 Parties. As such, conduct, statements and documents disclosed in the negotiation of the
22 Stipulation shall not be admissible as evidence in this or any other proceeding.

23 14. This Stipulation will be offered into the record of this proceeding as evidence
24 pursuant to OAR 860-14-0085. The Parties agree to support this Stipulation throughout this
25 proceeding and any appeal, provide witnesses, if necessary, to sponsor this Stipulation at the
26

1 hearing and recommend that the Commission issue an order adopting settlements contained
2 herein.

3 15. The Parties have negotiated this Stipulation as an integrated document. If the
4 Commission rejects all or any material portion of this Stipulation, or imposes additional material
5 conditions in approving this Stipulation, any party disadvantaged by such action shall have the
6 rights provided in OAR 860-14-0085 and shall be entitled to seek reconsideration or appeal of
7 the Commission's Order.

8 16. By entering into this Stipulation, no party shall be deemed to have approved,
9 admitted, or consented to the facts, principles, methods, or theories employed by any other party
10 in arriving at the terms of this Stipulation including those set forth in the written testimony of
11 Staff submitted in support of this Stipulation, other than those specifically identified in the body
12 of this Stipulation. No party shall be deemed to have agreed that any provision of this
13 Stipulation is appropriate for resolving issues in any other proceeding.

14 17. The Stipulation may be executed in counterparts and each signed counterpart shall
15 constitute an original document.

16 ///

17 ///

18 ///

19 ///

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22 ///

23 ///

24 ///

25 ///

26 ///

1 This Stipulation is entered into by each party on the date entered below such party's
2 signature.

3 QWEST CORPORATION

NORTHWEST PUBLIC COMMUNICATIONS
4 COUNCIL (NPCC)

5 Dated: _____

Dated: _____

6 By: _____

By: _____

7 Print name

Print name

8 Signed: _____

Signed: _____

9
10 PUBLIC UTILITY COMMISSION STAFF

11 Dated: 10/10/07

12 By: Jason Jones

13 Print name

14 Signed:  _____

1 This Stipulation is entered into by each party on the date entered below such party's
2 signature.

3 QWEST CORPORATION

NORTHWEST PUBLIC COMMUNICATIONS
4 COUNCIL (NPCC)

5 Dated: 10/10/07

Dated: _____

6 By: Alex M. Duarte

By: _____

7 Print name Corporate Counsel

Print name

8 Signed: [Signature]

Signed: _____

9
10 PUBLIC UTILITY COMMISSION STAFF

11 Dated: _____

12 By: _____

Print name

13 Signed: _____

1 This Stipulation is entered into by each party on the date entered below such party's
2 signature.

3 QWEST CORPORATION

NORTHWEST PUBLIC COMMUNICATIONS
4 COUNCIL (NPCC)

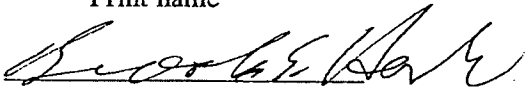
5 Dated: _____

Dated: 10/10/07

6 By: _____
7 Print name

By: BROOK E. HARLOW
Print name

8 Signed: _____

Signed: 

9
10 PUBLIC UTILITY COMMISSION STAFF

11 Dated: _____

12 By: _____
13 Print name

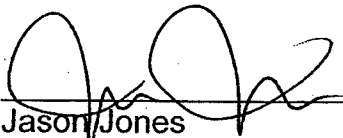
14 Signed: _____

CERTIFICATE OF SERVICE

UT 125

I certify that I have this day served the foregoing document upon all parties of record in this proceeding by delivering a copy in person or by mailing a copy properly addressed with first class postage prepaid, or by electronic mail pursuant to OAR 860-13-0070, to the following parties or attorneys of parties.

Dated at Salem, Oregon, this 15th day of October, 2007.



Jason Jones
Assistant Attorney General
Of Attorneys for Public Utility Commission's Staff
1162 Court Street NE
Salem, Oregon 97301-4096
Telephone: (503) 378-6322

**UT 125
Service List (Parties)**

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WORLDCOM INC MICHEL SINGER-NELSON REGULATORY ATTORNEY	707 - 17TH ST STE 4200 DENVER CO 80202

1 **CERTIFICATE OF SERVICE**

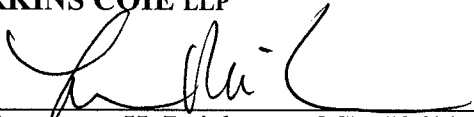
2 I hereby certify that I have this 30th day of April, 2010, served the foregoing
3 DECLARATION OF LAWRENCE REICHMAN IN SUPPORT OF QWEST
4 CORPORATION'S MOTION FOR SUMMARY JUDGMENT upon all parties of record in this
5 proceeding by causing a copy to be sent by electronic mail and U.S. mail to the following
6 addresses:

7 Frank G. Patrick
8 fgplawpc@hotmail.com
9 PO Box 231119
10 Portland, OR 97281

11 Jason W. Jones
12 Jason.w.jones@state.or.us
13 Department of Justice
14 1162 Court Street NE
15 Salem, OR 97301

16 **PERKINS COIE LLP**

17 By

18 
19 _____
20 Lawrence H. Reichman, OSB #86083
21 Attorneys for Qwest Corporation