

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 584

In the Matter of)	
)	
COVAD COMMUNICATIONS)	PREHEARING
COMPANY)	CONFERENCE REPORT
)	
Petition for Arbitration of an Interconnection)	
Agreement with Qwest Corporation.)	

DISPOSITION: RULING HELD IN ABEYANCE

At a teleconference on September 8, 2004, a procedural schedule was adopted in this arbitration proceeding. On September 16, 2004, Qwest Corporation (Qwest) filed a Motion to Dismiss Portions of Covad's Petition for Arbitration (Motion). Covad Communications Company (Covad) filed a Response to Qwest Corporation's Motion to Dismiss Portions of Covad's Petition for Arbitration (Response) on September 30, 2004.

On October 18, 2004, a teleconference was held in this proceeding to discuss the schedule for the Arbitrator's consideration and ruling on the Motion and Response in light of recent rulings by the U.S. Court of Appeals for the District of Columbia Circuit in *USTA II*. The parties requested that the Arbitrator delay issuing a ruling on the Qwest Motion until sometime after a prehearing conference to be held in January at a mutually agreeable time.

Pursuant to agreement of the parties, the Arbitrator stated that he would withhold issuing a ruling on the Motion until after a further prehearing conference is held during the month of January, 2005.

Dated at Salem, Oregon, this 21st day of October 2004.

Allan J. Arlow, Arbitrator