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BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 1049

In the Matter of the Complaint against QWEST)
COMMUNICATIONS INTERNATIONAL,) ORDER
INC. (QWEST) for Violation of Statutory)
Service Quality Standard between January and)
December 2001.)

**DISPOSITION: MEMORANDUM OF UNDERSTANDING ACCEPTED;
IMPROVEMENT PLAN APPROVED WITH REPORTING REQUIREMENTS**

At the March 21, 2002 public meeting, Staff presented to the Public Utility Commission of Oregon (Commission) a report recommending Qwest Corporation (Qwest) be assessed penalties in the amount of \$255,000 for violation of statutory service quality standard between January and December 2001, as required under ORS 759.450 (Appendix A). The Commission concluded that the penalties be applied to upgrading remote testing capabilities at selected Digital Loop Carriers (DLC) locations.¹ The Commission directed Staff to identify the DLCs that would be modified.

At the public meeting on May 7, 2002, Staff and Qwest presented a Memorandum of Understanding (MOU) to the Commission (Appendix B). The MOU sets forth the penalties to be paid by Qwest and identifies the targeted DLCs that will be modified. The Commission accepted the MOU, adopted Staff's recommendation, and approved Qwest's Performance Plan. Staff's Report and the MOU are attached as Appendices A and B, and incorporated by reference.

¹ DLC is equipment that bundles several phone line signals into a single digital signal.

ORDER

IT IS ORDERED THAT, the Memorandum of Understanding between Qwest Corporation and the Public Utility Commission of Oregon Staff is accepted. It is further ordered that Qwest Corporation's Performance Plan is approved, with reporting requirements, as further designated in the attached appendices.

Made, entered and effective _____.

Roy Hemmingway
Chairman

Lee Beyer
Commissioner

Joan H. Smith
Commissioner

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.