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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

**UT 138/UT 139
PHASE III**

)
In the Matter of Ascertaining the Unbundled)
Network Elements that must be Provided by)
Incumbent Local Exchange Carriers to) ORDER
Requesting Telecommunications Carriers)
Pursuant to 47 C.F.R. § 51.319)

**DISPOSITION: MOTION TO EXTEND COMPLIANCE FILING
DATE GRANTED**

On February 18, 2003, Verizon Northwest, Inc. (Verizon), filed a motion with the Public Utility Commission of Oregon (Commission), requesting a 10-day extension in which to make the compliance filing required by Order No. 03-085 issued in these dockets. Verizon also seeks clarification of that portion of Order No. 03-085 specifying a 90-day period to make refunds of nonrecurring charges.

Order No. 03-085 requires Verizon and Qwest Communications, Inc. (Qwest) to make compliance filings specifying new nonrecurring charges for unbundled network elements no later than March 7, 2003. Verizon states that it cannot make its compliance filing until after Qwest submits its filing because several of Verizon's nonrecurring charges are based on Qwest costs and rates. Verizon therefore requests that it be allowed to make its compliance filing 10 days after the date Qwest submits its filing with the Commission. Verizon represents that none of the active parties to the proceeding oppose the 10-day extension.

Under Order No. 03-085, Verizon and Qwest may also be required to refund nonrecurring charges collected from telecommunications carriers. Where applicable, refunds must be made within 90 business days. Verizon presumes that the 90-day time period commences on the date its compliance filing is made, but seeks clarification on this point. Verizon represents that AT&T Communications of the Pacific Northwest, Inc. (AT&T) and WorldCom, Inc. (WorldCom) disagree with Verizon's interpretation of the refund requirement. Pursuant to OAR 860-013-0050, those parties have until March 5, 2003 to respond.

Based on the information presented, the Commission finds that Verizon's motion to extend the filing deadline should be granted. Verizon shall submit the compliance filing required by Order No. 03-085 no later than 10 days after Qwest submits its compliance filing in this matter.

The Commission reserves decision on Verizon's motion for clarification of the 90-day refund requirement until after AT&T and WorldCom have had an opportunity to respond.

IT IS SO ORDERED.

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.