

ORDER NO. 03-381

ENTERED JUN 30 2003

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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 Requesting Telecommunications) ORDER
Carriers Pursuant to 47 C.F.R. § 51.319.)

DISPOSITION: MOTION GRANTED; IMPLEMENTATION OF
SEPARATE NONRECURRING CHARGE FOR
MANUALLY-SUBMITTED UNBUNDLED
NETWORK ELEMENT SERVICE ORDERS
WAIVED

On November 13, 1998, the Public Utility Commission of Oregon (Commission) entered Order No. 98-444 in Phase I of this docket. That order requires, *inter alia*, that Qwest Corporation (Qwest) develop separate nonrecurring charges (NRCs) for electronic- and manually-submitted service orders for unbundled network elements (UNEs). The purpose of the manual NRC is to compensate Qwest for additional costs incurred to process non-electronic UNE service orders submitted by competitive local exchange carriers (CLECs).

On June 5, 2003, Qwest filed a motion to waive the requirement that it implement a NRC for manually-submitted UNE service orders. Qwest states that the requirement is not cost effective at the present time, given that (1) it requires the company to expend significant capital and human resources to reprogram its billing systems, and (2) more than 99 percent of all UNE orders are now submitted electronically. Qwest emphasizes that CLECs are not prejudiced by the waiver, since Qwest will charge the lower electronic NRC even when manual orders are submitted. Qwest requests the opportunity to reinstitute the manual NRC in the future should current circumstances change.

On June 12, 2003, a telephone conference was held to discuss Qwest's motion. None of the parties participating in the conference objected to the motion. The Commission finds that proposed waiver is reasonable and should be granted.

ORDER

IT IS ORDERED that the motion by Qwest Corporation to waive that portion of Order No. 98-444 requiring implementation of a separate nonrecurring charge for manually-submitted unbundled network element orders is granted. Qwest may request authority to reinstitute the charge at a future date.

Made, entered, and effective _____.

Roy Hemmingway
Chairman

Lee Beyer
Commissioner

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. The request must be filed with the Commission within 60 days of the date of service of this order and must comply with the requirements in OAR 860-014-0095. A copy of the 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.