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BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 973

In the Matter of the Statement of Generally Available Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunications Services Provided by U S WEST Communications, Inc., in the State of Oregon.)))))))))))	ORDER
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DISPOSITION: TWELFTH AMENDMENT (ELEVENTH REVISION)
 TO STATEMENT PERMITTED TO GO INTO EFFECT.

On April 24, 2000, U S WEST Communications, Inc., now known as Qwest Corporation (Qwest), filed a statement of generally available terms (SGAT) under Section 252(f) of the Telecommunications Act of 1996 (Act). After a notice and comment period, we allowed the filing to go into effect and ordered that its substance be reviewed in proceedings in docket UM 823.¹

Qwest subsequently filed numerous amendments to its SGAT. To date, we have reviewed eleven amendments and, on each occasion, allowed the SGAT, as amended, to go into effect.²

On August 6, 2003, Qwest filed its Twelfth Amendment (Eleventh Revision) to its SGAT. The revisions to the SGAT relate to (1) implementation of Order No. 03-410, entered July 16, 2003; (2) the elimination of recurring and nonrecurring Operational Support Systems charges pending consideration of rates filed in docket UM 1025; (3) the elimination of Channel Regeneration charges; and (4) several "housekeeping" changes to Exhibit A.

Revisions Relating to Order No. 03-410. The Commission's decision in Order No. 03-410, entered July 16, 2003, permitted Qwest to put into effect changes to SGAT section 7.3.6.2.3.3, compensation for ISP bound traffic. Section 7.7 of Exhibit A to the Eleventh Revision includes pricing and format corrections to address changes to the SGAT covered by the Order.

¹ Order No. 00-327.

² See Orders No. 01-122, 01-721, 01-878, 01-1050, 02-145, 02-315, 02-731, 03-074, 03-150, 03-189 and 03-410.

Elimination of Rates for Certain Elements. Effective August 1, 2003, Qwest eliminated charges for the following elements listed in Section 12 of Exhibit A: (1) Development and Enhancements, per Order (§ 12.1); Ongoing Maintenance, per Order (§ 12.2); and Daily Usage Record File, per Record (§ 12.3). Qwest notes that the Commission is currently reviewing the rates for these elements in docket UM 1025. Qwest states that it will not charge for these elements until the Commission approves rates for these elements in docket UM 1025. Qwest also states that, effective August 1, 2003, it will no longer impose recurring or nonrecurring charges for the Channel Regeneration elements (DS0 Low Side Channelization and DS1/DS0 Low Side MUX Channelization) listed in Section 9.6.7 of Exhibit A.³

Housekeeping Matters. Qwest has revised the references to the Trouble Isolation Charge in Sections 9.3.5 and 12.4. Qwest states that it has “added standardized language to those sections that refers to the charge in Section 9.20 of Exhibit A.”⁴

DISCUSSION

The discussion of the nature of the SGAT and the SGAT process contained in our prior orders is adopted herein and will not be repeated. This twelfth amendment to the SGAT is not unexpected. As we first noted in Order No. 00-327, “[t]he SGAT will likely undergo considerable revision * * * and, once in effect, changes to the SGAT document may become cumbersome. It is conceivable that each amendment to the original document might trigger a new 60-day review period and an additional item on our Public Meeting agenda.”

As with the original SGAT submission and the first through eleventh amendments, we neither endorse nor approve of the substance of this new amendment, while, at the same time, we allow the amendment to take effect. These circumstances are not changed by our actions in the Final Recommendation Report of the Commission in docket UM 823.

After our approval of the tenth amended SGAT, the FCC approved Qwest’s Section 271 application for Oregon. However, on August 21, 2003, the FCC released, the text of its order in Docket No. CC 01-338 (the Triennial Review). Proceedings undertaken pursuant to that order will have a direct impact on numerous sections of the SGAT. We will schedule further proceedings in this docket to consider the SGAT’s entire substance for compliance with our rules and policies and the furtherance of competition and the public interest in Oregon after we have completed state proceedings required by that FCC order. Since competitive local exchange carriers (CLECs) are able to negotiate interconnection agreements regardless of the availability of an SGAT, they will not be prejudiced by our action.

³ Qwest Corporation’s Notice of Updated Statement of Generally Available Terms and Conditions (Eleventh Revision, p. 2.

⁴ *Id.*

ORDER

IT IS ORDERED that pursuant to OAR 860-016-0040(2), the amendment to the Statement of Generally Available Terms filed by Qwest Corporation on August 6, 2003, in accordance with Section 252(f) of the Telecommunications Act of 1996, is permitted to go into effect as of October 5, 2003.

Made, entered, and effective _____.

Lee Beyer
Chairman

John Savage
Commissioner

Ray Baum
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.