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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 499

In the Matter of)
)
LISTING SERVICES SOLUTIONS, INC)
(LSSi Corp) and QWEST)
CORPORATION,)
)
Negotiated Interconnection Agreement,)
Submitted Pursuant to Section 252(e) of)
the Telecommunications Act of 1996.)

ORDER

DISPOSITION: FILING WITHDRAWN; PROCEEDINGS TERMINATED.

Background. On June 16, 2003, Qwest Corporation (Qwest) filed an agreement for Directory Assistance List Information (DALI Agreement) dated July 28, 1998, between Qwest and Listing Services Solutions, Inc. (LSSi), as well as Amendment One to that Agreement, dated August 12, 2002. Qwest stated that it was filing the Agreement pursuant to Section 252(e)(2) of the Telecommunications Act of 1996 (the Act) “out of an abundance of caution to make certain that there were no questions regarding compliance with any filing obligations.” Comments were due on August 20, 2003.

On August 14, 2003, the Commission received a letter from LSSi stating, in part, “LSSi does not believe that the agreements filed by Qwest and docketed by the Commission are appropriately characterized as ‘carrier-to-carrier’ agreements. LSSi is not a carrier...and entered into the DALI Agreement and the DALI Amendment in its capacity as a non-carrier provider of directory assistance databases and related services.” On August 20, 2003, the Commission staff (Staff) submitted Comments recommending that the DALI Agreement and Amendment be approved, but noted that the agreement had been filed beyond the 90-day period required under the Act.

A Notice of Procedural Conference to be held September 17, 2003, was issued on September 4, 2003, to resolve the question of the appropriateness of filing the DALI Agreement and Amendment between Qwest and LSSi and whether such filing, if required, was late.

On September 12, 2003, Qwest wrote to the Commission stating that it was in agreement with LSSi and was withdrawing its previous June 16, 2003, filing seeking section 252(e) approval. The Commission issued a Notice of Cancellation of Procedural Conference.

Discussion. Neither of the parties gave any indication that they considered LSSi to be a telecommunications carrier within the definition of the Act. Consequently, it is not necessary for Qwest to file copies of the Qwest-LSSi DALI Agreement and Amendment with the Commission as required by Section 252(e) of the Act for carrier-to-carrier agreements.

ORDER

IT IS ORDERED that the request by Qwest Corporation to withdraw the filing of its application seeking Section 252(e) approval of the Agreement with Listing Services Solutions, Inc., filed on June 16, 2003, is GRANTED and this proceeding is TERMINATED.

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.