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**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

UM 1133

In the Matter of	)	
	)	
STAFF OF THE PUBLIC UTILITY	)	
COMMISSION OF OREGON	)	ORDER
	)	
Complaint against QWEST CORPORATION	)	
for Violation of Statutory Service Quality	)	
Standards for the year 2003.	)	

**DISPOSITION: MEMORANDUM OF UNDERSTANDING APPROVED**

In Order No. 04-164, the Public Utility Commission of Oregon adopted Staff's recommendation to assess penalties against Qwest Corporation (Qwest). Staff had concluded that Qwest failed to meet seven statutory service standards and recommended that the \$215,000 in fines be spent on various network improvements. Specifically, Staff recommended that Qwest install Digital Subscriber Line Access Multiplexer (DSLAM) equipment in rural exchanges that experienced service quality problems in 2003. In adopting Staff's recommendation, the Commission directed Staff and Qwest to provide a Memorandum of Understanding (MOU) detailing the DSLAM project.

On April 1, 2004, Staff filed a motion for Commission approval of a MOU with Qwest. The MOU specifies the basis for the imposition of a penalty against Qwest, clarifies the penalty will be paid through targeted investments, and details the DSLAM project.

The Commission has reviewed the MOU, attached as Appendix A and incorporated by reference. The Commission concludes that the MOU satisfies the requirements of Order No. 04-164 and should be approved.

**ORDER**

IT IS ORDERED that the Memorandum of Understanding between Qwest Corporation and the Commission Staff, attached to this order as Appendix A, is approved.

Made, entered, and effective \_\_\_\_\_.

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**Lee Beyer**  
Chairman

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**John Savage**  
Commissioner

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**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.