

ORDER NO. 99-585

ENTERED OCT 04 1999

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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

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In the Matter of the Petition of U S WEST)
Communications, Inc., to exempt from Regulation) ORDER
U S WEST's IntraLATA Toll Services)

**DISPOSITION: MOTION TO WITHDRAW PETITION GRANTED;
DOCKET CLOSED**

On September 15, 1999, U S WEST Communications, Inc., (U S WEST) filed a letter with the Commission indicating that, due to changed circumstances, it wishes to withdraw its petition to exempt from regulation its intraLATA toll services. U S WEST states that it withdraws its petition without prejudicing the right to re-file it if future circumstances warrant. The Commission treats U S WEST's letter as a motion to withdraw its petition in this proceeding.

On September 29, 1999, Telecommunications Resellers Association (TRA) responded to U S WEST's request. TRA does not oppose the withdrawal of U S WEST's petition, but asks the Commission to order U S WEST to compensate non-parties for all costs associated with contesting the company's extensive discovery requests. No other party filed a reply.

The Commission grants U S WEST's motion. U S WEST may withdraw its petition without prejudice. This docket is hereby closed. With regard to TRA's request, the Commission acknowledges the extensive amount of time and energy expended by both parties and non-parties in response to U S WEST's request for discovery. However, the Commission lacks any authority to impose penalties or award costs to case participants.

ORDER

IT IS ORDERED that U S WEST Communications, Inc., may withdraw, without prejudice, its petition to exempt from regulation its intraLATA toll services. This docket is closed.

Made, entered, and effective _____.

Ron Eachus
Chairman

Roger Hamilton
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 ORS 756.580.