

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 98M-236T

IN THE MATTER OF THE ADMINISTRATION OF THE COLORADO HIGH COST
SUPPORT MECHANISM.

ORDER STAYING OPERATION OF RULES

Mailed Date: March 18, 2003

Adopted Date: February 26, 2003

I. BY THE COMMISSION

A. Statement

1. In Docket No. 02R-278T, we revised the Commission's Rules Concerning the Colorado High Cost Support Mechanism, 4 CCR 723-41, to provide support to all high cost access lines instead of to primary residential and single business lines only. *See* Decision Nos. C02-1250 (Mailed Date of November 8, 2002) and C02-1458 (Mailed Date of December 26, 2002). The amendments adopted in Docket No. 02R-278T were to become effective on March 2, 2003. Implementation of those amendments required Qwest Corporation to provide certain information to and make certain filings with the Commission. Specifically, Qwest needed to provide updated line counts to enable the Commission to calculate the revised amounts to be distributed from the Colorado High Cost Support Mechanism. In addition, Qwest would be required to change its tariff to reduce rates for some of its services to offset the increased support it will receive from the Colorado High Cost Support Mechanism (as a result of all access lines becoming eligible for support). *See* Rule 41.8.8, 4 CCR 723-41.

2. Commission Staff has advised us that Qwest is not yet able to provide the information discussed above, and is not yet prepared to make the necessary tariff filings offsetting any increased support it may receive from the High Cost Support Mechanism.

Rule 15, 4 CCR 723-41 provides that the Commission may permit a variance or waiver of the rules if compliance is impossible, impractical, or unreasonable. On our own motion, we conclude that good grounds exist to stay operation of the amendments to the High Cost Support Mechanism Rules relating to support of all access lines. Operation of those amendments (adopted in Docket No. 02R-278T) are stayed until further order of the Commission.

II. ORDER

A. The Commission Orders That:

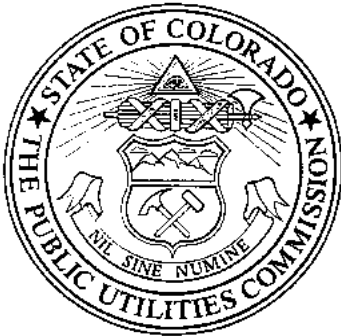
1. The amendments to the Rules Concerning the Colorado High Cost Support Mechanism, 4 *Code of Colorado Regulations* 723-41, adopted in Docket No. 02R-278T and relating to support of all access lines are stayed until further order of the Commission.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 26, 2003.**

(SEAL)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



ATTEST: A TRUE COPY

Bruce N. Smith
Director

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners