

Decision No. C02-739

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02M-260T

IN THE MATTER OF THE COLORADO PUBLIC UTILITIES COMMISSION'S
RECOMMENDATION TO THE FEDERAL COMMUNICATIONS COMMISSION
REGARDING QWEST CORPORATION'S PROVISION OF IN-REGION, INTERLATA
SERVICES IN COLORADO.

ORDER ACCEPTING COMPLIANCE FILINGS

Mailed Date: July 2, 2002

Adopted Date: July 2, 2002

I. BY THE COMMISSION

1. At our June 13, 2002, deliberations meeting, and by Decision No. C02-718 that resulted from those deliberations, the Commission ordered Qwest Corporation (Qwest) to make certain changes to its Statement of Generally Available Terms and Conditions (SGAT), the Colorado Performance Assurance Plan (CPAP), and a technical publication. The Commission deemed these changes prerequisite to a favorable recommendation on Qwest's § 271 application to the Federal Communications Commission (FCC).

2. On June 13, 2002, Qwest filed a Notice of Compliance Filing. This notice contained new language for SGAT §§ 9.2.2.3.2, 9.2.2.8, and 12.2.6.3, as ordered by the Commission.

3. In addition, Qwest makes a commitment to continue working through the Long-term PID Administration process to finalize PID PO-20. Qwest states that it will present PID PO-20, as directed by the Commission, at the first CPAP six-month review, if not earlier. PID PO-20 will be diagnostic for the first six months; at the second CPAP six month review, a benchmark will be established.

4. Qwest also states that it agrees that a failure to meet the 95% benchmark for PID PO-19B, when finalized, will result in a \$50,000 Tier 2 payment. Qwest agrees to incorporate this commitment in the change management section of the CPAP and will file the language as soon as it is complete.

5. On June 28, 2002, Qwest filed a Notice of Filing with SGAT Exhibit K (the CPAP) attached. In this filing, Qwest states that it has made the necessary additions to the change management section of the CPAP to include PID PO-19 with a 95% benchmark and a penalty of \$50,000.

6. Also, in this notice, Qwest states that it has met the Commission's requirement to update the appropriate section of its PCAT to include Exhibit JML-5 to Exhibit 5 Qwest 37, as ordered on page 19 of Decision No. C02-718. The appropriate change management notification was sent to the CLECs on June 27, 2002.

7. The Commission has reviewed these two Qwest filings and finds that they comply with our requirements from Decision No. C02-718. With these hurdles cleared, we can recommend that the FCC approve Qwest's § 271 application.

II. ORDER

A. The Commission Orders That:

1. Qwest's June 13 and 28, 2002, compliance filings meet the requirements set out in Decision No. C02-718.

2. The Commission will make a favorable recommendation to the Federal Communications Commission concerning Qwest's § 271 application.

3. This Order is effective on its Mailed Date.

B. ADOPTED IN COMMISSIONERS' DELIBERATIONS MEETING
July 2, 2002.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RAYMOND L. GIFFORD

POLLY PAGE

ATTEST: A TRUE COPY

Bruce N. Smith
Director

JIM DYER

Commissioners