

Decision No. R03-0122-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02I-572T

IN THE MATTER OF THE INVESTIGATION INTO UNFILED AGREEMENTS EXECUTED
BY QWEST CORPORATION.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
WILLIAM J. FRITZEL
GRANTING MOTION FOR
CLARIFICATION OF INTERIM
DECISION NO. R03-0021-I**

Mailed Date: February 3, 2003

I. STATEMENT

1. On January 16, 2003, AT&T Communications of the Mountain States, Inc. (AT&T), filed a Motion for Clarification of Interim Decision No. R03-0021-I (January 9, 2003).

2. AT&T requests clarification of ordering paragraph no. 3, Section 2 of Decision No. R03-0021-I which states as follows:

3. The motion of Qwest Corporation for Protective Order relating to discovery of documents concerning investigatory proceedings at the Arizona and Minnesota commissions is granted. All discovery materials relating to the proceeding from the Arizona and Minnesota commissions shall be made available at the offices of Qwest Corporation in Denver, Colorado.

3. AT&T requests clarification of the above order, asking two questions: (1) Is the material available for all parties' review as the Section II, paragraph no. 3 cited above suggests; and (2) If the order does apply to all parties wishing to review such material, may AT&T use the Arizona and Minnesota material contained in its own files, which should be identical to that which Qwest Corporation (Qwest) maintains.

4. On January 28, 2003, Qwest filed a Response to AT&T's Motion for Clarification stating that it has no objection to the request for clarification, no objection to AT&T reviewing the documents at Qwest's Denver office provided that AT&T complies with confidentiality rules, provision, and orders applicable to this docket, and no object to AT&T reviewing any materials contained in its own file regarding the Arizona and Minnesota proceedings provided AT&T comply with all confidentiality rules, provisions, orders, and agreements applicable to the docket.

5. The motion of AT&T to clarify is granted. AT&T's questions are answered in the affirmative.

II. ORDER

A. It Is Ordered That:

1. The motion of AT&T Communications of the Mountain States, Inc., for clarification of Section II, ordering paragraph no. 3 of Interim Decision No. R03-0021-I is granted.

2. Section II, ordering paragraph no. 3 of Decision No. R03-0021-I applies to AT&T Communications of the Mountain States, Inc., as well as other parties relating to investigatory proceedings at the Arizona and Minnesota commissions. The parties shall comply with all confidentiality rules, provisions, orders, and agreements applicable to this docket. AT&T Communications of the Mountain States, Inc., may review the relevant Arizona and Minnesota materials contained in its own files.

3. This Order is effective immediately.

(SEAL)



ATTEST: A TRUE COPY

A handwritten signature in cursive script, appearing to read "Bruce N. Smith".

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

WILLIAM J. FRITZEL

Administrative Law Judge