

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02C-577T

RE: IN THE MATTER OF AN INVESTIGATION OF COMPETITIVE LOCAL EXCHANGE CARRIERS AND EMERGING COMPETITIVE TELECOMMUNICATIONS SERVICE PROVIDERS CONCERNING ALLEGED VIOLATIONS OF COLORADO REVISED STATUTES AND COMMISSION RULES OF PRACTICE AND PROCEDURE RELATING TO THE FILING OF ANNUAL REPORTS BY PUBLIC UTILITIES.

ORDER DENYING MOTION FOR CLARIFICATION

Mailed Date: June 17, 2003
Adopted Date: May 16, 2003

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of the Motion for Clarification filed by DMJ Communications, Inc. (DMJ), on April 25, 2003. Now being duly advised, we deny the motion.

2. In Decision No. R02-1261 (Mailed Date of November 7, 2002), the Commission ordered customers served by Mile High Telecom (and now DMJ) to be transferred to Qwest Corporation (Qwest) under the Transition Plan approved there. As part of the Transition Plan, Qwest was directed to file a report with the Commission detailing how many customers had been transferred to Qwest within 15 days after the effective date of the plan. DMJ now requests that we modify the Transition Plan approved in Decision No. R02-1261 to require Qwest to submit an additional report within 90 days after the effective date of the Transition Plan. We deny this request. The Transition Plan was established a number of months prior to DMJ's current request.

DMJ's request is untimely. Moreover, DMJ failed to state good cause for modifying the Transition Plan at this point in time.

II. ORDER

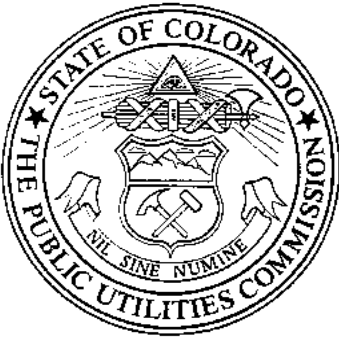
A. The Commission Orders That:

1. The Motion for Clarification filed by DMJ Communications, Inc., on April 25, 2003 is denied.

2. This Order is effective on its Mailed Date.

B. **ADOPTED IN COMMISSIONERS' WEEKLY MEETING May 16, 2003.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners