

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-260T

IN THE MATTER OF QWEST CORPORATION'S APPLICATION FOR TRANSFER OF
ASSETS AND REQUEST FOR WAIVER.

ORDER GRANTING APPLICATION

Mailed Date: August 4, 2003
Adopted Date: August 1, 2003

I. BY THE COMMISSION

A. Statement

1. On June 19, 2003, Qwest Corporation (Qwest) filed an application to execute a transfer of assets pursuant to 4 *Code of Colorado Regulations* (CCR) 723-25-8 and a waiver of certain filing requirements of Rule 4 CCR 723-25-8.

2. Qwest desires to sell real property located at 6912 S. Quentin Street, Englewood, Colorado, which consists of 6.86 acres of land and the attached building which consists of approximately 82,150 square feet of office space and has been vacant for approximately ten months. Qwest seeks to transfer these assets within the meaning of 4 CCR 723-25-2.17(c), which defines a "transfer" in relevant part, as "a conveyance of assets not in the ordinary course of business."

3. Qwest is seeking a waiver of: (1) Commission Rule 4 CCR 723-25-8, which requires that a joint application be filed, because the identity of the transferee is not known at the time of the filing; (2) Rule 4 CCR 723-8.1.3, which requires the name of the transferee, because the identity of the transferee is not known at the time of the filing and will not be known for

certain until the closing; and (3) 4 CCR 723-25-8.1.5, which requires stating the proposed date of the transfer, because the date of proposed transfer is uncertain at this time.

4. On June 24, 2003, the Commission issued a Notice of Application Filed, giving notice to all interested parties. No interventions were filed.

B. Discussion

5. The application is unopposed and may be considered without a hearing. § 40-6-109(5), C.R.S.

6. The Commission finds that the proposed transfer of assets is not contrary to the public interest.

II. ORDER

A. The Commission Orders That:

1. The application for transfer of assets filed by Qwest Corporation on June 19, 2003, is deemed complete.

2. The application for a waiver of Rules 8, 8.1.3, and 8.1.5, 4 *Code of Colorado Regulations* 723-25, filed by Qwest Corporation on June 19, 2003, is granted.

3. Any gain or loss will be subject to review by the Commission for the purpose of setting rates.

4. Qwest Corporation shall, within 90 days of the closing of the sale of the assets, file with the Commission, the final accounting entries recording the sale.

5. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
August 1, 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