

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-395AT

IN THE MATTER OF THE APPLICATION OF QWEST CORPORATION TO DISCONTINUE
JURISDICTIONAL TELECOMMUNICATIONS SERVICE.

ORDER GRANTING APPLICATION

Mailed Date: October 8, 2003

Adopted Date: October 8, 2003

I. BY THE COMMISSION

A. Statement and Findings of Fact

1. On September 11, 2003, Qwest Corporation (Qwest) filed an application to discontinue Wide Area Calling Service (WAC) to wireless carriers within the State of Colorado and a Motion for Partial Waiver of the notice requirements contained in Rule 4 *Code of Colorado Regulations* (CCR) 723-25-7.5.

2. Notice of the application was posted on the Commission's web site on September 17, 2003. Interventions were due on or before October 5, 2003. None were filed.

B. Discussion

3. WAC service is a Qwest billing service offered to Commercial Mobile Radio Carriers (CMRS) and Private Mobile Radio Carriers. WAC service provides direct dialed LATA-wide toll free calling for Qwest customers to mobile calls. According to Qwest, it must discontinue the WAC service to wireless providers due to the advent of wireless number portability and the inability of Qwest to look beyond an NNX to determine which calls should

not be billed toll charges due to the call terminating to a carrier that is using a block of 1,000 numbers within the same NNX as the carrier's numbers.¹

4. Qwest states that it currently has four wholesale wireless customers who subscribe to the WAC service in 56 of the Colorado NXX's. One of the four customers is Qwest's own wireless service provider.

5. Qwest has provided notice via first class mail to each of the four wireless customers and has placed a market message on each of its landline customer's bill informing them of the billing arrangement change between Qwest and the wireless providers. On September 12, 2003, Qwest published in the Denver Post a Legal Notice, proof of which has been furnished to the Commission, of the proposed change in service.

6. On September 12, 2003, Qwest filed Advice Letter No. 2970 with a proposed effective date of October 15, 2003, that changes the Qwest Exchange and Network Services Tariff, Colo. P.U.C. No. 20, to eliminate WAC service to Wireless providers.

7. Qwest requests in its Application a partial waiver of that portion of Rule 4 CCR 723-25-7.5 requiring notice to the board of county commissioners of each affected county and to the mayor of each affected city, town, or municipality. Qwest notes there are approximately 63 commissioners and 93 mayors to whom Qwest would send notice under this rule. However, WAC service is not part of Qwest's provisioning of basic local exchange service, and, therefore, does not alter or affect an end-user's ability to place or receive a local call. Furthermore, Qwest states that several of its four wholesale wireless customers have already begun the process of removing this service from their product offerings making it highly unlikely that any of the

¹ Paragraph 8 and 9 of the Qwest Application.

county commissioners or mayors would receive calls from their constituents regarding the proposed discontinuation of the WAC service offering.

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

9. Granting Qwest's application is consistent with the legislative policy statements contained in §§ 40-15-101 and 40-15-111, C.R.S.

II. ORDER

A. The Commission Orders That:

1. The application by Qwest Corporation is deemed complete.
2. The request for a partial waiver of that portion of Rule 4 CCR 723-25-7.5 requiring notice to the board of county commissioners of each affected county and to the mayor of each affected city, town, or municipality is granted.
3. The unopposed application to discontinue the provision of Wide Area Calling service to wireless carriers in Colorado is granted.

4. This Order is effective immediately on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 8, 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

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JIM DYER

Commissioners