

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-476T

IN THE MATTER OF QWEST CORPORATION'S AND COMMERCIAL PAYPHONES,
LLC'S APPLICATION FOR TRANSFER OF ASSETS.

ORDER GRANTING APPLICATION

Mailed Date: December 16, 2003
Adopted Date: December 10, 2003

I. BY THE COMMISSION

A. Statement

1. On October 29, 2003, Qwest Corporation (Qwest) filed an application to execute a transfer of assets pursuant to § 40-5-105, C.R.S., and Rule 4 *Code of Colorado Regulations* 723-25-8.

2. Qwest desires to sell 21 payphones and to assign any corresponding contracts related to those payphones to Commercial Payphones, LLC. All of these payphones are located outside of Qwest's certificated area in Colorado.

3. The terms and conditions of the sale are contained in the Asset Purchase Agreement, which was attached to the filed Application as Confidential Exhibit A.

4. The payphones being sold in Colorado are not regulated by the Commission.

B. Discussion

5. Qwest is an entity regulated by the Commission. Rule 25-8 as written applies to regulated entities and not to the assets they sell or transfer.

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

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

3. 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.

4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 10, 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