

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-380T

IN THE MATTER OF THE COMBINED APPLICATION OF QWEST CORPORATION FOR RECLASSIFICATION AND DEREGULATION OF CERTAIN PART 2 PRODUCTS AND SERVICES AND DEREGULATION OF CERTAIN PART 3 PRODUCTS AND SERVICES.

ORDER REQUESTING INFORMATION

Mailed Date: July 27, 2004

Adopted Date: July 27, 2004

I. BY THE COMMISSION

A. Statement

1. On July 21, 2004, Qwest Corporation (Qwest) filed an Application for Reclassification of Certain Part 2 Services and Products, Deregulation of Certain Part 3 Services and Products, Motion for Waiver and for Waiver of Response Time. In the Application, Qwest requests a waiver of Rule 4 Colorado Code of Regulations (CCR) 723-38-8.2, the notice requirement for deregulation applications. Qwest seeks this waiver pursuant to 4 CCR 723-1-59 and 723-38-13. Rule 8.2 requires public notice of this application in accordance with the provisions of § 40-3-104, C.R.S.

2. Qwest states that § 40-3-104, C.R.S. requires that notice be given “in each newspaper of general circulation in each county in which the public utility provides service, which notice shall be four columns wide and eleven inches high...” Qwest contends that the legal notices that newspapers in Colorado publish do not meet this format. Therefore, Qwest requests that the Commission waive just the four columns wide and eleven inches high requirement.

3. On July 23, 2004, Qwest filed an Amended Motion for Waiver and for Waiver of Response Time. In this Amended Motion, Qwest again seeks a waiver of Rule 8.2, in part. Instead of the legal format waiver, Qwest in this filing states that it seeks permission to give its customers notice of the filing of the underlying application through a bill insert to be mailed during a regular billing cycle not later than thirty days after the Commission issues its notice deeming the underlying application complete.

4. Qwest goes on to state that it agrees to consider the 180 day statutory time clock to begin thirty days after the Commission issues its notice deeming the application to be complete as opposed to on the day the application was filed.

5. The Motion and Amended Motion raise a number of questions. We order Qwest to respond to the following questions by close of business, July 30, 2004.

- a) What are the beginning and ending dates of Qwest's monthly billing cycle?
- b) What is the necessary preparation time for a bill insert?
- c) From which location are Qwest's Colorado customers' bills mailed?
- d) What are the costs associated with a direct mailing to all Qwest's customers?
- e) What is the necessary time to accomplish a direct mailing to Qwest's customers?
- f) Does Qwest intend to provide notice of the application to all telecommunications providers in Colorado pursuant to Rule 4 CCR 723-38-8.2?
- g) Does the Commission possess the legal authority to waive the time lines for decision found at § 40-15-305(1)(c) (e.g. Commission to rule 180 days "after filing of application") even with Qwest's agreement to waive those time lines?

II. ORDER

A. The Commission Orders That:

1. Qwest Corporation is ordered to respond to the questions discussed above by July 30, 2004..

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 27, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners