

Decision No. R04-0369-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02I-572T

IN THE MATTER OF THE INVESTIGATION INTO UNFILED AGREEMENTS EXECUTED
BY QWEST CORPORATION.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
GRANTING MOTION FOR EXTENSION OF TIME**

Mailed Date: April 9, 2004

I. STATEMENT

1. On April 7, 2004, Qwest Corporation (Qwest), the Colorado Office of Consumer Counsel (OCC), and WorldCom, on behalf of its regulated subsidiaries, filed a Joint Motion for Extension of Time to File Comments and Request to Waive Response Time (Motion) in the captioned matter.

2. The Motion requests a six-day extension, from April 9 to April 15, 2004, of the deadline imposed by Decision No. R04-0075-I for filing comments to the report submitted by the Staff of the Commission (Staff) in this matter on February 27, 2004.¹ The Motion also proposes that the deadline imposed by that decision for the submission of reply comments be extended from May 28, 2004 to June 11, 2004.

3. In support of the Motion, Qwest and the OCC indicate that their involvement in an emergency hearing scheduled in Docket No. 04A-058AT on April 8, 2004, has precluded

¹ Decision No. R04-0075-I was issued by Administrative Law Judge (ALJ) William J. Fritzel, the ALJ assigned to this matter. However, ALJ Fritzel's unavailability between the time the Motion was filed and the expiration of the April 9, 2004, deadline required that a ruling be issued by another ALJ in order to be timely.

them from finalizing their comments in time to meet the current filing deadline. The Motion indicates that a number of other parties, including AT&T Communications of the Mountain States, Inc., McLeod USA Incorporated, Dieca Communications, Inc., doing business as Covad Communications Company, Level 3 Communications, LLC, XO Colorado, Inc, and Time Warner Telecom, LLC, do not oppose the relief requested therein.

4. Staff submitted a response to the Motion on April 9, 2004. While generally opposing any further delays in connection with the processing of this docket, Staff indicates that it was also involved in the emergency hearing referred to above and, under the circumstances, does not oppose the requested extensions of time. Staff specifically supports the request to extend the reply comment deadline to June 11, 2004.

5. Good grounds having been shown, the Motion will be granted and the modified filing deadlines set forth in the Order that follows will be adopted.

II. ORDER

A. It Is Ordered That:

1. The Joint Motion for Extension of Time to File Comments and Request to Waive Response Time filed by Qwest Corporation, the Colorado Office of Consumer Counsel, and WorldCom, on behalf of its regulated subsidiaries, is granted.

2. Comments to the report filed by the Staff of the Public Utilities Commission in this matter on February 27, 2004, shall be filed on or before April 15, 2004.

3. Replies to the April 15, 2004, comments shall be filed on or before June 11, 2004, by Qwest Corporation, Staff of the Public Utilities Commission, and the Colorado Office of Consumer Counsel.

4. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge