

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04B-160T

IN THE MATTER OF PETITION OF QWEST CORPORATION FOR ARBITRATION OF AN
INTERCONNECTION AGREEMENT WITH COVAD COMMUNICATIONS COMPANY
PURSUANT TO 47 U.S.C. § 252(B).

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
MANA L. JENNINGS-FADER
GRANTING UNOPPOSED MOTION,
VACATING PREHEARING CONFERENCE,
RESCHEDULING PREHEARING
CONFERENCE, AND WAIVING
RESPONSE TIME**

Mailed Date: April 21, 2004

I. STATEMENT

1. On April 6, 2004, Qwest Corporation (Qwest) file a Petition for Arbitration of an interconnection agreement with Covad Communications Company (Covad). The Petition for Arbitration (Petition) commenced this proceeding.

2. This matter is assigned to the undersigned Administrative Law Judge (ALJ) for hearing. However, the Commission will issue an initial decision. *See* Decision No. C04-0393.

3. On April 16, 2004, Staff of the Commission (Staff) filed its intervention of right and request for hearing. The parties in this proceeding are Qwest, Covad, and Staff.

4. Covad's response to the Petition is due on or before May 3, 2004.

5. On April 19, 2004, the ALJ scheduled a prehearing conference in this proceeding and listed issues for consideration at the prehearing conference. *See* Decision No. R04-0405-I.

6. On April 20, 2004, Covad filed a Motion to Vacate and Reset Pre-Hearing Conference (Motion). Covad also requested shortened response time. As grounds and good cause for granting the Motion, Covad stated that one of its counsel was unavailable at the time scheduled for the prehearing conference and that Covad would be prejudiced if that counsel could not attend the prehearing conference. Covad stated that the parties are available for a prehearing conference on April 27, 2004.

7. The Motion states good cause. Based on the Motion and the oral statements of counsel for Staff, no party opposes the Motion; and, thus, granting the Motion will not prejudice any party. The Motion will be granted; the prehearing conference scheduled for April 22, 2004, will be vacated; and the prehearing conference in this matter will be scheduled for April 27, 2004. The issues and discussion in Decision No. R04-0405-I will apply to the prehearing conference scheduled for April 27, 2004.

8. As no party opposes the Motion and in view of the fast-approaching prehearing conference date, response time will be waived.

II. ORDER

A. It Is Ordered That:

1. The Motion to Vacate and Reset Pre-Hearing Conference is granted.
2. The prehearing conference scheduled for April 22, 2004, is vacated.

3. A prehearing conference in this docket is scheduled as follows:

DATE: April 27, 2004

TIME: 1:30 p.m.

PLACE: Commission Hearing Room
1580 Logan Street, OL2
Denver, Colorado

4. The parties shall follow the procedures, and shall be prepared to discuss the matters, as set forth in Decision No. R04-0405-I.

5. Response time to the Motion to Vacate and Reset Pre-Hearing Conference is waived.

6. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge