

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 07B-514T

IN THE MATTER OF QWEST CORPORATION'S PETITION FOR ARBITRATION
WITH ARIZONA DIALTONE, INC. PURSUANT TO SECTION 252(B) OF THE
COMMUNICATIONS ACT OF 1934, AS AMENDED BY THE TELECOMMUNICATIONS
ACT OF 1996.

ORDER REQUIRING INITIAL COMMISSION DECISION

Mailed Date: January 4, 2008
Adopted Date: January 3, 2008

I. BY THE COMMISSION

A. Statement

1. On December 19, 2007, Qwest Corporation (Qwest) filed a Petition for Arbitration of an interconnection agreement with Arizona Dialtone, Inc. (Arizona Dialtone). Qwest states that it sought negotiation of an amendment to the existing interconnection agreement through a *bona fide* request received by Arizona Dialtone on July 20, 2007. Under § 252(b)(1) of the Telecommunications Act of 1996 (the Act), parties negotiating for interconnection, access to unbundled network elements, or resale of services within a particular state may petition the state commission for arbitration of any unresolved issues during the 135th to the 160th day of such negotiations. In this case, the parties are allowed to petition for arbitration from December 2, 2007 to December 27, 2007. Therefore, this Petition is timely filed.

2. Pursuant to § 252(b)(4)(C) of the Act, arbitration is to be concluded no later than nine months after the *bona fide* request for negotiation, which in this case is April 20, 2008.

3. We refer this matter to an Administrative Law Judge for hearing. However, because of the time constraints as indicated above, and pursuant to the provisions of § 40-6-109(6), C.R.S., we find that due and timely execution of our functions requires that the recommended decision of the Administrative Law Judge be omitted, and that an initial Commission decision be rendered.

II. ORDER

A. The Commission Orders That:

1. This matter is referred to an Administrative Law Judge for hearing, after which the Commission will enter an initial Commission decision as provided by § 40-6-109(6), C.R.S.
2. This Order is effective on its Mailed Date.

B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING January 3, 2008.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

