

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02M-259T

IN THE MATTER OF QWEST CORPORATION'S COLORADO PERFORMANCE
ASSURANCE PLAN.

ORDER GRANTING MOTIONS TO FILE RESPONSES

Mailed Date: January 8, 2004
Adopted Date: January 7, 2004

I. BY THE COMMISSION

A. Statement

1. On January 2, 2004, Staff of the Commission (Staff) filed a Motion for Leave to File a Response to Qwest's and to Specific CLECs' Comments on Staff's Second Six-Month Review Report and Request to Waive Response Time. Staff indicates in this filing that Staff filed its Second Six-Month Review Report on December 8, 2003. Comments were then filed by Qwest Corporation (Qwest), WorldCom, Inc., Eschelon Telecom, Inc., and Covad Communications Company, Inc.

2. Staff indicates that it wishes to briefly respond to some of the comments made by these parties on Staff's Report. Staff believes that its response will clarify Staff's position on certain issues and will assist the Commission in making decisions in this matter. Staff also requests the Commission waive response time to its Motion.

3. On January 6, 2004, Qwest filed a Response to Staff's Motion for Leave to File a Response to Qwest's and Specific CLECs' Comments on Staff's Second Six-Month Review Report and Request to Waive Response Time and Qwest Corporation's Motion for Leave to

Reply to Staff's Response. In the Motion, Qwest states that due to the holiday vacations, Qwest personnel were not able to review Staff's filing until Monday, January 5, 2004, and after a preliminary review, Qwest has determined that there are issues contained in Staff's response which require further analysis and comment by Qwest.

4. Qwest requests that if the Commission grants Staff's Motion to file a response, that Qwest be permitted to reply to Staff's response.

5. We grant Staff's Motion for leave to file a response to the comments submitted by Qwest and the various competitive local exchange carriers in this matter. We agree with Staff that clarification on the issues would be helpful in making our decisions on this six-month evaluation.

6. In light of Qwest's motion, however, we do not waive response time to Staff's motion, but rather shorten the response time to ten days. Any party, including Qwest, that wishes to respond to Staff's January 2, 2004, filing, may do so by January 12, 2004. Therefore, we grant Qwest's Motion as well.

II. ORDER

A. The Commission Orders That:

1. Staff of the Commission's Motion for Leave to File a Response to Qwest's and to Specific CLECs' Comments on Staff's Second Six-Month Review Report is granted. Response time to this Motion is shortened to ten days.

2. Qwest Corporation's Response to Staff's Motion for Leave to File a Response to Qwest's and Specific CLECs' Comments on Staff's Second Six-Month Review Report and Request to Waive Response Time and Qwest Corporation's Motion for Leave to Reply to Staff's Response is granted consistent with the above discussion.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
January 7, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners