

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).

ORDER REQUIRING INITIAL COMMISSION DECISION

Mailed Date: April 15, 2004
Adopted Date: April 13, 2004

I. BY THE COMMISSION

A. Statement

1. On April 6, 2004, Qwest Corporation (Qwest) filed a Petition for Arbitration of an interconnection agreement with Covad Communications Company. Qwest states in this Petition that the timelines set in the Telecommunications Act of 1996 requires this Commission to issue its decision by July 29, 2004. We addressed this matter at our weekly meeting on April 13, 2004.

2. At that weekly meeting, by Minute Entry, we referred the matter to an Administrative Law Judge for hearing. Because of the time constraints contained in the Act, 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 we render an initial decision.

II. ORDER

A. The Commission Orders That:

1. The Commission will enter an initial Commission decision in this matter.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 13, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER JIM DYER
ABSENT.