

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

04M-203T

Docket No. 04M-202T

SI
PUBL.
2004 NO.

RM 2:36

IN THE MATTER OF SOUTH PARK TELEPHONE COMPANY'S REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS NUMBER PORTABILITY
OBLIGATIONS PURSUANT TO SECTION 251(f)(2) OF THE COMMUNICATIONS
ACT OF 1934, AS AMENDED

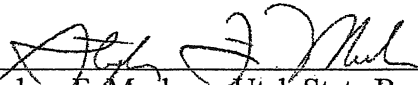
JOINT MOTION TO APPROVE SECOND STIPULATION AND SETTLEMENT

South Park Telephone Company and WWC Holding Co., Inc. (together referred to as "the Parties"), having entered into a Second Stipulation and Settlement to settle this matter, move the Commission:

- (1) To approve the Second Stipulation and Settlement of the Parties that accompanies this motion. The Parties believe the Stipulation is a fair settlement of the issues in this Docket and is in the public interest; and,
- (2) To reaffirm all other provisions of the Parties' July 21, 2004 Stipulation and Settlement.

Respectfully submitted this 19th day of November, 2004.

Callister Nebeker & McCullough


Stephen F. Mecham, Utah State Bar No. 4089
Gateway Tower East Suite 900
10 East South Temple
Salt Lake City, Utah 84133
Telephone: 801 530-7300
Facsimile: 801 364-9127
Email: sfmecham@cnmlaw.com

Attorneys for South Park Telephone Company

and

GORSUCH KIRGIS LLP

By: 

Andrew R. Newell, #31121

Dudley P. Spiller, #5908

GORSUCH KIRGIS LLP

1515 Arapahoe, Tower I

Suite 1000

Denver, CO 80202

Phone: 303-376-5000

Fax: 303-376-5001

Email: anewell@gorsuch.com

Attorneys for WWC Holding Co., Inc.

CERTIFICATE OF SERVICE

I hereby certify that an original and six (6) copies of the foregoing **JOINT MOTION TO APPROVE SECOND STIPULATION AND SETTLEMENT** was hand delivered this 14th day of November, 2004, to the following addressee:

Mr. Bruce N. Smith, Director
COLORADO PUBLIC UTILITIES COMMISSION
Logan Tower, Office Level 2
1580 Logan Street
Denver, CO 80203

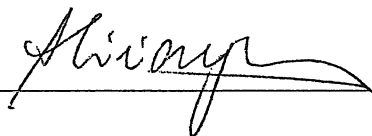
and a copy of the foregoing was mailed by depositing same in the U.S. Mail, postage prepaid, this 14th day of November, 2004, to the following addressees:

Stephen F. Mecham
Callister, Nebeker & McCullough
Gateway Tower East, Suite 900
10 East South Temple
Salt Lake City, UT 84133

Ken Reif
Colorado Office of Consumer Counsel
1580 Logan Street
Office Level 7
Denver, CO 80203

Anthony Marquez
Colorado Attorney General's Office
1525 Sherman Street, 5th Floor
Denver, CO 80203

Craig Joyce
Walters & Joyce
2015 York St.
Denver, Colorado 80205



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SECOND STIPULATION AND SETTLEMENT

Recitals

A. On April 27, 2004, South Park Telephone Company ("South Park") petitioned this Commission to suspend the Federal Communications Commission's ("FCC") wireline to wireless local number portability ("intermodal LNP" or "LNP") obligations pursuant to Section 251(f)(2) of the Communications Act of 1934, as amended. South Park argued that intermodal LNP implementation by the May 24, 2004 FCC-imposed deadline was technically infeasible, economically burdensome, and not in the public interest.

B. On May 10, 2004, WWC Holding Co., Inc. ("Western Wireless") filed an Entry of Appearance and Notice of Intervention or, in the Alternative Petition to Intervene in this matter. The Commission concluded that the disagreement between South Park and Western Wireless over facts stated in the two petitions required that this case be set for hearing and assigned it to an Administrative Law Judge.

C. The Administrative Law Judge scheduled this matter to be heard July 26, 2004. On July 21, 2004, South Park and Western Wireless filed a Stipulation and Settlement ("Stipulation") with the Commission and moved the Commission for approval

of the Stipulation and to vacate the hearing date. Western Wireless was willing to stipulate because of the unique technical challenges South Park faced in making its Redcom MDXi switch LNP capable.

D. The Commission approved the Parties' Stipulation in an order adopted August 3, 2004 and vacated the July 26, 2004 hearing.

E. As part of the Stipulation, South Park agreed to file an LNP implementation status report October 1, 2004. In that report, South Park informed the Commission and Western Wireless that Redcom, the MDXi switch vendor, had not deployed LNP anywhere in the country or done any field trials as they had informed South Park they intended to do when South Park agreed to the December 31, 2004 LNP-implementation date in the Stipulation. South Park became concerned that implementation by December 31, 2004 without any field testing by Redcom could result in serious service disruptions to customers and impose significant unnecessary costs on South Park.

F. On October 21, 2004, South Park petitioned the Commission to further suspend the LNP implementation date from December 31, 2004 to December 30, 2005. Western Wireless filed a response in opposition to South Park's petition on October 29, 2004 and the Commission assigned this matter to an Administrative Law Judge for hearing during the Commission's November 3, 2004 weekly meeting.

Following the weekly meeting, South Park and Western Wireless conferred together and agreed:

Agreement

1. To extend South Park's LNP implementation date from December 31, 2004 to March 31, 2005, or six months after South Park receives a bona fide request, whichever date is later.

2. That all other provisions of the Parties' July 21, 2004 Stipulation and Settlement remain in effect.

DATED and AGREED to this 14th day of November, 2004.


For South Park Telephone Company



Stephen F. Mecham, Utah State Bar No. 4089
Callister Nebeker & McCullough
Gateway Tower East Suite 900
10 East South Temple
Salt Lake City, Utah 84133
Telephone: 801 530-7300
Facsimile: 801 364-9127
Email: sfmecham@cnmlaw.com

Attorney for South Park Telephone Company

WWC HOLDING CO., INC.

By: 

Andrew R. Newell, #31121
Dudley P. Spiller, #5908
GORSUCH KIRGIS LLP
1515 Arapahoe, Tower I
Suite 1000
Denver, CO 80202
Phone: 303-376-5000
Fax: 303-376-5001
Email: anewell@gorsuch.com

Attorneys for WWC Holding Co., Inc.