(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF AT&T COMMUNICA­TIONS OF THE MOUNTAIN STATES, INC.  PETITION FOR ARBITRA­TION PURSUANT TO SECTION 252(b) OF THE TELECOMMUNICA­TIONS ACT OF 1996 OF THE RATES, TERMS, AND CONDITIONS OF INTERCONNECTION WITH GTE NORTH­WEST INCORPORATED | )  )  )  )  )  )  )  ) | CASE NO. GTE-T-97-3  ATT-T-97-1  ORDER NO.  27065 |

On February 7, 1997, AT&T Communications of the Mountain States, Inc. (AT&T) filed a Petition for Arbitration with GTE Northwest Incorporated (GTE) pursuant to Section 252(b) of the federal Telecommunications Act of 1996.  AT&T also filed a Motion for Prearbitration Procedural Order to address the appointment of an arbitrator, discovery, scheduling, and other issues to process the arbitration.  GTE filed its answer on March 4, 1997.  On March 10, 1997, the Commission issued Procedural Order No. 26833 appointing an arbitrator and providing a schedule to process AT&T’s Petition.

On July 11, 1997, AT&T filed with the Commission a Motion to Dismiss and an Agreement for Dismissal executed by AT&T and GTE.  In its Motion, AT&T asked the Commission to “enter an order dismissing AT&T’s Petition for Arbitration without prejudice to AT&T’s right to submit a bona fide request for interconnection, network elements and services to [GTE] and, if necessary, file a petition for arbitration of unresolved issues between AT&T and GTE with this Commission.”  The agreement for dismissal executed by the parties sets forth the terms by which AT&T may request interconnection with GTE in the future and, if necessary, initiate a petition for arbitration with the Commission.

Based on the Motion to Dismiss filed by AT&T and the Agreement for Dismissal executed by AT&T and GTE, we find that this case should be dismissed.

O R D E R

IT IS HEREBY ORDERED that the Petition for Arbitration filed by AT&T in Case Nos. GTE-T-97-3, ATT-T-97-1, is hereby dismissed without prejudice to AT&T’s ability to seek arbitration in the future, and this case is closed.

THIS IS A FINAL ORDER.  Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order.  Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration.  See Idaho Code § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of July 1997.

                                                                                                                                      DENNIS S. HANSEN, PRESIDENT

                                                                                           RALPH NELSON, COMMISSIONER

MARSHA H. SMITH, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

bls/O:GTE-T-97-3.ws3

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

July 29, 1997