



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

December 16, 2003

To: Parties of Record
Interested Parties

RE: Case No. GNR-T-03-23

Dear Interested Party:

As you know, the Commission opened Case No. GNR-T-03-23 in response to the Federal Communications Commission's Triennial Review Order. The FCC found "on a national basis, that competing carriers *are impaired* without access to unbundled local circuit switching for mass market customers," but also recognized that "a more granular analysis may reveal that a particular market *is not subject to impairment* in the absence of unbundled local circuit switching." FCC Triennial Review Order, ¶¶ 459, 460 (italics added). The FCC provided state commissions nine months to complete the more granular analysis to determine whether the Bell Operating Company local exchange carriers would be required to continue to provide local circuit switching as a UNE to enable competitors to serve residential and small business customers. In Idaho, Verizon Northwest, Inc. and Qwest Corporation are the local exchange carriers affected by the FCC's Order regarding access to unbundled local circuit switching.

By letter dated November 14, 2003, Verizon notified the Commission "it will not challenge at this time the FCC's presumption of impairment for unbundled mass market switching, dedicated transport, or unbundled enterprise market loops." On December 11, 2003, Qwest filed a Motion to Postpone Mass Market Switching Case and Close Docket asking the Commission to "close this docket or, alternatively, that the Commission defer indefinitely any action herein." Qwest's Motion states that, by filing the Motion, "Qwest has decided not to seek relief at this time from its current obligation to provide unbundled switching for mass market customers in Idaho."

Pursuant to the Commission's Rules of Procedure, a party has no more than 14 days to respond to a motion. Because both Verizon and Qwest have determined they will not challenge the FCC's finding of impairment regarding access to unbundled local circuit switching for mass market customers, the Commission Staff supports Qwest's Motion to close this case. Accordingly, Staff will ask the Commission at its December 29, 2003 decision meeting to grant Qwest's Motion and close this case. Pending the Commission's approval of Qwest's Motion, it is not necessary to respond to any outstanding discovery requests.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Weldon B. Stutzman".

Weldon B. Stutzman
Deputy Attorney General

cc: Jean D. Jewel, Commission Secretary

L:GNRT0323_ws

DEAN J MILLER
McDEVITT & MILLER LLP
PO BOX 2564
BOISE ID 83701-2564

MARY S HOBSON
STOEL RIVES LLP
101 S CAPITOL BLVD STE 1900
BOISE ID 83702

MARLIN D ARD
ATTORNEY AT LAW
PO BOX 2190
SISTERS OR 97759

SHARI' R HARRIS
DIRECTOR OF OPERATIONS
BASICPHONE INC
PO BOX 220
ORANGE TX 77631

CHARLES CARRATHERS
VERIZON NORTHWEST INC
1800 41ST ST
EVERETT WA 98201

RICHARD WIGGINS
CTC TELECOM INC
130 SUPERIOR ST
PO BOX 60
CAMBRIDGE ID 83610

BEN BOAITEY
REGULATORY ANALYST
EXCEL TELECOMMUNICATIONS INC
PO BOX 223766
DALLAS TX 75285

MARIANNE DEAGLE
BIRCH TELECOM/IONEX
2020 BALTIMORE ST
KANSAS CITY MO 64108-1914

JENNA BROWN
MANAGER REG AFFAIRS
QUANTUMSHIFT COMM
88 ROWLAND WY
NOVATO CA 94945

BEN BOAITEY
REGULATORY ANALYST
VARTEC TELECOM INC
PO BOX 223766
DALLAS TX 75235

DEAN RANDALL
SPECIALIST – REG AFFAIRS
VERIZON NORTHWEST INC
PO BOX 1100
BEAVERTON OR 97075-1100

BRIAN THOMAS
TIME WARNER TELECOM
223 TAYLOR AVE N
SEATTLE WA 98109

MARY B TRIBBY
LETTY SD FRIESEN
AT&T
1875 LAWRENCE ST STE 1575
DENVER CO 80202

ROBERT M POMEROY JR
HOLLAND & HART
8390 E CRESCENT PKWY STE 400
GREENWOOD VILLAGE CO 80111

MICHAEL REITH
DIRECTOR INDUSTRY POLICY
Z-TEL COMMUNICATIONS INC
601 S HARBOUR ISLAND BLVD
STE 220
TAMPA FL 33602

LANCE TADE
ELECTRIC LIGHTWAVE INC
4 TRIAD CENTER STE 200
SALT LAKE CITY UT 84180

DONNA MOZINA
ICG TELECOM GROUP INC
161 INVERNESS DR W
ENGLEWOOD CO 80112

SUSAN TRAVIS
MCIMETRO ACCESS
TRANSMISSION SERVICES LLC
707 17TH ST STE 4200
DENVER CO 80202

LANE WILLIAMS
RURAL NETWORK SERVICES
PO BOX 217
MIDVALE ID 83645

TAMAR E FINN
MICHAEL P DONAHUE
SWIDLER BERLIN
3000 K NW STE 300
WASHINGTON DC 20007-5116

ADAM L SHERR
QWEST CORPORATION
1600 7TH AVE RM 3206
SEATTLE WA 98191

CONLEY E WARD
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701-2720

CLAY R STURGIS
MOSS ADAMS LLP
601 W RIVERSIDE STE 1800
SPOKANE WA 99201-0663

RICHARD STEVENS
CENTEL COMMUNICATIONS INC
1505 S GRANT ST
PO BOX 25
GOLDENDALE WA 98620

LANCE TADE
FRONTIER COMMUNICATIONS
OF AMERICA
4 TRIAD CENTER STE 200
SALT LAKE CITY UT 84180

DENNIS D AHLERS
SENIOR ATTORNEY
ESCHELON TELECOM INC
730 SECOND AVE S STE 1200
MINNEAPOLIS MN 55402

MARSHA POKORNEY
INTELLICALL OPERATOR SERVICES
5000 SAWGRASS VILLAGE CR
STE 30
PONDE VEDRA BEACH FL 32082

R SCOTT SEAB
VP-REG AFFAIRS
NOW COMMUNICATIONS INC
711 S TEJON ST STE 201
COLORADO SPRINGS CO 80903

DONALD O TAYLOR
REG COMPLIANCE CONSULTANT
TEL WEST COMMUNICATIONS INC
24428 145TH PL SE
KENT WA 98042

WILLIAM BRAUN
1-800-RECONEX INC
2500 INDUSTRIAL AVE
HUBBARD OR 97032

KIMBERLY NIELSON
MGR LEGAL & EXTERNAL AFFAIRS
AT&T WIRELESS
7277 164TH AVE NE BLDG 1
REDMOND WA 98052

KEVIN KEILLOR
GENERAL COUNSEL
EDGE WIRELESS
650 SW COLUMBIA STE 7200
BEND OR 97702

WESTERN WIRELESS
3650 131ST AVE STE 400
BELLEVUE WA 98006

MICHAEL K BRANSTETTER
HULL & BRANSTETTER CHR TD
416 RIVER ST
PO BOX 709
WALLACE ID 83873-0709

KENNETH C HOWELL
HAWLEY TROXELL ET AL
877 MAIN ST STE 1000
PO BOX 1617
BOISE ID 83701-1617

TONY SCHILENS
CRICKET COMMUNICATIONS
10307 PACIFIC CENTER CRT
SAN DIEGO CA 92121

KRISTIE KANADY
CTC TELECOM
PO BOX 86
CAMBRIDGE ID 83610-0086

CLEARTALK-NTCH-IDAHO INC
233 N MAIN
POCATELLO ID 83204

CHERYL KOSANKE
ACTIVE ELECTRONICS
422 E MULLAN
OSBURN ID 83849

LAARIN PENROSE
VOICESTREAM WIRELESS
12920 SE 38TH ST
BELLEVUE WA 98006

MICHAEL VAN ECKHART
DAVIS WRIGHT TREMAINE LLP
2600 CENTURY SQUARE
1501 4TH AVE
SEATTLE WA 98101-1688

JUDITH A ENDEJAN
GRAHAM & DUNN PC
PIER 70
2801 ALASKAN WY STE 300
SEATTLE WA 98121-1120

ANITA PEUTZ
FARMERS MUTUAL TELEPHONE CO
PO BOX 89
FRUITLAND ID 83328-0089

DOLORES CLARK
CLARK COMMUNICATIONS
PO BOX 1183
LEWISTON ID 83501