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IDAHO PUBLIC
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Attorneys for Qwest Communications Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**APPLICATION FOR AMENDMENT OF
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY OF
QWEST COMMUNICATIONS
CORPORATION**

⁰⁴
CASE NO. QCC-T-02-1

**APPLICATION FOR AMENDMENT OF
CERTIFICATE OF QWEST
COMMUNICATIONS CORPORATION**

On April 24, 2002, Qwest Communications Corporation (QCC), filed an application for a Certificate of Public Convenience and Necessity (Certificate) for its operations as a local exchange carrier within the state of Idaho. On September 3, 2002, this Commission issued Certificate No. 402, granting QCC authority to provide "basic local exchange services within Verizon Northwest Inc.'s, service area." QCC now seeks to amend its Certificate to provide local services throughout the state of Idaho, including within the service area of Qwest Corporation. The facts underlying this Application for amendment are as follows:

1. QCC and Qwest Corporation, the incumbent local exchange carrier now serving its certificated area in Idaho, are both wholly-owned subsidiaries of Qwest Service Corporation. At the time of filing its original application, QCC sought a certificate to provide local exchange service and vertical features to business and residence customers in the service areas served by Qwest Corporation and Verizon Northwest, Inc. within the state of Idaho.

2. When the Commission solicited comments on QCC's original application, the Commission Staff raised a concern about the possible joint marketing of services creating confusion between the regulated "basic local exchange service" offered by Qwest Corporation and the deregulated "basic local exchange service" offered by QCC.¹

3. In response to Staff's concern and to expedite the certification of QCC as Qwest Corporations Section 272 affiliate, on August 12, 2002, QCC voluntarily moved to amend its application to exclude the Idaho service territory in which Qwest Corporation acts as the incumbent local exchange carrier.

4. On August 27, 2002, the Commission issued Order No. 29099 approving QCC's application for a Certificate of Public Convenience and Necessity to provide "basic local exchange service" in that part of the state served by Verizon Northwest, Inc. In that Order the Commission noted, "because QCC has amended its application to limit its basic local service authority to non-Qwest territory, the Commission need not determine whether joint marketing of local service by QCC and Qwest would violate legal of public policy standards."²

5. QCC has obtained statewide CLEC certification in the states of Montana, Oregon, and Washington and expects to receive such certification in Colorado within thirty days. In

¹ See Comments of the Commission Staff, p. 2 (July 1, 2002).

² Order No. 29099 at p. 2.

addition, QCC is certified in the majority of the exchanges in Minnesota, including all of the exchanges in which QC is the incumbent local exchange service provider. In Utah, QCC is certified in all exchanges except for those served by a small number of independent companies, while in Wyoming QCC is certified only in the areas served by QC.

6. QCC now seeks to expand its Certificate of Public Convenience and Necessity to include the entire state including those areas that it previously volunteered to exclude so that QCC may be authorized to provide local exchange services throughout all telephone exchanges of the state.

7. QCC has previously demonstrated its compliance with the Commission's requirements for obtaining a Certificate of Public Convenience and Necessity, with its application of April 2002, resulting in the issuance of Certificate 402. To summarize and update the information required for a certificate under the Commission's standards articulated in Order No. 26665, QCC submits the following:

- a. QCC's principal business address is 1801 California, Denver, Colorado 80202, and its principal place of business within the state of Idaho is 999 Main, Boise, Idaho 83702. A certificate of good standing of QCC issued by the Secretary of State for the State of Idaho is attached as Exhibit A. QCC's registered agent for service in Idaho remains CT Corporation, 300 North 6th Street, Boise, Idaho 83702.
- b. A schedule of QCC's officers and directors is attached as Exhibit B.
- c. QCC has not yet completed any interconnection negotiations or entered any interconnection agreements with any carriers for the provision of its services within the state of Idaho.

- d. The two most recent annual reports, including detailed balance sheets and profit and loss statements, of QCC's ultimate parent corporation (Qwest Communications International Inc.) were filed with the Commission earlier this year.³
- e. QCC has filed price lists for its toll services in the state of Idaho. QCC has not yet proposed an initial catalog or price list for local exchange service in the area for which it was previously certificated. Such filing will be made in advance of the provision of any local exchange services pursuant to that certificate or any amended certificate granted hereunder.
- f. Attached hereto as Exhibit C is a list of QCC designated contacts for customer inquiries and complaints.
- g. QCC has reviewed all of the Commission's rules and continues to agree to comply with them or, if necessary, to seek a waiver of any rules that prove to be inapplicable.

8. QCC intends to provide local services using a combination of its own facilities and resold services and/or unbundled network elements. The Commission may rely on the service area maps of Qwest Corporation and the independent telephone corporations for the potential scope of QCC's proposed amendment to its service territory in Idaho.

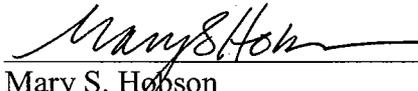
9. QCC seeks this amendment because it hopes to be authorized to provide local exchange service and vertical features to business and residence customers throughout the state of Idaho. The Commission's Procedural Order No. 26665 dated November 7, 1996 indicates

³ The Annual Report Form M for 2002 was filed with the Commission on January 30, 2004. A Restated Form M for 2001 was filed February 6, 2004.

that applicants seeking to provide "local exchange service" must apply to the Commission for a certificate and provide the information listed therein. Order No. 26665 does not limit the certificate requirement to companies providing "basic local exchange service," i.e., to service that is regulated by the Commission under Title 61, Idaho Code. Because some services that are provided by Qwest Corporation under Title 62, Idaho Code may be construed as "local service," QCC believes that a Certificate may be required even where QCC seeks to provide services that do not constitute Title 61 service.

10. At the present time QCC is still formulating the mix of local services and other non-toll services that it will offer in Idaho. QCC will provide descriptive catalogs and price lists for those services to the Commission prior to the introduction of any such services in its certificated areas in Idaho.

RESPECTFULLY SUBMITTED this 2nd day of April, 2004.



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Adam L. Sherr
Qwest

Attorneys for Qwest Communications Corporation

⁴ See Comments of the Commission Staff, p. 2 (July 1, 2002).

⁵ Order No. 29099 at p. 2.

⁶ The Annual Report Form M for 2002 was filed with the Commission on January 30, 2004. A Restated Form M for 2001 was filed February 6, 2004.

State of Idaho

Office of the Secretary of State

CERTIFICATE OF EXISTENCE

OF

QWEST COMMUNICATIONS CORPORATION

File Number C-142530

I, BEN YSURSA, Secretary of State of the State of Idaho, hereby certify that I am the custodian of the corporation records of this State.

I FURTHER CERTIFY That the records of this office show that the above-named corporation was incorporated under the laws of DELAWARE and filed to transact business in Idaho on 11 Feb 2002.

I FURTHER CERTIFY That the corporation is in goodstanding on the records of this office.

Dated: 09 Mar 2004



Ben Yursa

SECRETARY OF STATE

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Exhibit A

03/31/04

QWEST COMMUNICATIONS CORPORATION

Officers

Tom Gillett	President
Cliff Holtz	Executive Vice President – Business Markets
Pamela J. Stegora Axberg	Senior Vice President - Network Operations
Kelly Carter	Vice President – Corporate Tax and Assistant Secretary
Mark Evans	Vice President – Finance and Assistant Treasurer
R. William (Bill) Johnston	Vice President – Assistant Controller
Troy M. Keller	Assistant Secretary
Joan E. Randazzo	Assistant Secretary

Directors

Tom Gillett
Cliff Holtz

Exhibit B

03/31/04

The following numbers are currently designated customer contacts for Qwest Communications Corporation (“QCC”):

Principle business office telephone: (303) 992-1400

Facsimile number: (303) 992-1724

Toll free customer service numbers for long distance products and services:

Business customers:

If Qwest Corporation *is* your local provider: (800) 630-6000

If Qwest Corporation *is not* your local provider: (800) 860-1020

Residential customers:

If Qwest Corporation *is* your local provider: (800) 244-1111

If Qwest Corporation *is not* your local provider: (800) 860-2255

Residential primary interexchange carrier (“PIC”) disputes: (800) 244-1111

Exhibit C