

## DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER  
COMMISSIONER SMITH  
COMMISSIONER HANSEN  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL STAFF**

**FROM: WELDON STUTZMAN**

**DATE: DECEMBER 26, 2003**

**RE: CASE NO. QWE-T-01-11  
QWEST'S MOTION FOR APPROVAL OF NEGOTIATED UNE RATES**

On November 12, 2003, Qwest filed two motions in this case, the first was a Motion to Withdraw and Substitute Testimony, the second was a Motion for Approval of Negotiated Rates. By its second motion, Qwest asked the Commission to approve rates for specific unbundled network elements (UNEs) identified in Attachment A to its motion. Qwest stated that the UNEs and their proposed rates in Attachment A resulted from lengthy negotiations involving primarily Qwest and Staff, and are considered "non-controversial." On December 4, 2003, the Commission issued a Notice of Motion for Approval of Negotiated Rates and Notice of Modified Procedure to process Qwest's motion. During the comment period, written comments were filed only by the Commission Staff.

As Qwest noted in its motion, Staff agreed to the specific UNE rates identified in Attachment A to Qwest's motion. Staff considers those UNEs and their rates to be non-controversial in that they are typically products that are not frequently ordered by competitors. In addition, the rates are consistent with the UNE rates charged by Qwest and other Bell Operating Companies in other states. Staff noted in its comments that the proposed rates are based on a total element long-run incremental cost (TELRIC) methodology, using inputs to the models that Staff considers to be within a range of reasonableness.

Staff recommends the Commission issue an order approving the UNE rates identified in Attachment A to Qwest's motion.

**Commission Decision**

Should the Commission issue an order approving the specific UNE rates identified in Attachment A to Qwest's motion?



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Weldon Stutzman

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