

DECISION MEMORANDUM

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

FROM: WELDON STUTZMAN

DATE: MARCH 23, 2004

**RE: CASE NO. QWE-T-03-24; QWEST'S MOTION TO WITHDRAW UPDATED
STATEMENT OF GENERALLY AVAILABLE TERMS**

On March 15, 2004, Qwest Corporation filed a Motion to withdraw a revised Statement of General Terms and Conditions (SGAT) it filed on February 17, 2004, in Case No. QWE-T-03-24. Qwest had submitted its revised SGAT in response to a Federal Communications Commission order, commonly referred to as the Triennial Review Order. Several parties appealed the FCC's Triennial Review Order to the United States Court of Appeals for the District of Columbia. On March 2, 2004, the Court issued its decision, vacating the FCC order in part and remanding it back to the FCC. In light of the litigation and remand of the FCC order, Qwest filed its Motion to Withdraw Its SGAT filed on February 17, 2004. Qwest states in its Motion that it will revise its SGAT and refile it with the Commission.

Staff recommends the Commission approve Qwest's Motion to Withdraw its Updated SGAT.

Commission Decision

Should the Motion of Qwest to withdraw its February 17, 2004, statement of generally available terms and conditions be approved?



Weldon Stutzman

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