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IDAHO PUBLIC
UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE JOINT PETITION
OF ROBERT RYDER, D/B/A RADIO PAGING
SERVICE and JOSEPH B. MCNEAL, d/b/a
PAGEDATE, FOR ARBITRATION OF A
INTERCONNECTION DISPUTE.

IPUC NO. QWE-T-04-32

**MOTION FOR EXTENSION OF TIME
TO ANSWER COMPLAINT**

Pursuant to Commission Rules of Procedure 57 and 256.02 & .03 Qwest Corporation (“Qwest”) respectfully requests that the Commission grant it an additional fourteen (14) days in which to file an answer to Radio Paging Service and PageData’s Complaint. *See* Summons, Case No. QWE-T-04-32. *See* also IDAPA 31.01.01.057 & .256. The grounds and reasons for such request are discussed below.

BACKGROUND

On November 26, 2004, the Complainants (“Pagers”) filed a pleading denominated “Petition for Arbitration” in which they asked for arbitration of a dispute arising under their

interconnection agreements with Qwest. On November 30, 2004 the Commission decided to treat the Pagers' filing as a Complaint rather than a Petition to Arbitrate and issued a Summons directing Qwest to file an answer or written motion in defense within twenty-one (21) days of service of said Summons. Accordingly, Qwest's answer or motion is due on December 21, 2004.

GROUND FOR EXTENSION OF TIME

The reason for this requested extension is that Qwest's undersigned counsel has not had sufficient time available to prepare an adequate response.

This is due to counsel's heavy work load over the last month and continuing at least through December 31; this includes several matters that have required counsel to devote considerable time to each. Over the last week, counsel has been able to work on nothing except a single matter, the drafting of a prospectus for a securities offering, the proceeds of which will fund a large transaction that must close by the end of 2004. Counsel hopes to finish that project within two days.

Meanwhile, as the Commission knows, these Pagers have filed, and continue to file, a multitude of litigation against Qwest, using every theory and procedure that can be imagined. For the Pagers, principles such as res judicata do not apply. Over the last several years, and more considerably in the last few months, Qwest and its counsel have devoted substantial resources and inordinate amounts of time addressing each and every issue raised by the Pagers not only here, but in Idaho federal district court and the Idaho Supreme Court as well.

Even now, Qwest is working on further briefing on the merits of the appeal and cross-appeal in the Supreme Court. Qwest is also separately responding to the Pagers' Motion to Compel Payment that they filed with the Supreme Court last week.

For all these reasons, Qwest has not been able to prepare an adequate response for filing today. Qwest has provided actual notice to the Pagers informing them of this request in compliance with Rule 256.02 & 03. IDAPA 31.01.01.256.02 & .03. Qwest does not request oral argument on its Motion.

Based on the foregoing Qwest respectfully requests that the Commission grant it an additional fourteen (14) days to respond to this latest Complaint.

DATED this 21st day of December, 2004.

Respectfully Submitted,

Adam Sherr
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and



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of December, 2004, I caused a true and correct copy of the above and foregoing document to be served, in the manner indicated, on the following:

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By: 
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