

## DECISION MEMORANDUM

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

**FROM:** WELDON STUTZMAN

**DATE:** OCTOBER 6, 2005

**SUBJECT:** CASE NO. QWE-T-05-11  
JOINT MOTION BY THE PARTIES TO EXTEND PROCEDURAL  
SCHEDULE

This case was initiated by a Petition filed by Level 3 Communications requesting arbitration of an Interconnection Agreement between Level 3 and Qwest Corporation. On August 2, 2005, the Commission issued a Procedural Order, appointing an arbitrator and establishing a schedule to complete the arbitration. On October 5, 2005, Level 3 and Qwest filed a Joint Motion to Extend the Procedural Schedule. The Joint Motion states that the parties have been negotiating in an effort to reach a settlement on the terms and conditions of an interconnection agreement, and "the parties agree that focusing on negotiations, rather than continued efforts in a litigation, best serves the likelihood of resolution." Accordingly, the parties in their Motion ask the Commission to extend the deadlines for conducting the hearings and to complete the arbitration. The parties propose to modify the deadlines normally established pursuant to Section 252 of the federal Telecommunications Act. The parties have agreed that the hearing deadline may be extended to November 30, 2005, and that the Commission will have until March 1, 2006 to issue a final ruling on arbitration of the interconnection agreement.

Staff recommends that the Commission grant the Joint Motion filed by the parties and extend the procedural schedule as outlined in the Motion.

### COMMISSION DECISION

Should the Joint Motion filed by Level 3 and Qwest to extend the procedural schedule be approved?

  
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Weldon Stutzman