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UTILITIES COMMISSION

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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF QWEST
CORPORATION'S NOTICE OF
ELECTION FOR ITS NORTHERN
IDAHO OPERATIONS**

CASE NO. QWE-t-0512

**QWEST CORPORATION'S NOTICE OF
ELECTION FOR ITS NORTHERN
IDAHO OPERATIONS**

Qwest Corporation (Qwest), by and through its undersigned attorneys, hereby files its Notice of Election in accordance with the provisions of Idaho Code § 62-605. By this Notice, Qwest elects to make all of its retail services in northern Idaho subject to the provisions of Chapter 62, Idaho Code, as amended.

I. BACKGROUND

For many years Qwest has maintained two separate regulatory operations in Idaho; one in northern Idaho in what was once the territory served by the Pacific Northwest Bell Company, and another in southern Idaho in territory formerly served by The Mountain States Telephone and Telegraph Company. In March 1989, The Mountain States Telephone and Telegraph Company, doing business at that time as U S WEST Communications, filed a notice of election

under the newly enacted Telecommunications Act of 1988, seeking to make certain of its services subject to the provisions of Title 62, Idaho Code. Pursuant to the language of the statutes in effect at that time, telephone corporations were permitted to offer all telecommunications services, other than basic local exchange service, under the provisions of Title 62, Idaho Code. In the years that followed Qwest operated in southern Idaho under a split regulatory regime with the majority of its services subject to regulation under Title 62, Idaho Code, while basic local exchange service and a small number of other services listed by the company in its 1989 Notice remained under the more restrictive regulation provided under Title 61, Idaho Code.

In northern Idaho, however, Qwest continued to operate under the Idaho Public Utilities Law as set forth in Title 61, Idaho Code. With the exception of certain services that were deregulated by the Federal Communications Commission,¹ all of Qwest's services are provided under Commission-approved tariffs in northern Idaho.

On March 4, 2005, the Idaho Legislature amended the Idaho telecommunications statutes to, *inter alia*, allow telephone corporations to elect to make all of their services, including basic local exchange services, subject to Title 62, Idaho Code. This amendment was signed into law on March 29, 2005, and became effective on July 1, 2005.

It is Qwest's intention by this Notice of Election to remove all of its services offered in its northern Idaho operations from regulation under Title 61, Idaho Code and make them subject to Title 62.

¹ See *Qwest's Northern Idaho Exchange and Network Services Catalog*.

II. NOTICE OF ELECTION

A. Idaho Code § 62-605 Requirements

1. Subsection (1)(a) Name and address of the telephone corporation.

Qwest Corporation is a Colorado corporation and is authorized to do business in the state of Idaho. Qwest's business address in Idaho is 999 Main Street, Boise, Idaho, 83702.

Correspondence to Qwest should be directed as follows:

Jim Schmit
Qwest Corporation
999 Main Street – 11th Floor
Boise, ID 83702

Adam Sherr
Qwest
1600 7th Avenue - Room 3206
Seattle, WA 98191

2. Subsection (1)(b) Narrative description of telecommunications services provided and geographic area served by Qwest.

Qwest offers a broad array of intra- and interstate telecommunications services to individuals and businesses in northern Idaho. All of these services are described in the following Qwest tariffs, which are on file with this Commission:

Northern Idaho Exchange & Network Services Tariff;
Northern Idaho Access Service Tariff;
Northern Idaho Advanced Communications Services Tariff;
Northern Idaho Private Line Transport Services Tariff; and
Northern Idaho Special Construction Tariff.

For notice purposes, these tariffs are incorporated herein by reference.

Qwest's existing service area for its services is more particularly defined in the exchange maps on file the Commission and in the territorial descriptions set forth as part of the Company's

existing certificate of public convenience and necessity No. 313, issued June 29, 1990. For notice purposes these exchange maps and the certificate are incorporated herein by reference.

B. Services Subject to this Notice of Election

All of the services offered by Qwest in its Northern Idaho tariffs listed above are the subject of this Notice of Election.

C. Services Qwest Intends to Leave Subject to the Provisions of Title 61, Idaho Code

Qwest intends that all of its services be offered under Title 62, Idaho upon the effective date of this Notice.

D. Qwest Price Lists

Attachment A to the original of this Notice is a copy of Qwest's *Northern Idaho Network & Exchange Services Catalog* (Catalog No. 3), which has been drafted to reflect the inclusion of all of the services listed in Qwest's *Northern Idaho Network & Exchange Services Tariff*. Attachment B is a copy of Qwest's *Northern Idaho Access Services Catalog* (Catalog No. 1), which includes all of the services described in Qwest's *Northern Idaho Access Services Tariff*. Attachment C is a copy of Qwest's *Northern Idaho Advanced Communications Services Catalog* (Catalog No. 2), which includes all of the services listed in the Qwest northern Idaho tariff of the same name. Attachment D is a copy of the Qwest *Northern Idaho Private Line Transport Services Catalog* (Catalog No. 4), which includes all of the services listed in Qwest's *Northern Idaho Private Line Transport Services Tariff* and, in Section 3.3 on page five, the services listed in Qwest's *Northern Idaho Special Construction Tariff*. The effective dates of these Catalogs is August 1, 2005, which coincides with the date upon which this Notice becomes effective by operation of Idaho Code § 62-605. On that date Qwest's northern Idaho tariffs will be withdrawn in their entirety.

Attachments A–D reflect the availability, price, and terms and conditions for the services Qwest will provide pursuant to Title 62. All of the services that are the subject of this Notice, including all of Qwest's basic local exchange services in northern Idaho, are offered in the above-described Catalogs at prices identical to those contained in the respective Qwest tariffs for the same services. After the effective date of the Catalogs any future price changes will be governed by the provisions of Title 62, Idaho Code.

E. Effective Date

The effective date of this Notice is August 1, 2005.

Respectfully submitted this 1st day of July, 2005.



Mary S. Hobson
Stoel Rives LLP

Adam Sherr
Qwest

Attorneys for Qwest Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of July, 2005, I served the foregoing **QWEST CORPORATION'S NOTICE OF ELECTION FOR ITS NORTHERN IDAHO OPERATIONS** upon all parties of record in this matter as follows:

Jean Jewell, Secretary
Idaho Public Utilities Commission
472 West Washington Street
P.O. Box 83720
Boise, Idaho 83720-0074
jjewell@puc.state.id.us

 X Hand Delivery
_____ U. S. Mail
_____ Overnight Delivery
_____ Facsimile
_____ Email

Weldon Stutzman
Idaho Public Utilities Commission
472 West Washington Street
P.O. Box 83720
Boise, Idaho 83720-0074

 X Hand Delivery
_____ U. S. Mail
_____ Overnight Delivery
_____ Facsimile
_____ Email



Brandi L. Gearhart, PLS
Legal Secretary to Mary S. Hobson
Stoel Rives LLP

**SEE CASE FILE
FOR VOLUMINOUS
ATTACHMENTS**