

## DECISION MEMORANDUM

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

**FROM:** WELDON STUTZMAN

**DATE:** SEPTEMBER 12, 2006

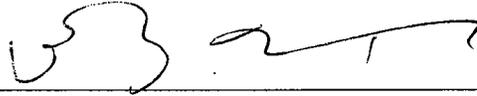
**SUBJECT:** CASE NO. QWE-T-06-5  
DISMISSAL OF FORMAL COMPLAINT BY DENNIS J. SALLAZ  
AGAINST QWEST CORPORATION

On March 7, 2006, a formal complaint was filed by Dennis J. Sallaz against Qwest Corporation. In correspondence dated April 11, 2006, Qwest's attorney informed Staff that the Company was attempting to resolve the issues raised in Mr. Sallaz's complaint. On August 11, 2006, Qwest's attorney sent a letter to Staff advising that a satisfactory resolution had been reached between the parties. Qwest asked "that the Commission review this matter and take the necessary steps to dismiss the complaint." On August 17, 2006, Staff's attorney sent a letter to Mr. Sallaz asking for confirmation that the complaint against Qwest may be dismissed. The letter instructed Mr. Sallaz that if he did not respond within seven days, Staff would "accept Qwest's representation that the issues are fully resolved," and Staff would recommend dismissal of the complaint. A copy of the August 11, 2006 correspondence from Qwest and the August 17, 2006 correspondence to Mr. Sallaz from Staff are attached.

Based on the representation by Qwest that the matter has been resolved, and the lack of response or other activity regarding the complaint by Mr. Sallaz, Staff recommends that the complaint in Case No. QWE-T-06-5 be dismissed, but without prejudice for Mr. Sallaz to refile the complaint should issues remain unresolved.

**COMMISSION DECISION**

Should the complaint in Case No. QWE-T-06-5 be dismissed without prejudice?



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Weldon B. Stutzman

bls/M:QWE-T-06-05\_ws

Mary S. Hobson  
Attorney & Counselor  
999 Main, Suite 1103  
Boise, ID 83702  
208-385-8666

April 11, 2006

**VIA HAND DELIVERY**

Weldon Stutzman  
Idaho Public Utilities Commission  
472 West Washington  
Boise, ID 83702-5983

**RE: Sallaz Formal Complaint; Docket No. QWE-T-06-05**

Dear Mr. Stutzman:

This will confirm our telephone conversation this afternoon in which I told you that Qwest is seeking to reach an agreement with the Complainant in the above referenced matter in an effort to avoid litigation of this claim and further use of Commission resources. However, due to my travel and Mr. Sallaz's trial schedule we have had the opportunity to discuss possible resolution of this issue to date.

Please let me know if the Commission requires any additional response from Qwest prior to the time the parties are able to meet and discuss this matter.

Very truly yours,

Mary S. Hobson

Enclosures

cc: Dennis J. Sallaz



STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WASDEN

August 17, 2006

Dennis J. Sallaz  
Sallaz & Gatewood, Chartered  
1000 S. Roosevelt  
Boise, ID 83705

**Re: Formal Complaint Against Qwest Corporation  
Case No. QWE-T-06-5**

Dear Mr. Sallaz:

Following my inquiries, yesterday I received a letter from Mary Hobson, the attorney for Qwest Corporation, advising me that you and Qwest resolved the issues in your complaint filed with the Commission on March 7, 2006. According to the letter I received from Ms. Hobson, the matter has been fully resolved and the complaint can be dismissed. Please confirm for me that the complaint against Qwest can be dismissed. If you believe the matter has not been resolved, please propose a procedural schedule to process the complaint.

Thank you for your attention to this matter. If I do not hear from you within seven days, I will accept Qwest's representation that the issues are fully resolved, and I will recommend to the Commission that the formal complaint in Case No. QWE-T-06-5 be dismissed.

Sincerely,

A handwritten signature in black ink, appearing to read "Weldon B. Stutzman".

Weldon B. Stutzman  
Deputy Attorney General

bls/L:sallaz\_ws