BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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IN THE MATTER OF THE PETITION OF QWEST CORPORATION REQUESTING AUTHORIZATION TO WITHDRAW ITS STATEMENT OF GENERALLY AVAILABLE TERMS AND CONDITIONS

CASE NO. QWE-T-08-04 NOTICE OF PROCEDURAL SCHEDULE NOTICE OF HEARING FOR ORAL ARGUMENT

On May 2, 2008, Qwest Corporation filed a Petition requesting authorization to withdraw its Statement of Generally Available Terms and Conditions (SGAT). The SGAT was developed in 2000 as part of Qwest's application, ultimately approved by the Federal Communications Commission, to gain entry into the interLATA (long-distance) service markets pursuant to Section 271 of the 1996 federal Telecommunications Act. An SGAT is a statement or template agreement of the terms and conditions that Qwest generally offers to provide network access and interconnection to other telecommunications companies. See 47 U.S.C. § 271(c)(1)(B). On May 23, 2008, the Commission issued a Notice of Petition and Notice of Modified Procedure that, among other things, established a deadline for written comments to be filed on or before July 7, 2008.

On July 7, 2008, Joint Comments were filed by Integra Telecom of Idaho, Inc. and McLeodUSA Telecommunication Services, Inc. dba PAETEC Business Services. Staff also filed brief comments, as well as a Motion to Extend the Comment Period. Staff's Motion requested that the Commission approve Staff's participation in a multi-state review of the extensive Performance Indicator Definitions that are part of the SGAT. On July 14, 2008, Qwest filed an answer to Staff's Motion, requesting additional time to file an answer. The Commission approved extending the time for Qwest to respond to Staff's Motion to August 4, 2008.

On August 4, 2008, Qwest filed a Motion for Permission to File Responsive Comments, requesting additional time to file comments or written brief. Qwest's response states that it will not participate in the multi-state review of the Performance Indicator Definitions. Qwest requested that the Commission allow Qwest until September 15, 2008 to file a written brief on the legal issues presented by its Petition, and also requested an opportunity to present oral argument to the Commission. On August 12, 2008, Staff filed a Motion in Response to

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Qwest's Motion for Permission to File Responsive Comments, in which Staff requested an opportunity to file responsive briefs after Qwest's brief is filed. Staff requested the Commission approve a deadline for Staff and intervenors to file responsive briefs on or before October 17, 2008. Finally, on August 27, 2008, Qwest filed a response to Staff's Motion Re Responsive Comments, in which Qwest stated it has no objection to Staff and intervenors filing responsive briefs. Qwest represented that Staff and Qwest informally agreed to extend the deadline for Staff and intervenors to file responsive briefs to October 31, 2008.

The Commission approves the procedural schedule indicated in the pleadings filed by Staff and Qwest. The deadline for Qwest to file its comments or written brief is September 15, 2008, and Staff and intervenors may file their comments or written briefs no later than October 31, 2008. The Commission will convene a hearing for oral argument on Tuesday, December 9, 2008 at 10:00 a.m. in the Commission Hearing Room.

NOTICE OF HEARING FOR ORAL ARGUMENT

YOU ARE HEREBY NOTIFIED that the Commission will convene a hearing for oral argument in this case on <u>TUESDAY</u>, <u>DECEMBER 9</u>, <u>2008 AT 10:00 A.M. IN THE</u> <u>COMMISSION HEARING ROOM</u>, <u>472 WEST WASHINGTON STREET</u>, <u>BOISE</u>, <u>IDAHO</u>. The Commission will hear oral argument on the issues discussed by the parties in their written briefs.

YOU ARE FURTHER NOTIFIED that all hearings and oral arguments in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act (ADA). Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

> IDAHO PUBLIC UTILITIES COMMISSION PO BOX 83720 BOISE, IDAHO 83720-0074 (208) 334-0338 (Telephone) (208) 334-3762 (FAX) E-Mail: <u>secretary@puc.idaho.gov</u>

DONE at Boise, Idaho this $4^{\prime\prime\prime}$ day of September 2008.

MACK A. REDFORD, PRESIDENT

MARSHA H. SMITH, COMMISSIONER

JIM.D. KEMPTON, COMMISSIONER

ATTEST:

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Jean D. Jewell Commission Secretary

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