

DECISION MEMORANDUM

TO: COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSIONER KEMPTON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: WELDON STUTZMAN
DEPUTY ATTORNEY GENERAL

DATE: MAY 15, 2008

SUBJECT: CASE NO. QWE-T-08-04
QWEST CORPORATION'S PETITION TO WITHDRAW ITS SGAT

On May 2, 2008, Qwest Corporation filed a Petition requesting authorization to withdraw its Statement of Generally Available Terms and Conditions (SGAT). Qwest's Petition explains that the SGAT was developed in 2000 as part of Qwest's application to gain entry into the interLATA (long distance) services market pursuant to Section 271 of the 1996 federal Telecommunications Act. Bell operating companies like Qwest could fulfill part of their Section 271 obligations by having a "statement of the terms and conditions that the company generally offers to provide such [network] access and interconnection [that] has been approved or permitted to take effect by the State Commission." 47 U.S.C. § 271(c)(1)(B).

Qwest filed its original SGAT in June 2000 but the Company has not offered its SGAT as an option for interconnection agreements since August 2004. Qwest asserts that its SGAT is superfluous and has become outdated due to changes in applicable law, has not been used as the interconnection contract template in Idaho for some time, and has not been updated since August 2004.

Staff recommends that Qwest's Petition for authorization to withdraw its Statement of Generally Available Terms and Conditions be processed by Modified Procedure with a 45-day comment period.

COMMISSION DECISION

Should Qwest's Petition for authorization to withdraw its SGAT be processed by Modified Procedure with a 45-day comment period?



Weldon Stutzman
Deputy Attorney General