

DECISION MEMORANDUM

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

FROM: WELDON STUTZMAN
DEPUTY ATTORNEY GENERAL

DATE: SEPTEMBER 15, 2009

SUBJECT: QWEST CORPORATION'S PETITION FOR APPROVAL OF NON-
IMPAIRMENT STATUS FOR DS3 LOOPS IN BOISE MAIN WIRE CENTER,
CASE NO. QWE-T-09-15

On August 31, 2009, Qwest Corporation filed a Petition for approval of non-impairment status for DS3 loops in the Boise Main wire center. In an earlier Order, the Commission determined that Qwest's Boise Main wire center satisfies the standard as a Tier 1 non-impaired wire center with regard to DS1 and DS3 transport services. Order No. 30866. The Commission did not make a determination of non-impairment for DS3 loops at the Boise Main Wire Center because "the record does not reveal whether the 2008 year-end data supports a finding of non-impairment for DS3 loops in the Boise Main wire center." Order No. 30866, p. 5. DS3 loop non-impairment is determined when a wire center houses a minimum of four fiber-based collocators and at least 38,000 business lines. Qwest filed affidavits with its Petition to demonstrate that the standards for DS3 loop non-impairment are met at the Boise Main wire center.

Qwest requests that its Petition be processed by Modified Procedure. Staff recommends the Commission process Qwest's Petition for a finding of DS3 loop non-impairment in the Boise Main wire center by Modified Procedure.

COMMISSION DECISION

Should Qwest's Petition for approval of non-impairment status for DS3 loops in the Boise Main wire center be processed by Modified Procedure?



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Deputy Attorney General