

WILLIAM J. BATT, ISB No. 2938  
BATT & FISHER, LLP  
U.S. Bank Plaza, Suite 500  
101 S. Capitol Boulevard  
Post Office Box 1308  
Boise, ID 83701  
Telephone: (208) 331-1000  
Facsimile: (208) 331-2400

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IDAHO PUBLIC  
UTILITIES COMMISSION

Adam Sherr  
Qwest Communications, Inc.  
1600 7th Avenue - Room 3206  
Seattle, WA 98191  
(206) 398-2507

Attorneys for Respondent/Respondent on Appeal/Appellant

**IN THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF IDAHO**

IN THE MATTER OF THE JOINT PETITION  
OF ROBERT RYDER, DBA RADIOPAGING  
SERVICE, JOSEPH MC NEAL, DBA  
PAGEDATE AND INTERPAGE OF IDAHO  
FOR A DECLARATORY ORDER AND  
RECOVERY OF OVERCHARGES FROM U.S.  
WEST COMMUNICATIONS, INC.

SUPREME COURT  
DOCKET NO. 29175

IPUC DOCKET NO. T-99-24

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ROBERT RYDER dba RADIO PAGING  
SERVICE, JOSEPH B. MC NEAL DBA  
PAGEDATE AND INTERPAGE OF IDAHO,  
AND TEL-CAR, INC.,

**AMENDED NOTICE OF  
CROSS APPEAL**

Petitioners/Appellants/Cross Respondents,

v.  
IDAHO PUBLIC UTILITIES COMMISSION,

Respondent/Cross Respondent,

and

QWEST CORPORATION,

Respondent/Respondent on Appeal/Cross  
Appellant.

TO: THE ABOVE NAMED CROSS-RESPONDENTS, ROBERT RYDER dba RADIO PAGING SERVICE, JOSEPH B. MC NEAL DBA PAGEDATA AND INTERPAGE OF IDAHO, AND TEL-CAR, INC. AND THE IDAHO PUBLIC UTILITIES COMMISSION AND THE PARTIES' ATTORNEYS, JIM JONES, 1275 SHORELINE LANE, BOISE, IDAHO, 83702, DON HOWELL, 472 WEST WASHINGTON, BOISE, IDAHO, 83702 AND THE CLERK OF THE ABOVE ENTITLED ADMINISTRATIVE AGENCY.

NOTICE IS HEREBY GIVEN THAT:

1. The above named Cross-Appellant Qwest Corporation (hereinafter "Qwest") appeals against the above named Cross-Respondents to the Idaho Supreme Court from Idaho Public Utilities Commission Order No. 29555, entered in the above entitled action on the 2<sup>nd</sup> day of August, 2004, and Order No. 29603, entered in the above entitled action on the 5<sup>th</sup> day of October, 2004.

2. The parties have a right to cross appeal to the Idaho Supreme Court. The orders described in paragraph 1 above as they are appealable final orders pursuant to Rule 15 of the Idaho Appellate Rules.

3. Preliminary statement of the issues on cross-appeal:

(a) Whether the Commission erred in ordering Cross-Appellant to credit or refund certain charges to Petitioners/Cross-Respondents for facilities used to deliver transit traffic, i.e., charges under Qwest's Idaho Service Catalog for dedicated transport used to deliver paging calls to Petitioners/Cross-Respondents from subscribers of third party carriers (telecommunications companies other than Qwest), delivered by third party carriers to Qwest for transport to Petitioners/Cross-Respondents for delivery to their paging customers.

(b) If the Commission ordered Cross-Appellant to make refunds to Cross Respondents, rather than to provide billing credits, whether the Commission erred in making such decision and in failing to provide a clear order to determine how such refunds/ billing credits or combinations thereof would be determined.

4. There has not been an order entered sealing any portion of the record regarding this matter.

5. Reporter's Transcript:

(a) No additional reporter's transcript is requested.

6. The Cross-Appellate does not request the inclusion of any additional documents, other than those added by the parties as appropriate.

7. I certify that:

(a) The appellate filing fee has been paid.

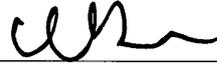
(b) That service has been made upon all parties required to be served pursuant to Rule 20 of the Idaho Appellate Rules.

DATED this 9<sup>th</sup> day of November, 2004.

Respectfully Submitted,

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

and



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William J. Batt  
James B. Alderman  
Batt & Fisher, LLP  
U S Bank Plaza, 5<sup>th</sup> Floor  
101 South Capital Blvd.  
Boise, Idaho 83702  
(208) 331-1000

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9<sup>th</sup> day of November, 2004, I caused a true and correct copy of the above and foregoing document to be served, in the manner indicated, on the following:

Jim Jones  
JIM JONES & ASSOCIATES  
1275 Shoreline Lane  
Boise, Idaho 83702-6870  
Telephone: (208) 385-9200  
Fax: (208) 385-9955

- Hand Delivery
- U.S. Mail
- Facsimile
- Federal Express

Don Howell  
Idaho Public Utilities Commission  
472 West Washington  
Boise, ID 83702  
Telephone: (208) 334-0312  
Fax: (208) 334-3762

- Hand Delivery
- U.S. Mail
- Facsimile
- Federal Express

By:   
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William J. Batt