DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER SMITH

COMMISSIONER KJELLANDER

MYRNA WALTERS

TONYA CLARK

STEPHANIE MILLER

JOE CUSICK

WAYNE HART

BEV BARKER

DAVID SCOTT

WORKING FILE

FROM:DON HOWELL

DATE:MARCH 31, 1999

RE:WITHDRAWAL OF THE ROCKY MOUNTAIN COMMUNICATIONS’ COMPLAINT AGAINST U S WEST, CASE NO. USW-T-98-4

In April 1998, Rocky Mountain Communications (RMC) filed a formal complaint against U S WEST Communications.  Rocky Mountain claimed that U S WEST had billed it for services at rates exceeding the filed rates.  Following several unsuccessful attempts to resolve this complaint, the Commission issued an Order setting this matter for hearing.

In Order No. 27941 issued February 24, 1999, the Commission suspended a prefiling schedule in this matter so that the parties could continue settlement discussions.  After about 16 hours of negotiations, the parties agreed to settle their dispute.  On April 1, 1999, the parties formally notified the Commission and requested that the Commission issue an Order dismissing the case.(footnote: 1)

COMMISSION ACTION

Given the agreement of the parties, does the Commission wish to dismiss the complaint against U S WEST?

Don Howell

vld/M:USW-T-98-4.dh2

**FOOTNOTES**

1:

The Commission’s Procedural Rule 67 allows a party to withdraw a pleading after it files a Notice of Withdrawal with the Commission and serves it on all other parties.  “Unless otherwise ordered by the Commission, the Notice is effective fourteen (14) days after filing.”  IDAPA 31.01.01.067.