

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of	)	DOCKET NO. UT-051281
	)	
QWEST CORPORATION,	)	ORDER NO. 02
	)	
Applicant,	)	
	)	ORDER GRANTING
Regarding the Sale and Transfer of	)	AMENDMENTS TO
Property.	)	AGREEMENT
.....	)	

**BACKGROUND**

- 1 On September 28, 2005, the Commission issued an order authorizing Qwest Corporation (QC or Company) to sell and transfer land and a building to BRCP/UNICO Terry Avenue, LLC. The Commission previously approved the transfer and sale of this property in Docket No. UT-050557, but that transaction had been cancelled by mutual agreement of the parties and did not close.
  
- 2 On November 17, 2005, QC filed for approval of an amended agreement regarding the transfer and sale of land and building pursuant to the provisions of chapter 80.12 RCW. The primary amendment to the agreement is that the purchase price has been reduced to reflect certain costs that the buyer will incur to convert the building to its planned use. Additionally, the original purchaser has assigned the contract to BRCP QWEST SEATTLE I, LLC, now known as BRCP 1915 Terry, LLC.
  
- 3 The assets to be sold consist of land, a building, certain leases associated with the building, and certain intangible assets associated with the building as described in the Confidential Exhibit A to the application. The aggregate net book value of the property was \$20,509,638 as of October 31, 2005. The sales price is less than the book value of the assets.

4 According to the application and supporting materials filed by the Company, the land and building are no longer necessary or useful to QC in its provision of services to the public. QC received multiple offers for the property and selected the highest bidder. QC believes that the sale price reflects fair market value for the property.

### FINDINGS AND CONCLUSIONS

5 (1) Qwest Corporation, a Colorado corporation, is a public service company subject to regulation by this Commission under the provisions of chapter 80.12 RCW.

6 (2) As to form, the amended application filed herein meets the requirements of chapter 80.12 RCW and the rules and regulations adopted pursuant thereto.

7 (3) This matter was brought before the Commission at its regularly scheduled meeting on January 11, 2006.

8 (4) It appears, upon investigation, that the sale and transfer of certain property described herein, is reasonable and consistent with the public interest and should, therefore, be approved.

### ORDER

#### THE COMMISSION ORDERS:

9 (1) Subject to the conditions of this order, Qwest Corporation is hereby authorized to sell and transfer assets as described in the application herein to BRCP 1915 Terry, LLC.

- 10 (2) Within 30 days after closing the sale, Qwest Corporation shall file a verified statement setting forth in reasonable detail the disposition of gain or loss on the sale and transfer made pursuant to this Order including the journal entries.
- 11 (3) This Order shall in no way affect the authority of this Commission over rates, services, accounts, valuations, estimates or determination of costs, or any matter whatsoever that may come before it, nor shall anything herein be construed as an acquiescence in any estimate or determination of cost, or any valuation of property claimed or asserted.

The Commissioners, having determined this filing complies with the requirements of Chapter 80.12 RCW, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 11<sup>th</sup> day of January, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary