

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

LeRoy Koppendraye  
Marshall Johnson  
Ken Nickolai  
Thomas Pugh  
Phyllis A. Reha

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of a Petition by Qwest Corporation  
for Approval of its Alternative Form of Regulation  
Plan

ISSUE DATE: December 23, 2005

DOCKET NO. P-421/AR-05-1081

ORDER APPROVING ALTERNATIVE FORM  
OF REGULATION PLAN AS MODIFIED

**PROCEDURAL HISTORY**

On June 30, 2005, Qwest Corporation filed a proposed Alternative Form of Regulation Plan (AFOR or Plan) under Minn. Stat. §§ 237.76-237.772 to replace the AFOR under which it had been operating since January 1, 1999.

On July 27, 2005, the Commission issued an Order setting the procedural framework for this proceeding,<sup>1</sup> which the AFOR statute requires the Commission to complete within six months unless Company and Commission agree to an extension of time.<sup>2</sup> Among other things, that Order

- directed the parties to convene a settlement conference and to file progress reports on settlement negotiations every 15 days;
- required public hearings at specific sites within Qwest's service territory – Duluth, Moorhead, Rochester, and St. Paul;
- established discovery procedures; and
- set a tentative time line for parties' filings and Commission action.

The following persons intervened in this proceeding and were granted party status:

- Minnesota Department of Commerce (the Department)
- Residential and Small Business Utilities Division of the Office of the Attorney General (RUD-OAG)
- AARP Minnesota (AARP)
- Suburban Rate Authority (SRA)
- Legal Services Advocacy Project (Legal Services)

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<sup>1</sup> Order Adopting Procedures and Requiring Settlement Conference, this docket.

<sup>2</sup> Minn. Stat. § 237.764, subd. 1 (e).

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- McLeodUSA Telecommunications, Inc.; TDS Metrocom; and XO Communications. intervening jointly as "CLEC (Competitive Local Exchange Carrier) Coalition"
- Eschelon Telecom of Minnesota, Inc. (Eschelon)
- Integra Telecom of Minnesota, Inc. (Integra)
- Time Warner Telecom of Minnesota, LLC (Time Warner)
- AT&T Communications of the Midwest, Inc. and TCG Minnesota, Inc.. intervening jointly as "AT&T"

As required under Minn. Stat. § 237.764, subd. 1 (d), the Commission conducted an expedited proceeding in this case under Minn. Stat. § 237.61. Pleadings were verified and factual statements sworn or affirmed, pursuant to that statute.

An Administrative Law Judge assigned by the Office of Administrative Hearings, Steve M. Mihalchick, conducted public hearings on the proposed AFOR. Hearings were held in Rochester on October 3, in St. Paul on October 4, in Duluth on October 5, and in Moorhead on October 6.

In initial and reply comments on the proposed AFOR, all parties but the Department of Commerce recommended that the Commission reject it. The Department of Commerce stated that the parties were still gathering information and that a recommendation on the merits of the proposed AFOR would be premature.

On October 21, 2005, Qwest filed a new proposed AFOR, which the Company said was intended to address concerns raised by the parties in the course of settlement negotiations. There was no formal settlement between Qwest and any party, but RUD-OAG, AARP, SRA, and Legal Services withdrew their previous objections upon the filing of the new AFOR, and the Department stated that it had no objection to the Commission approving it. Eschelon, Integra, Time Warner, and the CLEC Coalition continued to oppose its approval.

On December 1 and December 13, 2005, the proposed AFOR came before the Commission.

## FINDINGS AND CONCLUSIONS

### **I. Legal and Factual Background**

Under Minn. Stat. §§ 237.76-237.775, incumbent local exchange carriers who find traditional regulation too restrictive may propose alternative regulation plans. These plans, according to the statute, have three purposes: (1) to provide customers with service of a quality consistent with Commission rules at affordable rates; (2) to facilitate the development of telecommunications alternatives for customers; and (3) to provide, where appropriate, a regulatory environment with greater flexibility than traditional, rate-of-return regulation.<sup>3</sup>

Carriers operating under these plans must classify all of their services as "price-regulated," "flexibly priced," or "non-price-regulated," and may change rates for all but price-regulated services with minimal regulatory oversight. In return, they must undertake a six-year infrastructure improvement program, freeze rates for price-regulated services for specified periods of time, and meet high service quality standards. Minn. Stat. §§ 237.76-237.775.

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<sup>3</sup> Minn. Stat. § 237.76.

Qwest – or its predecessor in interest, U S WEST Communications, Inc. – has been operating under its original AFOR since 1999. That AFOR expires on December 31, 2005, and the Company proposes that the new, proposed AFOR go into effect immediately upon expiration of the original.

## **II. The Company's Proposal**

The Company's final, proposed AFOR, filed on October 21, 2005, would increase the Company's pricing flexibility as to all services, whether price regulated, flexibly priced, or nonprice regulated. It would introduce a new standard for evaluating proposed rate or price increases – whether the new rates or prices were "significantly inconsistent with the same or similar prices of other providers of similar services."

It would set time lines for parties' comments and Commission action on proposed rate changes, price changes, changes in terms and conditions of service, and other Company proposals. And unlike the Company's original AFOR, it would not address the Company's wholesale obligations or attempt to expedite the resolution of competitive enforcement proceedings.

It would cap basic residential and business rates at current levels for the first three years of the Plan and limit any increase in the fourth year to \$1.00 per month. Similarly, it would freeze installation and re-connection rates at current levels for three years and limit any fourth-year increases to \$1.00. During the life of the Plan, it would prohibit increasing non-metro rates above metro rates and bar proposals for revenue-neutral rate changes or price changes.

The Plan includes an investment plan, including a mechanism for customers and local governments to initiate Company consideration of extending high-speed internet services to areas that currently lack them. It contains service quality standards that meet or exceed those in Commission rules, with one exception for which it requests a rule variance. It requires annual service quality reporting to facilitate regulatory review of service quality.

## **III. Positions of the Parties**

### **A. Parties Other than Competitive Local Exchange Carriers**

As explained above, the Company's October 21 filing effectively addressed the earlier concerns of RUD-OAG, Legal Services, AARP, and SRA, and these parties stated that they had no objection to approving the Plan. The Department of Commerce took the same position.

The AARP did express two reservations about the revised Plan, urging the Commission to require annual service quality reporting on a per-exchange, as well as on a state-wide basis, and stating that the organization would oppose any access charge reform that would pass rate increases on to residential customers, as the Company's Plan would appear to permit.

Legal Services, too, urged caution in proceeding with access charge reform, stating that significant surcharges for lost access revenues could undermine the rate stability that was critical to that organization's decision to support the revised Plan.

## **B. Competitive Local Exchange Carriers**

The CLEC Coalition, Time Warner, Eschelon, and Integra continued to oppose the proposed AFOR due to its failure to address intrastate wholesale rates. They emphasized that almost all competitive providers of local service rely on some portion of Qwest's network to reach their customers and argued that without reasonably priced wholesale access, competition in Minnesota would be vastly diminished if not destroyed. They were especially concerned about proposed AFOR provisions permitting reductions in retail rates and prices, fearing they would permit predatory pricing.

Finally, they emphasized that recent federal decisions freed Qwest, at least as to certain wire centers, from its earlier obligation to charge only Commission-determined, cost-based rates for wholesale services. Instead, as to these wire centers, new federal policies have substituted a "just and reasonable rate" standard, which has not yet been defined and which Qwest is allegedly defining to permit wholesale rate increases ranging from 54% to 350%.

At hearing, the competitive carriers introduced a three-point proposal for incorporating their concerns into Commission action on the proposed AFOR. They proposed approving the AFOR with three conditions:

1. Require Qwest to participate in a proceeding to determine just and reasonable wholesale rates for facilities that are no longer subject to the pricing provisions of 47 U.S.C. § 251 but remain subject to the just and reasonable standard of 47 U.S.C. § 271.
2. Require Qwest to submit evidence, including cost support, no later than March 1, 2006, that justifies as just and reasonable the wholesale rates Qwest charges for facilities provided under 47 U.S.C. § 271.
3. Require Qwest, beginning March 11, 2006, to provide facilities subject to § 271, but not § 251, at interim prices no greater than 50% higher than the unbundled network element rates established by this Commission under § 251 for the same facilities unless or until (a) Qwest files and the Commission approves different rates; or (b) Qwest and competitive local exchange carriers have agreed to alternative rates.

Qwest opposed these three conditions and opposed addressing wholesale issues in the Plan, emphasizing that existing statutes already prohibit predatory pricing and arguing that AFOR plans were essentially retail service plans, ill-suited to effectively addressing wholesale service issues.

## **IV. Commission Action**

The Commission concurs with the Department and the retail ratepayer advocates that the proposed AFOR meets all statutory requirements, is consistent with the public interest, and should be approved, subject to modifications set forth below.

First, the proposed AFOR meets all formal statutory requirements, a threshold requirement for Commission approval.

Second, while the proposed AFOR does seek greater pricing flexibility and a larger measure of regulatory freedom than the Company's original AFOR, that is consistent with the current level of local retail competition. Local, retail competition has expanded significantly since 1998, when the Company's original AFOR was approved, and it would be incongruous to limit the Company to the same degree of regulatory flexibility that was imposed at that time.

Finally, the Commission recognizes that effective, local, retail competition is still significantly dependent upon wholesale services and facilities provided by Qwest. Should these services and facilities cease to be available at just and reasonable rates, local competition would be severely, adversely affected, which would harm the public interest, jeopardize critical state and federal policy goals, and call into question the legitimacy of this or any other Alternative Form of Regulation Plan.

The Commission concurs with Qwest, however, that this proceeding is not the best vehicle for examining wholesale pricing issues. The six-month statutory time frame does not permit adequate development of the complex issues surrounding the new federal determinations on wholesale pricing. Nor does the expedited procedural process required by statute lend itself to the rigorous factual analysis necessary to reach determinations on just and reasonable wholesale rates.

Further, while the March 2006 time frame for certain wholesale rate changes is rapidly approaching, this is not an emergency situation demanding immediate Commission attention. In fact, Qwest and the competitive local exchange carriers continue in negotiations and may reach agreement on some or all of these issues.

For all these reasons, the Commission will defer any action on wholesale pricing issues to a separate proceeding and will, by separate Order, require Qwest to show cause why the Commission should not open a contested case proceeding to investigate whether the Company's wholesale rates for intrastate services offered under 47 U.S.C. § 271 are just and reasonable. Such a proceeding would permit the extensive record development required to support sound conclusions on wholesale pricing issues.

## **V. Modifications to the Company's Proposed AFOR**

As noted above, the Company consented to several modifications to its proposed AFOR during the course of Commission hearings. These modifications are set forth below, as are other modifications the Commission finds necessary to protect the public interest.

### **A. Language Changes in AFOR Preface**

The Company agreed to revise the language in the Plan's preface to indicate that one of the purposes of an AFOR plan was to ensure "affordable" rates; its original language had limited the purpose of such plans to ensuring "equitable" rates.

The Company also agreed to revise the prefatory language to state that the Minnesota telecommunications industry "has been in the process of making the transition to a vibrant, competitive marketplace characterized by customer choices in price, service offerings, technology, and providers," instead of stating that the transition has already been made.

The Commission agrees that these are helpful clarifications and will require them.

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## **B. Tariff and Price List Filing Requirements**

Qwest agreed to insert the language set forth below, suggested by Commission staff, to clarify that both tariffs, which apply to price regulated services, and price lists, which apply to flexibly priced and nonprice regulated services, must be filed with the Commission and maintained in accurate form. The Commission agrees that this is a helpful clarification and will require it.

**Tariff or Price List.** Tariff means the schedule filed with the Commission that describes the rates, terms, and conditions of price-regulated services provided by Qwest. Price List means the schedule filed with the Commission that describes the rates, terms, and conditions of flexibly-priced or nonprice-regulated services provided by Qwest.

## **C. Explicit Recognition of Commission's Authority to Act on its Own Motion**

Qwest agreed to change all portions of the AFOR that appeared to suggest that only parties or interested persons could trigger Commission review of or action on a Company filing, to explicitly recognize the Commission's authority to examine and act on Company filings on its own motion. The Commission considers this modification critical to the public interest and will require it.

## **D. Deadlines for Commission Action**

At several points in the Company's Plan, the Plan sets deadlines for Commission action on Company filings; at some points these deadlines are as short as 45 days. The Commission will require that all deadlines be modified to 120 days to ensure adequate opportunity for public and party comment, for sound record development, and for thoughtful decision-making.

## **E. Company Actions Subject to Federal Law**

At the request of the CLEC Coalition, Qwest agreed to insert the language set forth below in section VII of its Plan, to clarify that its operations are subject to federal law, as well as state law. This is a helpful clarification, and the Commission will require it.

The requirements of federal law, including but not limited to the Telecommunications Act of 1996, shall apply to Qwest except as otherwise stated in this Revised Plan.

## **F. End-of-Plan Procedures**

At the request of Commission staff, Qwest agreed to insert the language set forth below to clarify how the Plan's termination or extension would be handled. The Commission agrees that this is a helpful addition and will require it.

Within six months prior to the termination of the Revised Plan, Qwest shall file with the Commission notice that it will exercise its right to extend the Revised Plan for one year, propose a new plan, extend the existing plan, or revert to rate of return regulation.

If Qwest notifies the Commission that it intends to propose a new plan, interested parties shall have such time as the Commission shall designate to file comments on the proposal submitted by Qwest.

#### **G. AFOR Treatment of Local Measured Service**

Commission staff noted that the Plan did not extend to local measured service the rate cap protection provided to flat-rate service. The Company explained that this was an oversight and agreed to insert the language set forth below in section IV.B.1.a. The Commission agrees that it is important to explicitly extend the rate caps to local measured service customers and will require the additional language.

Qwest shall not increase the price of one-party basic local residential service (1 FR, 1MR) or the installation or service restoration charges associated with one-party basic local residential service (1 FR, 1MR) for the first three years of this Revised Plan. Qwest shall not increase the price of one-party basic business service (1FB, 1 MB) for the first three years of this Revised Plan. If Qwest exercises its option to extend the plan for one additional year, Qwest may increase the price of one-party basic local residential service (1 FR, 1MR) up to \$1 total increase in the monthly rate; increase the price of one-party basic business service (1 FB, 1MB) up to \$1 total increase in the monthly rate; and Qwest may increase the installation and service restoration charges associated with these services up to \$1 total increase in the rate. At no time during the Revised Plan will Qwest increase the outstate price of one-party basic local residential service above the metro price of one-party basic local residential service.

#### **H. Substantial Compliance with Service Quality Standards**

Commission staff noted that the Plan's service quality provisions required meeting seven out of eight service quality standards to achieve substantial compliance, while the Plan contained only seven service quality standards. The Company explained that this was an oversight and agreed to insert language set forth below in Appendix B to correct the oversight. The Commission agrees that accuracy is important and will require the additional language.

Substantial compliance with retail service quality standards is satisfied if Qwest meets 6 out of 7 of its individual service quality standards each year.

#### **I. Reporting Service Quality by Wire Center**

AARP noted the importance of identifying any exchanges or wire centers with significant or recurring service quality issues, even if overall service quality is measured for AFOR compliance purposes on a statewide basis. The Commission concurs. Both Qwest and regulators are committed to spotting and remedying any exchange-specific service deficits, and the Commission will therefore require Qwest to file annual service quality information on a wire center basis as well as on a statewide basis.

## **J. Commission Authority Over Intrastate Services**

Commission staff noted that the Plan's language at IV.A.1.b. could be read to limit the Commission's authority over intrastate services offered under federal tariffs and suggested adding language to clarify that approving the AFOR does not change existing Commission authority. Qwest offered the following language, which is a helpful clarification, and the Commission will require it.

Nothing in this Revised Plan adds to or reduces in any way the authority of the Minnesota Public Utilities Commission, the Department of Commerce or the Office of the Attorney General.

## **K. Rate Changes for Price Regulated Services, Rate Increases for Price Regulated Services, Rate Increases for Flexibly Priced Services**

Section IV. B.1.b. of the Plan sets forth procedures for acting on proposals to change rates for price regulated services; section IV.B.1.c. sets forth procedures for acting on proposals to increase rates for price regulated services; section IV.C.2.c sets forth procedures for acting on proposals to increase rates for flexibly priced services. These procedures require refinement to meet basic public interest standards.

Unlike the original AFOR, the proposed Plan does not permit the Commission to suspend proposed rate changes for price regulated services pending completion of Commission review. This is inconsistent with the public interest; the Commission must retain the ability to protect the public from rate changes that may cause harm until it has thoroughly reviewed the Company's proposal. The Commission will require that the new Plan, like the existing one, make explicit its authority to suspend rate changes – both increases and decreases – for price regulated services pending completion of Commission review.

Further, some of these sections limit the class of persons who may object to rate or price changes to the Department and the RUD-OAG. This, too, is inconsistent with the public interest. While both these advocates provide strong and thorough public-interest advocacy, it is unreasonable to prohibit other public-interest advocates and other persons adversely affected by Company proposals from challenging them. The Commission will require that all interested persons be permitted to challenge proposed rate or price changes.

These sections also fail to explicitly recognize the Commission's authority to act on its own motion, and they set deadlines for Commission action potentially inconsistent with the requirements of due process and informed decision-making. These deficiencies have been previously addressed.

## **L. Exogenous Costs and Changes**

Section IV.H. deals with the recovery of new costs imposed on Qwest through government action, which the Plan terms "exogenous changes." Commission staff noted the need to clarify the term "new," and the Company stated that the section would apply only to new costs incurred after the effective date of the new AFOR. The Commission agrees that it is important to clarify the time frame at issue and will require the additional language.



## **VI. Rule on Answering Time Varied**

Minnesota Rules, part 7810.5200 requires Qwest and other local service providers to answer 90% of all calls from customers within 20 seconds. As part of its service quality plan, Qwest requests a variance permitting it to instead answer 100% of calls with a maximum average wait time of 60 seconds.

Qwest explains that measuring compliance under the rule's 90%-within-20-seconds standard presents technical difficulties. It argues that an average-wait-time standard is more likely to improve customer service than a percentage standard, since percentage standards permit a percentage of calls to avoid any wait-time standard whatsoever. It says that other states are moving away from percentage-wait-time standards to average-wait-time standards. And it argues that increased competition is more effective at spurring good customer service than wait-time standards in any case, making answering-time standards less critical than they were when the rule was enacted.

None of the parties to this case opposed the variance request.

Under Minn. Rules 7829.3200, subp.1 the Commission may vary any of its rules upon making the following three findings:

1. Enforcement of the rule would impose an excessive burden upon the applicant or others affected by the rule.
2. Granting the variance would not adversely affect the public interest.
3. Granting the variance would not conflict with standards imposed by law.

Here, the Commission finds that these criteria are met and will grant the variance. First, enforcing the 90%/20-second rule against Qwest would impose an excessive burden, as explained by the Company. Second, granting the variance would not adversely affect the public interest, since the alternative Qwest proposes – a maximum 60-second average wait time – will adequately protect ratepayer interests in prompt customer service. Third, the answering time standard is set by rule, not by statute, permitting the Commission to vary it without conflicting with any other legal standards.

Under Minn. Rules 7829.3200, subp. 3, variances expire in one year unless the Commission orders otherwise. Here the Commission will order that the variance last for the duration of the AFOR approved, as modified, today.

## **VII. Further Filings**

The Commission has made modifications to the Company's proposed AFOR. Assuming the Company consents to these modifications, the modified AFOR will go into effect, under its terms, upon expiration of the current AFOR at midnight on December 31.

Also under the terms of the new AFOR, the Company will file updated tariffs and price lists, reflecting the terms of the AFOR, within 90 days of Commission approval of the AFOR.

The Commission will so order.

## ORDER

1. The Commission hereby approves the proposed AFOR as filed by Qwest on October 21, 2005, with the modifications set forth herein.
2. The Company shall revise the language in the Plan's preface to indicate that one of the purposes of an AFOR plan is to ensure "affordable" rates and that the Minnesota telecommunications industry "has been in the process of making the transition to a vibrant, competitive marketplace characterized by customer choices in price, service offerings, technology, and providers," instead of stating that the transition has already been made.
3. The Company shall insert the language set forth below to clarify that both tariffs, which apply to price regulated services, and price lists, which apply to flexibly priced and nonprice regulated services, must be filed with the Commission and maintained in accurate form.

**Tariff or Price List.** Tariff means the schedule filed with the Commission that describes the rates, terms, and conditions of price-regulated services provided by Qwest. Price List means the schedule filed with the Commission that describes the rates, terms, and conditions of flexibly-priced or nonprice-regulated services provided by Qwest.

4. The Company shall modify all portions of the AFOR that appear to suggest that only parties or interested persons may trigger Commission review of or action on a Company filing, to explicitly recognize the Commission's authority to examine and act on Company filings on its own motion.
5. The Company shall modify all deadlines for Commission action throughout the AFOR to 120 days.
6. The Company shall insert the language set forth below in section VII of its Plan, to clarify that its operations are subject to federal law, as well as state law.

The requirements of federal law, including but not limited to the Telecommunications Act of 1996, shall apply to Qwest except as otherwise stated in this Revised Plan.

7. The Company shall insert the language set forth below to clarify how the Plan's termination or extension will be handled.

Within six months prior to the termination of the Revised Plan, Qwest shall file with the Commission notice that it will exercise its right to extend the Revised Plan for one year, propose a new plan, extend the existing plan, or revert to rate of return regulation.

If Qwest notifies the Commission that it intends to propose a new plan, interested parties shall have such time as the Commission shall designate to file comments on the proposal submitted by Qwest.

8. The Company shall insert the language set forth below in section IV.B.1.a. to clarify that the rate cap protection extended to local flat-rate service extends to local measured service as well.

Qwest shall not increase the price of one-party basic local residential service (1 FR, 1MR) or the installation or service restoration charges associated with one-party basic local residential service (1 FR, 1MR) for the first three years of this Revised Plan. Qwest shall not increase the price of one-party basic business service (1FB, 1 MB) for the first three years of this Revised Plan. If Qwest exercises its option to extend the plan for one additional year, Qwest may increase the price of one-party basic local residential service (1 FR, 1MR) up to \$1 total increase in the monthly rate; increase the price of one-party basic business service (1 FB, 1MB) up to \$1 total increase in the monthly rate; and Qwest may increase the installation and service restoration charges associated with these services up to \$1 total increase in the rate. At no time during the Revised Plan will Qwest increase the outstate price of one-party basic local residential service above the metro price of one-party basic local residential service.

9. The Company shall insert the language set forth below in Appendix B to reflect the fact that the Plan contains seven, not eight, service quality standards.

Substantial compliance with retail service quality standards is satisfied if Qwest meets 6 out of 7 of its individual service quality standards each year.

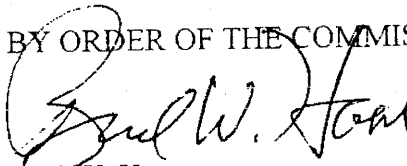
10. The Company shall file annual service quality information on a wire center basis as well as on a statewide basis.
11. The Company shall add the language set forth below in section IV.A.1.b. to clarify that approval of the AFOR does not change existing Commission authority.

Nothing in this Revised Plan adds to or reduces in any way the authority of the Minnesota Public Utilities Commission, the Department of Commerce or the Office of the Attorney General.

12. The Company shall modify section IV. B.1.b., section IV.B.1.c., and section IV.C.2.c to make explicit the Commission's authority to suspend rate changes – both increases and decreases – for price regulated services pending completion of Commission review.
13. The Company shall modify section IV. B.1.b., section IV.B.1.c., and section IV.C.2.c to make it clear that all interested persons are permitted to challenge proposed rate or price changes.
14. The Company shall modify section IV.H., to clarify that cost recovery for “exogenous changes” is limited to new costs incurred after the effective date of the new AFOR.

15. The Commission hereby varies Minnesota Rules, part 7810.5200 to permit Qwest to meet service quality standards by maintaining an average wait time of no longer than 60 seconds for calls from customers.
16. Within 90 days of the date of this Order, Qwest shall file updated tariffs and price lists reflecting the terms of the modified AFOR approved herein.
17. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION



Burl W. Haar  
Executive Secretary

(SEAL)

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STATE OF MINNESOTA)  
  )SS  
COUNTY OF RAMSEY )

AFFIDAVIT OF SERVICE

I, Robin Rice, being first duly sworn, deposes and says:

That on the 23rd day of December, 2005 she served the attached  
ORDER APPROVING ALTERNATIVE FORM OF REGULATION PLAN AS MODIFIED.

MNPUC Docket Number: P-421/AR-05-1081

- XX By depositing in the United States Mail at the City of St. Paul, a true and correct copy thereof, properly enveloped with postage prepaid
- XX By personal service
- XX By inter-office mail

to all persons at the addresses indicated below or on the attached list:

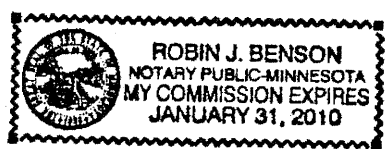
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- Eric Witte
- Marcia Johnson
- Ganesh Krishnan
- Tracy Smetana
- AG
- Mark Oberlander
- Lillian Brion
- Mary Swoboda
- Jessie Schmoker
- Linda Chavez - DOC
- Julia Anderson - OAG
- Curt Nelson - OAG

Robin Rice

Subscribed and sworn to before me,

a notary public, this 23 day of

December, 2005  
Robin Benson  
Notary Public



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