

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
Qwest Performance Assurance Plan
Investigation

Case No. PU-06-58

ORDER GRATING INTERVENTION

May 24, 2006

For telecommunications companies that currently have or intend to have an interconnection agreement(s) with Qwest Corporation (Qwest), Qwest offers its Statement of Generally Available Terms and Conditions for terms, conditions, and prices for interconnection, unbundled network elements, ancillary services, and resale services. As part of an interconnection agreement, competitive local exchange companies (CLECs) also have the option of a Performance Assurance Plan (QPAP). The PAP provides for self-executing payments to CLECs if Qwest does not provide interconnection services to the CLEC at parity to the service it provides to its own retail customers, or if Qwest fails to meet certain service benchmarks.

PAP section 16.1 provides for a review of the PAP every six months. Participants of the review include Qwest, CLECs, and the Commission.

On February 22, 2006, the Commission issued a Notice of 6-Month Review, Notice of Opportunity for Comment, and Notice of Opportunity for Hearing. Comments concerning the 6-month review, requests for hearing, and requests for intervention must be filed by May 10, 2006.

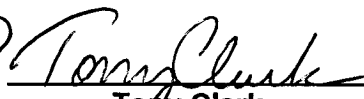
On May 11, 2006, MCImetro Access Transmission Services LLC filed a Petition to Intervene and requested that its comments on the 6-month Performance Assurance Plan Review be considered by the Commission to support approval and adoption of the Settlement of Disputed issues without a hearing.

Order

1. MCImetro Access Transmission Services LLC's petition to intervene in this proceeding is granted.
2. Admission as an intervenor shall not be construed as recognition by the Commission that an intervenor might be aggrieved by an order of the Commission in this case.

PUBLIC SERVICE COMMISSION


Susan E. Wefald
Commissioner


Toby Clark
President


Kevin Cramer
Commissioner