

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Qwest Corporation
Request to Withdraw SGAT Available
Terms/Conditions
Application**

Case No. PU-07-314

AFFIDAVIT OF SERVICE BY CERTIFIED & REGULAR MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Shelly A. Bauske deposes and says that:

she is over the age of 18 years and not a party to this action and, on the 1st day of **December, 2009**, she deposited in the United States Mail, at Bismarck, North Dakota, **two** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

Notice of Opportunity for Hearing

The envelopes were addressed as follows:

Mr. Jason D. Topp
Corporate Counsel
Qwest Corporation
200 S 5th Street, Room 2200
Minneapolis MN 55402

Mr. Richard E. Thayer
Mr. Erik Cecil
Level 3 Communications, LLC
1025 Eldorado Boulevard
Broomfield CO 80021

Cert. No. 7009 1680 0001 2689 0438

Cert. No. 7009 1680 0001 2689 0445

Shelly A. Bauske further deposes and says that on the 1st day of **December, 2009**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

Ms. Mary B. Tribby
Holland & Hart, LLP
555 17th Street, Floor 32
Denver CO 80202

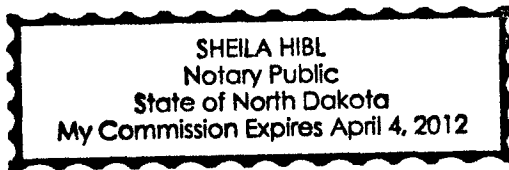
Mr. Kent Blickensderfer
Qwest Corporation
220 N 5th Street
PO Box 5508
Bismarck ND 58501

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this 1st day of **December, 2009**.

Shelly a Bauske
Sheila Hibel
Notary Public

SEAL



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NOTICE OF OPPORTUNITY FOR HEARING

November 25, 2009

On June 14, 2007, Qwest Corporation (Qwest) filed an application to withdraw its Statement of Generally Available Terms and Conditions (SGAT). The SGAT is a statement of the terms and conditions under which Qwest provides access and interconnection to its network facilities for the network facilities of unaffiliated, competing providers of telephone exchange services.

Qwest states that the SGAT was last updated on May 30, 2002 and, due to changes in applicable law since then, the SGAT is outdated. Qwest states that it will continue to make its Performance Indicator Definitions and its Performance Assurance Plan available to competitive local exchange companies.

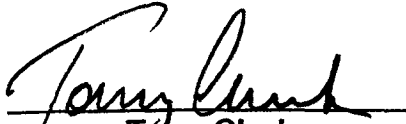
On July 25, 2007, the Commission issued a Notice of Opportunity for Hearing. On August 29, 2007, Level 3 Communications, LLC filed comments requesting that the Commission require Qwest to file an updated SGAT for approval, that all carriers have the opportunity to participate in the approval process regarding the SGAT, and that the Commission order Qwest to allow Level 3 to continue to operate under its current interconnection agreement until an updated SGAT has been submitted and approved.

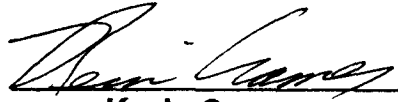
On October 15, 2009, Qwest filed a request that the Commission issue an order approving withdrawal of the SGAT. Qwest believes that three developments support the withdrawal: (1) on June 9, 2008, Level 3, entered into a Term Extension Agreement of its interconnection agreement with Qwest, extending that agreement until July 31, 2010; (2) the Idaho Commission granted Qwest's request to withdraw the Idaho SGAT finding that intervenors did not identify a legal requirement in Idaho that an SGAT remain in effect; and (3) in the two years since Qwest made its filing to withdraw the SGAT, no CLEC has opted into the SGAT in North Dakota.

Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Requests for hearing must be received by **January 15, 2010**. If deemed appropriate, the Commission can determine the matter without a hearing.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify the Commission.

PUBLIC SERVICE COMMISSION


Tony Clark
Commissioner


Kevin Cramer
Chairman


Brian P. Kalk
Commissioner