



**Public Service Commission**  
State of North Dakota

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February 12, 2010

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Jason Topp  
Qwest Corporation  
Law Department  
200 South 5<sup>th</sup> Street, Room 2200  
Minneapolis MN 55402

RE: Case No. PU-07-314  
Qwest Corporation  
Request to Withdraw SGAT Available Terms/Conditions  
Application

Dear Mr. Topp:

On October 15, 2009, Qwest Corporation filed a Request for an Order Permitting Qwest to Withdraw its Statement of Generally Available Terms and Conditions (SGAT).

After considering, reviewing, and researching your request, Commission staff filed its recommendation on February 3, 2010. The Commissioners discussed this matter at the February 10, 2010 Commission meeting and concluded that, while North Dakota Century Code Chapter 49-21 gives Commission authority to approve or reject an SGAT, North Dakota law does not require that an SGAT be filed. It is Section 252(f)(1) and Section 271 of the Telecommunications Act that states whether an SGAT will be filed with the state commission.

The Commission has no authority to approve or reject Qwest's request to withdraw its SGAT.

If you have any questions, please contact me.

Sincerely,

Annette Bendish  
Legal Counsel

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Letter to Qwest Regarding Request for Order  
Permitting Withdraw of SGAT

Public Service Commission Staff

Annette Bendish, Legal Counsel