

_____ Passed **ORIGINAL** THIS AMENDMENT: Passed as amended by _____
 _____ Failed _____ Not Offered _____
DOCKETED



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Arizona Corporation Commission

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APR 20 2004

GLEASON PROPOSED AMENDMENT # 1

DOCKETED BY

TIME/DATE PREPARED: 2:30 p.m. / April 20, 2004

AZ CORP COMMISSION DOCUMENT CONTROL

2004 APR 20 P 4: 39

RECEIVED

COMPANY: Owest Corporation

DOCKET NO. T-00000A-97-0238, RT-00000F-02-0271 and T-01051B-02-0871

SPECIAL OPEN MEETING DATE: April 21, 2004

Reference December 1, 2003 Recommended Opinion and Order

- Page 44, line 13, after "McLeod," INSERT "we were prepared to order that";
- Line 14, DELETE "September" and INSERT "June";
- Line 16, DELETE "October 1, 2000" and INSERT "January 1, 2001"; DELETE "September" and INSERT "June";
- Line 17, DELETE "are" and INSERT "were";
- Line 20, after "however," INSERT "in considering the First Settlement Agreement"; DELETE "believe equity warrants" and INSERT "believed equity warranted";
- Line 24, DELETE "October 2, 2000" and INSERT "January 1, 2001";
- Line 25, DELETE "September 19" and INSERT "June 30"; DELETE "23" and INSERT "18"; DELETE "(Kalleberg Direct, St-2, p. 37)"; after "we" INSERT "were prepared to";
- Line 26, DELETE "herein are" INSERT "were";
- Line 27, at the end of the line INSERT:

"Because the Revised Settlement Agreement increases the total amount of credits to the LECs to \$1 1,700,000, because Confidential Attachment A provides the CLECs with the opportunity to evaluate for themselves whether the amounts listed therein are adequate recompense, and because the CLECs will be able to obtain these results within sixty days of the effective date of this Order, we approve the Revised Settlement Agreement and its terms and find that using Confidential Attachment A to the Revised Settlement Agreement as the basis for setting the amounts due to each CLEC is in the public interest. Consistent with the Revised Settlement Agreement, an Eligible CLEC shall be required to execute a Release, in the form of Attachment B, of any and all intrastate claims of the CLEC and its

affiliates, parents and subsidiaries against Qwest, arising out of any of the agreements, acts and omissions at issue in the 252(e) Unfiled Agreements Docket (Docket No. RT-00000F-02-0271), the 271 Subdocket (Docket No. T-00000A-97-0238) and the Order to Show Cause Docket (Docket No. T-01051B-02-0871).

Line 28, after "argument" INSERT "regarding the First Settlement Agreement".

Page 45, line 8 DELETE "The Discount Credits" and INSERT "The Credits under the Revised Settlement Agreement";

Line 9 DELETE "Discount".

Page 56, line 4, DELETE "September 30 and INSERT "June 30";

Lines 5-7, DELETE "totaling 10 percent of its purchases of Section 251 (b) and (c) services and all intrastate services from Qwest Communications Corporation or Qwest Corporation, and their affiliates, in Arizona from October 1, 2000 to September 30, 2002" and INSERT "equaling the amounts listed on Confidential Attachment A within sixty days of the effective date of this Order";

Line 9, at the end of the line INSERT:

"To obtain the credit or cash payment, an Eligible CLEC shall be required to execute a Release in the form of Attachment B, of any and all intrastate claims of the CLEC and its affiliates, subsidiaries and parents against Qwest, arising out of any of the agreements, acts and omissions at issue in the 252(e) Unfiled Agreements Docket (Docket No. RT-00000F-02-0271), the 271 Subdocket (Docket No. T-00000A-97-0238) and the Order to Show Cause Docket (Docket No. T-01051B-02-0871)."