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_____ Passed _____ _____ Failed _____	THIS AMENDM Passed as amend Not Offered	 0000002055	_____ RECEIVED
ORIGINAL		withdrawn	

2004 APR 20 P 4:40

GLEASON PROPOSED AMENDMENT # 4

TIME/DATE PREPARED: 10:30 a.m. / April 20, 2004

**AZ CORP COMMISSION
DOCUMENT CONTROL**

COMPANY: Qwest Corporation

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

SPECIAL OPEN MEETING DATE: April 21, 2004

Reference March 10, 2004 Recommended Opinion and Order

Page 42, lines 11-12, DELETE:

"We find that Staff's recommended penalties in that docket are reasonable and should be adopted."

and INSERT:

"Staff's recommendation is unreasonable and is denied. Decision No. 64922 became effective immediately. However, it is impossible for Qwest to implement reduced wholesale rates on the day the Commission issues its Order. It is this Commission's oversight not to have set a specific date to have new rates in place. This issue is whether Qwest acted reasonably. Qwest stated it began implementing the 547 Arizona changes on June 27, 2002, two weeks after the Decision. Qwest completed the process that December. All affected CLECs received credits for the difference in rates from the date of the Order to the implementation date. CLECs also received 6% interest on those credits. Any delay by Qwest resulted in financial damage to Qwest, not the CLECs. Nonetheless, Qwest admits its actions were "inappropriate." We do not find Qwest acted intentionally. Coupled with the fact that all CLECs were made whole, we penalize Qwest pursuant to §40-425 and assess a penalty of \$5,000 for its delay.

Although we fine Qwest pursuant to §40-425 and not §40-424, we still address the distinction between the two statutes and our ability to levy fines pursuant to them."

Page 43, line 22, DELETE "\$11,236,000" and INSERT "\$11,052,000";

DELETE Finding of Fact 45.

Page 54, line 22, DELETE "40-424 and";

Line 23, DELETE "\$189,000" and INSERT "\$5,000".

Arizona Corporation Commission

DOCKETED

APR 20 2004

DOCKETED BY	
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