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KRISTIN K. MAYES
Chairman
GARY PIERCE
Commissioner
PAUL NEWMAN
Commissioner
SANDRA D. KENNEDY
Commissioner
BOB STUMP
Commissioner

2009 OCT -6 P 4: 27
AZ CORP COMMISSION
DOCKET CONTROL

**IN THE MATTER OF THE STAFF'S
REQUEST FOR APPROVAL OF
COMMERCIAL LINE SHARING
AGREEMENT BETWEEN QWEST
CORPORATION AND COVAD
COMMUNICATIONS COMPANY**

DOCKET NOS. T-03632A-04-0603
T-01051B-04-0603

NOTICE OF ERRATA FILING

Qwest Corporation files this Notice of Errata, in order to make a correction to the first page of its Notice of Supplemental Authority and Request for Reconsideration of Jurisdictional Ruling, which was filed in this docket on October 5, 2009. The corrected page is attached.

RESPECTFULLY SUBMITTED this 6th day of October, 2009.

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Arizona Corporation Commission

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DOCKET PLATE

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Original and 13 copies of the foregoing
were filed this 6th day of October, 2009 with:

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Copies of the foregoing hand-delivered/mailed/emailed
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BEFORE THE ARIZONA CORPORATION COMMISSION

- KRISTIN K. MAYES**
Chairman
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**IN THE MATTER OF THE STAFF'S
REQUEST FOR APPROVAL OF
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DOCKET NOS. T-03632A-04-0603
T-01051B-04-0603

**QWEST CORPORATION'S NOTICE
OF SUPPLEMENTAL AUTHORITY
AND REQUEST FOR
RECONSIDERATION OF
JURISDICTIONAL RULING**

Qwest Corporation ("Qwest") submits this notice of supplemental authority relating to the Commission's lack of jurisdiction over the line sharing commercial agreement between Qwest and Covad Communications Company ("Covad") that is at issue in this proceeding. The authority is the attached decision from the United States Court of Appeals for the Ninth Circuit in *Qwest Corporation v. Arizona Corporation Commission*, 567 F.3d 1109 (9th Cir. 2009). The decision confirms that the Commission does not have authority under Section 252 of the Telecommunications Act of 1996 to review the line sharing agreement, since the agreement is unrelated to any of the duties established by Section 251.

In *Arizona Corporation Commission*, the Ninth Circuit ruled that the Commission's authority under the Act to regulate network elements is limited to the unbundled network