

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	Application No. C-3313
Qwest Communications, Denver,)	
Colorado, seeking approval of)	
Modification to Exhibit B of the)	
Statement of Generally Available)	Order Declaring Amendments
Terms and Conditions("SGAT") and)	Effective
Motion to Modify the Qwest)	
Performance Assurance Plan found in)	
Exhibit K SGAT.)	Entered: February 8, 2005

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

On November 30, 2004, Qwest Communications (Qwest) of Denver, Colorado, filed an application seeking approval of Modification to Exhibit B of the Statement of Generally Available Terms and Conditions("SGAT") and Motion to Modify the Qwest Performance Assurance Plan found in Exhibit K SGAT. Notice of the application was published in The Daily Record, Omaha, Nebraska, on December 7, 2004. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

Pursuant to Section 252(f) of the Telecommunications Act of 1996 (the Act), Qwest prepared and filed with the Commission modifications to Exhibit B of the SGAT and a motion to modify the QPAP found in Exhibit K to the SGAT. In its application, Qwest states that its filing is prompted by the stipulation reached by the parties to the Arizona First Six Month Review of the QPAP. The Arizona stipulation filed herewith includes a resolution on two issues related to OP-5-B. As part of the Arizona Stipulation, certain parties agreed to apply a 96.5 percent benchmark standard to all products reported in OP-5-B except for three product disaggregations which are to remain diagnostic: frame relay, sub-loop unbundling and dark fiber. In addition, the stipulating parties agreed to low volume treatment for OP-5-B in Exhibit K. Low volume treatment for OP-5-B will apply if both (1) the CLEC volume of orders is less than or equal to 29 and (2) the number of orders with trouble in OP-5-A is no more than one. Qwest requests that the Commission approve the amended Exhibits B and Exhibit K, the QPAP attached to its application and order them to become effective no later than December 31, 2004. Qwest further requests that pursuant to Section 18 of Exhibit K, the changes automatically apply to and modify all existing interconnection agreement that currently contain Exhibit B and Exhibit K as exhibits.

Section 252(f) of the Act requires this Commission to review Statements of Generally Available Terms to ensure they comply with Sections 251 and 253 of the Act, as well as all applicable state laws. Upon consideration of the application filed herein, the Commission is

of the opinion and finds that the proposed modifications to Exhibit B and Exhibit K as described by Qwest in its application be made effective as of December 31, 2004.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Modification to Exhibit B of the Statement of Generally Available Terms and Conditions("SGAT") and Motion to Modify the Qwest Performance Assurance Plan found in Exhibit K SGAT, be, and it is hereby, declared effective as of December 31, 2004.

IT IS FURTHER ORDERED that the executed copy of Qwest's SGAT filed herein be, and it is hereby, made the official copy on file with the Nebraska Public Service Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 8th day of February, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director