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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 823

In the Matter of the Investigation into the Entry)
of U S WEST Communications, Inc., into In-)
Region InterLATA Services under Section 271) ORDER
of the Telecommunications Act of 1996.)

DISPOSITION: INVESTIGATION OPENED; US WEST

DIRECTED TO FILE STATUS REPORT

The Telecommunications Act of 1996 (Act) provides for the entry of U S WEST Communications, Inc. (USWC) into the interLATA long distance market once it has met a number of conditions specified in §§ 271 and 272. Within 90 days of the receipt of an application for entry from USWC, the Federal Communications Commission (FCC), in consultation with this Commission and the United States Department of Justice (DOJ), must determine whether: (1) USWC has satisfied the so-called competitive checklist set forth in § 271(c), either by agreement or by a statement of generally available terms; (2) a predominantly facilities-based competitor exists in USWC's service territory; and (3) USWC's entry into the long distance market is in the public interest.

Because of the limited time in which the FCC has to act on an application and consult with us and the DOJ, we find it necessary to initiate a proceeding at this time to develop a thorough record on all relevant issues. We believe that the gathering of such information in advance will enable this Commission to thoroughly evaluate USWC's compliance with § 271 of the Act and to make a comprehensive recommendation to the FCC.

To accomplish this, the Commission is seeking comment from USWC and other parties interested in USWC's entry into the interLATA long distance market. We anticipate that the parties will bring numerous and varied perspectives to this proceeding, and that many issues will be subject to interpretation and debate.

To begin this process, USWC is directed to prepare a status report to be filed with the Commission. Thereafter, competitors and other interested parties are invited to present their views regarding USWC's compliance to date, as well as the other related issues. USWC's status report should include the following information:

The type of evidence it intends to rely upon to show that USWC has met the requirements of § 271(c)(1) (A) relating to the presence of a facilities based carrier. USWC also should provide:

a discussion on the meaning of the requirement that there be a competitor within the state providing business and residential service predominantly over its own facilities; and

(b) any evidence it has already accumulated that shows it meets the requirements of § 271(c)(1)(A).

2. The applicability of § 271(c)(1)(B) to USWC's Oregon application for authority to provide interLATA services.

What items on the competitive checklist the company has satisfied, including the relevant supporting

documentation.

4. Its intentions and anticipated schedule of activity with respect to satisfying the remaining checklist items.

The type of evidence it intends to rely upon to establish that USWC's entry into the interLATA long distance market is in the public interest. USWC also should provide:

a discussion of issues that may be relevant to the FCC's decision, including the extent and scope of competition or special unforeseen circumstances; and

(b) any evidence it has already accumulated that shows its entry would be in the public interest.

After the other parties have filed comments responding to the company's initial filing, USWC may, if it so desires, file reply comments.

ORDER

IT IS ORDERED that:

On its own motion, the Commission opens an investigation into the entry of U S WEST Communications, Inc., into in-region interLATA services under § 271 of the Telecommunications Act of 1996.

U S WEST Communications, Inc., is directed to prepare and file, no later than January 8, 1996, a status report and comments on its compliance with the requirements of § 271 of the Telecommunications Act of 1996 as described in the text of this order.

Competitors and other interested parties may file comments on U S WEST Communications, Inc.'s filing by January 29, 1997.

U S WEST Communication, Inc., may file reply comments by February 12, 1997.

Parties wishing to receive copies of the status report and comments shall notify the Administrative Hearings Division in writing by no later than December 2, 1996. A list of such parties will then be served by the Administrative Hearings Division. U S WEST Communications, Inc., and other parties filing comments shall be required to serve a copy of their documents on all parties on the list.

Made, entered and effective _____ .

Roger Hamilton

Chairman

Ron Eachus

Commissioner

Joan H. Smith

Commissioner