

The Commission met on **Tuesday, April 11, 2006**, with Commissioner Pugh serving as chair and Commissioners Johnson and Nickolai present.

Comment [COMMENT1]: Minutes by Eric Witte and Marcia Johnson. 6 motions were made.

The following matters were taken up by the Commission:

TELECOMMUNICATIONS

P-3012/M-06-73; P-3012/M-06-74

In the Matter of the Request of MCI Communications Services, Inc., to Add the Assumed Name of Verizon Business Services to its Certificate of Authority

Commissioner Johnson moved to approve the motion of MCI Communications Services, Inc., to reflect MCI Communications Services, Inc., d/b/a Verizon Business Services as the name on the company's certificate of authority.

The motion passed 3-0.

BLOCK MOTION

Commissioner Nickolai moved to take the following actions with respect to the following dockets:

P-6248/RV-05-1607

In the Matter of the Revocation of the Certificate of Authority of Globcom Incorporated

- Revoke Globcom Incorporated's certificate of authority to provide interexchange and local service.

P-6041/RV-05-1619

In the Matter of the Revocation of the Certificate of Authority of Radiant Telecom, Inc.

- Revoke Radiant Telecom, Inc.'s certificate of authority to provide interexchange services.

P-5902/RV-05-1625

In the Matter of the Revocation of the Certificate of Authority of TeleCents Communications, Inc.

- Revoke TeleCents Communications, Inc.'s certificate of authority to provide long distance services.

P-6029/RV-05-1627

In the Matter of the Revocation of the Certificate of Authority of Telefyne Incorporated

- Revoke Telefyne Incorporated's certificate of authority to provide interexchange service.

The motion passed 3-0.

P-442,5243,5934,5681,6287,5656,5936,6144,5542,5981,5720/C-05-1282
In the Matter of the Department of Commerce's Formal Complaint and Request for Commission Action

Commissioner Nickolai moved to do the following:

1. Adopt the stipulations between the Minnesota Department of Commerce (the Department) and ChoiceTel Communications, LLC; Digital Communications, Inc.; Granite Telecommunications, LLC; New Access Communications, LLC; OrbitCom, Inc.; and Tekstar Communications, Inc.; and direct the stipulating telecommunications service providers to make a compliance filings specified in the stipulations.
2. Direct the stipulating telecommunications service providers, as part of their compliance filings, to provide for publicly disclosing the documents underlying this dispute, or show cause why the documents should not be disclosed.

The motion passed 3-0.

Commissioner Nickolai moved to do the following:

1. Refer the Department's complaint to the Office of Administrative Hearings (OAH) for a contested case proceeding involving the telecommunications service providers in the case that did not enter a stipulation.
2. Authorize the Department to amend its complaint if it wishes.

The motion passed 3-0.

P-5692,5340,5643,5323,465,6422/M-06-211
In the Matter of CLEC's Request for Commission Approval of ILEC Wire Center Impairment Analysis

Commissioner Nickolai moved to do the following:

1. Initiate a proceeding to identify wire centers operated by Qwest Corporation (Qwest) in which a competitive local exchange carrier would suffer impairment if it lacked of the opportunity to purchase unbundled network elements (UNEs), in accordance with the Federal Communications Commission's Triennial Review Remand Order (TRRO).¹
2. Direct parties to negotiate and enter into agreements for protecting confidential information from unauthorized disclosure.
3. Direct Qwest to respond within 10 days to data requests by all parties to who enter into a protective agreement.

¹ *Unbundled Access to Network Elements; Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*; WC Docket No. 04-313, CC Docket No. 01-338, Order on Remand, 20 FCC Red 2533 (released February 4, 2005).

4. Pursuant to TRRO ¶ 234, prohibit Qwest from rejecting orders for UNEs within the scope of this proceeding without the opportunity for Commission review and approval for rejecting such orders.
5. Refer this matter to the OAH for a contested case proceeding, and ask that the administrative law judge assigned to the case convene a prehearing conference to encourage early resolution of as many issues as possible.

The motion passed 3-0.

P-421/CI-05-1996

In the Matter of a Potential Proceeding to Investigate the Wholesale Rates Charged by Qwest Under 47 U.S.C. § 271

Commissioner Nickolai moved that the matter, and the motion to compel, be referred to OAH for a contested case proceeding.

The motion passed 3-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: APRIL 26, 2006

Burl W. Haar, Executive Secretary