

The Commission met on **Tuesday, June 28, 2005**, with Chair Koppendray and Commissioners Johnson, Nickolai, Pugh and Reha present.

Comment [COMMENT1]: Minutes by Eric Witte. 2 motions were made.

The following matter was taken up by the Commission:

TELECOMMUNICATIONS

P-421/CP-00-686

In the Matter of the Request for Service in Qwest's Tofte Exchange

Commissioner Nickolai moved to adopt the agreement offered by Qwest Corporation (Qwest) and the Minnesota Department of Commerce on June 10, 2005, including the provisions that the terms of the agreement would cease to bind Qwest unless –

- by October 1, 2005, at least 50 customers in the “Designated Tofte Area” commit in writing to accept Qwest’s service and pay a \$4800 “special construction charge,” and
- by a Qwest-imposed deadline between November 1 and December 15, 2005, at least 50 customers sign binding contracts with Qwest and pay the special construction charge.

Commissioner Reha moved to amend the motion to specify that the terms of the agreement would continue to bind Qwest if –

- by November 1, 2005, at least 50 customers in the Designated Tofte Area committed in writing to accept Qwest’s service and pay a \$4800 special construction charge, and
- by a Qwest-imposed deadline between December 1 and January 15, 2006, at least 50 customers signed binding contracts with Qwest and paid the special construction charge.

Commissioner Nickolai accepted the amendment.

The motion passed 4-1; Commissioner Johnson voted no.

Commissioner Reha moved to direct Qwest to submit the proposed customer contracts and letters for Commission staff review and discussion.

Commissioner Nickolai moved to amend the motion to refer the customer contracts and letters to the Executive Secretary for review and discussion, rather than to the staff. Commissioner Reha accepted the amendment.

Chair Koppendrayer moved to amend the motion to direct Qwest to work with the Executive Secretary in addressing customer response issues. Commissioner Reha accepted the motion.

The motion passed 5-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: JULY 13, 2005

Burl W. Haar, Executive Secretary