

P-999/CI-93-12 ORDER GRANTING TIME EXTENSION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Cynthia A. Kitlinski
Dee Knaak

Chair
Commissioner
Commissioner
Commissioner

In the Matter of a Commission-
Initiated Investigation into
Bypass of Existing Local
Transport Facilities

ISSUE DATE: July 23, 1993

DOCKET NO. P-999/CI-93-12

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PROCEDURAL HISTORY

On October 10, 1991, the Minnesota Equal Access Corporation (MIEAC) made its compliance filing in Docket No. P-3007/NA-89-76.

On May 29, 1992, U S West Communications, Inc. (USWC) filed Supplemental Comments raising its concern regarding the transport facilities of independent local exchange companies (ILECs) participating in MIEAC's centralized equal access offering.

On June 17, 1992, the Minnesota Department of Public Service (the Department) filed Supplemental Comments. The Department stated that it shared USWC's concerns and recommended that the Commission initiate an investigation into the establishment of the statewide transport facilities network and the potential for bypass of the existing local transport facilities.

On June 18, 1992, MIEAC filed a Reply to Supplemental Comments arguing that USWC's comments regarding bypass should be disregarded because the focus of the proceeding was the establishment of MIEAC's final rates.

On December 22, 1992, the Commission met to consider MIEAC's compliance filing.¹ In the course of its deliberations, the Commission addressed the concern raised by USWC and the Department regarding bypass of USWC transport facilities.

On January 22, 1993, the Commission issued its ORDER INITIATING INVESTIGATION. In this Order, the Commission opened the current docket (P-999/CI-93-12) and directed the Minnesota Department of Public Service (the Department) to conduct the investigation and file a report and recommendation within 180 days of the Order.

¹ The Commission addressed the compliance-related issues in a separate Order: ORDER APPROVING COMPLIANCE FILING AND REQUIRING ADDITIONAL FILINGS, Docket No. P-3007/NA-89-76 (January 21, 1993).

On July 7, 1993, the Department filed a request for a 60 day extension for submitting its report and recommendation to the Commission.

On July 20, 1993, the Commission met to consider this matter.

FINDINGS AND CONCLUSIONS

The Department's report and recommendation was due, by terms of the Commission's January 22, 1993 Order, on July 21, 1993. In support of its request for additional time to file this report, the Department explained that due to several more high priority time-intensive dockets, it had been unable to give the present matter adequate attention. The Department explained that an extension of 60 days was requested rather than 30 days to avoid having to come back to the Commission for a second extension.

The Commission finds that the additional time is necessary to allow the Department to file a suitable report and recommendation in this complex matter. The Commission notes that the Department has been judicious in its requests for extensions to complete its work. The Commission will grant the additional time requested. The Department is encouraged to file the report as soon as possible within the 60 day period to expedite this matter.

ORDER

1. The Minnesota Department of Public Service (the Department) is hereby granted a 60 day extension to file its report and recommendation in this matter. The Department shall make its filing, therefore, on or before September 20, 1993.
2. Interested parties shall have 60 days from the filing of the Department's report and recommendations to file any responses with the Commission.
4. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)