

ISSUE DATE: August 15, 2000

DOCKET NO. P-442, 5496/M-00-537

ORDER GRANTING VARIANCES AND EXTENDING TIME FOR COMPLIANCE

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Gregory Scott  
Edward A. Garvey  
Joel Jacobs  
Marshall Johnson  
LeRoy Koppendrayer

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of a Request by AT&T  
Communications of the Midwest, Inc. and  
Teleport Communications Group, Inc. for a  
Time Extension and Waiver of Commission  
Rules

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**PROCEDURAL HISTORY**

On April 28, 2000, AT&T Communications of the Midwest, Inc. (AT&T) and Teleport Communications Group, Inc. (TCG) filed a petition requesting a time extension to comply with Minn. Rules, Part 7812.0200, subp. 4 and a limited variance of Minn. Rules, Part 7812.0600.

On June 12, 2000, the Minnesota Department of Commerce (the Department) filed comments recommending that the Commission grant AT&T's request for a limited variance of Minn. Rules, Part 7812.0600 and to grant the joint request of AT&T and TCG for as three-year variance in which to provide service in GTE exchanges as required by Minn. Rules, Part 7812.0200, subp.4. The Department also recommended that the Commission grant the companies' request to relinquish authority in Sprint exchanges.

The Commission met to consider this matter on July 18, 2000.

**FINDINGS AND CONCLUSIONS**

At the hearing, AT&T amended its petition, deleting its request to relinquish authority in Sprint exchanges and substituting an intention to retain its authority to provide local service in the Sprint exchanges.

Having considered this matter, the Commission grants the relief requested in the companies' petition, as amended by AT&T at the hearing. Likewise, the Commission adopts and approves the Department's June 12, 2000 recommendations (copy attached and incorporated herein) except for its final recommendation on page 4 to grant the companies' request to relinquish authority in Sprint exchanges.

In light of AT&T's amendment to its petition deleting that request, the recommendation to grant the companies' request to relinquish authority in Sprint exchanges is moot. Moreover, since AT&T has not secured a Commission approved interconnection agreement with Sprint, the 36-month timeline to provide service in Sprint exchanges has not begun. Hence, the automatic removal of authority provision of Minn. Rules, Part 7812.0200, subp. 4 has no application to AT&T's authority to provide service in Sprint exchanges at this time.

### **ORDER**

1. AT&T Communications of the Midwest, Inc.'s (AT&T's) request for a variance of Minn. Rules pt. 7812.0600 until December 31, 2001 to provide 911 and E911 services in U S WEST exchanges in which the Company provides AT&T Digital Link Service is granted.
2. AT&T and Teleport Communications Group, Inc.'s request for a 3-year variance in which to provide service in GTE exchanges as required by Minn. Rules 7812.0200, subp. 4 is granted.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary

(S E A L)

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