

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

LeRoy Koppendraye
Marshall Johnson
Ken Nickolai
Phyllis A. Reha
Gregory Scott

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Intrastate Access Recovery,
or Similar Charges, Filed by AT&T
Communications, Sprint Communications,
MCI WorldCom, Excel Communications,
Teleconnect, U.S. Telecom Long Distance

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ORDER DENYING RECONSIDERATION

PROCEDURAL HISTORY

AT&T Communications of the Midwest (AT&T), Sprint Communications, L.P. (Sprint), MCI WorldCom Communications, Inc. (MCI), Excel Communications, Inc. (Excel), Teleconnect, a subsidiary of WorldCom, and U.S. Telecom Long Distance, Inc. (U.S. Telecom) filed separate petitions in each of the respective Dockets listed above. The petitions were filed on varying dates between April 2002 and January 2003 requesting to introduce a monthly service charge for certain customers. The proposed charges were for recovery of intrastate access charges and were of varying amounts ranging from \$1.95 to \$1.99 per month.

On November 5, 2003, the Commission issued its ORDER ALLOWING INTRASTATE RECOVERY CHARGES, finding that the proposed access recovery charges were not unduly discriminatory. Further, the Commission found no evidence of customer confusion or deceptive billing as it related to the assessment of intrastate access charges and declined to order any changes to the companies' billing format.

On November 25, 2003, the Department of Commerce (DOC) filed a Petition for Reconsideration of the Commission's November 5, 2003 Order on the issue of how the intrastate recovery charge is presented on customers' bills.

On December 18, 2003, MCI, AT&T and Sprint each filed reply comments.

On February 5, 2004, this matter came before the Commission.

I. Commission Action

The Commission has reviewed the record and the arguments of all parties.

The Commission finds that the DOC's petition does not raise new issues, does not point to new and relevant evidence, does not expose errors or ambiguities in the original Order, and does not otherwise persuade the Commission that it should reconsider its original decision. The Commission concludes that the original decision is the one most consistent with the facts, the law, and the public interest, and will therefore deny the petition for reconsideration.

ORDER

1. The DOC's petition for the Commission to reconsider its November 5, 2003 Order is denied.
- 2.. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)

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