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Melissa E. Newman
Vice President-Federal Regulatory

May 21A, 2003

EX PARTE

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: WC Docket No. 03-90 – Application of Qwest Communications International Inc. for Authority to Provide In-Region InterLATA Services in Minnesota

Dear Ms. Dortch:

Qwest Communications International Inc. (“Qwest”) is writing to address a question raised by the Commission staff in connection with the above-referenced application. On March 24, 2003, the Minnesota Public Utility Commission (“MPUC”) issued its order establishing wholesale rates for interconnection and unbundled elements in MPUC Docket No. P-421/CI-01-1375 (the “March 24 PUC Order”).

On April 23, 2003, Qwest filed an appeal of the March 24 PUC Order with the United States District Court for the District of Minnesota (Case No. CV-03-2942 (DSD/SRN)). Among the claims asserted by Qwest is that the MPUC erroneously established wholesale rates that do not adequately compensate Qwest under the FCC’s TELRIC principles.

The federal court appeal is at an early stage and no action is expected for approximately a year. Meanwhile, the rates set forth in the March 24 PUC Order are not stayed by Qwest’s appeal and remain in effect. Qwest will not seek a stay of the March 24 PUC Order rates going forward during the period that this appeal is pending. Qwest further commits that, to the extent that the federal court finds in favor of Qwest in connection with the appeal, Qwest will not retroactively seek additional payments from CLECs as a result of that decision for interconnection services provided by Qwest during the period from March 24, 2003 to the date of the federal court decision.¹

¹ A separate question is raised by the MPUC’s action applying its new rates in the March 24 PUC Order back to April 2, 2002, and requiring Qwest to refund amounts paid in excess of the new rates up to the March 24, 2003. Qwest strongly contends that this action is in violation of law, and is appealing this error in its federal court complaint. Qwest intends to pursue its claim, and, if necessary, to seek reimbursement for any amounts disbursed

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The foregoing is filed in response to questions from the Commission staff, and therefore does not implicate the twenty-page limitation on ex parte statements. If any further questions arise in connection with this matter, please contact the undersigned.

Respectfully submitted,

/s/

Melissa Newman

cc: G. Cohen
J. Myles
G. Remondino
R. Harsch
B. Harr

for services provided prior to March 24, 2003. However, this issue does not implicate the period after the filing of this application.