

FILED, ENTERED AND NOTED IN
CIVIL JUDGMENT BOOK 38

JUNE 10, 2005

PATRICK E. DUFFY, CLERK

By 

United States District Court

FOR THE DISTRICT OF MONTANA
HELENA DIVISION

QWEST CORPORATION, a Colorado corporation

Plaintiffs,

vs.

**THOMAS J. SCHNEIDER, GREG JERGESON,
MATT BRAINARD, JAY STOVALL, and BOB
ROWE in their official capacities as Commissioners
of the Montana Public Service Commission, and
THE MONTANA PUBLIC SERVICE
COMMISSION, a regulatory agency of the State of
Montana**

Defendants.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: CV-04-053-H-CSO

IT IS ORDERED AND ADJUDGED that Qwest's Motion for Judgment on Appeal is GRANTED in part and DENIED in part as follows:

(1) The CLSA at issue herein is not subject to review and approval by the Defendants under section 252 of the FTA.

(2) The PSC's Final Order and Order on Reconsideration issued on September 22, 2004, is therefore VACATED.

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(3) All other requested relief is DENIED. The Court determines that Qwest's request for prospective injunctive relief is overly broad and goes beyond the narrow issue presented in this action.

Dated this 9th day of June, 2005.

PATRICK E. DUFFY, CLERK

BY RENATE WELDELE

RENATE WELDELE, DEPUTY CLERK

