

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Qwest Corporation's Petition for)	
Forbearance Under 47 U.S.C. 160(c))	
From Sections 251(c) and (271(c) and)	WC Docket No. 07-9
From Incumbent Local Exchange)	
Carrier Treatment in the Terry,)	
Montana Local Exchange)	

Comments of Mid-Rivers Telephone Cooperative, Inc.

Mid-Rivers Telephone Cooperative, Inc. ("Mid-Rivers") files its comments on the above styled Petition for Forbearance filed by Qwest Corporation ("Qwest Petition" or "Petition") pursuant to the Commission's Public Notice of February 1, 2007, DA 07-499.

Qwest seeks forbearance from regulatory requirements in Terry, Montana where Mid-Rivers has overbuilt Qwest's facilities and acquired the great majority of the subscribers.

Qwest's Petition follows the Commission's designation last year of Mid-Rivers as an incumbent local exchange carrier ("ILEC") in the Terry, Montana exchange in which Qwest is also an ILEC.¹ The Commission's Report and Order, *inter alia*, declined to consider Qwest's request for forbearance in that proceeding because it had not filed a separate request as required by the rules.²

Mid-Rivers does not oppose the Petition and remains indifferent to Qwest's regulatory status because it is not dependent on Qwest services or facilities to offer its

¹ *Petition of Mid-Rivers Telephone Cooperative, Inc. for Order Declaring It to be an Incumbent Local Exchange Carrier in Terry, Montana Pursuant to Section 251(h)(2)*, Report and Order, WC Doc. No. 02-78, 21 FCC Rcd 11506 (2006) ("Report and Order").

² *Id.* at para. 24 and n. 71.

services.³ Mid-Rivers does have an interconnection agreement with Qwest which permits calling between the subscribers of the two carriers in Terry and would expect a commitment from Qwest that it will not invoke any change in its status as a basis to change, discontinue or degrade that agreement except by mutual consent.

The Commission will understand from the record in the Mid-Rivers proceeding, WC Docket No. 02-78, and its decision to grant Qwest non-dominant status in Terry, that the current proceeding relates to symbol and precedent rather than actual regulatory burden. Mid-Rivers did not utilize interconnection elements defined in Section 251(c) to enter the Terry market and, as the Commission recognized, it is unlikely that other carriers are presently planning to do so.⁴ There are only a few hundred access lines involved in a town for which the nearest cities are 180 and 225 miles away. At most Terry represents a hundredth or so of a percent of Qwest's access lines in the state and therefore creates no effective incremental regulatory burden. These considerations, however, do not foreclose grant of Qwest's Petition.

³ See, Reply Comments of Mid-Rivers Telephone Cooperative, Inc. in WC Doc. No. 02-78, Jan. 14, 2005 at 9: "Mid-Rivers really doesn't care what Qwest's future status is since its business does not depend upon Qwest one way or the other."

⁴ Report and Order at n. 56.

In conclusion and subject to the condition described above, Mid-Rivers has no objection to grant of the Petition.

Respectfully submitted

Mid-Rivers Telephone Cooperative, Inc.

By/David Cosson
2154 Wisconsin Ave., N.W.
Washington, D.C. 20007
202 333 5275

Its Attorney

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Cc: Janice Myles
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