

RAB/lil 8/6/2012



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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Qwest Communications Company, LLC (U5335C),

Complainant,

v.

MCImetro Access Transmission Services, LLC (U5253C), XO Communications Services, Inc. (U5553C), TW Telecom of California, L.P. (U5358C), Granite Telecommunications, Inc. (U6842C), Advanced Telcom, Inc. dba Integra Telecom (fdba Eschelon Telecom, Inc.) (U6083C), Level 3 Communications (U5941C), and Cox California Telecom II, LLC (U5684C), Access One, Inc. (U6104C), ACN Communications Services, Inc. (U6342C), Arrival Communications, Inc. (U5248C), Blue Casa Communications, Inc. (U6764C), Broadwing Communications, LLC (U5525C), Budget Prepay, Inc. (U6654C), BullsEye Telecom, Inc. (U6695C), Ernest Communications, Inc. (U6077C), Mpower Communications Corp. (U5859C), Navigator Telecommunications, LLC (U6167C), nii Communications, Ltd. (U6453C), Pacific Centrex Services, Inc. (U5998C), PaeTec Communications, Inc. (U6097C), Telekenex, Inc. (U6647C), Telscape Communications, Inc. (U6589C), U.S. Telepacific Corp. (U5271C), and Utility Telephone, Inc. (U5807C),

Defendants.

Case 08-08-006
(Filed August 1, 2008)

**ADMINISTRATIVE LAW JUDGE'S RULING ON MOTIONS
AND SETTING PREHEARING CONFERENCE**

This case is now four years old; it is time to go to hearing. In Decision (D.) 11-07-058, the Commission stated that "Qwest's complaint should not have been dismissed on the ground for failing to state a cause of action. Therefore, we grant rehearing to consider the allegations of discrimination asserted in Qwest's complaint." (D.11-07-058 at 4.)

Now, therefore, good cause appearing:

1. All motions to dismiss are denied.
2. All motions for summary judgment are denied.
3. All motions for confidential treatment are denied.
4. All motions to take official notice are denied.
5. All motions to strike are denied.
6. All other pending motions are denied.
7. Qwest Communications Company, LLC (Qwest) shall file and serve on or before August 22, 2012 for each defendant.
 - a. The date discrimination started;
 - b. The date Qwest had notice of discrimination;
 - c. The date discrimination stopped; and
 - d. The amount of reparations sought; show the computation.
8. To determine the schedule for the proceeding, the hearing date and the issues, a prehearing conference is set for August 28, 2012, at 10:00 a.m., in the Commission Courtroom, State Office Building, at 505 Van Ness Avenue, San Francisco, California.

IT IS SO RULED.

Dated August 6, 2012, at San Francisco, California.

/s/ ROBERT BARNETT

Robert Barnett
Administrative Law Judge