

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE PETITION OF)
McLEODUSA TELECOMMUNICATIONS) **CASE NO. MTI-T-05-1**
SERVICES, INC. FOR ENFORCEMENT OF)
INTERCONNECTION AGREEMENT WITH)
QWEST CORPORATION) **ORDER NO. 29779**
)

On March 30, 2005, McLeodUSA Telecommunications Services, Inc. filed a Complaint for Enforcement of Interconnection Agreement and Motion for Emergency Relief against Qwest Corporation. After Qwest agreed to abide by a Temporary Restraining Order issued in similar litigation in Colorado, McLeod withdrew its request for emergency relief. On April 20, 2005, Qwest filed both an answer and a Motion to Dismiss. Qwest's Motion to Dismiss was based on withdrawal of its earlier demand for a security deposit from McLeod, which demand was the basis for McLeod's Complaint. On May 4, 2005, McLeod filed a response to Qwest's Motion, which it also titled Motion to Dismiss. McLeod's Motion states that it "now wishes to withdraw the Complaint without prejudice," apparently because the two Companies "are close to reaching negotiated resolution of the security deposit issues underlying the Complaint."

Based on the two Motions to Dismiss filed by the parties, the Commission finds it appropriate to dismiss McLeod's Complaint and close the case.

ORDER

IT IS HEREBY ORDERED that the Motions to Dismiss filed by Qwest and McLeod are granted and this case is hereby dismissed and closed.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.

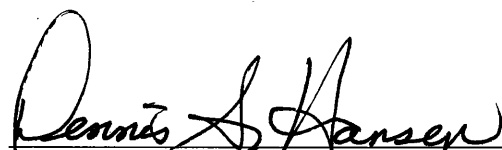
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 11th
day of May 2005.



PAUL KJELLANDER, PRESIDENT

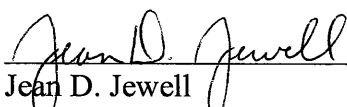


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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