



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE BEGINNING OF MUR # 2389

DATE FILMED 3/28/88 CAMERA NO. 4

CAMERAMAN GPC

33040590179



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

15 December 1986

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF THE U S WEST, INC. POLITICAL ACTION
COMMITTEE (U S WEST PAC)

This is a referral of the U S West, Inc. Political Action Committee (U S West PAC) ("the Committee"). The Committee failed to file the 1986 October Quarterly Report of Receipts and Disbursements by Election Day, November 4, 1986. According to the RAD Review and Referral Procedures for Unauthorized Committees (Standard 3), further examination is required by your office.

In addition, please note that a Chronic Late Filer Notice was sent to the Committee on October 20, 1986 for failure to file the 1985 Mid-Year Report and the 1986 April and July Quarterly Reports in a timely fashion.

If you have any questions regarding this matter, please contact Andrew Dodson at 376-2480.

Attachment

83040670180

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 15 December 1986

ANALYST: Andrew J. Dodson

I. COMMITTEE:

U S West, Inc. Political Action
Committee (U S West PAC) (C00184374)
David E. Brogan, Treasurer
(July 1, 1986 - Present)
Debbie Young, Treasurer
(January 22, 1986 - June 30, 1986)
Robert Joseph Koenig, Treasurer
(May 1, 1984 - January 21, 1986)
7800 East Orchard Road, Suite 190
Englewood, CO 80111

II. RELEVANT STATUTE:

2 U.S.C. §434(a)(4)(A)(i)
11 CFR 104.5(c)(1)(i)(A)

III. BACKGROUND:

Failure to File the 1986 October Quarterly Report by
Election Day

The U S West, Inc. Political Action Committee (U S West
PAC) ("the Committee") failed to file the 1986 October
Quarterly Report of Receipts and Disbursements by Election
Day, November 4, 1986. The Committee was notified on
September 19, 1986, that the report was due on October 15,
1986 (Attachment 2).

On November 4, 1986, a Non-Filer Notice was sent to the
Committee for its failure to file the 1986 October
Quarterly Report (Attachment 3).

The Committee filed its 1986 October Quarterly Report on
November 21, 1986 (Attachment 4).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

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FEDERAL ELECTION COMMISSION
 COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (85-86)

DATE 12DEC86
 PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
U S WEST INC POLITICAL ACTION COMMITTEE(U S WEST PAC) CONNECTED ORGANIZATION: U S WEST INC				NON-PARTY QUALIFIED		ID #C00184374
1985	MID-YEAR REPORT	7,483	3,700	1JAN85 -30JUN85	5	85FEC/385/1218
	YEAR-END	12,915	6,752	1JUL85 -31DEC85	8	86FEC/399/2528
1986	STATEMENT OF ORGANIZATION - AMENDMENT			3FEB86	3	86FEC/399/2525
	STATEMENT OF ORGANIZATION - AMENDMENT			4AUG86	2	86FEC/426/1974
	MISCELLANEOUS NOTICE FROM FEC			20OCT86	2	86FEC/439/4546
	APRIL QUARTERLY	7,965	4,530	1JAN86 -31MAR86	5	86FEC/426/3983
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN86 -31MAR86	3	86FEC/449/3577
	REQUEST FOR ADDITIONAL INFORMATION			1JAN86 -31MAR86	1	86FEC/432/0699
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN86 -31MAR86	2	86FEC/436/1979
	JULY QUARTERLY	7,835	2,858	1APR86 -30JUN86	7	86FEC/426/3994
	OCTOBER QUARTERLY	20,576	19,000	1JUL86 -30SEP86	12	86FEC/444/3923
	NOTICE OF FAILURE TO FILE			30SEP86	1	86FEC/443/3979
	REQUEST FOR ADDITIONAL INFORMATION			1JUL86 -30SEP86	1	86FEC/446/3827
	TOTAL	56,774	0 36,840	0	52	TOTAL PAGES

ALL REPORTS EXCEPT THE 1986 AMENDED APRIL QUARTERLY REPORT HAVE BEEN REVIEWED
 ENDING-CASH-ON-HAND AS OF 9/30/86 : \$25,134.36
 DEBTS AND OBLIGATIONS OWED TO THE COMMITTEE AS OF 9/30/86: NONE
 DEBTS AND OBLIGATIONS OWED BY THE COMMITTEE AS OF 9/30/86: NONE

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

September 19, 1986

WHO MUST FILE

ALL Party Committees, Nonconnected Committees and Separate Segregated Funds, except those that file monthly (see below), must file a quarterly report by October 15, 1986.

WHAT MUST BE REPORTED

The report must disclose all financial activity that occurred from the close of books for the last report filed through September 30, 1986. Political committees that have not previously filed a financial disclosure report should report all financial activity through September 30, 1986.* For more detailed instructions, consult your campaign guide.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight October 15, 1986. Reports hand delivered or mailed first class must be received no later than close of business October 15, 1986.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

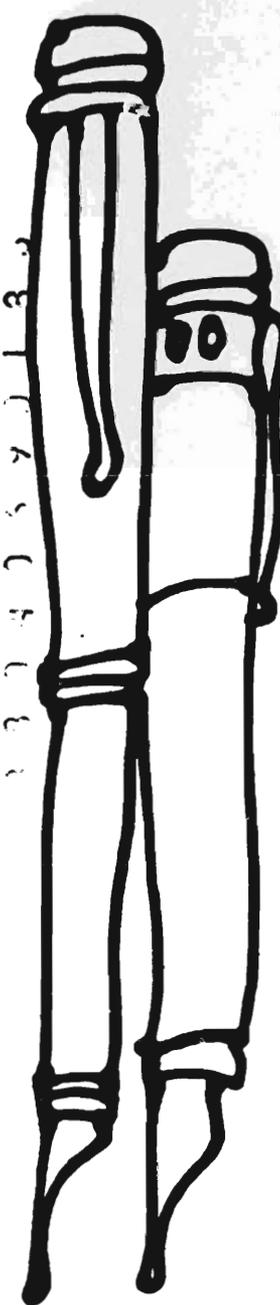
MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by October 20, 1986, and disclose all financial activity from September 1 through September 30, 1986. (See Monthly Filers on the reverse side.)

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is also a serious violation. Offending committees are subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted, and committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received or disbursed during the current reporting period. See 11 CFR 104.3(a) and (b).



REMINDERS

QUARTERLY FILERS

Committees that make contributions or expenditures (including independent expenditures) in connection with an election, and coordinated party expenditures in connection with a general election, must file a pre-election report if this activity has not been previously disclosed. See the January 1986 issue of the Federal Election Commission Record for primary and general election filing requirements.

MONTHLY FILERS

Committees that are filing monthly must file a pre-general election report due on October 23, a post-general election report due on December 24, and a year-end report due January 31, 1987, instead of monthly reports on November 20, December 20 and January 20, 1987. See the schedule below.

<u>REPORT</u>	<u>PERIOD COVERED</u>	<u>REG./CERT. MAILING DATE</u>	<u>FILING DATE</u>
Pre-general	10/01 - 10/15	10/20/86	10/23/86
Post-general	10/16 - 11/24	12/24/86	12/24/86
Year-end	11/25 - 12/31	01/31/87	01/31/87

See General Election Notice

INDEPENDENT EXPENDITURES

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c)(2) and (3) for information concerning where to file.

A notice explaining general election filing requirements will be sent to you before the general election.

FOR INFORMATION CALL: Information Services Division
800/424-9530 or 202/376-3120

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

20-7

November 4, 1986

David E. Brogan, Treasurer
U.S. West, Inc. Political Action
Committee (U.S. WEST PAC)
7800 East Orchard Road
Englewood, CO 80111

Identification Number: C00184374

Reference: October Quarterly Report (through 9/30/86)

Dear Mr. Brogan:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or the relevant portions should also be filed with the Secretary of State or equivalent State officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Andrew Dodson on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

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REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

RECEIVED AT THE FEC

05 NOV 21 10:18

(Summary Page)

1. Name of Committee (in Full)
**U S WEST, Inc.
Political Action Committee**

Address (Number and Street)
7800 E. Orchard Road, Suite 190

City, State and ZIP Code
Englewood, CO 80111

Check here if address is different than previously reported.

2. FEC Identification Number
COO 184374

3. This committee qualified as a multi-candidate committee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) April 15 Quarterly Report October 15 Quarterly Report

July 15 Quarterly Report January 31 Year End Report

July 31 Mid Year Report (Non-Election Year Only)

Monthly Report for _____

Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

Thirtieth day report following the General Election

on _____ in the State of _____

Termination Report

(b) Is this Report an Amendment? YES NO

SUMMARY

6. Covering Period 7/1/86 through 9/30/86

8 (a) Cash on hand January 1, 19 86

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 1B)

(d) Subtotal (add Lines 8(b) and 8(c) for Column A and Lines 8(a) and 8(c) for Column B)

7. Total Disbursements (from Line 2B)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 8(d))

9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
8 (a)		\$ 15,145.37
(b)	\$ 23,558.23	
(c)	\$ 20,576.13	\$ 36,377.73
(d)	\$ 44,134.36	\$ 51,523.10
7	\$ 19,000.00	\$ 26,388.74
8	\$ 25,134.36	\$ 25,134.36
9	\$ -	
10	\$ -	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

David E. Brogan
Type or Print Name of Treasurer

David E. Brogan
SIGNATURE OF TREASURER

10-15-86
Date

For further information contact:
Federal Election Commission
950 E Street, N.W.
Washington, D.C. 20463
Tel: (202) 426-6200
Local 222-576-3122

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. 6407g.

All previous versions of FEC FORM 3 and FEC FORM 2b are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

837341830912830

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL _____ RAD REFERRAL: 86NF-41
BY OGC TO THE COMMISSION _____ STAFF MEMBER:
Deborah Curry

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENT'S NAMES: U S West, Inc. Political Action
Committee and David E. Brogan,
as treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(i)
11 C.F.R. § 104.5(c)(1)(i)(A)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

This matter was generated by the Reports Analysis Division ("RAD") after a review of the disclosure reports of U S West, Inc. Political Action Committee (hereinafter "West Committee").

SUMMARY OF ALLEGATIONS

The RAD referral reveals that the West Committee and David E. Brogan, as treasurer, may have violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file the 1986 October Quarterly Report in a timely manner.

FACTUAL AND LEGAL ANALYSIS

The West Committee failed to file the 1986 October Quarterly Report of Receipts and Disbursements by Election Day, November 4, 1986. The West Committee was notified on September 19, 1986, that the report was due on October 15, 1986 (Attachment 1 page 4).

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11/13/86
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On November 4, 1986, a Non-Filer Notice was sent to the West Committee for its failure to file the 1986 October Quarterly Report (Attachment 1 page 6). The West Committee filed its October Quarterly Report on November 21, 1986 (Attachment 1 page 7).

2 U.S.C. § 434(a)(4)(A)(i) requires that political committees, other than authorized committees of the candidate, shall file quarterly reports no later than the 15th day after the last day of the calendar quarter during any year in which a regularly scheduled general election is held. 11 C.F.R. § 104.5(c)(1)(i)(A).

The West Committee was required to file the 1986 October Quarterly Report by October 15, 1986. The West Committee, however, did not file the 1986 October Quarterly Report until November 21, 1986. In view of the West Committee's failure to file the 1986 October Quarterly Report by the required filing date, it is the recommendation of the Office of General Counsel that the Commission open a MUR and find reason to believe that the West Committee and David E. Brogan, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).

33740690188

RECOMMENDATIONS

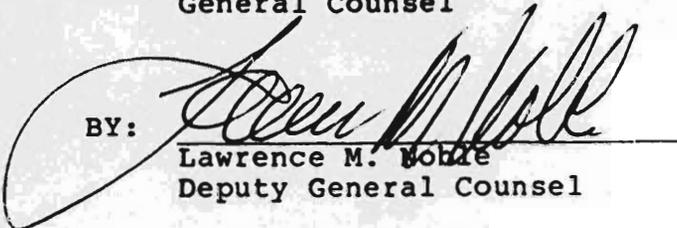
1. Open a MUR;
2. Find reason to believe U S West, Inc. Political Action Committee and David E. Brogan, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i); and
3. Approve the attached letter and General Counsel's Factual and Legal Analysis.

Charles N. Steele
General Counsel

Date

1/9/87

BY:


Lawrence M. Mohr
Deputy General Counsel

Attachments

1. Referral Materials
2. Letter
3. General Counsel Factual and Legal Analysis

83040590189

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
U S West, Inc. Political Action) RAD Ref. 86NF-41
Committee and David E. Brogan,)
as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 14, 1987, the Commission decided by a vote of 6-0 to take the following actions in RAD Ref. 86NF-41.

1. Open a MUR.
2. Find reason to believe U S West, Inc. Political Action Committee and David E. Brogan, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
3. Approve the letter and General Counsel's Factual and Legal Analysis, as recommended in the First General Counsel's Report signed January 9, 1987.

Commissioners Aikens, Elliott, Josefiak, McDonald McGarry and Thomas voted affirmatively for this decision.

Attest:

1-15-87
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary:	Mon.,	1-12-87,	11:02
Circulated on 48 hour tally basis:	Mon.,	1-12-87,	4:00
Deadline for vote:	Wed.,	1-14-87,	4:00

33040570190



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 20, 1987

David E. Brogan, Treasurer
U S West, Inc. Political Action Committee
7800 East Orchard Road, Suite 190
Englewood, CO 80111

RE: MUR 2325
U S West, Inc. Political
Action Committee and
David E. Brogan
as treasurer

Dear Mr. Brogan:

On January 14, 1987, the Federal Election Commission determined that there is reason to believe U S West, Inc. Political Action Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so

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plm

David E. Brogan, Treasurer
Page 2

that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

- General Counsel's Factual and Legal Analysis
- Procedures
- Designation of Counsel Statement

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OFFICE OF THE
GENERAL COUNSEL
Coff #2646
Cunning

**GIBSON, DUNN & CRUTCHER
LAWYERS**

1050 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

(202) 955-8500

TELEX: 992501 GIBTRASK WSH

CABLE ADDRESS: GIBTRASK WASHINGTON D.C.

87 FEB 6 P2: 18

JAS. A. GIBSON, 1882-1922
W. E. DUNN, 1878-1925
ALBERT CRUTCHER, 1860-1931

NEW YORK
WEST 87TH STREET
NEW YORK, NEW YORK 10019
(212) 906-7800
CABLE ADDRESS: GIBTRASK NEW YORK
TELEX: 177920 GIBTRASK NYK

EUROPE
104 AVENUE RAYMOND POINCARÉ
75016 PARIS, FRANCE
45 01 93 83
CABLE ADDRESS: GIBTRASK PARIS
TELEX: 613092 GIBTRAK F

LONDON
73 SOUTH AUBLEY STREET
LONDON W1Y 8PP, ENGLAND
01-489-8010
CABLE ADDRESS: GIBTRASK LONDON WI
TELEX: 27731 GIBTRK G

AFFILIATED SAUDI ARABIA OFFICE
REDEC PLAZA
AIRPORT ROAD
P.O. BOX 5026
RIYADH, SAUDI ARABIA
477-0693
TELEX: 204078 PANLAW SJ

February 5, 1987

BY HAND

LOS ANGELES
333 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071
(213) 229-7000
CABLE ADDRESS: GIBTRASK LSA
TELEX: 674930

DENVER
1801 CALIFORNIA STREET
DENVER, COLORADO 80202
(303) 298-7200

DALLAS
1700 PACIFIC AVENUE
DALLAS, TEXAS 75201
(214) 979-9100

CENTURY CITY
2029 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067
(213) 552-8800

NEWPORT CENTER
800 NEWPORT CENTER DRIVE
NEWPORT BEACH, CALIFORNIA 92660
(714) 759-3800

SAN DIEGO
800 E STREET
SAN DIEGO, CALIFORNIA 92101
(619) 531-7000

SAN JOSE
ONE ALMADEN BOULEVARD
SAN JOSE, CALIFORNIA 95113
(408) 998-2000

WRITER'S DIRECT DIAL NUMBER

(202) 955-8512

OUR FILE NUMBER

C-93166-00001

The Honorable Scott E. Thomas
Chairman
Federal Election Commission
999 E Street, N.W.
9th Floor
Washington, D.C. 20463

Re: MUR 2325, U S WEST, Inc. Political Action
Committee and David E. Brogan as Treasurer

Dear Mr. Chairman:

I am writing in response to your letter of January 20, 1987, to David E. Brogan, Treasurer of the U S West, Inc. Political Action Committee (the "Committee"), informing Mr. Brogan that the Federal Election Commission (the "Commission") had determined on January 14, 1987, that there was reason to believe that the Committee and Mr. Brogan had violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act").

Mr. Brogan and the Committee received your letter on January 26. We are submitting this response on their behalf within the fifteen (15) day period specified therein and return herewith the appropriate Statements of Designation of Counsel.

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The Honorable Scott E. Thomas
February 5, 1987
Page 2

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We believe that the circumstances underlying the alleged violation -- the late filing of the 1986 October Quarterly Report of Receipts and Disbursements (the "Report") -- do not warrant enforcement action by the Commission. Under 2 U.S.C. § 432(i), the Commission has authority to find a Committee in compliance with the Act, despite apparent violations, if the Committee Treasurer used his "best efforts" to obtain and submit the information which the Act requires. We believe that such a finding of "best efforts" is clearly warranted under the facts described below.

Unlike most other telecommunications industry PACs, which have been operating for years in a relatively predictable administrative environment, this committee is a small, recently formed organization supported by a company which itself came into existence only three years ago. The purview of the Committee is the headquarters group and unregulated (non-telephone-company) subsidiaries of U S WEST, Inc. (the "Company"). Though it contains only a modest percentage of the overall personnel of the Company, this employee base lies in the most rapidly expanding and dynamic part of the Company's business and hence poses a considerable administrative challenge for the Committee. In this, the first full election year experience since its founding in May of 1984, the Committee has had to coordinate and consolidate data from at least ten separate Company entities in various locations, most of which were unused to the process of filing. To further complicate matters, the Committee has had a series of treasurers over the past year and a half, of which Mr. Brogan is the latest one. Prior to his appointment, Mr. Brogan had no experience with the reporting requirements of the Act. The timing of the filing of the Report was, thus, not the result of any intent to violate the law, but arose from a combination of inexperience in such filings on the part of new Committee personnel and a consequent mis-estimation by the Committee of the amount of time needed to collect the necessary data.

An unusually heavy schedule of business obligations occupied Mr. Brogan's time before and after the October deadline. In recognition of these burdens, the Committee initiated a search for a professional PAC Administrator in the weeks preceding the deadline. Mr. Brogan was counting on the help of this PAC Administrator to pull together the necessary information for the third quarter filing, but, as it happened, the Administrator did not arrive in time to assist in meeting the deadline. Having had no previous election year experience with the Committee or a third quarter filing, Mr. Brogan, in the absence of practical know-how and assistance, underestimated the amount of data which would be reportable and the length of time required to collect such data from

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The Honorable Scott E. Thomas
February 5, 1987
Page 3

the numerous unregulated subsidiaries of U S WEST, on behalf of which the Committee operates.

In fairness to Mr. Brogan, the lack of continuity in the position of Committee treasurer left him without adequate advice on the practicalities of election year filings. Mr. Brogan's immediate predecessor, who served as interim treasurer from mid-January through June, 1986, did not apprise him of the filing schedule for election years. Soon after Mr. Brogan took the job of Committee Treasurer on July 1, 1986, he initiated contact with the Commission staff regarding filing schedules and made considerable efforts at that time to ensure that the Committee was up-to-date and in compliance with the Act. However, his conversations with the Commission staff gave Mr. Brogan the clear impression that the substance of reports was more important than timing of the filing, provided the reports were subsequently filed within a reasonable period. Despite this reassurance, both Mr. Brogan and the Committee took the Commission's initial notice of September 19 and subsequent Nonfiler Notice of November 4 most seriously but underestimated the time required to assemble the third quarter information and consequently found themselves unable, even with considerable effort, to complete and file the Report more quickly than they did.

Under the circumstances described above, we believe that Mr. Brogan used his "best efforts," within the meaning of 2 U.S.C. § 432(i) and 11 C.F.R. § 104.7(a), to obtain and submit the information required by the Act, and that the Committee should therefore be considered substantially in compliance at this time. Imposition of a civil penalty is not required in this case to underscore the seriousness of the statutory deadline, as this experience has left the Committee and its Treasurer both very aware of the importance of meeting the statutory requirements. Moreover, with the addition of the PAC Administrator, the Committee is now fully able to meet such deadlines as may arise. To the best of our knowledge, the Committee has filed its reports on time in previous years, and there is every reason to expect that this prior pattern of compliance, rather than the exceptional difficulties of this year will be the rule in the future. No significant problems in connection with the substance of the third quarter report were raised by the Commission reviewer, and all subsequent deadlines and requests from the Commission have been and will be complied with promptly.

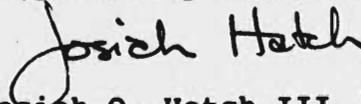
In short, we believe that your letter and the initiation of an MUR have been in this case more than sufficient to correct the

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The Honorable Scott E. Thomas
February 5, 1987
Page 4

violations alleged in your letter, and we ask that no further action be taken. However, in the event that the Commission does not dismiss the matter under review on these grounds, we request that an informal conciliation process be begun at that point.

Respectfully submitted,



Josiah O. Hatch III

Enclosure

cc: Deborah Curry, Esq.
Office of General Counsel
Federal Election Commission

Brian M. Bell, Esq.
Mr. David E. Brogan
Peter L. Baumbusch, Esq.
Richard M. Russo, Esq.

88040670196

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2325

NAME OF COUNSEL: Josiah O. Hatch, III

ADDRESS: 1050 Connecticut Ave., N.W.

Washington, D.C. 20036

TELEPHONE: (202) 955-8512

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

2/3/87
Date

By: David E. Brogan
Signature

RESPONDENT'S NAME: David E. Brogan

ADDRESS: 7800 E. Orchard Road

Suite 190

Englewood, CO 80111

HOME PHONE: (303) 466-8103

BUSINESS PHONE: (303) 793-6426

98040590197

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2325

NAME OF COUNSEL: Josiah O. Hatch, III

ADDRESS: 1050 Connecticut Ave., N.W.

Washington, D.C. 20036

TELEPHONE: (202) 955-8512

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

U S WEST, Inc. Political Action Committee

2/3/87
Date

By: David E. Brogan
Signature Treasurer

RESPONDENT'S NAME: U S WEST, Inc.

ADDRESS: Political Action Committee

7800 E. Orchard Road, Ste. 190

Englewood, CO 80111

HOME PHONE: N/A

BUSINESS PHONE: (303) 793-6426

88040590198

**MEMORANDUM****FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

February 12, 1987

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF U S WEST, INC. POLITICAL ACTION
COMMITTEE (U S WEST PAC)

This is a combined Chronic Late Filer/Non-Filer referral of the U S West, Inc. Political Action Committee (U S West PAC) ("the Committee"). The Committee has failed to file five (5) Reports of Receipts and Disbursements in a timely manner during the 1985-1986 election cycle. In addition, the Committee failed to file the 1986 12 Day Pre-General Election Report by Election Day, November 4, 1986. According to the RAD Review and Referral Procedures for Unauthorized Committees (Standards 3 and 4), further examination is required by your office.

Please note that the Committee was referred to your office for failing to file the 1986 October Quarterly Report by Election Day (see RAD Referral #86NF-41).

If you have any questions regarding this matter, please contact Andrew Dodson at 376-2480.

Attachment

88040590199

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: February 12, 1987

ANALYST: Andrew J. Dodson

I. COMMITTEE:

U S West, Inc. Political Action
Committee (U S West PAC) (C00184374)
David E. Brogan, Treasurer
(July 1, 1986 - Present)
Debbie Young, Treasurer
(January 22, 1986 - June 30, 1986)
Robert Joseph Koenig, Treasurer
(May 1, 1984 - January 21, 1986)
7800 East Orchard Road, Suite 190
Englewood, CO 80111

II. RELEVANT STATUTE:

2 U.S.C. §434(a)(4)(A)(i), (ii) and (iv)
11 CFR 104.5(c)(1)(i) and (ii)
11 CFR 104.5(c)(2)(i)(A)

III. BACKGROUND:

Chronic Late Filing of Reports and Failure to File the 12 Day Pre-General Report by Election Day

The U S West, Inc. Political Action Committee (U S West PAC) ("the Committee") failed to file five (5) Reports of Receipts and Disbursements in a timely manner for the 1985-1986 election cycle (see Chart). The reports were filed between eight (8) and one hundred eighteen (118) calendar days late. In addition, the Committee failed to file the 1986 12 Day Pre-General Election Report by Election Day, November 4, 1986.

On October 20, 1986, a Chronic Late Filing Notice was sent to the Committee for failing to file the 1985 Mid-Year, 1986 April Quarterly, and 1986 July Quarterly Reports in a timely manner (Attachment 10). The Notice advised the Committee that any additional late filing of reports may result in legal enforcement action.

On September 29, 1986, the Committee was notified that a 1986 12 Day Pre-General Election Report was due on October 23, 1986, if contributions and expenditures were to be made in connection with the general election during the reporting period (October 1, 1986 to October 15, 1986) (Attachment 9).

30040540200

U S WEST, INC. POLITICAL
ACTION COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

Subsequent to sending the Chronic Late Filing Notice, the Committee failed to file the 1986 12 Day Pre-General Election Report in a timely manner. A \$1,000 contribution to a federal candidate on October 1, 1986 was disclosed on the 1986 30 Day Post-General Election Report, indicating that the Committee should have filed a 1986 12 Day Pre-General Election Report (Attachment 13).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

88040590201

LATE FILING HISTORY

REPORT TYPE	PRIOR NOTICE	DATE DUE	NON-FILER NOTICE	DATE FILED
1985 Mid-Year (1/1/85-6/30/85)	6/21/85 (Attachment 2)	7/31/85	N/A	8/8/85 (Attachment 3)
1986 April Quarterly (1/1/86-3/31/86)	3/21/86 (Attachment 4)	4/15/86	N/A	8/11/86 (Attachment 5)
1986 July Quarterly (4/1/86-6/30/86)	6/20/86 (Attachment 6)	7/15/86	N/A	8/11/86 (Attachment 7)
1986 October Quarterly (7/1/86-9/30/86)	9/19/86 (Attachment 8)	10/15/86	11/4/86 (Attachment 11)	11/21/86 (Attachment 12)
1986 12 Day Pre-General* (10/1/86-10/15/86)	9/29/86 (Attachment 9)	10/23/86	N/A	12/15/86 (Attachment 13)

*The 30 Day Post-General Report filed on 12/15/86 contained the 12 Day Pre-General activity.

8 3 0 4 0 6 9 0 2 0 3

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (80-56)DATE FEB 87
PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
U S WEST INC POLITICAL ACTION COMMITTEE(U S WEST PAC) CONNECTED ORGANIZATION: U S WEST INC				NON-PARTY QUALIFIED		ID #C00184374
1985	MID-YEAR REPORT	7,483	3,700	1JAN85 -30JUN85	5	85FEC/385/1218
	YEAR-END	12,915	6,752	1JUL85 -31DEC85	8	86FEC/399/2528
1986	STATEMENT OF ORGANIZATION - AMENDMENT			3FEB86	3	86FEC/399/2525
	STATEMENT OF ORGANIZATION - AMENDMENT			4AUG86	2	86FEC/426/1974
	MISCELLANEOUS NOTICE FROM FEC			20OCT86	2	86FEC/439/4546
	APRIL QUARTERLY	7,965	4,530	1JAN86 -31MAR86	5	86FEC/426/3983
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN86 -31MAR86	3	36FEC/449/3577
	REQUEST FOR ADDITIONAL INFORMATION			1JAN86 -31MAR86	1	86FEC/432/0699
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN86 -31MAR86	2	86FEC/436/1979
	JULY QUARTERLY	7,835	2,858	1APR86 -30JUN86	7	86FEC/426/3994
	OCTOBER QUARTERLY	20,576	19,000	1JUL86 -30SEP86	12	86FEC/444/3923
	OCTOBER QUARTERLY - AMENDMENT	20,576	19,000	1JUL86 -30SEP86	4	86FEC/451/1640
	NOTICE OF FAILURE TO FILE			30SEP86	1	86FEC/443/3979
	REQUEST FOR ADDITIONAL INFORMATION			1JUL86 -30SEP86	1	86FEC/446/3827
	POST-GENERAL	9,657	19,808	1OCT86 -24NOV86	12	86FEC/451/1644
	POST-GENERAL - AMENDMENT	-	-	1OCT86 -24NOV86	4	87FEC/458/3903
	REQUEST FOR ADDITIONAL INFORMATION			1OCT86 -24NOV86	1	87FEC/453/1181
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1OCT86 -24NOV86	2	87FEC/458/0305
	YEAR-END	3,157	-	25NOV86 -31DEC86	10	87FEC/457/4608
	TOTAL	69,588	0	56,648	0	85 TOTAL PAGES

All reports have been reviewed.

Ending cash on hand as of 12/31/86 \$18,141.43

Debts owed by the committee : \$0

Debts owed to the committee : \$0



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 21, 1985

**SEMIANNUAL REPORT NOTICE
FOR UNAUTHORIZED COMMITTEES**

WHO MUST FILE

ALL POLITICAL COMMITTEES currently registered with the Commission (except committees filing monthly) must file a semiannual report by July 31, 1985.

WHAT MUST BE REPORTED

All financial activity must be disclosed from the last report filed through June 30, 1985. Unauthorized political committees that have not previously filed a financial disclosure report should report all financial activity from date of registration, through June 30, 1985.*

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight July 31, 1985. Reports hand delivered or mailed first class must be received no later than close of business July 31, 1985.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS

Committees filing on a monthly schedule need not file a semi-annual report. Monthly reports are due by the twentieth of each month and should cover all financial activity of the previous month. The next monthly report must be filed by July 20, 1985, and should disclose all financial activity of the committee from June 1 through June 30, 1985.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee; even if such amounts were not received during the current reporting period. See 11 CFR 101.3; 104.3(a) and (b). Activity which occurred prior to 1985 should be reported separately.

- over -

83040670204

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

**FOR INFORMATION CALL: Information Services Division
202/523-4068
800/424-9530**

83040690205

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

FILED IN FEC

(Summary Page)

85 APR 0 8 17
ALIGN AREA

ALIGN AREA

1 Name of Committee (In Full)
**U S West, Inc.
Political Action Committee**

Address (Number and Street)
7800 E. Orchard Road

City, State and ZIP Code
Englewood, CO 80111

Check here if address is different than previously reported

2 FEC Identification Number
CO0184374

3 This committee qualified as a multicandidate committee during this Reporting Period on _____ date

4. TYPE OF REPORT (Check appropriate boxes)

(a) April 15 Quarterly Report October 15 Quarterly Report
 July 15 Quarterly Report January 31 Year End Report
 July 31 Mid Year Report (Non Election Year Only)
 Monthly Report for _____
 Twelfth day report preceding _____ (Type of Election)
 election on _____ in the State of _____
 Thirtieth day report following the General Election
 on _____ in the State of _____
 Termination Report

(b) Is this Report an Amendment?
 YES NO

133350540206

SUMMARY		COLUMN A	COLUMN B
5 Covering Period <u>January 1</u> through <u>June 30, 1985</u>		This Period	Calendar Year-to-Date
6 (a) Cash on hand January 1, 19 <u>85</u>			\$ 5,198.73
(b) Cash on Hand at Beginning of Reporting Period		\$ 5,198.73	
(c) Total Receipts (from Line 18)		\$ 7,483.46	\$ 7,483.46
(d) Subtotal (add Lines 6 (b) and 6 (c) for Column A and Lines 6 (a) and 6 (c) for Column B)		\$ 12,682.19	\$ 12,682.19
7 Total Disbursements (from Line 28)		\$ 3,700.00	\$ 3,700.00
8 Cash on hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 8,982.19	\$ 8,982.19
9 Debts and Obligations Owed TO The Committee (net of Line 10 on Schedule C or Schedule D)		\$ -0-	
10 Debts and Obligations Owed BY the Committee (net of Line 9 on Schedule C or Schedule D)		\$ -0-	

I hereby declare that the Report and to the best of my knowledge, and belief, is true, correct and complete.

R. S. Koenig
Type of Title Name of Treasurer

[Signature]
SIGNATURE OF TREASURER

8-2-85
Date

For further information contact:
 Federal Election Commission
 P.O. Box 80, Washington, D.C. 20540
 (202) 453-4366

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

March 21, 1986

WHO MUST FILE

ALL Party Committees, Non-connected Committees and Separate Segregated Funds, except those filing monthly (see below), must file a quarterly report by April 15, 1986.

WHAT MUST BE REPORTED

The report must disclose all financial activity that occurred from the close of books for last report filed through March 31, 1986. Political committees that have not previously filed a financial disclosure report should report all financial activity through March 31, 1986.* For more detailed instructions, consult your campaign guide.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight April 15, 1986. Reports hand delivered or mailed first class must be received no later than close of business April 15, 1986.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by April 20, 1986, and disclose all financial activity of their committee from March 1 through March 31, 1986. (See the schedule of monthly reports on the reverse side.)

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is also a serious violation. Offending committees are subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted, and committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received or disbursed during the current reporting period. See 11 CFR 104.3(a) and (b).



REMINDERS**QUARTERLY FILERS**

Committees that make contributions or expenditures (including independent expenditures) in connection with an election, must file a pre-election report, if this activity has not been previously disclosed. See the January 1986 issue of the Federal Election Commission Record for primary election filing requirements.

MONTHLY FILERS

Committees that file monthly reports must follow the schedule below. Pre-general election reports sent by registered or certified mail must be postmarked no later than mid-night October 20, 1986. All other reports sent by registered or certified mail must be postmarked no later than midnight on the filing date in order to be timely. Reports hand delivered or mailed first class must be received by close of business on the filing date.

REPORT	PERIOD COVERED	FILING DATE
February	01/01 - 01/31	02/20/86
March	02/01 - 02/28	03/20/86
April	03/01 - 03/31	04/20/86
May	04/01 - 04/30	05/20/86
June	05/01 - 05/31	06/20/86
July	06/01 - 06/30	07/20/86
August	07/01 - 07/31	08/20/86
September	08/01 - 08/31	09/20/86
October	09/01 - 09/30	10/20/86
Pre-election	10/01 - 10/15	10/23/86
Post-election	10/16 - 11/24	12/04/86
Year-End	11/25 - 12/31	01/31/87

INDEPENDENT EXPENDITURES

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c)(2) and (3) for information concerning where to file.

FOR INFORMATION CALL: Information Services Division
800/424-9530 or 202/376-3120

88040590208

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

AUG 11 8:20

1. Name of Committee (In Full)
**U S WEST, Inc.
Political Action Committee**

Address (Number and Street)
**7800 E. Orchard Rd.
Suite 190**

City, State and ZIP Code
Englewood, CO 80111

Check here if address is different than previously reported.

2. FEC Identification Number
COO 184374

3. This committee qualifies as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) April 15 Quarterly Report October 15 Quarterly Report
 July 15 Quarterly Report January 31 Year End Report
 July 31 Mid Year Report (Non-Election Year Only)
 Monthly Report for _____
 Twelfth day report preceding _____ (Type of Election)
 election on _____ in the State of _____
 Thirtieth day report following the General Election
 on _____ in the State of _____
 Termination Report

(b) Is this Report an Amendment?
 YES NO

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>January 1, 1986</u> through <u>March 31, 1986</u>			
6. (a) Cash on hand January 1, 19 <u>86</u>			\$ 15,145.37
(b) Cash on Hand at Beginning of Reporting Period		\$ 15,145.37	
(c) Total Receipts (from Line 1B)		\$ 7,965.78	\$ 7,965.78
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 23,111.15	\$ 23,111.15
7. Total Disbursements (from Line 2B)		\$ 4,530.00	\$ 4,530.00
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 18,581.15	\$ 18,581.15
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)		\$ --	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ --	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

David E. Ingram
Type or Print Name of Treasurer

SIGNATURE OF TREASURER _____ Date _____

For further information contact
 Federal Election Commission
 600 E Street N.W.
 Washington, D.C. 20543
 Tel. Fax 800-424-9520
 Local 202 276-7120

NOTE: Submit this report to the Federal Election Commission. Complete information may be obtained by the person signing this report to the person at (202) 513-6431.

All previous versions of FEC FORM 3 and FEC FORM 2b are obsolete and should no longer be used.

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

June 20, 1986

WHO MUST FILE

All Party Committees, Nonconnected Committees and Separate Segregated Funds, except those that file monthly (see below), must file a quarterly report by July 15, 1986.

WHAT MUST BE REPORTED

The report must disclose all financial activity that occurred from the close of books for the last report filed through June 30, 1986. Political committees that have not previously filed a financial disclosure report should report all financial activity through June 30, 1986.* For more detailed instructions, consult your campaign guide.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight July 15, 1986. Reports hand delivered or mailed first class must be received no later than close of business July 15, 1986.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by July 20, 1986, and disclose all financial activity of their committee from June 1 through June 30, 1986. (See the schedule of monthly reports on the reverse side.)

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is also a serious violation. Offending committees are subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted, and committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received or disbursed during the current reporting period. See 11 CFR 104.3(a) and (b).

33040670210



REMINDERS**QUARTERLY FILERS**

Committees that make contributions or expenditures (including independent expenditures) in connection with an election, must file a pre-election report if this activity has not been previously disclosed. See the January 1986 issue of the Federal Election Commission Record for primary election filing requirements.

MONTHLY FILERS

Committees that file monthly must follow the schedule below. Pre-general election reports sent by registered or certified mail must be postmarked no later than midnight October 20, 1986. All other reports sent by registered or certified mail must be postmarked no later than midnight on the filing date in order to be timely. Reports hand delivered or mailed first class must be received by close of business on the filing date.

REPORT	PERIOD COVERED	FILING DATE
February	01/01 - 01/31	02/20/86
March	02/01 - 02/28	03/20/86
April	03/01 - 03/31	04/20/86
May	04/01 - 04/30	05/20/86
June	05/01 - 05/31	06/20/86
July	06/01 - 06/30	07/20/86
August	07/01 - 07/31	08/20/86
September	08/01 - 08/31	09/20/86
October	09/01 - 09/30	10/20/86
Pre-election	10/01 - 10/15	10/23/86
Post-election	10/16 - 11/24	12/04/86
Year-End	11/25 - 12/31	01/31/87

INDEPENDENT EXPENDITURES

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c)(2) and (3) for information concerning where to file.

FOR INFORMATION CALL: Information Services Division
800/424-9530 or 202/376-3120

8 8 0 4 0 5 9 0 2 1 1

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

FEC

(Summary Page)

26 AUG 11 09:16

1. Name of Committee (No Full)

**U S WEST, Inc.
Political Action Committee**

Address (Number and Street)

**7800 E. Orchard Road
Suite 190**

City, State and ZIP Code

Englewood, CO 80111

Check here if address is different than previously reported.

2. FEC Identification Number

CO0184374

3. This committee qualified as a noncandidate committee during the Reporting Period on May 30, 1986

4. TYPE OF REPORT (Check appropriate boxes)

(a) April 15 Quarterly Report October 15 Quarterly Report

July 15 Quarterly Report January 31 Year End Report

July 31 Mid Year Report (Non-Election Year Only)

Monthly Report for _____

Twelfth day report preceding _____
Election on _____ in the State of _____

Twelfth day report following the General Election
on _____ in the State of _____

Termination Report

(b) Is this Report an Amendment?

YES NO

SUMMARY

5. Covering Period 4/1/86 through 6/30/86

6. (a) Cash on hand January 1, 1986

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 10)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and
Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 20)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

9. Debts and Obligations Owed TO The Committee

(Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee

(Itemize all on Schedule C or Schedule D)

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on hand January 1, 1986		\$ 15,145.37
6. (b) Cash on Hand at Beginning of Reporting Period	\$ 18,581.15	
6. (c) Total Receipts (from Line 10)	\$ 7,835.82	\$ 15,801.60
6. (d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 26,416.97	\$ 30,946.97
7. Total Disbursements (from Line 20)	\$ 2,858.74	\$ 7,388.74
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 23,558.23	\$ 23,558.23
9. Debts and Obligations Owed TO The Committee	\$ ---	
10. Debts and Obligations Owed BY the Committee	\$ ---	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

David E. Brogan
Type or Print Name of Treasurer

[Signature]
SIGNATURE OF TREASURER

1/6/86
Date

For further information contact:
Federal Election Commission
550 E Street, N.W.
Washington, D.C. 20543
Tel. Fax: (202) 453-3437
Local: (202) 576-3437

NOTE: Submission of false, erroneous or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. 6424.

All previous versions of PDC FORM 3 and PDC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

83040690212

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

September 19, 1986

WHO MUST FILE

ALL Party Committees, Nonconnected Committees and Separate Segregated Funds, except those that file monthly (see below), must file a quarterly report by October 15, 1986.

WHAT MUST BE REPORTED

The report must disclose all financial activity that occurred from the close of books for the last report filed through September 30, 1986. Political committees that have not previously filed a financial disclosure report should report all financial activity through September 30, 1986.* For more detailed instructions, consult your campaign guide.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight October 15, 1986. Reports hand delivered or mailed first class must be received no later than close of business October 15, 1986.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by October 20, 1986, and disclose all financial activity from September 1 through September 30, 1986. (See Monthly Filers on the reverse side.)

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is also a serious violation. Offending committees are subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted, and committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received or disbursed during the current reporting period. See 11 CFR 104.3(a) and (b).



REMINDERS

QUARTERLY FILERS

Committees that make contributions or expenditures (including independent expenditures) in connection with an election, and coordinated party expenditures in connection with a general election, must file a pre-election report if this activity has not been previously disclosed. See the January 1986 issue of the Federal Election Commission Record for primary and general election filing requirements.

MONTHLY FILERS

Committees that are filing monthly must file a pre-general election report due on October 23, a post-general election report due on December 24, and a year-end report due January 31, 1987, instead of monthly reports on November 20, December 20 and January 20, 1987. See the schedule below.

<u>REPORT</u>	<u>PERIOD COVERED</u>	<u>REG./CONF. MAILING DATE</u>	<u>FILING DATE</u>
Pre-general	10/01 - 10/15	10/20/86	10/23/86
Post-general	10/16 - 11/24	12/24/86	12/24/86
Year-end	11/25 - 12/31	01/31/87	01/31/87

See General Election Notice

INDEPENDENT EXPENDITURES

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c)(2) and (3) for information concerning where to file.

A notice explaining general election filing requirements will be sent to you before the general election.

FOR INFORMATION CALL: Information Services Division
800/424-9530 or 202/376-3120

33040590214

GENERAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

September 29, 1986

WHO MUST FILE THE PRE-GENERAL ELECTION REPORT

ALL COMMITTEES that file monthly reports must file the pre-general election report due October 23, 1986.

All COMMITTEES that file quarterly that have made contributions or expenditures (including independent expenditures and coordinated party expenditures) in connection with the general election must file a pre-election report, if such activity has not previously been reported. See below for post-general filing information.

WHAT MUST BE REPORTED

Quarterly filers must disclose all financial activity from the close of books of the last report, or from the date of registration* (whichever is later), through October 15, 1986. (Monthly filers must disclose all financial activity from October 1 or from the date of registration* (whichever is later), through October 15, 1986.) For more detailed instructions, consult your campaign guide.

WHEN TO FILE

Pre-general election reports sent registered or certified mail must be postmarked no later than midnight October 20, 1986. Reports hand delivered or mailed first class must be received no later than close of business October 23, 1986.

WHO MUST FILE THE POST-GENERAL ELECTION REPORT

ALL COMMITTEES must file the post-general election report due December 4, 1986, regardless of election activity.

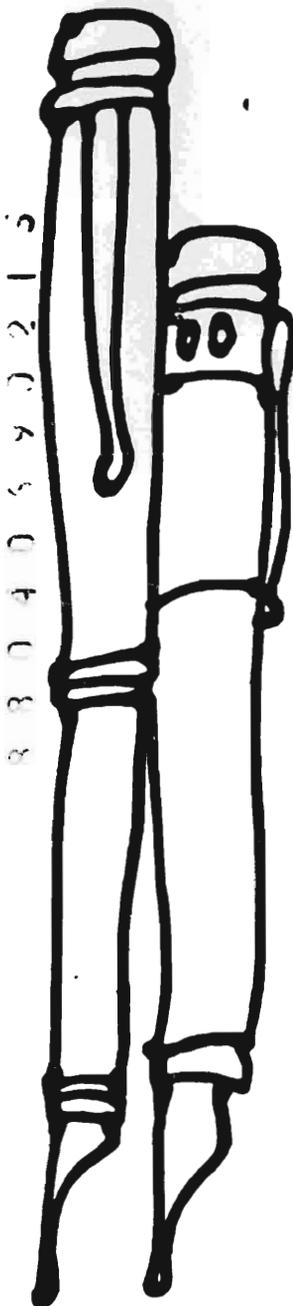
WHAT MUST BE REPORTED

The report must disclose all financial activity from the close of books of the last report, or the date of registration* (whichever is later), through November 24, 1986.

WHEN TO FILE

Post-general election reports sent by registered or certified mail must be postmarked no later than midnight December 4, 1986. Reports hand delivered or mailed first class must be received no later than close of business December 4, 1986.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received or disbursed during the current reporting period. See 11 CFR 104.3(a) and (b).



QUARTERLY FILERS

<u>Name of Report</u>	<u>Period Covered</u>	<u>Reg./Cert.</u> <u>Mailing Date</u>	<u>Filing Date</u>
Oct. Quarterly	07/01 ^{1/} - 09/30	10/15/86	10/15/86
Pre-General	10/01 - 10/15	10/20/86	10/23/86
Post-General ^{2/}	10/16 - 11/24	12/04/86*	12/04/86*
Year-End	11/25 - 12/31	01/31/87	01/31/87

MONTHLY FILERS

<u>Name of Report</u>	<u>Period Covered</u>	<u>Reg./Cert.</u> <u>Mailing Date</u>	<u>Filing Date</u>
Oct. Monthly	09/01 ^{1/} - 09/30	10/20/86	10/20/86
Pre-General	10/01 - 10/15	10/20/86	10/23/86
Post-General	10/16 - 11/24	12/04/86*	12/04/86*
Year-End	11/25 - 12/31	01/31/87	01/31/87

*Follow these dates for mailing and filing the post-general report. Disregard dates shown on the October Quarterly Report Notice dated September 19, 1986.

INDEPENDENT EXPENDITURES

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c) (2) and (3) for information concerning where to file.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X, for details.

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is also a serious violation. Offending committees are subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted, and committees filing such documents will be required to refile.

^{1/}Or from date of registration, or the close of books of the last report filed, whichever is later.

^{2/}Reports filed by committees that did not file the pre-general election report should cover all financial activity from the closing date of the last report or from the date of registration (whichever is later), through November 24, 1986. See the footnote on the reverse side.

FOR INFORMATION CALL: Information Services Division
800/424-9530 or 202/376-3120

38040590210



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

OCT 20 1986

NS-L

David E. Brogen, Treasurer
U.S. West Inc. Political
Action Committee
7800 E. Orchard Road
Suite 190
Englewood, CO 80111

Identification Number: C00184374

Reference: 1985-1986 Election Cycle Reports

Dear Mr. Brogen:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may have violated 2 U.S.C. §434(a), by failing to timely file Reports of Receipts and Disbursements. The following is a list of the reports in question.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Mid-Year (1/1/85-6/30/85)	7/31/85	8/8/85
April Quarterly (1/1/86-3/31/86)	4/15/86	8/11/86
July Quarterly (4/1/86-6/30/86)	7/15/86	8/11/86

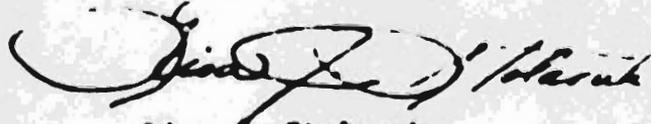
Timely filing is a specific requirement of the Federal Election Campaign Act ("the Act") and is essential to fulfilling the public disclosure concept embodied in that law. The Commission views the untimely filing of reports as a serious violation of the Act. This communication is to advise you that, notwithstanding any matters which may be pending before the Commission, any additional report which is not submitted in a timely manner by your committee may result in the Commission initiating legal enforcement or audit action.

You may submit a letter of explanation in response to this notification. If, however, you have any questions, please feel

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free to contact Andrew J. Dodson on our toll-free number, (800) 424-3530. Our local number is (202) 376-2480.

Sincerely,



Lisa J. Stolaruk
Chief, Party/Non-Party Branch
Reports Analysis Division

3040690218



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

BQ-7

November 4, 1986

David E. Brogan, Treasurer
U.S. West, Inc. Political Action
Committee (U.S. WEST PAC)
7800 East Orchard Road
Englewood, CO 80111

Identification Number: C00184374

Reference: October Quarterly Report (through 9/30/86)

Dear Mr. Brogan:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or the relevant portions should also be filed with the Secretary of State or equivalent State officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Andrew Dodson on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

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REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

RECEIVED AT THE PCC
08 NOV 21 012:18

(Summary Page)

1. Name of Committee (in Full)

U S WEST, Inc.
Political Action Committee

Address (Number and Street)

7800 E. Orchard Road, Suite 190

City, State and ZIP Code

Englewood, CO 80111

Check here if address is different than previously reported.

2. POC Identification Number
COO 184374

3. This committee qualified as a multifunction committee during this Reporting Period on _____

4. TYPE OF REPORT (Check appropriate box)

- (a) April 15 Quarterly Report October 15 Quarterly Report
 - July 15 Quarterly Report January 31 Year End Report
 - July 31 Mid Year Report (Non-Election Year Only)
 - Monthly Report for _____
 - Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
 - Thirtieth day report following the General Election on _____ in the State of _____
 - Termination Report
- (b) Is this Report an Amendment? YES NO

SUMMARY

5. Covering Period 7/1/86 through 9/30/86

6. (a) Cash on hand January 1, 1986

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 9B)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 2B)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

David E. Brogan

Type or Print Name of Treasurer

David E. Brogan
SIGNATURE OF TREASURER

10-15-86

Date

For further information contact:

Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20543
Tel: (202) 451-4500
Local: 202-596-9100

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of POC FORM 3 and POC FORM 3a are obsolete and should no longer be used.

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PCC FORM 3X (3/86)

9853734424392320

SCHEDULE B

ITEMIZED DISBURSEMENTS

The amounts indicated for each category of the Detailed Summary Page

PAGE 2 OF 2
FOR LINE NUMBER

Any information copied from such Reports and Statements may not be used by any person for the purpose of making contributions or for campaign purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

9
5
7
3
4
5
1
1
6
5
4

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
COMMITTEE TO RE-ELECT BOUC WALGREEN 29TH FLOOR 1 MELON BANK CTR PITTSBURGH, PA 15219	CONTRIBUTION Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/22/86	\$250.00
COMMITTEE TO ELECT HENSON MOORE 4911 BIRMINGHAM AVE BATONROUGE LA 70808	CONTRIBUTION Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/22/86	\$1,000.00
COMMITTEE TO ELECT PAULA HANCKINS 114 E CONSTOCK AVE SUITE 201 PO BOX 193 WINTER PARK FL 32789	CONTRIBUTION Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/27/86	\$500.00
COMMITTEE FOR WENDALL FORD PO BOX 1900 RICHMOND, KY 40475	CONTRIBUTION Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/1/86	\$1,000

SUBTOTAL of Disbursements This Page (entered)	3,250
TOTAL This Period (last page this line number only)	12,000

SENSITIVE

87 APR 14 9:41
FEDERAL ELECTION COMMISSION SECRETARY

**FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463**

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION _____

**RAD REFERRAL 87NF-45
STAFF MEMBER
Deborah Curry**

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENT'S NAMES: U S West, Inc. Political Action
Committee and David E. Brogan, as
treasurer

RELEVANT STATUTES: 2 U.S.C. §§ 434(a)(4)(A)(i), (ii), and (iv)
11 C.F.R. § 104.5(c)(1)(i) and (ii)
11 C.F.R. § 104.5(c)(2)(i)(A)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

This matter was generated by the Reports Analysis Division ("RAD") after a review of the disclosure reports of U S West, Inc. Political Action Committee (hereinafter "U S West PAC").

SUMMARY OF ALLEGATIONS

The RAD referral reveals that the U S West PAC and David E. Brogan, as treasurer, may have violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv) by failing to file five (5) Reports of Receipts and Disbursements in a timely manner for the 1985-1986 election cycle.

FACTUAL AND LEGAL ANALYSIS

According to the RAD referral, U S West PAC failed to file five (5) Reports of Receipts and Disbursements in a timely manner for the 1985-1986 election cycle. (see Chart, Attachment 1, page 4).

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The reports were filed between eight (8) and one hundred eighteen (118) calendar days late. In addition, the Committee failed to file the 1986 12 Day Pre-General Election Report by Election Day, November 4, 1986.

On October 20, 1986, a Chronic Late Filing Notice was sent to the Committee for failing to file the 1985-Mid-Year, 1986 April Quarterly, and 1986 July Quarterly Reports in a timely manner. (Attachment 1 page 19). The Notice advised the Committee that any additional late filing of reports may result in legal enforcement action.

On September 29, 1986, the Committee was notified that a 1986 12 Day Pre-General Election Report was due on October 23, 1986, if contributions and expenditures were to be made in connection with the general election during the reporting period. (October 1, 1986 to October 15, 1986) (Attachment 1, pages 17-18).

Subsequent to sending the Chronic Late Filing Notice, the Committee failed to file the 1986 12 Day Pre-General Election Report in a timely manner. A \$1,000 contribution to a federal candidate on October 1, 1986 was disclosed on the 1986 30 Day Post-General Election Report, indicating that the Committee should have filed a 1986 12 Day Pre-General Election Report. (Attachment 1, pages 23-25). 1/

Prior to this referral, U S West PAC was referred to this office for failing to file the 1986 October Quarterly Report by

1/ The 30 Day Post-General Report filed on 12/15/86 contained the 12 Day Pre-General activity.

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Election Day. (RAD Referral # 86NF-41). Based on that referral, the Commission found reason to believe that U S West PAC and David E. Brogan as treasurer, violated 2 U.S.C.

§ 434(a)(4)(A)(i) and opened a MUR in that matter. (MUR 2325).

On February 6, 1987, Counsel for Respondents filed an answer to the Commission's notification of a finding of reason to believe. (Attachment 2, pages 26-30). According to that response, U S West PAC does not contest the allegation that they failed to file the 1986 Quarterly Report in a timely manner. Rather, U S West PAC asserts that the circumstances of the case requires that no further action should be taken since the Committee's treasurer used "best efforts" to obtain and submit the information required by the Act. (Attachment 1, pages 27 and 28). Counsel for U S West PAC notes among other things the lack of experience of both the Committee and present Committee treasurer, the many changes in the Committee's treasurers during the Committee's short existence and the inability of the Committee to secure a PAC Administrator before the October filing deadline as facts that warrant a finding of "best efforts." (Attachment 2)

Additionally, Counsel for U S West PAC notes the Committee's prior pattern of compliance, and indicated that with the addition of the New PAC Administrator future deadlines would be met promptly. (Attachment 2 page 28). 2/ Counsel for U S West

2/ This subsequent referral from RAD indicating the chronic late filing status of this committee appears to undercut the veracity of this contention.

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PAC requests pre-probable cause conciliation in the event that the Commission declines to dismiss the matter. (Attachment 2 page 29).

2 U.S.C. § 434(a) requires the timely filing of Reports of Receipts and Disbursements. 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv). In the instant referral U.S. West PAC has failed to file in a timely manner five (5) Reports of Receipts and Disbursements. (1985 Mid-Year, April, July, October 1986 Quarterlies and 1986 Pre General).

With regard to the RAD referral, it is the recommendation of the Office of General Counsel that the Commission open a MUR in the matter and find reason to believe U S West, Inc. Political Action Committee and David E. Brogan as treasurer violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv).

With regard to the pre-existing MUR 2325, the Office of General Counsel makes the following recommendations. First, in as much as MUR 2325 and the present RAD referral deal with similar violations of the reporting provisions of the Act, the Office of General Counsel recommends that MUR 2325 be merged with the present matter. Second, since U S West PAC must be afforded an opportunity to respond to the additional violations raised by the present RAD referral, the Office of General Counsel recommends that the Commission decline Respondents' request for pre-probable cause conciliation at this time.

RECOMMENDATIONS

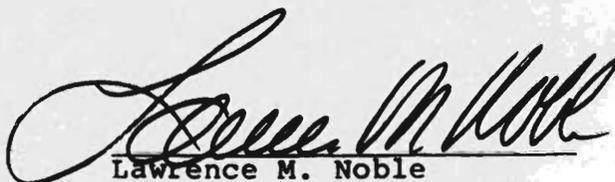
1. Open MUR.

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2. Find reason to believe U.S West, Inc. Political Action Committee and David E. Brogan, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv).
3. Merge MUR 2325 into the present matter.
4. Decline to enter into conciliation prior to a finding of probable to believe at this time.
5. Approve attached letters and General Counsel's Factual and Legal Analysis.

Date

4/13/87



Lawrence M. Noble
Acting General Counsel

Attachments

1. Referral Materials
2. Kline Response to MUR 2325
3. Letters (2)
4. General Counsel Factual and Legal Analysis (1)

88040640228

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
U S West, Inc. Political)
Action Committee and)
David E. Brogan, as)
treasurer)

RAD REFERRAL 87NF-45

(MUR
2389)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of April 22, 1987, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in the above-captioned matter:

1. Open a Matter Under Review (MUR).
2. Find reason to believe U S West, Inc. Political Action Committee and David E. Brogan, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv).
3. Merge MUR 2325 into the present matter.
4. Decline to enter into conciliation prior to a finding of probable cause to believe at this time.
5. Approve the letters and General Counsel's Factual and Legal Analysis attached to the General Counsel's report dated April 13, 1987.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

4-23-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 29, 1987

Josiah O. Hatch, III
Gibson, Dunn & Crutcher
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: MUR 2389
U S West, Inc.,
Political Action
Committee and
David E. Brogan, as
treasurer

Dear Mr. Hatch:

On April 22, 1987, the Federal Election Commission determined there is reason to believe your clients U S West, Inc., Political Action Committee and David E. Brogan, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii), and (iv), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, your clients have an opportunity to demonstrate that no action should be taken against them. You may submit any factual or legal materials, on behalf of your clients, which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your clients, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

Please note that the Commission has merged the prior MUR 2325 into the above referenced matter. In addition, the Commission has denied U S West PAC's prior request, with regard to MUR 2325, to enter into conciliation prior to probable cause to believe, until responses are received concerning these

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additional violations. If your clients are still interested in pursuing pre-probable cause conciliation after reviewing these additional violations, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 29, 1987

David E. Brogan, Treasurer
U.S. West Inc., Political Action
Committee
7800 East Orchard Road, Suite 190
Englewood, CO 80111

RE: MUR 2389
U.S. West, Inc.,
Political Action
Committee and
David E. Brogan, as
treasurer

Dear Mr. Brogan:

On April 22, 1987, the Federal Election Commission determined there is reason to believe U.S. West, Inc., Political Action Committee and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii), and (iv), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

Please note that the Commission has merged the prior MUR 2325 into the above referenced matter. In addition, the Commission has denied U S West PAC's prior request, with regard to MUR 2325, to enter into conciliation prior to probable cause to believe, until responses are received concerning these

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additional violations. If you are still interested in pursuing pre-probable cause conciliation after reviewing these additional violations, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202)376-8200.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

- General Counsel's Factual and Legal Analysis Procedures
- Designation of Counsel Statement

83040590234

CCC# 3366

**GIBSON, DUNN & CRUTCHER
LAWYERS**

1050 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

(202) 955-8500

TELEX: 992501 GISTRASK WSH

CABLE ADDRESS: GISTRASK WASHINGTON D.C.

May 12, 1987

JAS. A. GIBSON, 1882-1922
W. E. DUNN, 1861-1925
ALBERT CRUTCHER, 1860-1931

NEW YORK
9 WEST 87TH STREET
NEW YORK, NEW YORK 10019
(212) 806-7900
CABLE ADDRESS: GISTRASK NEW YORK
TELEX: 177920 GISTRASK NYK

EUROPE
104 AVENUE RAYMOND POINCARÉ
75116 PARIS, FRANCE
45 01 93 83
CABLE ADDRESS: GISTRASK PARIS
TELEX: 613092 GISTRASK F

LONDON
73 SOUTH AUDLEY STREET
LONDON W1Y 8FF, ENGLAND
01-499-8010
CABLE ADDRESS: GISTRASK LONDON W1
TELEX: 27731 GISTRASK G

AFFILIATED SAUDI ARABIA OFFICE
REDEC PLAZA
AIRPORT ROAD
P.O. BOX 8026
RIYADH, SAUDI ARABIA
477-0893
TELEX: 204078 PANLAW SJ

LOS ANGELES
333 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071
(213) 229-7000
CABLE ADDRESS: GISTRASK LSA
TELEX: 674930

DENVER
1801 CALIFORNIA STREET
DENVER, COLORADO 80202
(303) 298-7200

DALLAS
1700 PACIFIC AVENUE
DALLAS, TEXAS 75201
(214) 979-8100

CENTURY CITY
2029 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067
(213) 552-8500

NEWPORT CENTER
800 NEWPORT CENTER DRIVE
NEWPORT BEACH, CALIFORNIA 92660
(714) 759-3800

SAN DIEGO
600 B STREET
SAN DIEGO, CALIFORNIA 92101
(619) 531-7000

SAN JOSE
ONE ALMADEN BOULEVARD
SAN JOSE, CALIFORNIA 95131
(408) 998-2000

WRITER'S DIRECT DIAL NUMBER

(202) 955-8512

OUR FILE NUMBER

C-93166-00001

BY HAND

The Honorable Scott E. Thomas
Chairman
Federal Election Commission
999 E Street, N.W.
9th Floor
Washington, D.C. 20463

Re: MUR 2389, U S WEST, Inc. Political Action
Committee and David E. Brogan as Treasurer

Dear Mr. Chairman:

I am writing in response to your letter of April 29, 1987, informing us, as Counsel to the U S West, Inc. Political Action Committee (the "Committee") and its Treasurer, David E. Brogan, that the Federal Election Commission (the "Commission") has determined that there is reason to believe that the Committee and Mr. Brogan have violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended (the "Act").

We received your letter on May 4, 1987 and are submitting this response on our clients' behalf within the specified fifteen day period.

In our response on behalf of the Committee and Mr. Brogan to the Commission's January 20, 1987 letter (MUR 2325) concerning the late filing of the October 1987 Quarterly Report of Receipts and Disbursements, we pointed out the following:

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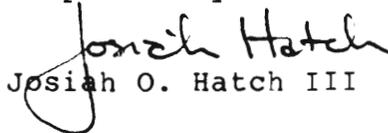
The Honorable Scott E. Thomas
May 12, 1987
Page 2

- (1) The Committee was small, recently formed and inexperienced, and charged with an unusually difficult administrative purview;
- (2) Over the previous year, the Committee had experienced difficulties related to turnover in the position of PAC Treasurer;
- (3) Mr. Brogan, as the latest in a series of Treasurers, attempted to bring the Committee up to date after taking up his position in mid-1986; it is important to note that three of the five violations described in your letter occurred prior to Mr. Brogan's tenure as Treasurer and he can be credited with taking steps to file all outstanding reports when he arrived on the job; the two remaining violations were contemporaneous and we believe that our response of February 5, 1987 regarding the October 1986 quarterly report applies equally to the 12 day pre-election filing;
- (4) We believed that the Committee and Mr. Brogan had been made fully aware of the importance of the statutory requirements and that the Federal Election Campaign Act's requirements would be complied with thereafter without further Commission action.

While we were not aware, at the time of our previous response, that additional violations would be alleged by the Commission, we point out that the four additional late filings described by MUR 2389 all arose from the same factual context discussed in our response of February 4, which we attach hereto. We continue to believe that no bad faith or effort to circumvent the laws is involved in any of these related late filings, and that there is every reason to expect that all subsequent deadlines and requirements will be complied with promptly.

Therefore, in an effort finally to resolve this matter and concentrate all efforts on future compliance, the Committee and Mr. Brogan have asked that we request pre-probable cause conciliation on consolidated MURS 2325 and 2389.

Respectfully submitted,


Josiah O. Hatch III

Enclosure

cc: Deborah Curry, Esq.
Office of General Counsel
Federal Election Commission

Brian M. Bell, Esq.
Mr. David E. Brogan
Peter L. Baumbusch, Esq.
Richard M. Russo, Esq.

89040690236

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
U S West, Inc. Political) MUR 2389
Action Committee and)
David E. Brogan, as)
treasurer)

07 JUL 16
AUG 1 97

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On January 14, 1987, in MUR 2325, the Commission found reason to believe U S West, Inc. Political Action Committee ("U S West PAC") and David E. Brogan, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file the 1986 Quarterly Report in a timely manner. On April 22, 1987, the Commission also found reason to believe that U S West PAC and David E. Brogan, as treasurer, violated 2 U.S.C. §§ (a)(4)(A)(i), (ii) and (iv) by failing to file in a timely manner five (5) Reports of Receipts and Disbursements (1985 Mid-year; April, July, October 1987 ¹/_{Quarterlies and the 1986 Pre-General Reports}).

On that same date, April 22, 1987, the Commission also voted to merge the prior MUR 2325 into the present MUR 2389 due to the similarity of the issues involved. The Commission also denied U S West PAC's prior request, in MUR 2325 to enter into conciliation prior to a finding of probable cause to believe, until such time as responses could be received concerning the additional violations cited in MUR 2389.

¹/ The 1986 October Quarterly Report was the subject of MUR 2325. As previously noted, the Commission found reason to believe in MUR 2325 that West PAC and its treasurer had violated the Act by failure to file the report in a timely manner.

98040590237

On May 12, 1987, the Office of the General Counsel received a response from the Respondents requesting settlement of the matter prior to a finding of probable cause to believe.

(Attachment 1.) Additionally, U S West PAC states that while they were not aware of the additional violations at the time of the Committee's initial response to the prior MUR (2325), the additional violations found by Commission arose out of the same factual context as discussed in their prior response.

(Attachment 1, page 2.) U S West PAC as part of its subsequent response to the additional violations contained in MUR 2389 also attached a copy of its initial response to the Commission in MUR 2325. (Attachment 1, pages 3-6.)

On June 4, 1987, pursuant to a request for further information, U S West PAC submitted a supplemental response. (Attachment 2.) This response clarified the semi-monthly payroll deduction entries on U S West PAC's Schedule A contained in their 30 Day Post General Election Report covering the period from 10/11/86 through 10/15/86.

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III. RECOMMENDATIONS

1. Enter into conciliation with U S West, Inc. Political Action Committee and David E. Brogan, as treasurer, prior to a finding of probable cause to believe.

2. Approve the attached proposed conciliation agreement and letter.

Date

7/15/87

BY:

Lawrence M. Noble

Lawrence M. Noble
Acting General Counsel

Attachments

- 1. Response of U S West Pac
- 2. Supplemental Response of U S West PAC
- 3. Proposed Conciliation Agreement
- 4. Letter to Respondents



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: LAWRENCE M. NOBLE
ACTING GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ SUSAN GREENLEE ^{S.G.}

DATE: JULY 17, 1987

SUBJECT: COMMENTS ON MUR 2389: GENERAL COUNSEL'S REPORT
SIGNED JULY 15, 1987

Attached is a copy of Commissioner ELLIOTT'S
vote sheet with comments regarding the above-captioned matter.

83040690240

Attachment:
copy of vote sheet



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DATE & TIME TRANSMITTED: THURSDAY, JULY 16, 1987, 4:00

COMMISSIONER: AIKENS, ELLIOTT, JOSEPIAK, McDONALD, McGARRY, THOMAS

RETURN TO COMMISSION SECRETARY BY MONDAY, JULY 20, 1987, 4:00

SUBJECT: MUR 2389: GENERAL COUNSEL'S REPORT
SIGNED JULY 15, 1987

88040590241

97
P4:00

- I approve the recommendation
- I object to the recommendation

COMMENTS: Note on Pg. 3 -
1st - is for 1985, Mid-Year Report.

DATE: 7-17-87 SIGNATURE LeeAnn Elliott

A DEFINITE VOTE IS REQUIRED. ALL BALLOTS MUST BE SIGNED AND DATED.
 PLEASE RETURN ONLY THE BALLOT TO THE COMMISSION SECRETARY.
 PLEASE RETURN BALLOT NO LATER THAN DATE AND TIME SHOWN ABOVE.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 U S West, Inc. Political)
 Action Committee and) MUR 2389
 David E. Brogan, as)
 treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 20, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2389:

1. Enter into conciliation with U S West, Inc. Political Action Committee and David E. Brogan, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter, as recommended in General Counsel's Report Signed July 15, 1987.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

7-20-87
 Date

Marjorie W. Emmons
 Marjorie W. Emmons
 Secretary of the Commission

Received in the Office of Commission Secretary: Thurs., 7-16-87, 10:37
 Circulated on 48 hour tally basis: Thurs., 7-16-87, 4:00
 Deadline for vote: Mon., 7-20-87, 4:00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 22, 1987

Josiah O. Hatch, III, Esq.
Gibson, Dunn & Crutcher
1050 Connecticut Ave., N.W.
Washington, DC 20036

RE: MUR 2389
U S West, Inc. Political
Action Committee and
David E. Brogan, as treasurer

Dear Mr. Hatch:

On January 14, 1987, in MUR 2325, the Federal Election Commission found reason to believe that U S West, Inc. Political Action Committee and David E. Brogan, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i). On April 22, 1987, in MUR 2389, the Commission also found reason to believe U S West, Inc. Political Action Committee and David E. Brogan, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv). Furthermore, the Commission merged MUR 2325 into MUR 2389. At your request, on July 20, 1987, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

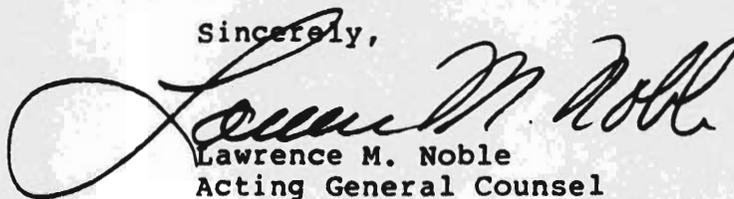
88040690243

7/22/87

Josiah O. Hatch, III, Esq.
Page 2

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Deborah Curry, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

83040690244

QCC#4609

**GIBSON, DUNN & CRUTCHER
LAWYERS**

1050 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

(202) 955-8500

TELEX: 892501 GIBTRASK WSH

CABLE ADDRESS: GIBTRASK WASHINGTON D.C.

JAS. A. GIBSON, 1882-1922
W. C. DUNN, 1861-1928
ALBERT CRUTCHER, 1860-1931

NEW YORK

9 WEST 87TH STREET
NEW YORK, NEW YORK 10018
(212) 806-7800
CABLE ADDRESS: GIBTRASK NEW YORK
TELEX: 177920 GIBTRASK NYK

EUROPE

104 AVENUE RAYMOND POINCARÉ
75116 PARIS, FRANCE
49 01 93 83
CABLE ADDRESS: GIBTRASK PARIS
TELEX: 813092 GIBTRASK F

LONDON

73 SOUTH AUDLEY STREET
LONDON WY 8PF, ENGLAND
01-499-8000
CABLE ADDRESS: GIBTRASK LONDON WY
TELEX: 27731 GIBTRK G

AFFILIATED SAUDI ARABIA OFFICE

REDEC PLAZA
AIRPORT ROAD
P.O. BOX 9028
RIYADH, SAUDI ARABIA
477-0883
TELEX: 204078 PANLAW SJ

LOS ANGELES
333 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071
(213) 229-7000
CABLE ADDRESS: GIBTRASK LSA
TELEX: 874830

DENVER

1801 CALIFORNIA STREET
DENVER, COLORADO 80202
(303) 298-7200

DALLAS

1700 PACIFIC AVENUE
DALLAS, TEXAS 75201
(214) 979-8100

CENTURY CITY

2029 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067
(213) 882-8500

NEWPORT CENTER

800 NEWPORT CENTER DRIVE
NEWPORT BEACH, CALIFORNIA 92660
(714) 759-3800

SAN DIEGO

600 B STREET
SAN DIEGO, CALIFORNIA 92101
(619) 531-7000

SAN JOSE

ONE ALHADEN BOULEVARD
SAN JOSE, CALIFORNIA 95113
(408) 998-2000

October 20, 1987

WRITER'S DIRECT DIAL NUMBER

OUR FILE NUMBER

(202) 955-8512

C-93116-00001

HAND DELIVERED

Lawrence M. Noble, Esquire
Acting General Counsel
Federal Election Commission
999 E Street, N.W., Room 657
Washington, D.C. 20463

Re: MUR 2389
U S WEST, Inc., Political Action Committee and
David E. Brogan, Treasurer

Dear Mr. Noble:

I enclose herewith the submitted by you for my signature on behalf of U S WEST, Inc., Political Action Committee and David E. Brogan, Treasurer, respondents in the above-referenced Matter-Under-Review. After consultation with respondents, I have executed the conciliation agreement and enclose herewith the required check for \$2,000 in satisfaction of respondents' obligations under the conciliation agreement. I understand that this payment and the return of the conciliation agreement constitute complete settlement of MUR 2389 and that the file will now be closed.

Sincerely,

Josiah Hatch
Josiah O. Hatch III

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Enclosures

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RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
87 OCT 21 PM 3:04



U S WEST, Inc.
7800 East Orchard Road
Englewood, Colorado 80111

United Bank of Grand Junction
Grand Junction, Colorado 81501

82-91
1021

CHECK NO

100191

PAY

TWO THOUSAND DOLLARS AND NO CENTS

VOID AFTER 180 DAYS

TO THE ORDER OF

DATE

CHECK AMOUNT

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

10/19/87*****\$2,000.00

Keta Thant

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⑈ 100191 ⑈ ⑆ 102100918 ⑆ 001 9799 ⑈

CC#4609

MEMORANDUM

TO: DEBRA A. TRIMIEW

TO: CECILIA LIEBER

FROM: CECILIA LIEBER

FROM: Michele Broussard
~~DEBRA A. TRIMIEW~~

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
87 OCT 21 PM 3: 04

CHECK NO. 100191 { A COPY OF WHICH IS ATTACHED } RELATING TO

MUR 2389 AND NAME David E Brogan, Treasurer
(Curry)

WAS RECEIVED ON 10/21/87. PLEASE INDICATE THE ACCOUNT INTO

WHICH IT SHOULD BE DEPOSITED:

- / X / BUDGET CLEARING ACCOUNT { 95F3875.16 }
- / / CIVIL PENALTIES ACCOUNT { 95-1099.160 }
- / / OTHER _____

SIGNATURE Michele Broussard

DATE 10/21/87

BEFORE THE FEDERAL ELECTION COMMISSION NOV 24 AM 10:46

In the Matter of)
)
U S West, Inc. Political Action) MUR 2389
Committee and David E. Brogan, as)
treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Josiah O. Hatch, III, on behalf of U S West, Inc. Political Action Committee and David E. Brogan, as treasurer.

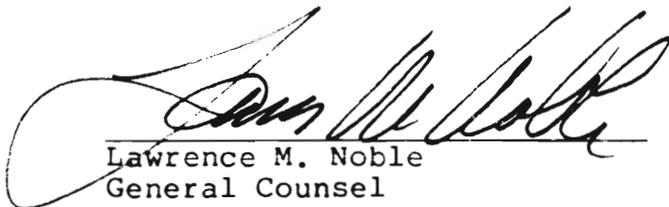
The attached agreement contains no changes from the agreement approved by the Commission on September 28, 1987. A check for the civil penalty (\$2,000) has been received.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with U S West, Inc. Political Action Committee and David E. Brogan, as treasurer.
2. Close the file.
3. Approve the attached letter.

Date

11/23/87


Lawrence M. Noble
General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check
3. Letter to Respondent

88040590247

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
U S West, Inc. Political Action)
Committee and David E. Brogan, as) MUR 2389
treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 27, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2389:

1. Accept the conciliation agreement with U S West, Inc. Political Action Committee and David E. Brogan, as treasurer, as recommended in the General Counsel's report signed November 23, 1987.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's report signed November 23, 1987.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

11-27-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Tues., 11-24-87, 10:46
Circulated on 48 hour tally basis: Tues., 11-24-87, 4:00
Deadline for vote: Fri., 11-27-87, 4:00

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plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

02 December 1987

Josiah O. Hatch, III, Esquire
Gibson, Dunn & Crutcher
1050 Connecticut Ave., N.W.
Washington, D.C. 20036

RE: MUR 2389
U S West, Inc. Political
Action Committee and
David E. Brogan, as
treasurer

Dear Mr. Hatch:

On November 27, 1987, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your client. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

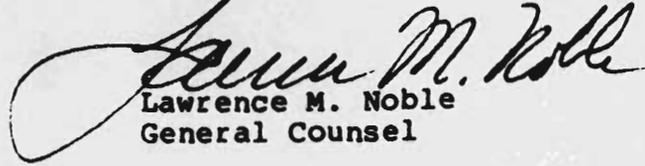
Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any

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Letter to Josiah O. Hatch, III
Page 2

questions, please contact Deborah Curry, the attorney assigned to
this matter at (202) 376-8200.

Sincerely,


Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

88040690250

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
U S West, Inc.) MUR 2389
Political Action Committee)
and David E. Brogan,)
as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe U S West, Inc. Political Action Committee and David E. Brogan, as treasurer, ("Respondents") violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv) by failing to file five (5) Reports of Receipts and Disbursements in a timely manner during the 1985-86 election cycle.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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IV. The pertinent facts in this matter are as follows:

1. U S West, Inc. Political Action Committee (hereinafter "U S West PAC") is the separate segregated fund of U S West Inc. David E. Brogan is treasurer of U S West PAC.

2. Respondents were required by 2 U.S.C. § 434(a)(4)(A)(iv) to file the 1985 Mid-Year Report by July 31, 1985. Respondents failed to file the 1985 Mid-Year Report until August 8, 1985. The 1985 Mid-Year Report was filed 9 days late.

3. Respondents were required by 2 U.S.C. § 434(a)(4)(A)(i) to file their 1986 April Quarterly Report on April 15, 1986. Respondents failed to file the 1986 April Quarterly Report until August 11, 1986. The 1986 April Quarterly Report was filed 119 days late.

4. Respondents were required by 2 U.S.C. § 434(a)(4)(A)(i) to file their 1986 July Quarterly Report by July 15, 1986. Respondents failed to file the 1986 July Quarterly Report until August 11, 1986. The 1986 July Quarterly Report was filed 28 days late.

5. Respondents were required by 2 U.S.C. § 434(a)(4)(A)(i) to file their 1986 October Quarterly Report by October 15, 1986. Respondents failed to file the 1986 October Quarterly Report until November 21, 1986. The 1986 October Quarterly Report was filed 38 days late.

6. Respondents were required by 2 U.S.C. § 434(a)(4)(A)(ii) to file the 1986 Pre-General Election Report

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on October 23, 1986. Respondents failed to file the 1986 Pre-General Election Report until December 15, 1986. The 30 Day Post-General Election Report filed on December 15, 1986 contained the 12 Day Pre-General Election activity. The 12 Day Pre-General Report activity was filed 54 days late.

V. Respondents failure to file these five (5) Reports of Receipts and Disbursements in a timely manner during the 1985-86 election cycle, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Two Thousand Dollars (\$2,000) pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

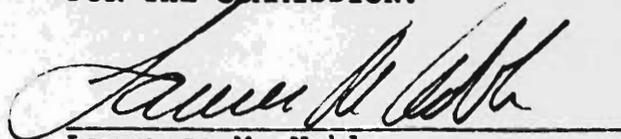
VIII. This agreement shall become effective as of the date all parties hereto have executed the same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

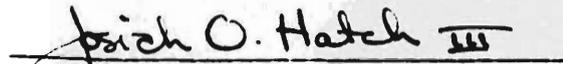


Lawrence M. Noble
General Counsel

12/2/87

Date

FOR THE RESPONDENTS:



Josiah O. Hatch, III
Counsel for Respondents

October 15, 1987

Date

88040690254



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2389

DATE FILMED 3/28/88 CAMERA NO. 4

CAMERAMAN GPC

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