

August 1, 2005

Honorable Allan Arlow  
Administrative Law Judge  
Public Utility Commission of Oregon  
P.O. Box 2148  
Salem, Oregon 97308-2148

Re: ARB 537

Dear Judge Arlow

I have received a copy of a July 28, 2005 letter from Alex Duarte of Qwest to which I would like to reply.

First of all, Western is appealing Judge Aikin's July 25, 2005 Order to the Ninth Circuit. Any further action by the Commission on ARB 537 would be premature and a waste of the party's and Commission resources.

Second, even if the Oregon Commission had the authority to grant a Qwest request intended to prevent Western from seeking the negotiation of an agreement it is too late. Western received Qwest's request for negotiation of an interconnection agreement and two new proposed interconnection agreements on May 10, 2005. I am in the process of preparing a counter proposal and expect to send it to Qwest after Western's attorney has a chance to review it.

It appears that Qwest may be asking the Oregon Commission to make an arbitration decision before the window for filing for arbitration under Section 252(b)(1) opens. At this point in the negotiation process, the only request that Qwest can make of the Commission is to conduct mediation. If Qwest wants to make such a request, Western is willing to participate. If the parties are unable to negotiate an agreement, Qwest will at

the appropriate time be able to petition and ask the Commission to impose its proposed agreements.

If you decide to continue with the ARB 537 matter, I ask that you ignore Qwest's suggestion that Western be excluded from that process.

Sincerely

Richard L. Oberdorfer

cc. Alex M. Duarte  
Gregory B. Monson