

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UX 29

In the Matter of the Petition of

QWEST CORPORATION

Petition to Exempt from Regulation Qwest's
Switched Business Services

RULING

COMMISSION REQUEST FOR
PRODUCTION OF INFORMATION

DISPOSITION: CLEC'S TO RESPOND TO BENCH REQUEST

On June 21, 2004, Qwest Corporation (Qwest) filed with the Public Utility Commission of Oregon (Commission) a petition to exempt from regulation Qwest's switched business services pursuant to ORS 759.030(2) through (4) and OAR 860-032-0025. Qwest's petition seeks such exemption of regulation (or deregulation) for all terms, conditions and rates for certain of Qwest's switched business telecommunications services (switched business services), throughout Qwest's ILEC service territory in the state of Oregon.¹ Qwest alleges that its switched business services in Oregon are subject to competition from alternative providers, and that such alternative providers provide functionally equivalent or substitutable services at comparable rates, terms and conditions. In addition, Qwest alleges there are no economic or regulatory barriers, and that the public interest no longer requires full regulation of Qwest's switched business services.

The applicable law for a petition for exemption from regulation is ORS 759.030 and OAR 860-032-0025. Pursuant to ORS 759.030(3) and OAR 860-032-0025(1), the Commission shall, upon the petition of a telecommunications utility, exempt from regulation a telecommunications utility's services if price and service competition exists. Further, pursuant

¹ The switched business services for which Qwest requests exemption from regulation fall into three categories. The first category consists of those services that provide access to the network, such as flat-rated and measured lines, private branch exchange (PBX) trunks and Centrex services, including feature packages. The second category consists of discretionary business features which are software enhancements available as access line or trunk options. The third category consists of Frame Relay and Asynchronous Transfer Mode (ATM) services (packet-switched services in Qwest's Advanced Communications Services Tariff). Specifically, Qwest proposes to exempt its switched business telecommunications services, as described in its Exchange and Network Services Tariff, PUC Oregon No. 29, Sections 5, 7, 9, 10, 14, 15, 105, 107, 109 and 115; Qwest's Exchange and Network Services Price list, Sections 5 and 105; and Qwest's Advanced Communications Services Tariff, PUC Oregon No. 27, Sections 5 and 107, on file with the Commission.

to ORS 759.030(2) and OAR 860-032-0025(2), upon a petition from any interested party or person, including a telecommunications utility, the Commission may exempt from regulation Qwest's services if one of the three following conditions are met: (1) price and service competition exist; (2) the service is subject to competition; or (3) the public interest no longer requires full regulation of the service.

Under either of the two approaches described above, ORS 759.030(4) and OAR 860-032-0025(3) set forth the factors the Commission must consider in deciding whether there exists price and/or service competition for a telecommunications utility's services, or whether such services are subject to competition, or whether the public interest no longer requires full regulation of such services. These factors are as follows:

1. The extent to which the services are available from alternative providers in the relevant market;
2. The extent to which the services of alternative providers are functionally equivalent or substitutable at comparable rates, terms and conditions;
3. Existing economic or regulatory barriers to entry; and
4. Any other factors deemed relevant by the Commission.

Finally, ORS 759.030(7) provides that within 60 days of filing under Subsections (2), (3) or (6) of ORS 759.030, the Commission shall either determine the appropriateness of the filing or determine that further investigation is necessary. If the Commission determines that further investigation is necessary, the Commission may suspend operation of the filing to allow it to investigate the filing. On August 20, 2004, the Commission suspended operation of Qwest's filing and opened a formal investigation proceeding, docketed as UX 29. Since then, a number of competitive carriers (CLECs) have intervened as parties to the docket.

Due to the appeals of the FCC's Triennial Review Order (TRO), including the D.C. Circuit's decision in the *USTA II* case and the FCC's recent Triennial Review Remand Order (TRRO), as well as various procedural motions in this docket, Qwest's petition had been delayed until very recently. However, now that the FCC has issued its TRRO, the Commission is moving forward with docket UX 29, and thus the Commission is issuing these information requests at this time.

In order for the Commission to conduct a thorough investigation of Qwest's filing, it is necessary to obtain information from competitive telecommunications carriers providing business service within Oregon. Appendix A to this Ruling is a list of information requests designed to satisfy the requirements in ORS 759.030 and OAR 860-032-0025. There are also eight (8) attachments in Excel spreadsheet format for your company to populate the responsive data. The information requests were proposed initially by the

parties in this docket, including Commission Staff, and were negotiated by the parties in large part. The Commission then approved the final list of questions and attachments.

Oregon Administrative Rule 860-032-0007(11) requires carriers holding certificates of authority to provide telecommunications service in Oregon “to respond in a timely manner to Commission inquiries.” All of the CLECs listed on Appendix B of this Ruling hold certificates of authority, and shall file the information requested in Appendix A, and the attachments, with the Commission no later than **April 15, 2005**.

A copy of the Modified Protective Order (Order No. 05-124) issued by the Commission in this docket is attached as Attachment A. The Modified Protective Order is designed to protect “confidential” and “highly confidential” information. Carriers may designate responses to information requests in Appendix A as “confidential” or “highly confidential” in accordance with the terms and procedures in the Modified Protective Order.

If a carrier takes the position that certain information in Appendix A should not be released to the UX 29 parties under the Modified Protective Order, then the carrier must identify the information request, or part thereof, to which it objects. For each such objection, the carrier shall set forth all reasons supporting its objection.

Once designated, the carrier’s confidential or highly-confidential information will not be released to the parties unless a party requests such information and has complied with the terms of the Modified Protective Order. In the event any party requests any confidential or highly-confidential information of a CLEC responding to this bench request, the Commission or its Staff will promptly contact any affected CLEC and allow such CLEC to raise any objections to such disclosure within seven (7) days of such notice. Any determination of disclosure of confidential or highly-confidential CLEC information that is objected to by the CLEC providing such information will be made solely by the Commission or the Administrative Law Judge. If the Commission or the Administrative Law Judge determines to disclose any confidential or highly-confidential information to any party in the docket, any such disclosure would be subject to the protections afforded by the Modified Protective Order.

Although the PUC Staff was not the primary author of the survey questions, we recognize that carriers might have questions about them. Any questions regarding this Ruling or the information requests set forth in Appendix A may be directed to Mr. Steve Chriss of the PUC Staff at 503-378-3778.

Dated at Salem, Oregon, this 16th day of March, 2005.

Allan J. Arlow
Administrative Law Judge

APPENDIX A

UX 29 OPUC Bench Request to CLECs **Business Retail Switched Services in Qwest's Oregon Territory**

Except as otherwise indicated, the following questions require access line and other data reports by Oregon Rate Center.¹ If your company tracks retail customer data by prefix, you may access the following NANPA website to view the Oregon rate centers to determine to which rate center each active prefix is assigned: http://nanpa.com/reports/reports_cocodes.html. At this site, please select the second report on the list, entitled "Central Office Code Utilized Report." For purposes of the reports requested below, please aggregate quantities for each active prefix up to the rate center level, unless specifically requested to report information at a wire center level.² These requests apply only to services provided within Qwest's service territory, and all reported in-service quantities should be as of February 28, 2005.

For purposes of the following questions and the associated spreadsheet, references to the sub-columns "analog" and "digital" under the "Basic Business Service (Flat or Measured)" headings should use the following definitions: "analog" means services that deliver an analog signal to the end-user customer; "digital" means services that deliver a digital signal to the end-user customer.

1. Using the matrix provided as Attachment A, please report the quantity of business switched access lines as of 2/28/05, for each service category indicated along the horizontal axis at the top of the report, you serve via the Qwest Platform Plus ("QPP") service purchased from Qwest.

Note: subpart (a) below may be answered by a simple "yes" or "no."

a. As of the date of your response to #2 above regarding business services based upon QPP, do you accept requests from new business customers (other than those customers you currently serve)?

2. Using the matrix provided as Attachment B, please report the quantity of business switched access lines, for each service category indicated along the horizontal axis at the top of the report, you serve via stand-alone UNE Loop services purchased from Qwest.

3. Using the matrix provided as Attachment C1, please report the quantity of business switched access lines, for each service category indicated along the horizontal axis at the

¹ Since all CLECs do not track customer data by geography as defined by Qwest wire centers, rate centers have generally been selected as the common basis of data comparison. All active prefixes in Oregon for all telecom providers are associated with specific rate centers. Additionally, data collected at the rate center level can easily be translated for analysis into the "geographic zones" established by the OPUC in its report "The Status of Competition and Regulation in the Telecommunications Industry," released January 2004.

² There are multiple wire centers within the Portland, Salem and Eugene rate centers. Since Qwest believes that certain wire centers in these areas qualify for "non-impairment" status with respect to high capacity unbundled loops and/or interoffice transport, the data input sheets attached to these instructions request quantities by wire center to assist the Oregon Commission with its analysis.

top of the report, you serve via loop facilities self-provisioned by CLECs. Same instructions for Attachment C2, but for the business switched access lines provided via loop facilities provided by carriers other than Qwest. Attachments C1 and C2 request that data be reported at the wire center level for rate centers that contain more than one wire center.

4. Using the matrix provided as Attachment D (tabs D1, D2, D3, D4) please report the quantity of business switched access lines, for each service category indicated along the horizontal axis at the top of the report, you serve via special access purchased by your company from Qwest. **NOTE:** there are four tabs in the Excel workbook Attachment D; one for services provided via intrastate DSO-level special access circuits, one for services provided via intrastate DS1 and DS3 special access circuits, one for services provided via interstate DSO-level special access circuits, and the last for services provided via interstate DS1 and DS3 special access circuits. Please complete each workbook tab.

5. Using the matrix provided as Attachment E (tabs E1, E2, E3), please report the quantity of business customers for each service category indicated along the horizontal axis at the top of the report. Please treat each customer location separately (i.e. a company with one location with 25 lines and another with 2 will be listed twice). Please segment your answer into three customer categories: 1 to 2 lines, 3 to 20 lines, and more than 20 lines, which align with the three tabs of the spreadsheet.

6. Using the matrix provided as Attachment F, please report the quantity of lines for each service category indicated along the horizontal axis at the top of the report. Use the following business customer segments to report line counts: 1 to 2 lines, 3 to 20 lines, and more than 20 lines. For this question, aggregate the number of lines provided to a customer, for each applicable service, where the customer has more than one location of service within Qwest's rate centers. For example, if you provide service to Acme at five different Acme stores, aggregate the total number of lines across the locations and provide the aggregated number in Attachment F for the respective service.

7. Please report whether your company currently offers Voice over Internet Protocol ("VoIP") service to business customers in Oregon. If your answer is no, you may ignore the remainder of this question. Using the matrix provided as Attachment G, please separately report the quantity of business telephone numbers in service provided by your company via Voice over Internet Protocol (VoIP) telephony service in Oregon, and state whether your company now offers business VoIP services to business customers in the identified rate centers (the second part of this question should be answered with a "yes or no" for each listed rate center).

8. Since the OPUC does not require CLECs to publicly file tariffs, price lists, catalogs or other pricing information that other state commissions may require, please produce a copy of all price lists, price schedules, catalogs, tariffs or tariff-like documents (similar to what you file in other states) that show your prices in Oregon for the services listed along the horizontal axis at the top of Attachment A.

UX 29 CLEC Survey Questions

Question	Subject	Excel Attachment	Tabs	Notes
1	Qwest Platform Plus ("QPP")	A		
2	UNE-L	B		
3	CLEC self-provisioned loops	C1		Wirecenter Detail
	CLEC via facilities obtained from others	C2		Wirecenter Detail
4	Special Access	D	D1,D2,D3,D4	
5	Customer Size by location	E	E1,E2,E3	
6	Aggregate Customer Size	F		
7	VOIP	G		
8	Tariffs, Price Lists	None		

BUSINESS SERVICES PROVIDED VIA QWEST PLATFORM PLUS	AVAILABILITY OF CLEC BUSINESS SWITCHED BUSINESS SERVICES IN OREGON										
	(Data Vintage 2/28/2005)										
Company Name											
Contact Person/ Telephone Number	Please report below the number of access lines for each listed service category you provide via Qwest Platform Plus (QPP) services										
OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
ALBANY											
ASHLAND											
ASTORIA											
ATHENA											
BAKER/SUMPTER											
BEND											
BLACK BUTTE											
BLUE RIVER											
CANNON BEACH											
CENTRAL POINT											
CLACKAMAS											
CORVALLIS											
COTTAGE GROVE											
CULVER											
DALLAS											
EUGENE RIVER ROAD											
EUGENE 10TH AVE											
SPRINGFIELD											
EUGENE TOTAL											
FALLS CITY											
FLORENCE											
GOLD HILL											
GRANTS PASS											
HERMISTON											
JACKSONVILLE											
JEFFERSON											
JUNCTION CITY/HARRISBURG											
KLAMATH FALLS											
LAPINE											
LEABURG											

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
LOWELL											
MADRAS											
MAPLETON											
MARCOLA											
MEDFORD											
MILTON-FREEWATER											
NEWPORT											
NORTH PLAINS											
OAKLAND											
OAKRIDGE											
PENDLETON											
PHOENIX											
BURLINGTON											
PORTLAND ALPINE											
PORTLAND ATLANTIC											
PORTLAND BELMONT											
PORTLAND BUTLER											
PORTLAND CAPITOL											
PORTLAND CHERRY											
PORTLAND CYPRESS											
PORTLAND HAROLD											
PORTLAND PROSPECT											
PORTLAND TOTAL											
PRINEVILLE											
RAINIER											
REDMOND											
ROGUE RIVER											
ROSEBURG											
SALEM MAIN											
SALEM 10TH AVE											
SALEM TOTAL											
SEASIDE											
SILETZ											
SISTERS											
ST. HELENS											
STANFIELD											

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
TOLEDO											
UMATILLA											
VENETA											
WARRENTON											
WESTPORT											
WOODBURN											

*NOTE: For Frame Relay and ATM services, report links.

BUSINESS SERVICES PROVIDED VIA STAND-ALONE UNE LOOPS	AVAILABILITY OF CLEC BUSINESS SWITCHED BUSINESS SERVICES IN OREGON										
	(Data Vintage 2/28/2005)										
Company Name											
Contact Person/ Telephone Number	Please report below the number of access lines for each listed service category you provide via stand-alone UNE loops										
OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
ALBANY											
ASHLAND											
ASTORIA											
ATHENA											
BAKER/SUMPTER											
BEND											
BLACK BUTTE											
BLUE RIVER											
CANNON BEACH											
CENTRAL POINT											
CLACKAMAS											
CORVALLIS											
COTTAGE GROVE											
CULVER											
DALLAS											
EUGENE RIVER ROAD											
EUGENE 10TH AVE											
SPRINGFIELD											
EUGENE TOTAL											
FALLS CITY											
FLORENCE											
GOLD HILL											
GRANTS PASS											
HERMISTON											
JACKSONVILLE											
JEFFERSON											
JUNCTION CITY/HARRISBURG											
KLAMATH FALLS											
LAPINE											
LEABURG											

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
LOWELL											
MADRAS											
MAPLETON											
MARCOLA											
MEDFORD											
MILTON-FREEWATER											
NEWPORT											
NORTH PLAINS											
OAKLAND											
OAKRIDGE											
PENDLETON											
PHOENIX											
BURLINGTON											
PORTLAND ALPINE											
PORTLAND ATLANTIC											
PORTLAND BELMONT											
PORTLAND BUTLER											
PORTLAND CAPITOL											
PORTLAND CHERRY											
PORTLAND CYPRESS											
PORTLAND HAROLD											
PORTLAND PROSPECT											
PORTLAND TOTAL											
PRINEVILLE											
RAINIER											
REDMOND											
ROGUE RIVER											
ROSEBURG											
SALEM MAIN											
SALEM 10TH AVE											
SALEM TOTAL											
SEASIDE											
SILETZ											
SISTERS											
ST. HELENS											
STANFIELD											

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
TOLEDO											
UMATILLA											
VENETA											
WARRENTON											
WESTPORT											
WOODBURN											

*NOTE: For Frame Relay and ATM services, report links.

BUSINESS SERVICES PROVIDED VIA LOOP FACILITIES SELF-PROVISIONED BY THE CLEC			AVAILABILITY OF CLEC BUSINESS SWITCHED BUSINESS SERVICES IN OREGON										
			(Data Vintage 2/28/2005)										
Company Name			Please report below the number of access lines for each listed service category you provide via loop facilities self-provisioned by the CLEC.										
Contact Person/ Telephone Number													
OREGON RATE CENTER	WIRECENTER	CLLI	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
			Analog	Digital	Total								
ALBANY													
ASHLAND													
ASTORIA													
ATHENA													
BAKER/SUMPTER													
BEND	BEND	BENDOR24											
	SPRING RIVER ROAD	SPRVOR02											
BLACK BUTTE													
BLUE RIVER													
CANNON BEACH													
CENTRAL POINT													
CLACKAMAS	LAKE OSWEGO	LKOSOR62											
	MILWAUKIE	MLWKOR17											
	OREGON CITY	ORCYOR18											
CORVALLIS	CORVALLIS	CRVSOR65											
	ADAIR	ADAROR21											
COTTAGE GROVE	COTTAGE GROVE	CTGVOR53											
	CULP CREEK	CLCKOR53											
CULVER													
DALLAS	DALLAS	DLLSOR58											
	INDEPENDENCE	INDPOR58											
EUGENE	EUGENE 10TH AVE	EUGNOR53											
	EUGENE RIVER ROAD	EUGNOR28											
	SPRINGFIELD	SPFDOR01											
FALLS CITY													
FLORENCE													
GOLD HILL													
GRANTS PASS													

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	WIRECENTER	CLLI	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
			Analog	Digital	Total								
HERMISTON													
JACKSONVILLE													
JEFFERSON													
JUNCTION CITY/HARRISBURG													
KLAMATH FALLS													
LAPINE													
LEABURG													
LOWELL													
MADRAS	MADRAS	MDRSOR52											
	WARM SPRINGS	WRSPOR52											
MAPLETON													
MARCOLA													
MEDFORD													
MILTON-FREEWATER													
NEWPORT													
NORTH PLAINS													
OAKLAND													
OAKRIDGE													
PENDLETON													
PHOENIX													
PORTLAND	BURLINGTON	BURLOR62											
	PORTLAND CYPRESS	PTLDOR02											
	PORTLAND HAROLD	PTLDOR08											
	PORTLAND ALPINE	PTLDOR11											
	PORTLAND ATLANTIC	PTLDOR12											
	PORTLAND BELMONT	PTLDOR13											
	PORTLAND BUTLER	PTLDOR14											
	PORTLAND CHERRY	PTLDOR17											
	PORTLAND PROSPEC	PTLDOR18											
	PORTLAND CAPITOL	PTLDOR69											
PRINEVILLE													
RAINIER													
REDMOND													
ROGUE RIVER													
ROSEBURG	ROSEBURG	RSBGOR57											
	WINSTON	WNTNOR57											
SALEM	SALEM MAIN	SALMOR58											
	SALEM 10TH AVE	SALMOR59											
SEASIDE													
SILETZ													

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	WIRECENTER	CLLI	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
			Analog	Digital	Total								
SISTERS													
ST. HELENS													
STANFIELD													
TOLEDO													
UMATILLA													
VENETA													
WARRENTON													
WESTPORT													
WOODBURN													

*NOTE: For Frame Relay and ATM services, report links.

BUSINESS SERVICES PROVIDED VIA LOOP FACILITIES PROVIDED BY CARRIERS OTHER THAN QWEST			AVAILABILITY OF CLEC BUSINESS SWITCHED BUSINESS SERVICES IN OREGON										
			(Data Vintage 2/28/2005)										
Company Name			Please report below the number of access lines for each listed service category you provide in Qwest service territory via loop facilities provided by carriers other than Qwest										
Contact Person/ Telephone Number													
OREGON RATE CENTER	WIRECENTER	CLLI	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
			Analog	Digital	Total								
ALBANY													
ASHLAND													
ASTORIA													
ATHENA													
BAKER/SUMPTER													
BEND	BEND	BENDOR24											
	SPRING RIVER ROAD	SPRVOR02											
BLACK BUTTE													
BLUE RIVER													
CANNON BEACH													
CENTRAL POINT													
CLACKAMAS	LAKE OSWEGO	LKOSOR62											
	MILWAUKIE	MLWKOR17											
	OREGON CITY	ORCYOR18											
CORVALLIS	CORVALLIS	CRVSOR65											
	ADAIR	ADAROR21											
COTTAGE GROVE	COTTAGE GROVE	CTGVOR53											
	CULP CREEK	CLCKOR53											
CULVER													
DALLAS	DALLAS	DLLSOR58											
	INDEPENDENCE	INDPOR58											
EUGENE	EUGENE 10TH AVE	EUGNOR53											
	EUGENE RIVER ROAD	EUGNOR28											
	SPRINGFIELD	SPFDOR01											
FALLS CITY													
FLORENCE													
GOLD HILL													

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	WIRECENTER	CLLI	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
			Analog	Digital	Total								
GRANTS PASS													
HERMISTON													
JACKSONVILLE													
JEFFERSON													
JUNCTION CITY/HARRISBURG													
KLAMATH FALLS													
LAPINE													
LEABURG													
LOWELL													
MADRAS	MADRAS	MDRSOR52											
	WARM SPRINGS	WRSPOR52											
MAPLETON													
MARCOLA													
MEDFORD													
MILTON-FREEWATER													
NEWPORT													
NORTH PLAINS													
OAKLAND													
OAKRIDGE													
PENDLETON													
PHOENIX													
PORTLAND	BURLINGTON	BURLOR62											
	PORTLAND CYPRESS	PTLDOR02											
	PORTLAND HAROLD	PTLDOR08											
	PORTLAND ALPINE	PTLDOR11											
	PORTLAND ATLANTIC	PTLDOR12											
	PORTLAND BELMONT	PTLDOR13											
	PORTLAND BUTLER	PTLDOR14											
	PORTLAND CHERRY	PTLDOR17											
	PORTLAND PROSPEC	PTLDOR18											
	PORTLAND CAPITOL	PTLDOR69											
PRINEVILLE													
RAINIER													
REDMOND													
ROGUE RIVER													
ROSEBURG	ROSEBURG	RSBGOR57											
	WINSTON	WNTNOR57											
SALEM	SALEM MAIN	SALMOR58											
	SALEM 10TH AVE	SALMOR59											
SEASIDE													

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	WIRECENTER	CLLI	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
			Analog	Digital	Total								
SILETZ													
SISTERS													
ST. HELENS													
STANFIELD													
TOLEDO													
UMATILLA													
VENETA													
WARRENTON													
WESTPORT													
WOODBURN													

*NOTE: For Frame Relay and ATM services, report links.

BUSINESS SERVICES PROVIDED VIA DS0-LEVEL INTRASTATE SPECIAL ACCESS LOOPS	AVAILABILITY OF CLEC BUSINESS SWITCHED BUSINESS SERVICES IN OREGON										
	(Data Vintage 2/28/2005)										
Company Name											
Contact Person/ Telephone Number	Please report below the number of access lines for each listed service category you provide via DSO-level intrastate Special Access loops										
OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
ALBANY											
ASHLAND											
ASTORIA											
ATHENA											
BAKER/SUMPTER											
BEND											
BLACK BUTTE											
BLUE RIVER											
CANNON BEACH											
CENTRAL POINT											
CLACKAMAS											
CORVALLIS											
COTTAGE GROVE											
CULVER											
DALLAS											
EUGENE RIVER ROAD											
EUGENE 10TH AVE											
SPRINGFIELD											
EUGENE TOTAL											
FALLS CITY											
FLORENCE											
GOLD HILL											
GRANTS PASS											
HERMISTON											
JACKSONVILLE											
JEFFERSON											

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
JUNCTION CITY/HARRISBURG											
KLAMATH FALLS											
LAPINE											
LEABURG											
LOWELL											
MADRAS											
MAPLETON											
MARCOLA											
MEDFORD											
MILTON-FREEWATER											
NEWPORT											
NORTH PLAINS											
OAKLAND											
OAKRIDGE											
PENDLETON											
PHOENIX											
BURLINGTON											
PORTLAND ALPINE											
PORTLAND ATLANTIC											
PORTLAND BELMONT											
PORTLAND BUTLER											
PORTLAND CAPITOL											
PORTLAND CHERRY											
PORTLAND CYPRESS											
PORTLAND HAROLD											
PORTLAND PROSPECT											
PORTLAND TOTAL											
PRINEVILLE											
RAINIER											
REDMOND											
ROGUE RIVER											
ROSEBURG											
SALEM MAIN											
SALEM 10TH AVE											
SALEM TOTAL											
SEASIDE											

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
SILETZ											
SISTERS											
ST. HELENS											
STANFIELD											
TOLEDO											
UMATILLA											
VENETA											
WARRENTON											
WESTPORT											
WOODBURN											

*NOTE: For Frame Relay and ATM services, report links.

BUSINESS SERVICES PROVIDED VIA DS1 and DS3-LEVEL INTRASTATE SPECIAL ACCESS LOOPS	AVAILABILITY OF CLEC BUSINESS SWITCHED BUSINESS SERVICES IN OREGON										
	(Data Vintage 2/28/2005)										
Company Name											
Contact Person/ Telephone Number	Please report below the number of access lines for each listed service category you provide via DS1 and DS3-level intrastate Special Access loops										
OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
ALBANY											
ASHLAND											
ASTORIA											
ATHENA											
BAKER/SUMPTER											
BEND											
BLACK BUTTE											
BLUE RIVER											
CANNON BEACH											
CENTRAL POINT											
CLACKAMAS											
CORVALLIS											
COTTAGE GROVE											
CULVER											
DALLAS											
EUGENE RIVER ROAD											
EUGENE 10TH AVE											
SPRINGFIELD											
EUGENE TOTAL											
FALLS CITY											
FLORENCE											
GOLD HILL											
GRANTS PASS											
HERMISTON											
JACKSONVILLE											
JEFFERSON											
JUNCTION CITY/HARRISBURG											
KLAMATH FALLS											
LAPINE											
LEABURG											
LOWELL											

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
MADRAS											
MAPLETON											
MARCOLA											
MEDFORD											
MILTON-FREEWATER											
NEWPORT											
NORTH PLAINS											
OAKLAND											
OAKRIDGE											
PENDLETON											
PHOENIX											
BURLINGTON											
PORTLAND ALPINE											
PORTLAND ATLANTIC											
PORTLAND BELMONT											
PORTLAND BUTLER											
PORTLAND CAPITOL											
PORTLAND CHERRY											
PORTLAND CYPRESS											
PORTLAND HAROLD											
PORTLAND PROSPECT											
PORTLAND TOTAL											
PRINEVILLE											
RAINIER											
REDMOND											
ROGUE RIVER											
ROSEBURG											
SALEM MAIN											
SALEM 10TH AVE											
SALEM TOTAL											
SEASIDE											
SILETZ											
SISTERS											
ST. HELENS											
STANFIELD											
TOLEDO											
UMATILLA											
VENETA											
WARRENTON											
WESTPORT											
WOODBURN											

*NOTE: For Frame Relay and ATM services, report links.

BUSINESS SERVICES PROVIDED VIA DSO -LEVEL INTERSTATE SPECIAL ACCESS LOOPS		AVAILABILITY OF CLEC BUSINESS SWITCHED BUSINESS SERVICES IN OREGON									
		(Data Vintage 2/28/2005)									
Company Name		Please report below the number of access lines for each listed service category you provide via DSO level interstate Special Access loops									
Contact Person/ Telephone Number											
OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
ALBANY											
ASHLAND											
ASTORIA											
ATHENA											
BAKER/SUMPTER											
BEND											
BLACK BUTTE											
BLUE RIVER											
CANNON BEACH											
CENTRAL POINT											
CLACKAMAS											
CORVALLIS											
COTTAGE GROVE											
CULVER											
DALLAS											
EUGENE RIVER ROAD											
EUGENE 10TH AVE											
SPRINGFIELD											
EUGENE TOTAL											
FALLS CITY											
FLORENCE											
GOLD HILL											
GRANTS PASS											
HERMISTON											
JACKSONVILLE											
JEFFERSON											
JUNCTION CITY/HARRISBURG											
KLAMATH FALLS											
LAPINE											
LEABURG											
LOWELL											
MADRAS											
MAPLETON											
MARCOLA											
MEDFORD											

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
MILTON-FREEWATER											
NEWPORT											
NORTH PLAINS											
OAKLAND											
OAKRIDGE											
PENDLETON											
PHOENIX											
BURLINGTON											
PORTLAND ALPINE											
PORTLAND ATLANTIC											
PORTLAND BELMONT											
PORTLAND BUTLER											
PORTLAND CAPITOL											
PORTLAND CHERRY											
PORTLAND CYPRESS											
PORTLAND HAROLD											
PORTLAND PROSPECT											
PORTLAND TOTAL											
PRINEVILLE											
RAINIER											
REDMOND											
ROGUE RIVER											
ROSEBURG											
SALEM MAIN											
SALEM 10TH AVE											
SALEM TOTAL											
SEASIDE											
SILETZ											
SISTERS											
ST. HELENS											
STANFIELD											
TOLEDO											
UMATILLA											
VENETA											
WARRENTON											
WESTPORT											
WOODBURN											

*NOTE: For Frame Relay and ATM services, report links.

BUSINESS SERVICES PROVIDED VIA DS1 and DS3-LEVEL INTERSTATE SPECIAL ACCESS LOOPS	AVAILABILITY OF CLEC BUSINESS SWITCHED BUSINESS SERVICES IN OREGON										
	(Data Vintage 2/28/2005)										
Company Name	Please report below the number of access lines for each listed service category you provide via DS1 and DS3-level interstate Special Access loops										
Contact Person/ Telephone Number											
OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
ALBANY											
ASHLAND											
ASTORIA											
ATHENA											
BAKER/SUMPTER											
BEND											
BLACK BUTTE											
BLUE RIVER											
CANNON BEACH											
CENTRAL POINT											
CLACKAMAS											
CORVALLIS											
COTTAGE GROVE											
CULVER											
DALLAS											
EUGENE RIVER ROAD											
EUGENE 10TH AVE											
SPRINGFIELD											
EUGENE TOTAL											
FALLS CITY											
FLORENCE											
GOLD HILL											
GRANTS PASS											
HERMISTON											
JACKSONVILLE											
JEFFERSON											
JUNCTION CITY/HARRISBURG											
KLAMATH FALLS											
LAPINE											
LEABURG											
LOWELL											
MADRAS											
MAPLETON											
MARCOLA											
MEDFORD											

*NOTE: For Frame Relay and ATM services, report links.

OREGON RATE CENTER	BASIC BUSINESS SERVICE (FLAT OR MEASURED)			ANALOG PBX TRUNKS	DIGITAL PBX TRUNKS	800 SERVICE/ OUTWATS	ANALOG CENTREX SERVICES	ISDN BASIC RATE	ISDN PRIMARY RATE	FRAME RELAY*	ASYNCHRONOUS TRANSFER MODE (ATM) SERVICE*
	Analog	Digital	Total								
MILTON-FREEWATER											
NEWPORT											
NORTH PLAINS											
OAKLAND											
OAKRIDGE											
PENDLETON											
PHOENIX											
BURLINGTON											
PORTLAND ALPINE											
PORTLAND ATLANTIC											
PORTLAND BELMONT											
PORTLAND BUTLER											
PORTLAND CAPITOL											
PORTLAND CHERRY											
PORTLAND CYPRESS											
PORTLAND HAROLD											
PORTLAND PROSPECT											
PORTLAND TOTAL											
PRINEVILLE											
RAINIER											
REDMOND											
ROGUE RIVER											
ROSEBURG											
SALEM MAIN											
SALEM 10TH AVE											
SALEM TOTAL											
SEASIDE											
SILETZ											
SISTERS											
ST. HELENS											
STANFIELD											
TOLEDO											
UMATILLA											
VENETA											
WARRENTON											
WESTPORT											
WOODBURN											

*NOTE: For Frame Relay and ATM services, report links.

BUSINESS SERVICES PROVIDED VIA VOICE OVER INTERNET TELEPHONY	AVAILABILITY OF COMPETITIVE BUSINESS SERVICES IN OREGON	
	(Data Vintage 2/28/2005)	
Company Name		
Contact Person/ Telephone Number	IF NOT PREVIOUSLY REPORTED ON THIS SURVEY , please separately report below in-service quantities of business services you provide via Voice over Internet Protocol (VoIP) telephony service in Oregon and whether your company now makes available business VoIP services to business customers in the identified rate centers.	
OREGON RATE CENTER	Business VoIP Telephone Numbers in Service	Business VoIP Available? (Yes/No)
ALBANY		
ASHLAND		
ASTORIA		
ATHENA		
BAKER/SUMPTER		
BEND		
BLACK BUTTE		
BLUE RIVER		
CANNON BEACH		
CENTRAL POINT		
CLACKAMAS		
CORVALLIS		
COTTAGE GROVE		
CULVER		
DALLAS		
EUGENE RIVER ROAD		
EUGENE 10TH AVE		
SPRINGFIELD		
EUGENE TOTAL		
FALLS CITY		
FLORENCE		
GOLD HILL		
GRANTS PASS		
HERMISTON		
JACKSONVILLE		
JEFFERSON		

OREGON RATE CENTER	Business VoIP Telephone Numbers in Service	Business VoIP Available? (Yes/No)
JUNCTION CITY/HARRISBURG		
KLAMATH FALLS		
LAPINE		
LEABURG		
LOWELL		
MADRAS		
MAPLETON		
MARCOLA		
MEDFORD		
MILTON-FREEWATER		
NEWPORT		
NORTH PLAINS		
OAKLAND		
OAKRIDGE		
PENDLETON		
PHOENIX		
BURLINGTON		
PORTLAND ALPINE		
PORTLAND ATLANTIC		
PORTLAND BELMONT		
PORTLAND BUTLER		
PORTLAND CAPITOL		
PORTLAND CHERRY		
PORTLAND CYPRESS		
PORTLAND HAROLD		
PORTLAND PROSPECT		
PORTLAND TOTAL		
PRINEVILLE		
RAINIER		
REDMOND		
ROGUE RIVER		
ROSEBURG		
SALEM MAIN		
SALEM 10TH AVE		
SALEM TOTAL		
SEASIDE		
SILETZ		

OREGON RATE CENTER	Business VoIP Telephone Numbers in Service	Business VoIP Available? (Yes/No)
SISTERS		
ST. HELENS		
STANFIELD		
TOLEDO		
UMATILLA		
VENETA		
WARRENTON		
WESTPORT		
WOODBURN		

APPENDIX B
UX 29 CLEC SURVEY LIST

1-800-RECONEX INC
2500 INDUSTRIAL AVE
HUBBARD OR 98032

ACN COMMUNICATION SERVICES INC
32991 HAMILTON CT
FARMINGTON HILLS MI 48334

AMERICAN FIBER NETWORK INC
9401 INDIAN CREEK PKWY STE 140
OVERLAND PARK KS 66210

APEX COMMUNICATIONS
12931 ADDISON ST
SHERMAN OAKS CA 91423

AT&T COMMUNICATIONS OF THE PACIFIC NORTHWEST
INC
1875 LAWRENCE ST STE 1500
DENVER CO 80202

AT&T LOCAL SERVICES
4450 ROSEWOOD DR STE 5150
PLEASANTON CA 94588

ATL COMMUNICATIONS DBA SUNRIVER TELECOM
56835 VENTURE LANE STE 207
SUNRIVER OR 97707

BEAVER CREEK COOPERATIVE TELEPHONE CO
15223 S HENRICI RD
OREGON CITY OR 97045

BG ENTERPRISES INC
PO BOX 3508
MISSOULA MT 59806-3508

BUDGET PHONE INC
PO BOX 19360
SHREVEPORT LA 71149

BULLSEYE TELECOM INC
25900 GREENFIELD RD STE 330
OAK PARK MI 48237

CENTEL COMMUNICATIONS INC
PO BOX 25
GOLDENDALE WA 98620

CITY OF PORTLAND
3732 SE 99TH AVE
PORTLAND OR 97266-2505

COMCAST PHONE OF OREGON LLC
1500 MARKET ST 34E
PHILADELPHIA PA 19102

COMM SOUTH COMPANIES INC
8035 EAST R L THORNTON FRWY STE 410
DALLAS TX 75228

COVAD COMMUNICATIONS CO
7901 LOWRY BLVD
DENVER CO 80230

CYPRESS COMMUNICATIONS OPERATING CO INC
15 PIEDMONT CTR STE 100
ATLANTA GA 30305

DSLNET COMMUNICATIONS LLC
545 LONG WHARF DRIVE 5TH FL
NEW HAVEN CT 06511

CHIEF EXECUTIVE OFFICER
EASTERN OREGON TELECOM LLC
PO BOX 848
HERMISTON OR 97838

ELECTRIC LIGHTWAVE LLC
4 TRIAD CENTER STE 200
SALT LAKE CITY UT 84180

ERNEST COMMUNICATIONS INC
5275 TRIANGLE PKWY STE 150
NORCROSS GA 30092

ESCHELON TELECOM OF OREGON INC
730 SECOND AVE S STE 900
MINNEAPOLIS MN 55402-2489

EXCEL TELECOMMUNICATIONS INC
2440 MARSH LANE
CARROLLTON TX 75006

GERVAIS TELEPHONE CO
PO BOX 269
GERVAIS OR 97026

GLOBAL CROSSING LOCAL SERVICES INC
1080 PITTSFORD-VICTOR RD
PITTSFORD NY 14534

ICG TELECOM GROUP INC
161 IVERNESS DR W STE 100
ENGLEWOOD CO 80112

INTEGRA TELECOM OF OREGON INC
1201 NE LLOYD BLVD STE 500
PORTLAND OR 97232

KMC TELECOM V INC
1545 ROUTE 205, STE 300
BEDMINSTER NJ 07921

LEVEL 3 COMMUNICATIONS LLC
1025 ELDORADO BLVD
BROOMFIELD CO 80021

LIGHTYEAR NETWORK SOLUTIONS, LLC
1901 EASTPOINT PKWY
LOUISVILLE KY 40223

MCI WORLDCOM COMMUNICATIONS INC
201 SPEAR ST 9TH FL
SAN FRANCISCO CA 94105

MCIMETRO ACCESS TRANSMISSION SERVICES INC
8521 LEESBURG PIKE
VIENNA VA 22182

MCLEODUSA TELECOMMUNICATIONS SERVICES INC
6400 C ST SW
CEDAR RAPIDS IA 52406-3177

NEW ACCESS COMMUNICATIONS LLC
801 NICCOLLET MALL STE 350
MINNEAPOLIS MN 55402

NEW EDGE NETWORK INC
3000 COLUMBIA HOUSE BLVD STE 106
VANCOUVER WA 98661

NEXT GEN PHONE SYSTEMS INC
314 NW MONROE
CORVALLIS OR 97330

NORTH COUNTY COMMUNICATIONS CORP
3802 ROSECRANS ST STE 485
SAN DIEGO CA 92110

NORTHWEST OPEN ACCESS NETWORK
111 DEVEREESE RD
CHEHALIS WA 98531

NOS COMMUNICATIONS INC
4380 BOULDER HWY
LAS VEGAS NV 89121-3002

ONE EIGHTY NETWORKS INC
118 N STEVENS
SPOKANE WA 99201

OREGON TELECOM INC
PO BOX 4333
SALEM OR 97302

PAC-WEST TELECOMM INC
1776 W MARCH LN STE 250
STOCKTON CA 95207

PREFERRED CARRIER SERVICES INC
14681 MIDWAY RD STE 105
ADDISON TX 75001

PREFERRED LONG DISTANCE INC
16830 VENTURA BLVD STE 350
ENCINO CA 91436-1716

PRIME TIME VENTURES, LLC
210 WEST 8TH STREET STE 202
MEDFORD OR 97501

PRIORITYONE TELECOMMUNICATIONS INC
PO BOX 758
LA GRANDE OR 97850-6462

QUALITY TELEPHONE INC
PO BOX 7310
DALLAS TX 75209-0310

QUANTUM COMMUNICATIONS LLC
PO BOX 1748
REDMOND OR 97756

REGAL DIVERSIFIED INC
PO BOX 1240
MISSOULA MT 59806

RIO COMMUNICATIONS INC
2360 NE STEPHENS ST
ROSEBURG OR 97470

SBC TELECOM INC
1010 N ST MARY'S RM13K
SAN ANTONIO TX 78215

DON LAWRENCE
SCS COMMUNICATIONS AND SECURITY INC
PO BOX 477
STAYTON OR 97383

SPRINT COMMUNICATIONS CO LP
535 ANTON BLVD STE 1100
COSTA MESA CA 92626

TALK AMERICA INC
6805 RT 202
NEW HOPE PA 18938

TEL WEST COMMUNICATIONS LLC
3701 S NORFOLK ST STE 300
SEATTLE WA 98118

TELEPHONE RESTORATION NETWORK INC
PO BOX 1990
CLACKAMAS OR 97015

TIME WARNER TELECOM OF OREGON LLC
223 TAYLOR AVE N
SEATTLE WA 98109

TRINSIC COMMUNICATIONS INC
601 S HARBOUR ISLAND BLVD STE 220
TAMPA FL 33602

UNITED COMMUNICATIONS INC
PO BOX 1191
BEND OR 97709-1191

UNIVERSAL TELECOM INC
1600 SW WESTERN BLVD STE 290
CORVALLIS OR 97333

VARTEC TELECOM INC
2440 MARSH LANE
CARROLLTON TX 75006

VCI COMPANY
3875 STEILACOOM BLVD SW #A
LAKEWOOD WA 98499

WANTEL INC
1016 SE OAK AVE
ROSEBURG OR 97470

WESTERN INDEPENDENT NETWORKS INC
PO BOX D
STAYTON OR 97383

WESTERN TELEPHONE INTEGRATED
COMMUNICATIONS INC
PO BOX 610
MEDFORD OR 97501-0041

XO OREGON INC
11111 SUNSET HILLS RD
RESTON VA 21090

THOMAS BARRETT
AUTOMOTIVE EXPERTS GROUP INC DBA BEND DATA
CENTER
130 NW GREENWOOD AVE
BEND OR 97701

STAN EFFERDING
VILAIRE
7304 ZIRCON DR SW
LAKEWOOD WA 98498-6446

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UX 29

In the Matter of

QWEST CORPORATION

Petition to Exempt from Regulation Qwest's
Switched Business Services.

MODIFIED PROTECTIVE ORDER

DISPOSITION: MODIFIED PROTECTIVE ORDER GRANTED

To facilitate the disclosure of documents and information during the course of this proceeding and to protect confidential information, the Administrative Law Judge now issues this Modified Protective Order ("Order"). This Order supersedes the Standard Protective Order No. 04-366, entered on June 30, 2004.

1. (a) Confidential Information. All documents, data, studies and other materials furnished pursuant to any requests for information, subpoenas or other modes of discovery (formal or informal), and including depositions and other requests for information, that are claimed to be proprietary or confidential (herein referred to as "Confidential Information"), shall be printed on yellow paper, separately bound and placed in individually sealed envelopes or other appropriate containers. To the extent practicable, only the portions of a document that fall within ORCP 36(C)(7) shall be placed in the envelope/container. The envelope/container shall be marked: "CONFIDENTIAL-SUBJECT TO MODIFIED PROTECTIVE ORDER, ORDER NO. 05-124, IN DOCKET UX 29." The Commission's Administrative Hearings Division shall store the Confidential Information in a locked cabinet dedicated to the storage of Confidential Information. In addition, all notes or other materials that refer to, derive from, or otherwise contain parts of the Confidential Information will be marked by the receiving party as Confidential Information. Access to and review of Confidential Information shall be strictly controlled by the terms of this Order.

(b) Use of Confidential Information -- Proceedings. All persons who may be entitled to review, or who are afforded access to, any Confidential Information by reason of this Order shall neither use nor disclose the Confidential Information for purposes of business or competition, or any purpose other than the purpose of preparation for and conduct of the proceedings in the above-captioned docket or before the Federal Communications Commission ("FCC"), and all subsequent proceedings or appeals, and shall keep the Confidential Information secure as confidential or proprietary information and in accordance with the purposes, intent and requirements of this Order.

(c) Persons Entitled to Review.

(1) Confidential Information and Highly Confidential Information shall be provided to Commissioners, Administrative Law Judges, Commission staff counsel, Commission advisory staff members and Commission employees when disclosure is necessary.

(2) Disclosure of both Confidential Information and Highly Confidential Information to consultants employed by Commission staff shall be under the terms and conditions described in paragraph 1(d) below. Court reporters who receive Confidential Information or Highly Confidential Information shall also be required to sign a nondisclosure agreement, which shall be filed with the Commission.

(3) Each party that receives Confidential Information pursuant to this Order must limit access to such Confidential Information to: (1) attorneys employed or retained by the party in the proceedings and the attorneys' staff; (2) experts, consultants and advisors who need access to the material to assist the party in the proceedings; (3) only those employees of the party who are directly involved in the proceedings, provided that counsel for the party represents that no such employee is engaged in the sale or marketing of that party's products or services.

(d) Nondisclosure Agreement. Any party, person or entity that receives Confidential Information pursuant to this Order shall not disclose such Confidential Information to any person, except persons who are described in paragraphs 1(c)(2) and 1(c)(3) above and who have signed a nondisclosure agreement in the form which is attached hereto and incorporated herein as Appendix "A." Persons described in paragraph 1(c)(1) are bound by the confidentiality requirements of this Order but are not required to sign a nondisclosure agreement.

The nondisclosure agreement (hereafter Appendix "A") shall require the person(s) to whom disclosure is to be made to read a copy of this Modified Protective Order and to certify in writing that he or she has reviewed the same and has consented to be bound by its terms. The agreement shall contain the signatory's full name, employer, job title and job description, business address and the name of the party with whom the signatory is associated. An Appendix "A" shall be delivered to counsel for the providing party before disclosure is made, and if no objection thereto is registered to the Commission within seven (7) business days, then disclosure shall follow. An attorney who makes Confidential Information available to any person listed in subsection (c) above shall be responsible for having each such person execute an original of Appendix "A," and a copy of all such signed Appendix "A"s shall be circulated to all other counsel of record promptly after execution.

2. (a) Notes. Limited notes regarding Confidential Information may be taken by counsel and experts for the express purpose of preparing pleadings, cross-examinations, briefs, motions and argument in connection with this proceeding, or in the case of persons designated in paragraph 1(c) of this Modified Protective Order, to prepare for participation in this proceeding. Such notes shall then be treated as Confidential Information for purposes of this Order, shall be submitted as designated

as in paragraph 1(a) of this Modified Protective Order, and shall be destroyed after the final settlement or conclusion of the proceedings in accordance with paragraph 2(b) below.

(b) Return. All notes, to the extent they contain Confidential Information and are protected by the attorney-client privilege or the work product doctrine, shall be destroyed after the final settlement or conclusion of the proceedings. The party destroying such Confidential Information shall advise the providing party of that fact within a reasonable time from the date of destruction.

3. Highly Confidential Information. Any person, whether a party or nonparty, may designate certain competitively sensitive Confidential Information as “Highly Confidential Information” if it determines in good faith that it would be competitively disadvantaged by the disclosure of such information to its competitors. Highly Confidential Information includes, but is not limited to, documents, pleadings, briefs and appropriate portions of deposition transcripts, which contain information regarding the market share of, number of access lines served by, or number of customers receiving a specified type of service from a particular provider or other information that relates to a particular provider’s network facility location detail, revenues, costs and marketing, business planning or business strategies.

Parties must scrutinize carefully responsive documents and information and limit their designations as Highly Confidential Information to information that truly might impose a serious business risk if disseminated without the heightened protections provided in this section. The first page and individual pages of a document determined in good faith to include Highly Confidential Information must be marked by a stamp that reads:

HIGHLY CONFIDENTIAL—USE RESTRICTED PER
MODIFIED PROTECTIVE ORDER, ORDER NO. 05-124,
IN DOCKET UX 29.

Placing a “Highly Confidential” stamp on the first page of a document indicates only that one or more pages contain Highly Confidential Information and will not serve to protect the entire contents of a multipage document. Each page that contains Highly Confidential Information must be marked separately to indicate Highly Confidential Information, even where that information has been redacted. The unredacted versions of each page containing Highly Confidential Information, and provided under seal, should be submitted on orange paper in order to be distinct from nonconfidential information and Confidential Information, described in paragraph 1(a) of this Modified Protective Order.

Parties seeking disclosure of Highly Confidential Information must designate the person(s) to whom they would like the Highly Confidential Information disclosed in advance of disclosure by the providing party. Such designation may occur through the submission of Appendix “B” of the nondisclosure agreement identified in paragraph 1(d). Parties seeking disclosure of Highly Confidential Information shall not designate more than: (1) a reasonable number of in-house attorneys who have direct responsibility for matters relating to Highly Confidential Information; (2) five in-house experts; and (3) a reasonable number of outside counsel and outside experts to review materials marked as “Highly Confidential.” Disclosure of Highly Confidential Information shall be limited to Commissioners, Administrative Law Judges, Commission staff counsel, Commission advisory staff members and Commission employees when disclosure is necessary. Disclosure of Highly Confidential Information to consultants employed by Commission staff shall be under the terms and conditions as described in paragraph 1(d). Court reporters who receive Highly Confidential Information shall also

be required to sign a nondisclosure agreement, which shall be filed with the Commission. Appendix "B" also shall describe in detail the job duties or responsibilities of the person being designated to see Highly Confidential Information and the person's role in the proceeding. Highly Confidential Information may not be disclosed to persons engaged in the development, planning, marketing or selling of retail or wholesale services for the purposes of any party competing with or against any other party, strategic or business decision making, nonregulatory strategic or business planning or procurement on behalf of the receiving party.

Any party providing either Confidential Information or Highly Confidential Information may object to the designation of any individual as a person who may review Confidential Information and/or Highly Confidential Information. Such objection shall be made in writing to counsel submitting the challenged individual's Appendix "A" or "B" within three (3) business days after receiving the challenged individual's signed Appendix "A" or "B." Any such objection must demonstrate good cause to exclude the challenged individual from the review of the Confidential Information or Highly Confidential Information. Written response to any objection shall be made within three (3) business days after receipt of an objection. If, after receiving a written response to a party's objection, the objecting party still objects to disclosure of either Confidential Information or Highly Confidential Information to the challenged individual, the Commission shall determine whether Confidential Information or Highly Confidential Information must be disclosed to the challenged individual.

Copies of Highly Confidential Information may be provided to the in-house attorneys, outside counsel and outside experts who have signed Appendix "B." The in-house experts who have signed Appendix "B" may inspect, review and make notes from the in-house attorney's copies of Highly Confidential Information.

Persons authorized to review the Highly Confidential Information will maintain the documents and any notes reflecting its contents in a secure location to which only designated counsel and experts have access. No additional copies will be made, except for use during hearings and then such disclosure and copies shall be subject to the provisions of Section 7. Any testimony or exhibits prepared that reflect Highly Confidential Information must be maintained in the secure location until removed to the hearing room for production under seal. Unless specifically addressed in this section, all other sections of this Modified Protective Order applicable to Confidential Information also apply to Highly Confidential Information.

4. Small Company. Notwithstanding anything to the contrary in this Order, persons authorized to review Confidential Information and Highly Confidential Information on behalf of a company with less than 5,000 employees shall be limited to the following: (1) the company's counsel or, if not represented by counsel, a member of the company's senior management; (2) a company's witnesses and no more than five (5) employees engaged in the review of and preparation of testimony; and (3) independent consultants acting under the direction of the company's counsel or senior management and directly engaged in this proceeding. Such persons **do not** include individuals primarily involved in marketing activities for the company, unless the party producing the information, upon request, gives prior written authorization for that person to review the Confidential Information or Highly Confidential Information. If the producing party refuses to give such written authorization, the company may, for good cause shown, request an order from the Administrative Law Judge allowing that person to review the Confidential Information or Highly Confidential Information. The producing party shall be given the opportunity to respond to the company's request before an order is issued.

5. Objections to Admissibility. The furnishing of any document, data, study or other materials pursuant to this Modified Protective Order shall in no way limit the right of the providing party to object to its relevance or admissibility in proceedings before this Commission.

6. Challenge to Confidentiality. This Order establishes a procedure for the expeditious handling of information that a party claims is Confidential or Highly Confidential. It shall not be construed as an agreement or ruling on the confidentiality of any document. Any party may challenge the characterization of any information, document, data or study claimed by the providing party to be confidential in the following manner:

(a) A party seeking to challenge the confidentiality of any materials pursuant to this Order shall first contact counsel for the providing party and attempt to resolve any differences by stipulation.

(b) In the event that the parties cannot agree as to the character of the information challenged, any party challenging the confidentiality shall do so by appropriate pleading. This pleading shall:

(1) Designate the document, transcript or other material challenged in a manner that will specifically isolate the challenged material from other material claimed as confidential; and

(2) State with specificity the grounds upon which the documents, transcript or other material are deemed to be nonconfidential by the challenging party.

(c) A ruling on the confidentiality of the challenged information, document, data or study shall be made by an Administrative Law Judge after proceedings in camera, which shall be conducted under circumstances such that only those persons

duly authorized hereunder to have access to such confidential materials shall be present. This hearing shall commence no earlier than five (5) business days after service on the providing party of the pleading required by paragraph 6(b) above.

(d) The record of said in camera hearing shall be marked “CONFIDENTIAL-SUBJECT TO MODIFIED PROTECTIVE ORDER, ORDER NO. 05-124, IN DOCKET UX 29.” Court reporter notes of such hearing shall be transcribed only upon agreement by the parties or instruction from the Administrative Law Judge(s) and in that event shall be separately bound, segregated, sealed and withheld from inspection by any person not bound by the terms of this Order.

(e) In the event that the Administrative Law Judge(s) should rule that any information, document, data or study should be removed from the restrictions imposed by this Order, no party shall disclose such information, document, data or study or use it in the public record for five (5) business days unless authorized by the providing party to do so. The provisions of this subsection are intended to enable the providing party to seek a stay or other relief from an order removing the restriction of this Order from materials claimed by the providing party to be confidential.

7. (a) Receipt into Evidence. Provision is hereby made for receipt into evidence in this proceeding materials claimed to be confidential in the following manner:

(1) Prior to the use of or substantive reference to any Confidential Information, the parties intending to use such Information shall make that intention known to the providing party.

(2) The requesting party and the providing party shall make a good-faith effort to reach an agreement so the Confidential Information can be used in a manner that will not reveal its confidential or proprietary nature.

(3) If such efforts fail, the providing party shall separately

identify which portions, if any, of the documents to be offered or referenced shall be placed in a sealed record.

(4) Only one (1) copy of the documents designated by the providing party to be placed in a sealed record shall be made.

(5) The copy of the documents to be placed in the sealed record shall be tendered by counsel for the providing party to the Commission, and maintained in accordance with the terms of this Order.

(b) Seal. While in the custody of the Commission, materials containing Confidential Information shall be marked “CONFIDENTIAL – SUBJECT TO MODIFIED PROTECTIVE ORDER, ORDER NO. 05-124, IN DOCKET UX 29,” and Highly Confidential Information shall be marked “HIGHLY CONFIDENTIAL—USE RESTRICTED PER MODIFIED PROTECTIVE ORDER, ORDER NO. 05-124, IN DOCKET UX 29,” and shall not be examined by any person except under the conditions set forth in this Order.

(c) In Camera Hearing. Any Confidential Information or Highly Confidential Information that must be orally disclosed to be placed in the sealed record in this proceeding shall be offered in an in camera hearing, attended only by persons authorized to have access to the information under this Order. Similarly, any cross-examination on or substantive reference to Confidential Information or Highly Confidential Information (or that portion of the record containing Confidential Information or Highly Confidential Information or references thereto) shall be received in an in camera hearing, and shall be marked and treated as provided herein.

(d) Access to Record. Access to sealed testimony, records and information shall be limited to the Administrative Law Judge(s) and persons who are entitled to review Confidential Information or Highly Confidential Information

pursuant to paragraph 1(c) above and have signed an Appendix “A” or “B,” unless such information is released from the restrictions of this Order either through agreement of the parties or after notice to the parties and hearing, pursuant to the ruling of an Administrative Law Judge, the order of the Commission and/or final order of a court having final jurisdiction.

(e) Appeal/Subsequent Proceedings. Sealed portions of the record in this proceeding may be forwarded to any court of competent jurisdiction for purposes of an appeal or to the FCC, but under seal as designated herein for the information and use of the court or the FCC. If a portion of the record is forwarded to a court or the FCC, the providing party shall be notified which portion of the sealed record has been designated by the appealing party as necessary to the record on appeal or for use at the FCC.

(f) Return. Unless otherwise ordered, Confidential Information and Highly Confidential Information, including transcripts of any depositions to which a claim of confidentiality is made, shall remain under seal, shall continue to be subject to the protective requirements of this Order, and shall, at the providing party’s discretion, be returned to counsel for the providing party, or destroyed by the receiving party, within thirty (30) days after final settlement or conclusion of the proceedings. If the providing party elects to have Confidential Information or Highly Confidential Information destroyed rather than returned, counsel for the receiving party shall verify in writing that the material has in fact been destroyed.

8. Use in Pleadings. Where references to Confidential Information or Highly Confidential Information in the sealed record or with the providing party is required in pleadings, briefs, arguments or motions (except as provided in Section 5), it shall be by citation of title or exhibit number or some other description that will not disclose the substantive Confidential Information or Highly Confidential Information contained

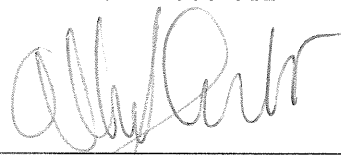
therein. Any use of or substantive references to Confidential Information or Highly Confidential Information shall be placed in a separate section of the pleading or brief and submitted to the Administrative Law Judge(s) or the Commission under seal. This sealed section shall be served only on counsel of record and parties of record who have signed the nondisclosure agreement set forth in Appendix "A" or "B." All of the restrictions afforded by this Order apply to materials prepared and distributed under this section.

9. Summary of Record. If deemed necessary by the Commission, the providing party shall prepare a written summary of the Confidential Information referred to in the Order to be placed on the public record.

10. The provisions of this Order are specifically intended to apply to all data, documents, studies and other material designated as Confidential Information or Highly Confidential Information by any party to Docket UX 29 or by any Competitive Local Exchange Carrier from whom the Commission is seeking information in Docket UX 29.

11. This Modified Protective Order shall continue in force and effect after Docket UX 29 is closed.

Made, entered, and effective March 15, 2005, pursuant to OAR 860-012-0035(1)(k).



Allan J. Arlow
Administrative Law Judge

This order may be appealed to the Commission pursuant to OAR 860-014-0091. The appeal should be in the form of a motion. *See* OAR 860-013-0031.

APPENDIX "A"
CONFIDENTIAL INFORMATION

DOCKET UX 29

I have read the foregoing Modified Protective Order, Order No. 05-124, entered March 15, 2005, in Docket UX 29, and agree to be bound by the terms and conditions of this Order.

Full Name (Printed)

Employer

Job Title and Job Description

Business Address

Party

Signature

Date

APPENDIX "B"
HIGHLY CONFIDENTIAL INFORMATION

DOCKET UX 29

I have read the foregoing Modified Protective Order, Order No. 05-124, entered March 15, 2005, in Docket UX 29, and agree to be bound by the terms and conditions of this Order.

Full Name (Printed)

Employer

Job Title and Job Description

Business Address

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Signature

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