



Qwest

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Carla M. Butler
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May 21, 2007

Frances Nichols Anglin
Oregon Public Utility Commission
550 Capitol St., NE
Suite 215
Salem, OR 97301

Re: UM 1251

Dear Ms. Nichols Anglin:

Enclosed for filing please find an original and (5) copies of Qwest Corporation's Motion for Reconsideration and/or Clarification Regarding Wire Center Update Data and Regarding Procedures for CLEC Orders in Non-impaired Wire Centers, along with a certificate of service.

If you have any question, please do not hesitate to give me a call.

Sincerely,

A handwritten signature in black ink that reads "Carla". The signature is written in a cursive, flowing style.

Carla M. Butler

CMB:

Enclosures

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BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

UM 1251

In the Matter of TRRO/Request for Commission Approval of Wire Center Lists submitted on behalf of the Joint CLECs	QWEST CORPORATION'S MOTION FOR RECONSIDERATION AND/OR CLARIFICATION REGARDING WIRE CENTER UPDATE DATA AND REGARDING PROCEDURES FOR CLEC ORDERS IN NON-IMPAIRED WIRE CENTERS
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Pursuant to OAR 860-014-0095, Qwest Corporation (“Qwest”) hereby moves for reconsideration and/or clarification regarding two different aspects of Order No. 07-109 pertaining to non-impaired wire center-specific information and the procedures for processing CLEC orders for unbundled network elements at non-impaired wire centers. For the reasons set forth below, Qwest respectfully submits there are either errors of fact in the Order and/or good cause for further examination of these two matters that are essential to the decision of the Order.

BRIEF PERTINENT PROCEDURAL HISTORY

On March 20, 2007, the Commission issued Order No. 07-109 granting in part and denying in part the petition for Commission approval of Qwest’s non-impairment wire center list pursuant to the FCC’s *Triennial Review Remand Order* (“TRRO”). In the Order, the Commission ruled on the various contested issues, including the type of wire center-specific information that Qwest must submit in the future for *new* wire centers that Qwest adds to the non-impairment wire center list. On this issue, the Commission ruled that Qwest is to include “detailed wire center-specific information in its initial filing for Commission approval of a new wire center classification equivalent in scope and particularity to that which was provided in this proceeding pursuant to *CLEC data requests*.” Order, p. 13. (Emphasis added.) Further, the Commission ordered several compliance filings, as follows: (1) “a revised list of wire centers, including their classification and the bases therefor, supported by appropriate data, consistent with the findings and conclusions of the Order,” within 30 days of the Order, (2) “a document

setting forth the procedures for the evaluation and implementation of future wire center classifications consistent with the findings and conclusions of the Order,” also within 30 days of the Order, and (3) “a cost study consistent with this Order to establish a nonrecurring charge for the conversion of Unbundled Network Elements to tariffed special access services,” within 60 days of the Order. Order, p. 20, Ordering Clauses 2-4.

On April 18, 2007, Qwest and the Joint CLECs (through Qwest) filed a motion for a 30-day extension to comply with the requirement in Ordering Clause 3 regarding the filing within 30 days of the Order “a document setting forth the procedures for the evaluation and implementation of future wire center classifications consistent with the findings and conclusions of the Order.” However, and as mentioned in the joint motion for an extension, that ordering clause relates to Issue 4, which has four sub-issues (see Order, pp. 11-15), all of which were *decided by the Commission* in the Order. On the other hand, Issue 5, dealing with how Qwest should process orders by CLECs for UNEs at non-impaired wire centers, was the issue for which the Commission directed “Qwest and [the] Joint CLECs to develop such [order processing] procedures reasonably consistent with the intentions we have set forth here.” See Order, p. 17, and generally, pp. 16-17. Accordingly, Qwest and the Joint CLECs assume that the Commission meant to have the parties submit a document setting forth *order processing procedures for CLEC orders at non-impaired wire centers* that are “reasonably consistent with the intentions the Commission set forth in the Order.” See Order, p. 17, Issue 5. The Commission then granted the joint motion for an extension on April 19, 2007, although it did not address the question about which issue that filing requirement pertained to.¹

¹ Thereafter, on April 19, 2007, Qwest timely complied with Ordering Clause 2, which required a revised list of wire centers, including their classification and the bases therefor, supported by appropriate data, by filing such data. In addition, Qwest is timely submitting, at the same time it is filing this motion, a cost study to establish a nonrecurring charge for the conversion of UNEs to tariffed special access services, as required by the Order. Order, p. 20, Ordering Clause 4.

ARGUMENT

I. STANDARDS FOR A MOTION FOR RECONSIDERATION

OAR 860-014-0095 permits a party to seek reconsideration or rehearing of a Commission order within 60 days of the Order if there is an “error of law or fact in the order which is essential to the decision” or “good cause for further examination of a matter essential to the decision.” OAR 860-016-0095(3)(c), (3)(d). Qwest submits that there is an error of fact in the Order which is essential to the decision as it pertains to the two issues for which Qwest seeks reconsideration, or clarification, and/or that there is good cause for further examination of these issues which are essential to the decision in the Order.

II. THE COMMISSION SHOULD CLARIFY THAT QWEST NEED ONLY FILE DETAILED WIRE CENTER-SPECIFIC INFORMATION EQUIVALENT TO THE DATA IT PROVIDED IN RESPONSE TO THE COMMISSION’S BENCH REQUESTS (INSTEAD OF TO THE “CLECs’ DATA REQUESTS”)

In the Order, the Commission addressed the issue regarding the type of information that Qwest should file when it seeks approval of a *new wire center* to the *TRRO* non-impaired wire center list in the future. Order, pp. 12-13 (Issue 4(2)). The Commission had previously discussed (at page 8) the fact that Qwest had provided in this proceeding confidential and highly-confidential data in response to the *Commission’s bench requests* seeking business line data. Order, p. 8.² In deciding Issue 4(2), the Commission rejected the Joint CLEC proposal that Qwest provide five-day advance notice of all of its supporting documentation prior to Qwest’s filing such documentation and data with the Commission. The Commission then ruled:

“However, we shall require Qwest to include detailed wire center-specific information in its initial filing for Commission approval of a new wire center classification equivalent in scope and

² On March 24, 2006, the Commission issued a set of four bench requests, including numerous subparts, with an order for Qwest to respond to them. These bench requests sought detailed data from Qwest for each wire center that Qwest had included in its initial non-impaired wire center list in this docket. Qwest fully responded to those bench requests and filed them with its direct testimony on April 21, 2006. Qwest attaches a copy of these data requests as Exhibit A to this motion.

particularity to that which was provided in this proceeding pursuant to CLEC *data requests*.” Order, p. 13. (Emphasis added.)

Qwest assumes that the Commission made an error of fact in referring to “CLEC data requests,” and that it instead intended to say “the Commission’s bench requests,” and thus Qwest seeks reconsideration or clarification on this issue. That is, to the extent the Commission did not mean to say “the Commission bench requests,” but did in fact mean to say “the CLEC data requests,” Qwest seeks reconsideration of this ruling. If the Commission did in fact mean to say “Commission bench requests,” then Qwest requests that the Commission clarify the Order to state that this is the type of information, and detail, which Qwest must submit in the future when it seeks to add a new wire center to the non-impaired wire center list.

Qwest respectfully submits that the only reasonable interpretation of this ruling is that the Commission intended to say “the Commission’s bench requests.” This is so for several reasons. First, the Commission’s bench requests (which all of the parties, including Qwest, had agreed should be answered by Qwest) were the requests that sought detailed wire center-specific data. Indeed, the Commission addressed the bench requests in the Order. Order, p. 8. Second, the Commission did not define or describe any particular “CLEC data requests” at issue or which the Commission was referring to. Third, the Order is unclear as to what type of data is “equivalent in scope and particularity to that which was provided in this proceeding pursuant to CLEC data requests,” so without more specificity, it would be very difficult, if not virtually impossible, for Qwest to comply. Fourth, the Commission was not even aware of all of the data requests that the Joint CLECs had propounded (other than those which the Joint CLECs may have attached to their testimony as exhibits), and thus it would have been unable to know precisely what data Qwest submitted in response to such Joint CLEC data requests.

Finally, Qwest notes that the Joint CLECs did issue a series of 49 different data requests on or about April 28, 2006. (A copy of these data requests are attached as Exhibit B to this

motion.) However, as the Commission can see, the vast majority of the data requests pertained to the conversion nonrecurring charge to which Qwest witness Teresa Million testified. (See Exhibit B, requests 1-32.) There were a handful of data requests to Qwest's business line witness, Robert Brigham (requests 33-40), and to Qwest's fiber-based collocation witness, Rachel Torrence (requests 41-47), but the only ones that requested *wire center-specific data* (requests 33 and 34) were the same requests as the bench requests (except seeking data for a later time period). The other Joint CLEC data requests sought other information, such as Qwest's advocacy or positions, of these witnesses, but *not wire center-specific data*.

Accordingly, for the reasons set forth above, Qwest respectfully submits that the reference in the Order (page 13) to "CLEC data requests" was an error of fact, and/or that there is good cause to change that reference to "the Commission bench requests." Accordingly, Qwest seeks reconsideration of this issue, or if appropriate, clarification.

III. THE COMMISSION SHOULD CLARIFY THE FURTHER DOCUMENTATION THAT IT WANTS REGARDING THE ISSUE OF PROCESSING ORDERS BY CLECs AT NON-IMPAIRED WIRE CENTERS

In the Order, the Commission also ruled on Issue 5, which dealt with how Qwest should process orders submitted by CLECs for UNEs in non-impaired wire centers. Order, pp. 16-17. The Commission ruled that Qwest could not reject orders, but must follow the process described in paragraph 234 of the *TRRO*, as the Utah Commission had previously ruled. Thus, the Commission found that if a CLEC requests a UNE in a non-impaired wire center, either in error or because there is a dispute, Qwest and the CLECs must deal with the order in such a way so that facilities are provided in a timely manner, and that the services are ultimately charged at the proper rate (UNE rate or tariffed rate). The CLEC would then be back-billed for the difference if the CLEC has erroneously placed a UNE order that Qwest was not required to provide. Order, p. 17. The Commission found that such an approach provides facilities on a timely basis and keeps Qwest financially whole, and thus is reasonable and fully consistent with the *TRRO*.

Qwest does *not* seek reconsideration of the Order forbidding Qwest to “block” or “reject” CLEC orders for UNEs at a non-impaired wire center, and will, of course, comply with the Order. However, in the text of the Order on this issue (the very next sentence after the Commission’s reasoning for its ruling), the Commission stated: “We therefore direct Qwest and Joint CLECs to develop *such procedures* reasonably consistent with the intentions we have set forth here.” Order, p. 16. (Emphasis added.) Later, in the ordering clauses, the Commission ruled: “Within 30 (thirty) days of the effective date of this Order, Qwest shall submit a document setting forth the procedures for the evaluation and implementation of future wire center classifications consistent with the findings and conclusions of this Order.” See Order, p. 20, Ordering Clause 3.

Therefore, and as mentioned in the April 18th extension request and here, Qwest and the Joint CLECs assume the Commission meant to have the parties submit a document setting forth order processing procedures for CLEC orders at non-impaired wire centers that are reasonably consistent with the intentions the Commission set forth in the Order. See Order, p. 17, Issue 5. With that understanding, Qwest seeks reconsideration or clarification on this issue.

Preliminarily, and as mentioned in the April 18th joint motion for an extension, Qwest and the Joint CLECs continue to work toward a settlement, and, as stated, Qwest has agreed not to “reject” or “block” orders by CLECs for UNEs at non-impaired wire centers (indeed, Qwest is prohibited from doing so in Oregon because of the Order). Nevertheless, Qwest seeks clarification because it is unclear to Qwest exactly what “procedures” the Commission is requesting that Qwest (and the CLECs) submit.

As stated, Qwest will certainly comply with the Order and thus will not reject or block such UNE orders at non-impaired wire centers. Instead, Qwest will process such orders, and thereafter contact the CLEC about why the CLEC submitted the UNE order at the non-impaired wire center. If the CLEC did so in error, Qwest will ask that the CLEC issue a disconnect order,

in which case Qwest will then process the disconnect order and thus disconnect the facility. If the CLEC somehow disputes that the particular wire center is non-impaired for the particular UNE at issue, then Qwest will invoke the appropriate dispute resolution under the parties' interconnection agreement, and ultimately bring the dispute to the Commission (if appropriate under the agreement).

In any event, in light of that representation, Qwest submits there is good cause for reconsideration or clarification because Qwest is unclear as to any additional information about "procedures" that the Commission may be requiring from Qwest and the CLECs. Further, if Qwest's representations to the Commission that Qwest will not reject or block such UNE orders, and instead will work with the CLEC, as appropriate, to resolve such orders, are sufficient assurances for the Commission, such that the Commission does not need any further submission, Qwest respectfully requests that the Commission so clarify.

CONCLUSION

Accordingly, for the reasons set forth above, Qwest respectfully requests the Commission reconsider and/or clarify the two issues addressed above in light of the points that Qwest raises.

Dated: May 21, 2007

Respectfully submitted,

QWEST CORPORATION



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Attorney for Qwest Corporation

ISSUED: March 24, 2006

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1251

In the Matter of)	
)	
COVAD COMMUNICATIONS COMPANY,)	
ESCHELON TELECOM OF OREGON, INC.,)	
INTEGRA TELECOM OF OREGON, INC.,)	
MCLEODUSA TELECOMMUNICATIONS)	RULING
SERVICES, INC., and XO)	
COMMUNICATIONS SERVICES, INC.)	
)	
Request for Commission Approval of)	
Non-Impairment Wire Center List.)	

**DISPOSITION: BENCH REQUEST ISSUED; MOTION TO AMEND
PROTECTIVE ORDER GRANTED**

On February 15, 2006, five competitive local exchange carriers (CLECs) – Covad Communications Company, Eschelon Telecom of Oregon, Inc., Integra Telecom of Oregon, Inc., McLeodUSA Telecommunications Services, Inc., and XO Communications Services, Inc. (Joint CLECs) – filed a petition for Commission approval of a list of non-impaired wire centers. With that petition, the Joint CLECs requested that the Commission compel Qwest Corporation (Qwest) to answer certain questions to determine whether the list of non-impaired wire centers established by Qwest was proper. On February 28, 2006, Qwest moved for a protective order and for the Commission to compel Qwest to provide certain information, different from that sought by the Joint CLECs. A protective order was issued on March 10, 2006. *See* Order No. 06-110. On March 14, 2006, a prehearing conference was held and the parties agreed to discuss these issues further.

Bench Request

On March 22, 2006, Qwest revised its motion to compel, adopting the questions put forth by the Joint CLECs. It indicates that it circulated the proposed list and no party objected. Qwest asserts that data disclosing the business line counts and locations of fiber collocations for individual CLECs may be protected under section 222 of the Telecommunications Act of 1996, and pursuant to other federal and state privacy laws. Qwest will not produce such data absent an order from the Commission compelling it to do so. Without an order compelling it to do so, Qwest may not lawfully be able to produce disaggregated data that can be matched to individual CLECs.

To permit parties to conduct full and thorough analyses of wire center data in this proceeding, Qwest must produce, with its direct testimony, the highly confidential data in response to the bench requests that are attached as Appendix A, pursuant to the protective order as modified below.

Motion for Modified Protective Order

On March 22, 2006, Qwest moved to amend the protective order issued in this case, stating that Qwest has conferred with the other parties in this docket and there were no objections to the proposed protective order, which had been used in Commission docket UM 1100. Qwest requests that the proposed protective order supersede Order No. 06-110.

Based on prior experience, Qwest anticipates that parties will want to review the wire center data that Qwest produces on a CLEC-specific basis to determine the numbers of business access lines and fiber-based collocations that each CLEC has in a particular wire center. By having this information specific to each CLEC instead of in an aggregated form, the Commission and parties will be able to conduct their own calculations of the total numbers of business lines and fiber-based collocators reflected in Qwest's data. These "bottom up" calculations would not be possible with aggregated data masking the identities of individual CLECs, and use of aggregated data, therefore, would reduce the likelihood of the parties to this proceeding eventually agreeing upon the counts in wire centers.

A modified protective order is needed in this proceeding because the information discussed above includes certain highly confidential wire center data, including highly confidential CLEC-specific data that both Qwest and the CLECs in this proceeding agree should be protected by a modified protective order that contains protections and limited disclosures of highly confidential information. Qwest expects it will be required to produce certain highly confidential information or data essential to this proceeding in a disaggregated form that will permit parties to match specific data with specific CLECs, both in testimony and in response to discovery requests. Qwest seeks this modified protective order because CLEC-specific wire center data likely will be demanded by parties in this proceeding for the purposes of calculating business line counts and fiber-based collocators in specific wire centers.

For these reasons, the motion for a modified protective order is granted. The modified protective order, to be issued separately on this date, will supersede Order No. 06-110.

Dated at Salem, Oregon, this 24th day of March, 2006.

Christina M. Smith
Administrative Law Judge

Bench Requests to Qwest Corporation in Docket UM 1251 (TRRO)

1. Please provide a list of wire centers Qwest Corporation's (Qwest) service territory in Oregon that will be designated as "non-impaired" pursuant to the final rule in Appendix B of the FCC's Triennial Review Remand Order (TRRO) and specifically identify each wire center on the list for DS1 and DS3 Loops, and DS1, DS3 and Dark Fiber transport.

2. Please identify for each wire center whether it is classified as a Tier 1 or Tier 2 wire center, and whether the calculation is based on the number of fiber-based collocators (include the names of the collocators), or the number of business lines (line counts by each carrier), or both.

3. For each of the wire centers listed as "non-impaired" in Oregon, please provide a descriptive explanation and data necessary for the Commission and other participants to validate. The underlying data, at minimum, should include the following:

- (i) The total number of fiber-based collocators as defined in 47 C.F.R. § 51.5.
- (ii) The date on which the number of fiber-based collocators was determined.
- (iii) The name of each fiber-based collocator.
- (iv) If Qwest requested affirmation from a carrier regarding whether or not the carrier, if included in part (iii) above, was a fiber-based collocator, please provide documents to support whether the carrier affirmed, denied or did not respond to Qwest's request.
- (v) The total number of business lines as defined in 47 C.F.R. § 51.5.
- (vi) The date on which the business line counts data was calculated.
Note: If different components of the business line counts come from sources representing different points in time, then each component should be identified and the corresponding date for each component provided.
- (vii) Total Qwest business switched access lines.
- (viii) If the methodology used to determine the line counts in (vii) above differ from the methodology used to determine switched business line counts for ARMIS 43-08, describe the differences and any data that would allow the Commission or participants to reconcile this data.
- (ix) Total UNE Loops for each CLEC.
- (x) Number of UNE Loops, for each CLEC, provided in combination with Qwest switching (e.g. UNE-P, QPP, or other Qwest Commercial arrangement).
- (xi) Number of UNE Loops, for each CLEC, where Qwest does not provide switching.

- (xii) If different from (x) above, the number of business loops, for each CLEC, provided in combination with Qwest switching (e.g. UNE-P, QPP, or other Qwest Commercial arrangement). If this information is not available, indicate whether the response to (x) includes both business and residential loops.
- (xiii) If different from (xi) above, the number of switched business loops, for each CLEC, where Qwest does not provide switching. If this information is not available, indicate whether the response to (xi) includes both business and residential loops, switched and non-switched loops.
- (xiv) If the total of UNE Loops in (x) and (xi) above does not equal (ix) above, explain the difference, including any data that would allow participants to reconcile this data.
- (xv) Provide all underlying data, calculations and any description used to count digital access lines on a 64-kbps-equivalent basis for the counts in (vii) and (xi) above.
- (xvi) Verify that line counts associated with remote switch locations are associated with the remote and not the host switch. If this is not the case, explain why not.

4. If the calculation of number of lines (or inclusion of certain lines) is based on a directive from the FCC as Qwest has previously indicated, please provide the detailed citations of the FCC's decision(s).

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

In the Matter of COVAD
COMMUNICATIONS COMPANY,
ESCHELON TELECOM OF OREGON, INC.,
INTEGRA TELECOM OF OREGON, INC.,
MCLEODUSA TELECOMMUNICATIONS
SERVICES, INC., AND XO
COMMUNICATIONS SERVICES, INC.
Request for Commission Approval of Non-
Impairment wire Center List.

Docket No. UM 1251
JOINT CLECS' FIRST SET OF DATA
REQUESTS TO QWEST

Covad Communications Company, Eschelon Telecom of Oregon, Inc., Integra
Telecom of Oregon, Inc., McLeodUSA Telecommunications Services, Inc., and XO
Communications Services, Inc. (collectively "Joint CLECs") hereby serve this First Set of
Data Requests on Qwest Corporation ("Qwest").

INSTRUCTIONS

1. These requests are continuing in nature until the time of hearing, and amended answers to the requests are to be served promptly at any later date that additional information may be available to you, directly or indirectly, that would render incomplete, incorrect or misleading any answers previously given.

2. Each request should be answered on the basis of your entire knowledge, including all information in the possession of you, your directors, officers, employees, agents, representatives, and attorneys. If any of the requests cannot be answered in full, you are to answer to the extent possible, specifying the reason for your inability to answer the remainder and stating whatever information or knowledge you have concerning the unanswered portion. If your answer is qualified in any particular, please set forth the details of such qualification.

3. If you object to the production of any Document called for in these document requests, for each such Document state the following: (1) the reasons for the objection and any facts supporting the objection; (2) give a description of each Document including, without limitation, the date, sender, recipient(s), persons to whom copies have been furnished, job titles of each of the persons, subject matter of the Document, number of pages of the Document, the number(s) of the request to which such Document is responsive; and (3) the identity of the person in whose custody the Document is presently located.

4. If any Document is withheld under claim of privilege or work product, furnish a list identifying each Document for which the privilege or work product is claimed, together with the following information for each such Document: date, sender, recipient(s), persons to whom copies were furnished, job titles of each of those persons, subject matter of the Document, number of pages of the Document, the bases on which the privileges or work product is claimed, the paragraph(s) of these requests to which the Document responds, the person in whose custody the Document is presently located, and whether any matter that is not privileged or is not work product is discussed or mentioned in each Document.

5. Where a discovery request calls for a response in multiple parts, each part should be separated in the response so that the response is clearly understandable and complete.

6. If any Document requested was, but is no longer in the possession or subject to the control of Qwest, or is no longer in existence, state whether it: (1) is missing or lost; (2) has been destroyed; (3) has been transferred voluntarily or involuntarily to others and state the identity of the persons to whom it has been transferred; (4) has otherwise been disposed of, or in each instance explain the circumstances surrounding such disposition, state

the date or approximate date thereof and the identity of the persons with knowledge of such circumstances; and, (5) identify the Documents that are missing, lost, destroyed, transferred or otherwise disposed of, by author, date, subject matter, addressee(s), and the number of pages.

7. If you do not clearly understand, or have any questions about, these definitions, instructions, interrogatories or requests, contact counsel for the Joint CLECs promptly for clarification.

PRELIMINARY DEFINITIONS

1. "Document" means all written, printed, typed, punched, taped, filed, or graphic matter, however produced, reproduced or stored, of every kind and description, now or formerly in your actual or constructive possession, custody, trust, care, or control, including but not limited to: correspondence (such as letters, e-mail, faxes, cables, and telegrams); notes; memoranda (including memoranda of conversations, conferences, and telephone conversations); reports; data compilation or analyses; logs and records; photographs, books; papers, manuals; handbooks; bulletins; advisories; messages; magazines; periodicals; film strips or movies; press releases; newspaper clippings; pamphlets, studies; notations; working papers; charts; graphs; plans; drawings; diagrams; computer printouts; indexes; minutes; transcripts; contracts; agreements; leases; legal pleadings; invoices; billings; statements; accounting books or records; financial data of any kind; journals; ledgers; diaries; tax returns; bylaws; rules; regulations; constitutions; annual reports; programs; certifications; resolutions; any electronic or any other recordings of any kind or nature and any mechanical or electronic sound or recordings or transcripts thereof; computer files; data faxes; and all copies or facsimiles of documents by whatever means

made.

2. “Identify,” “identity,” “identification,” or “describe” when used with reference to a document, means to set forth, with respect to the original and each copy thereof, the following information: (a) its title or if untitled, its nature (e.g., letter, memorandum, telegram, note chart, photographs, sound reproduction, computer printout); (b) its date; (c) the identity of the person or persons who composed or originated it; (d) its substance and a sufficient description to enable the party propounding these data requests to request its production; (e) the name and last known address of each person who presently has custody of it; (f) if the document is no longer in your possession, custody, or control, state whether it was lost, destroyed, or otherwise disposed of, and describe the circumstances, including your authorization and the date of such disposition; and (g) if you claim any privilege against disclosure of any of the above information with respect to any document, describe each document sufficiently to allow the party propounding these requests to move to compel its disclosure, including the name of the person originating the document, the addressee, and the date.

3. “Identify,” “identity,” “identification,” or “describe” when used with reference to any individual, means to state the name, present or last known employer, present or last known address, and the present or last position held. When used with reference to an entity other than an individual, “identify,” “identity,” or “identification” means to state the official name or designation and address of such entity.

4. “Identify,” “identity,” or “describe,” when used with respect to an act, occurrence, contract, transaction, decision, statement, communication, or conduct (hereinafter collectively called "act"), means to describe in substance the event or events

constituting such act, what transpired, the place and date, and to identify the persons involved and the documents referring or relating thereto.

5. “You”, “your” or “Qwest” means or pertains to the named respondent in this matter and includes, without limitation, Qwest Corporation, its officers, directors, employees, agents, attorneys, corporate subsidiaries and affiliates.

6. “Persons” means any and all natural persons, corporations, businesses, firms, companies, partnerships, unincorporated associations, governmental or public agencies, joint ventures and all other entities, including, without limitation, all employees, representatives, consultants and agents of any of the foregoing.

7. The words “any” and “all” shall be considered to include each and every.

8. The singular of any word shall include the plural and the plural of any word shall include the singular.

9. A request to identify “evidence” of a fact or assertion is a request to identify any documents (including statutory, regulatory or case law materials), individuals with knowledge, or relevant acts or occurrences and should be read as a collective reference to all uses of the term “identify” in these definitions.

DATA REQUESTS

Joint CLEC Request 01-001: [Qwest/12, Million/3] Please provide a list of all alternatives available to CLECs that the FCC specifically found exist in the Oregon wire centers on Qwest's proposed "non-impaired" list.

Joint CLEC Request 01-002: [Qwest/12, Million/3] Please identify all "facilities available to [CLECs] from other carriers" for each of the Oregon wire centers on Qwest's proposed "non-impaired" list, including but not necessarily limited to the name of the carrier that offers those facilities, the types of facilities offered, and the rates, terms, and conditions for those facilities.

Joint CLEC Request 01-003: [Qwest/12, Million/3] Please provide any economic or other analysis Qwest has performed that demonstrates that a CLEC would choose Qwest facilities, rather than build its own facilities, if CLECs did not have to pay Qwest to perform the conversion from UNEs to Private Line services.

Joint CLEC Request 01-004: [Qwest/12, Million/4] Please identify the costs for each of the steps that Qwest believes that it must undertake for each of the three job functions Qwest has identified for conversion of a UNE to a Private Line circuit, and please provide all documents that support those costs.

Joint CLEC Request 01-005: [Qwest/12, Million/4] Please provide a copy of the cost study used for the rates proposed in UM 1025 for Private Line to Unbundled Loop Conversion in section 9.2.8 of Exhibit A to Qwest's Statement of Generally Available Terms ("SGAT").

Joint CLEC Request 01-006: [Qwest/12, Million/4] Please explain why the rate element for Private Line to Unbundled Loop Conversion, as listed in section 9.2.8 of Exhibit A to Qwest's SGAT would not adequately compensate Qwest, or otherwise would not be appropriate, for conversions from UNEs to Private Lines.

Joint CLEC Request 01-007: [Qwest/12, Million/4] Please explain whether there are any activities Qwest claims it must perform for converting from UNEs to Private Line facilities that are not related to activities for Qwest to "assure itself that the data for the converted circuit is accurately recorded in the appropriate systems."

Joint CLEC Request 01-008: [Qwest/12, Million/1-9] Are there any cases where the Overall Control Office (OCO) and Maintenance Control Office (MCO) in Omaha handles private line orders and repair tickets? Are there any cases where any of the OCO / MCO in Des Moines, Denver, Salt Lake City or Seattle handles UNE orders and repair tickets?

Joint CLEC Request 01-009: [Qwest/12, Million/1-9] Why is a manual review of WFADI and WFADO required in a case where there is no dispatch?

Joint CLEC Request 01-010: [Qwest/12, Million/4] Please explain why the order to convert the circuit from a UNE to a Private Line could not be placed using a Local Service Request (“LSR”).

Joint CLEC Request 01-011: [Qwest/12, Million/1-9] Please confirm that an order for UNE transport is placed using an Access Service Request (“ASR”).

Joint CLEC Request 01-012: [Qwest/12, Million/4] Please confirm that an LSR has a higher electronic flow through than an ASR.

Joint CLEC Request 01-013: [Qwest/12, Million/4] Please confirm, with respect to both EDI and GUI, that if a LSR were used instead of an ASR the service order would not need to be manually typed.

Joint CLEC Request 01-014: [Qwest/12, Million/4] Is Qwest aware of any other ILEC that uses the CRIS billing system for unbundled loops? If so, please identify the ILEC(s).

Joint CLEC Request 01-015: [Qwest/12, Million/4] Please describe what activities the SDC is coordinating.

Joint CLEC Request 01-016: [Qwest/12, Million/1-9] Please explain what SDC order-writing is necessary for the Design Center and TIRKS inventory databases, Implementation (Test and Maintenance) groups, and Billing.

Joint CLEC Request 01-017: [Qwest/12, Million/4] Please explain what activities the SDC performs to change a circuit ID and why this step requires manual intervention.

Joint CLEC Request 01-018: [Qwest/12, Million/4] Please confirm that the circuit ID is automatically assigned when the service order is entered in the system.

Joint CLEC Request 01-019: [Qwest/12, Million/4-5] Please explain precisely what is being reviewed for accuracy when “the SDC must check the accuracy of . . . data.” Would this step be necessary if there were electronic flow through between the systems?

Joint CLEC Request 01-020: [Qwest/12, Million/5] Please explain why it is necessary for the Designer to review and validate the circuit design for a circuit that is already in place, designed, and serving an end user customer.

Joint CLEC Request 01-021: [Qwest/12, Million/5] Please explain what physical changes could possibly be needed when converting a UNE to a Private Line service, or vice versa, for a circuit that is already in place, designed, and serving an end user customer and identify any examples of circuits to which Qwest has been required to make such physical changes.

Joint CLEC Request 01-022: [Qwest/12, Million/5] Please each and every way that a CLEC’s end user customer’s service could be interrupted during the process, or as a result, of converting a UNE to a Private Line service.

Joint CLEC Request 01-023: [Qwest/12, Million/5] Please explain what provisioning is taking place for a circuit that is already in place and serving an end user customer.

Joint CLEC Request 01-024: [Qwest/12, Million/5] Please confirm that the update of circuit orders in WFA can be an automated process.

Joint CLEC Request 01-025: [Qwest/12, Million/5] Is there any time when Qwest changed the code used to maintain its inventory of circuits and did not change the embedded base of circuits to the new format?

Joint CLEC Request 01-026: [Qwest/12, Million/1-9] What portion of the impacted lines belonged to CLECs that opted out of changes to the circuit ID of their embedded based?

Joint CLEC Request 01-027: [Qwest/12, Million/6] Is the circuit ID the only way Qwest can keep an inventory of circuits?

Joint CLEC Request 01-028: [Qwest/12, Million/6] Please identify any circumstances where Qwest has converted a UNE to a Private Line facility or a Private Line facility to a UNE where the circuit ID did not change.

Joint CLEC Request 01-029: [Qwest/12, Million/6-7] Please confirm that EEL circuits, where Qwest historically did not change the circuit ID, are being managed properly in the PID/PAP in Oregon.

Joint CLEC Request 01-030: [Qwest/12, Million/7-8] Please provide all cost support and/or cost studies relating to the design change charge Qwest proposes to charge for conversions of UNEs to Private Line facilities.

Joint CLEC Request 01-031: [Qwest/12, Million/7] Please specifically identify the rate, and section of the FCC interstate tariff containing that rate, along with a description of the rate element, that Qwest proposes to charge to CLECs converting from UNEs to Private Line facilities.

Joint CLEC Request 01-032: [Qwest/12, Million/7] Please provide all cost support that demonstrates that "UNE-to-private line conversion orders are typically more costly to process than a typical Design Change."

Joint CLEC Request 01-033: [Qwest/5, Brigham/1-24] Please provide data similar to what was provided in Highly Confidential Attachment C and Confidential Attachment D in response to Bench Requests BCH 01-002 representative of March 2005. If March 2005 data is not available, please provide this data for end of year 2004.

Joint CLEC Request 01-034: [Qwest/5, Brigham/1-24] Please provide data similar to what was provided in Confidential Attachment B, Confidential Attachment C, and Confidential

Attachment D for the same time period as the data provided in response to Joint CLEC Request 01-034 above.

Joint CLEC Request 01-035: [Qwest/5, Brigham/20] With the introduction of QPP, please explain why Qwest is not able to distinguish between business and residential service as of March 11, 2005.

Joint CLEC Request 01-036: [Qwest/5, Brigham/18] Please describe any effort Qwest made to remove residential loop counts from the CLEC UNE loop data, including but not limited to the number of residential loops removed and how Qwest determined that the lines were residential. If Qwest did not remove residential UNE loop data, please provide the number of residential loops that Qwest included within the total CLEC UNE loop data.

Joint CLEC Request 01-037: [Qwest/5, Brigham/11-18] Please describe any effort Qwest made to remove non-switched line counts from the CLEC UNE loop data, including but not limited to the number of non-switched lines removed and how Qwest determined that the lines were non-switched lines. If Qwest did not remove non-switched lines from the UNE loop data, please provide the number of non-switched lines that Qwest included within the total CLEC UNE loop data.

Joint CLEC Request 01-038: [Qwest/6, Brigham/1] Please explain the category of lines identified as “Public,” including the types of lines included and how Qwest calculated the number of those lines.

Joint CLEC Request 01-039: [Qwest/6, Brigham/1] Are the public lines described in response to Joint CLEC Request 01-040 served over Qwest owned loop facilities?

Joint CLEC Request 01-040: [Qwest/6, Brigham/1] Please describe where in the FCC rules or the FCC’s Triennial Review Remand Order Qwest is directed to include public lines in the switched business line counts for the purposes of determining “non-impairment.”

Joint CLEC Request 01-041: [Qwest/7, Torrence/1-23] For fiber-based collocation please indicate whether Qwest received affirmation from a carrier regarding whether or not the carrier was a fiber-based collocator.

Joint CLEC Request 01-042: [Qwest/7, Torrence/10-11] Ms. Torrence indicates that Qwest’s “collocation tracking records and billing data” were used to verify fiber based collocators as of December 2003. On page 11, Ms. Torrence states that “Qwest’s Wholesale Markets team validated the [wire center] list against February 2005 billing data.” Did Qwest verify that the list of carriers with fiber based collocators were fiber based collocators as of December 2003 or February 2005? Please explain.

Joint CLEC Request 01-043: [Qwest/7, Torrence/10-11] Qwest filed a fiber-based collocation list with the FCC in February 2005. Please clarify the time period represented by that fiber based collocation list.

Joint CLEC Request 01-044: [Qwest/7, Torrence/12] Please provide a representative copy of the letter Qwest sent to each CLEC asking the CLEC to verify whether the CLEC is a fiber based collocator.

Joint CLEC Request 01-045: [Qwest/7, Torrence/12] In the letter Qwest sent to CLECs, did Qwest ask CLECs to verify that they were fiber based collocators as of December 2003, February 2005, or some other time period?

Joint CLEC Request 01-046: [Qwest/7, Torrence/14] Please provide a copy of the spreadsheet discussed on this page of Ms. Torrence's testimony, along with all supporting information for all wire centers where Qwest relied upon fiber-based collocation to determine that the wire center is "non-impaired."

Joint CLEC Request 01-047: [Qwest/7, Torrence/15] Please provide a copy of any explicit instructions Qwest provided to its field personnel that during its June 2005 inspection they should consider only fiber-based collocations as of March 11, 2005.

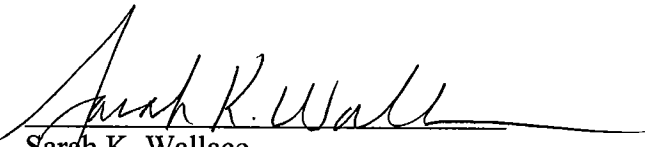
Joint CLEC Request 01-048: Please provide a copy of all of Qwest's responses to data requests or any other requests for information in this docket from other parties.

Joint CLEC Request 01-049: Please see the attached confidential data request.

Dated this 28th day of April, 2006.

DAVIS WRIGHT TREMAINE LLP

By:


Sarah K. Wallace

CERTIFICATE OF SERVICE

UM 1251

I hereby certify on this 28th day of April, 2006, the Joint CLECS' First Set of Data Requests to Qwest was sent via Transerv Delivery to Alex Duarte.

A copy of the filing was sent electronically to the service list which is attached.

DAVIS WRIGHT TREMAINE LLP

By: Barbara Lasswell
Barbara Lasswell



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[Recreation](#)

Public Utility Commission

eDockets

Docket Summary

Docket No: UM 1251

Docket Name: TRRO/REQUEST FOR APPROVAL OF WIRE CENTER LISTS

[Print Summary](#)

In the Matter of COVAD COMMUNICATIONS COMPANY, ESCHELON TELECOM OF OREGON, INC., INTEGRA TELECOM OF OREGON, INC., MCLEODUSA TELECOMMUNICATIONS SERVICES, INC., and XO COMMUNICATIONS SERVICES, INC. Re Commission Approval of Non-Impairment Wire...

Filing Date: 2/15/2006

Case Manager: DAVE BOOTH

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Law Judge: CHRISTINA SMITH

Phone: (503) 378-6208

[Email Service List \(semi-colon delimited\)](#)

[Email Service List \(comma delimited\)](#)

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W=Waive Paper service	Q=Confidential		Sort by Last Name	Sort by Company Name
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Exhibit B
Page 13 of 13

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CERTIFICATE OF SERVICE

UM 1251

I hereby certify that on the 21st day of May, 2007, I served the foregoing QWEST CORPORATION'S MOTION FOR RECONSIDERATION AND/OR CLARIFICATION REGARDING WIRE CENTER UPDATE DATA AND REGARDING PROCEDURES FOR CLEC ORDERS IN NON-IMPAIRED WIRE CENTERS in the above entitled docket on the following persons via U.S. Mail, by mailing a correct copy to them in a sealed envelope, with postage prepaid, addressed to them at their regular office address shown below, and deposited in the U.S. post office at Portland, Oregon.

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DATED this 21st day of May, 2007.

QWEST CORPORATION



By: _____

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