

**Qwest**  
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Room 810  
Portland, OR 97204  
Telephone: 503-242-5420  
Facsimile: 503-242-8589  
e-mail: Carla.Butler@qwest.com



**Carla M. Butler**  
Senior Paralegal

August 4, 2004

**Via UPS Next Day Delivery**

Ms. Cheryl Walker  
Oregon Public Utility Commission  
Suite 215  
550 Capitol Street NE  
Salem, OR 97301

Re: SGAT Adoption Agreement between **TALK AMERICA, INC.** and **QWEST CORPORATION**

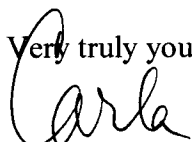
Dear Ms. Walker:

Enclosed please find an original and two (2) copies of a fully executed Agreement to Adopt Qwest Corporation's Statement of Generally Accepted Terms (SGAT), and associated Exhibits, Sixteenth Revision, filed June 30, 2004. Interested persons may view the SGAT on the Oregon Public Utility Commission's Website via the following link:

<http://edocs.puc.state.or.us/efdocs/HAQ/um973haq95853.pdf>

Also enclosed is a completed Carrier-to-Carrier Agreement Checklist, which includes the names of the parties, a contact person, and the type of filing. The electronic version was eFiled on this date.

Please feel free to contact me if you have any questions concerning the enclosed. Thank you for your assistance in this matter.

Very truly yours,  
  
Carla Butler  
Sr. Paralegal

Enclosures

cc: Luba Hromyk, Qwest (letter and checklist only)  
Don Mason, Qwest (letter and checklist only)  
Kevin Weltens, Talk America, Inc. (letter and checklist only)

## CARRIER-TO-CARRIER AGREEMENT CHECKLIST

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**INSTRUCTIONS:** Please complete all applicable parts of this form and submit it with related materials when filing a carrier-to-carrier agreement pursuant to 47 U.S.C. 252 and OAR 860-016-0000 et al. The Commission will utilize the information contained in this form to determine how to process the filing. **Unless you request otherwise in writing, the Commission will serve all documents related to the review of this agreement electronically to the e-mail addresses listed below.**

**1. PARTIES**                      *Requesting Carrier*    *Affected Carrier*

Name of Party:

Contact for Processing Questions:

Name:

Telephone:

E-mail:

Contact for Legal Questions (if different):

Name:

Telephone:

E-mail:

Other Persons wanting E-mail service of documents (if any):

Name:

E-mail:

**2. TYPE OF FILING**                      NOTE: Parties making multiple requests (such as seeking to adopt a previously approved agreement and Commission approval of new negotiated amendments to that agreement) should submit a separate checklist for each requested action.

Adoption: Adopts existing carrier-to-carrier agreement filed with Commission.

- Docket ARB
- Parties to prior agreement    &
- Check one:

Adopts base agreement only; or

Adopts base agreement and subsequent amendments approved in Order No(s).

New Agreement: Seeks approval of new negotiated agreement.

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• Does filing replace an existing agreement between the parties?</li><li>• NO</li><li>• YES, Docket ARB</li></ul> | <ul style="list-style-type: none"><li>• If filing involves Qwest Communications, does it utilize the terms of an SGAT?</li><li>• NO</li><li>• YES, Revision</li></ul> |
|---|---|

Amendment: Amends an existing carrier-to-carrier agreement.

Docket ARB

Other: Please explain.



July 7, 2004

Talk America Inc.  
Kevin Weltens  
12020 Sunrise Valley Drive, Ste. 250  
Reston, VA 20190

**Subject: Agreement to Adopt Qwest Corporation's Statement of Generally Accepted Terms ("SGAT") Sixteenth Revision and Associated Exhibits, for the State of Oregon**

Dear Kevin,

We have received your request that, in accordance with Section 252(i) of the Federal Telecommunications Act of 1996, Talk America Inc. ("CLEC") wishes to enter into Qwest Corporation's Statement of Generally Available Terms ("SGAT") and Exhibits A through M for the State of Oregon.

By signing this letter (hereinafter referred to as the "Agreement"), CLEC and Qwest Corporation ("Qwest") incorporate herein and hereby adopt and agree to be bound by all terms and provisions of the SGAT and Exhibits A through M that are on file with the Oregon Public Utility Commission and in effect as the date of this letter, including the effective term of the SGAT. These include the following documents, with their corresponding effective dates:

SGAT	Statement of Generally Available Terms Sixteenth Revision	dated 06/30/04
Exhibit A	Oregon Rates	dated 06/30/04
Exhibit B	Service Performance Indicators	dated 06/30/04
Exhibit B1	Manual Service Order Accuracy	dated 06/30/04
Exhibit C	Service Interval Tables	dated 06/30/04
Exhibit D	Qwest Right of Way, Pole Attachment and/or Innerduct Occupancy General Information Document	dated 06/30/04
Exhibit E	Vertical Switch Features for UNE Switching	dated 06/30/04
Exhibit F	Special Request Process	dated 06/30/04
Exhibit G	Change Management Process (CMP)	dated 06/30/04
Exhibit H	Reserved for Future Use	dated 06/30/04
Exhibit I	Individual Case Basis (ICB)	dated 06/30/04
Exhibit J	Election of Reciprocal Compensation Option	dated 06/30/04
Exhibit K	Performance Assurance Plan	dated 06/30/04
Exhibit L	Advice Adoption Letter	dated 06/30/04
Exhibit M	Interim Advice Adoption Letter	dated 06/30/04

With respect to this Agreement, CLEC and Qwest (hereinafter referred jointly to as "the Parties") further understand and agree:

1. Qwest requests that notice to Qwest Corporation as may be required under the Agreement or SGAT shall be provided as follows:

To:

Qwest Corporation  
Director Interconnection Agreements  
1801 California Street, Room 2420  
Denver, CO 80202  
303-965-3029  
Email – [intagree@qwest.com](mailto:intagree@qwest.com)

With copy to:

Qwest Corporation Law Department  
Attention: Counsel, Interconnection  
1801 California Street, 49th Floor  
Denver, CO 80202

CLEC requests that notice to CLEC as may be required under the Agreement or SGAT shall be provided as follows:

Talk America Inc.  
Kevin Weltens  
12020 Sunrise Valley Drive, Ste. 250  
Reston, VA 20190  
Phone – 703-391-7500  
[kweltens@talk.com](mailto:kweltens@talk.com)

2. CLEC represents and warrants that it is a certified local exchange carrier in the State of Oregon and that this Agreement will cover services in that state only.

3. CLEC shall sign all three original of this Agreement, and return them to:

Qwest Corporation  
Manager of Interconnection Agreements  
1801 California St, Suite 2420  
Denver, CO 80202  
Phone: 303-965-3029

4. If the Oregon Public Utility Commission approves or allows to become effective the withdrawal or revision of the above-identified SGAT or any of the associated Exhibits before this Agreement is executed by both parties, then the terms of this Agreement shall be rendered null and void. CLEC and Qwest may thereafter discuss execution of a new Agreement that adopts the SGAT and associated Exhibits as most recently approved or allowed to become effective by the Oregon Public Utility Commission.


5. Qwest will file this Agreement with the Oregon Public Utility Commission for approval pursuant to Section 252 of the Federal Telecommunications Act of 1996. Qwest notes that some state commissions may not approve the Agreement until the CLEC is certified by the state commission.

6. Exhibit J, Election of Reciprocal Compensation Option, establishes the Reciprocal Compensation rate for 251(b)(5) voice traffic billed by the Parties. CLEC chooses voice services compensation at: (MUST Initial ONE choice)

1. DK FCC Ordered Rate OR 2. \_\_\_\_\_ State Ordered Rate

The Parties agree to all terms and conditions contained in this Agreement as indicated by signatures below:

Talk America Inc.

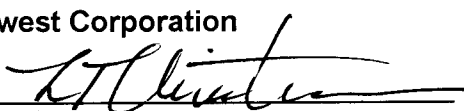
  
Signature

ALAN KIRK  
Name Printed/Typed

VP- NETWORK VENDOR MGMT  
Title

6/30/04  
Date

Qwest Corporation

  
Signature

L. T. Christensen  
Name Printed/Typed

Director-Interconnection Agreements  
Title

7/12/04  
Date