



# Davis Wright Tremaine LLP

ANCHORAGE BELLEVUE LOS ANGELES NEW YORK PORTLAND SAN FRANCISCO SEATTLE SHANGHAI WASHINGTON, D.C.

SUITE 2300  
1300 SW FIFTH AVENUE  
PORTLAND, OR 97201-5630

TEL (503) 241-2300  
FAX (503) 778-5299  
www.dwt.com

SARAH K. WALLACE  
Direct (503) 778-5249  
sarahwallace@dwt.com

February 15, 2005

Ms. Cheryl Walker  
Oregon Public Utility Commission  
550 Capitol Street N.E.  
Suite 215  
Salem, OR 97301-2551

Re: TRRO/Request for Commission Approval of Wire Center Lists

Dear Ms. Walker:

March 11, 2006, approximately one month from now, is the default date established in the FCC's TRRO<sup>1</sup> on which high capacity (DS1 and DS3) loops and transport will no longer be available as unbundled network elements ("UNEs") in multiple wire centers in Arizona.<sup>2</sup> Before then, the Commission should address a key issue arising from the TRRO's impairment analysis: the need for a process allowing all affected parties – regulators, competitors, and ILECs – to examine, understand, and verify the underlying wire center data on which continued access to high capacity UNEs turns.

The Washington Utilities and Transportation Commission ("WUTC") recently dealt with the issue in a manner that could provide this Commission a relatively easy and efficient solution.<sup>3</sup> For the reasons provided in this letter, Covad Communications Company, Eschelon Telecom of Oregon, Inc., Integra Telecom of Oregon, Inc., McLeodUSA Telecommunications Services, Inc.,

<sup>1</sup> *In re Unbundled Access to Network Elements*, FCC 04-290, WC Docket No. 04-313 and CC Docket No. 01-338, Order on Remand (rel. Feb. 4, 2005) ("TRRO").

<sup>2</sup> While the actual date may be later than March 11, 2006 for CLECs that have yet to finalize TRO/TRRO amendments or agreements with Qwest, the deadline is nonetheless rapidly approaching.

<sup>3</sup> See description below. The oral decision will be reflected in a written order that will be posted on the WUTC website (Docket No. UT-053025) at [www.wutc.wa.gov](http://www.wutc.wa.gov).



and XO Communications Services, Inc. (“Joint CLECs”) respectfully request that the Commission adopt an approach similar to that of the WUTC, including:

- Development of a list of non-impaired wire centers and a process for updating that list when additional wire centers become eligible for addition to the list. (*See* Joint CLECs’ proposed process in **Attachment A**.)
- Prompt entry of a protective order and a further order requiring the ILECs to provide certain wire center data (listed in **Attachment B**) to CLECs and Commission Staff pursuant to the protective agreement.
  - Qwest Corporation (“Qwest”) has indicated that the data is proprietary carrier information pursuant to 47 U.S.C. §222, so Qwest cannot provide it to other CLECs without an order to do so. Section 222 allows Qwest to provide such information when required by law. If the Commission orders Qwest to provide the information subject to an appropriate protective order, therefore, Qwest can provide the information to CLECs and Staff. Qwest routinely does so in other contexts. (*See* examples in **Attachment C**).
- If necessary, expeditious opening of an investigative or other docket, if no existing open docket is available for addressing this issue.

**NON-IMPAIRED WIRE CENTERS, THE FCC DEFAULT PROCESS, AND THE ADVANTAGES AND NECESSITY OF A COMMISSION PROCESS TO INVESTIGATE WIRE CENTER DATA**

In the TRRO, the FCC determined impairment for unbundled access to high-capacity loops and transport on a wire center basis, using as criteria the number of business lines and fiber-based collocators in wire centers.<sup>4</sup> A CLEC must “undertake a reasonably diligent inquiry” into whether high capacity loops and transport meet these criteria, and then must self certify to the ILEC that the CLEC is entitled to unbundled access.<sup>5</sup> The FCC said that ILECs must “immediately process” the UNE order and then may “subsequently” bring a dispute before a state commission or other authority if it contests the CLEC’s access to the UNE.<sup>6</sup> If the ILEC prevails in the dispute, the ILEC is protected because it may back bill for the time period when it should have been allowed to bill a higher rate.

---

<sup>4</sup> *See, e.g.* TRRO, ¶¶ 146, 155, 166, 174, 178, 182, 195.

<sup>5</sup> TRRO ¶ 234.

<sup>6</sup> TRRO ¶ 234.



Qwest provides in its template TRRO amendment, however, that Qwest will process such orders *only if* the wire center is not on Qwest's own list of non-impaired wire centers.<sup>7</sup> Qwest recently confirmed that Qwest will not accept orders that are on its wire center list, even if a CLEC disagrees with the list,<sup>8</sup> despite the language of the TRRO. Qwest has not provided sufficient data, however, for CLEC's to verify Qwest's unilaterally-prepared lists. Evidence that the wire center lists need independent review includes instances to date when Qwest has already had data errors in the information it has distributed to CLECs. Qwest's proposal would improperly shift the burden to CLECs to bring disputes to the Commission before Qwest will process orders, instead of Qwest's raising a dispute with the Commission after processing an order per the FCC default process. The Joint CLECs believe that Qwest is wrong and that CLECs are entitled to the default process described by the FCC. Qwest obviously disagrees. CLECs offer the following compromise to attempt to avoid, or at least significantly narrow, this dispute. A Commission process is needed to implement the compromise, because the compromise hinges largely on obtaining a Commission order to provide the data pursuant to a protective agreement to alleviate Qwest's concerns about confidentiality/Section 222 compliance.

#### **JOINT CLECs' OFFER TO COMPROMISE**

As a compromise, the Joint CLECs are willing to consult an ILEC wire center list provided that, after party review of the underlying data (listed in Attachment B), the Commission approves the list. If the Commission will agree to order the ILECs to provide the underlying data subject to an appropriate protective order, to develop a Commission-approved initial list of non-impaired wire centers, and to implement a process for updating and approving the lists, many potential disputes will be avoided. The earlier these Commission orders are issued, the earlier the parties can attempt to reach agreement or at least narrow the issues. After reviewing the underlying data, CLECs may agree that some or all of the wire centers belong on the list, so there will be no dispute, or fewer disputes, for the Commission to resolve.

In Washington, the WUTC recently approved an ALJ finding that: "CLEC access to accurate and verifiable information that forms the basis of self-certification would ensure more accurate self-certifications and fewer disputes."<sup>9</sup> The ALJ indicated that it would be "more efficient" for the Commission to develop the list in one proceeding than for each CLEC to request verifying information from the ILEC, even when the ILEC will agree to provide that information.<sup>10</sup> The ALJ further found that: "It is crucial to all parties . . . to have a central list of all ineligible wire

---

<sup>7</sup> See, e.g., Qwest TRRO Amendment ¶¶2.8 & 2.8.1 (available at <http://www.qwest.com/wholesale/downloads/2006/060203/TRO-TRRO-Amendment1-30-06.doc>).

<sup>8</sup> Washington TRRO workshop (statements by Qwest attorney Ms. Lisa Anderl), Feb. 1, 2006 (Docket No. UT-053025).

<sup>9</sup> Arbitrator's Report and Decision, Order No. 17, WUTC Docket No. UT-043013, July 8, 2005 ("Verizon WA ALJ Arbitration Order"), ¶105. See <http://www.wutc.wa.gov/rms2.nsf/vw2005OpenDocket/9D2ACD4D768DABE888257084007B7673>

<sup>10</sup> Verizon WA ALJ Arbitration Order, ¶117.



centers, as well as pertinent information about eligible wire centers that is accurate, verified, and made available to the public.”<sup>11</sup> The ALJ said that it “makes sense . . . to develop and maintain an accurate and up-to-date list” of wire centers and to maintain that list on the WUTC website.<sup>12</sup> The WUTC adopted the ALJ’s recommendation to consider developing lists of eligible and ineligible wire centers for both Verizon and Qwest, as well as a process for updating the lists, in a separate docket.<sup>13</sup> In the separate docket,<sup>14</sup> the WUTC has since agreed to order Qwest and Verizon to provide confidential data similar to that described in Attachments A and B to CLECs and staff pursuant to an appropriate protective order (similar to the one described in Attachment A).<sup>15</sup> The ALJ indicated in the workshop that the WUTC will also address a process for updates to the Commission’s wire center list. CLECs ask the Commission to similarly develop an approved wire center list to gain the same efficiencies that the WUTC found in engaging in a one-time review to avoid multiple case-by-case disputes.

#### **REQUEST FOR COMMISSION ACTION**

For the reasons stated, the Joint CLECs ask the Commission to order the ILECs to provide the underlying data subject to an appropriate protective order, to develop a Commission-approved initial list of non-impaired wire centers after party review and discussion of that data, and to implement a process for updating and approving the lists.

Very truly yours,

Davis/Wright Tremaine LLP

A handwritten signature in cursive script that reads 'Sarah K. Wallace'.

Sarah K. Wallace

SKW:jb

cc: Attached Service List (via email only)

---

<sup>11</sup> Verizon WA ALJ Arbitration Order, ¶117.

<sup>12</sup> Verizon WA ALJ Arbitration Order, ¶116.

<sup>13</sup> WUTC Docket No. UT-043013, September 22, 2005 (Order No. 18 ¶¶12 & 19) (affirming Verizon ALJ Arbitration Order No. 17, ¶¶106, 116-117). Both are available at: [www.wutc.wa.gov](http://www.wutc.wa.gov) (in “docket lookup” enter 043013; click on Verizon Northwest Inc.; click on “orders” and go to Order Nos. 17 and 18).

<sup>14</sup> WUTC Docket No. UT-053025; TRRO Workshop in Washington on Feb. 1, 2006 and continued by telephone on February 6, 2006.

<sup>15</sup> The oral decision will be reflected in a written order that will be posted on the WUTC website (Docket No. UT-053025) at [www.wutc.wa.gov](http://www.wutc.wa.gov). For the protective order, see [http://www.wutc.wa.gov/rms2.nsf/0/7ED3BB3AD74613AA882571110068E363/\\$file/Order%2BNo.%2B01%2B-%2BProtective%2BOrder.pdf](http://www.wutc.wa.gov/rms2.nsf/0/7ED3BB3AD74613AA882571110068E363/$file/Order%2BNo.%2B01%2B-%2BProtective%2BOrder.pdf)

**ATTACHMENT A – JOINT CLEC PROCESS PROPOSAL:  
WIRE CENTER LIST AND UPDATE PROCESS**

In their accompanying letter, CLECs propose that the Commission order the ILEC to provide data sufficient to verify ILEC's wire center lists and then develop lists of eligible and ineligible ILEC wire centers, as well as a process for updating the lists. Below is the CLECs' proposed approach for developing the wire center lists and updates.

1. **ADDRESS CONFIDENTIALITY ASAP:** The earlier a protective order is issued, the earlier CLECs may begin to verify the ILEC supporting data, and the parties can attempt to reach agreement or at least narrow the issues.

**PROTECTIVE ORDER – SIMILAR TO COST CASE ORDERS:** The Commission should issue a protective order regarding confidentiality. The protective order should be similar to those issued in the ILEC cost cases.

A more limited protective order, such as an order limiting all data to staff access, would be overly restrictive for fiber based collocator data. CLEC fiber based collocation is not of the same sensitive nature as CLEC circuit-specific line counts and can be properly handled through a standard protective order. Aggregated line counts per wire center is also similar to the type of data provided in cost cases pursuant to standard protective orders. Both CLEC-specific fiber based collocator data and aggregated line counts per wire center should be classified as standard confidential data, without extra protections reserved for highly confidential data.

In Washington, an ALJ has indicated that the Commission will issue an order providing that CLEC-specific fiber based collocator by wire center data will be provided to parties signing the protective order without any masking of the identity of such collocators ("unmasked") and treated as confidential (i.e., not highly confidential).<sup>1</sup> CLEC-specific business line count by wire center data will be provided to parties signing the protective order with the identity of the CLECs masked by assigning each CLEC a code. Such masked data will also be treated as confidential (i.e., not highly confidential). The ILEC will provide each CLEC with its own code, so that the CLEC may verify its own line count data. Either an "unmasked" version of the CLEC-specific business line count data or a key to all of the codes will be provided to the commission staff.<sup>2</sup> *All of the Joint CLECs are willing to sign a protective order with such terms and to allow their data to be provided in this matter pursuant to the terms of such a protective order.*

---

<sup>1</sup> The Protective Order issued by the WUTC in Docket No. UT-053025 (Order No. 1), provides that the identity of any fiber-based collocators in a wire center will be designated as Confidential, as opposed to Highly Confidential. (¶ 5)

([http://www.wutc.wa.gov/rms2.nsf/0/7ED3BB3AD74613AA882571110068E363/\\$file/Order%2BNo.%2B01%2B-%2BProtective%2BOrder.pdf](http://www.wutc.wa.gov/rms2.nsf/0/7ED3BB3AD74613AA882571110068E363/$file/Order%2BNo.%2B01%2B-%2BProtective%2BOrder.pdf))

<sup>2</sup> The Protective Order issued by the WUTC in Docket No. UT-053025 (Order No. 1), provides that the identity of a telecommunications carrier's business lines or line counts will be provided in a "masked" format. Individual CLEC line counts will be identified using a code and will be designated as Confidential. Each individual CLEC will be provided their own code to verify data concerning that carrier. Commission Staff will be provided a code for all carriers. (¶ 5)

([http://www.wutc.wa.gov/rms2.nsf/0/7ED3BB3AD74613AA882571110068E363/\\$file/Order%2BNo.%2B01%2B-%2BProtective%2BOrder.pdf](http://www.wutc.wa.gov/rms2.nsf/0/7ED3BB3AD74613AA882571110068E363/$file/Order%2BNo.%2B01%2B-%2BProtective%2BOrder.pdf))

**ONE-TIME COMMISSION NOTICE WITH PROTECTIVE ORDER:** The Commission should issue a notice to telecommunications carriers in the state<sup>3</sup> describing the process and how to participate and enclosing a copy of the protective order (or indicating how to obtain a copy).

- Indicate the date on which ILECs will be submitting their initial wire center lists with supporting data and require any objecting CLECs to object to the Commission before that date.

**ONGOING ILEC NOTICES TO CLECs, WHEN WIRE CENTERS ARE ADDED TO LIST:** Before ILECs file a proposal and supporting data asking to add a wire center to an approved wire center list, ILECs would issue a notice to CLECs informing them of the filing, notifying them that the filing (which will be filed as confidential pursuant to the protective order) may contain a CLEC's confidential data, advising CLEC that it may obtain data in the docket by signing the protective order, and indicating that, if a CLEC objects, the CLEC should contact *the Commission* before a given date. These notices would be similar to the notices that ILECs currently send with respect to requests for CLEC-specific data (*see* examples in Attachment C). The examples of Qwest notices in Attachment C show that Qwest already has a process in place for notifying CLECs (including non-party CLECs) when Qwest intends to provide CLEC-specific data to the other parties or the Commission pursuant to a protective order.

2. **ENSURE SUFFICIENT SUPPORTING DATA ARE PROVIDED WITH FILING AND ESTABLISH PROCESS TO INQUIRE ABOUT THE DATA:**

INITIAL LIST:

- SET CLEC OBJECTION DATE by which any CLEC may object to inclusion of its data in data provided to other CLECs pursuant to the protective order.
- SEND COMMISSION NOTICE to carriers (described above in #1)
- SET ILEC DATE by which ILECs submit proposed wire center lists and data upon which they rely (but at least the data identified in *Attachment B*).
- SET EXCHANGE OF INFORMATION PERIOD: Once the protective order is in place and notice and opportunity to object given, allow either discovery or informal exchange of information so that the parties have sufficient opportunity to reasonably inquire about the data to understand its meaning and application.

---

<sup>3</sup> In the Washington workshop in Docket No. UT-053025, Qwest agreed to review the Commission's list of carriers and notify the Commission if any fiber-based collocators in the state were not on the list, to ensure complete notice to affected parties.

- Establish a reasonable but expedited time period (e.g., 30 days) for this information exchange process. (This time period may be shorter when only one wire center is involved, such as for an update to the list.)
- Allow opportunity to object and resolve any disputes as to sufficiency of the data.
- Allow time extensions, such as in the event of disputes as to sufficiency of data or if multiple wire centers are submitted at the same time, increasing the amount of data to review.

**ADDITIONS/UPDATES TO THE LIST:**

- Same process as for initial list, except ILEC sends the initial notice to CLECs (described above in #1 and in enclosed similar examples) before filing the data. The ILEC must also provide the data directly to any CLECs that have signed the protective order.
- Establish set intervals for each update, such as:
  - 5 Days (or more): ILEC must provide notice to CLECs at least 5 days before ILEC filing of proposed additional wire center(s) and the supporting data (at least the data identified in Attachment B).
  - 20 Day time period (after receipt of data identified in Attachment B) for discovery/exchange of information per wire center added.

**3. APPROVE UNDISPUTED WIRE CENTERS AND RESOLVE DISPUTES:**

- SET DATE by which CLECs, after review of the data, must file exceptions, challenge the sufficiency of the data, or object to inclusion of any wire center on the list.
  - If no objection, approve the wire center list and send a notice containing the updated approved wire center list and post the approved list on the Commission website.
  - If objection(s), approve a list containing only any undisputed wire centers, resolve disputes as to disputed wire centers, and then update the list if dispute resolution requires later addition of any wire centers to the list.

## Attachment B<sup>1</sup>

### Information Requests to Qwest and Verizon in Docket UT-053025

**Information Request No. 1:** Please provide a list of wire centers in the Company's service territory in Washington 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.

**Information Request No. 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)<sup>2</sup>, or the number of business lines (line counts by each carrier)<sup>3</sup> or both.

**Information Request No.3:** For each of the wire centers listed as "non-impaired", 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.<sup>2</sup>
- (iv) If the ILEC 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 the ILEC's request.
- (v) The total number of business lines as defined in 47 C.F.R. § 51.5.

---

<sup>1</sup> This Attachment B contains the Washington Utilities and Transportation Commission ("WUTC") information requests to Qwest and Verizon regarding "non-impaired" wire centers for unbundled loops and transport in Docket No. UT-053025. The only changes to the Commission's information requests are the title ("Attachment B") and these footnotes. These requests were provided via email to parties in the Washington docket by Commission Staff on February 13, 2006. In its email Commission Staff noted that these requests "will be an attachment to the Commission's order issued at a later date."

<sup>2</sup> The Protective Order issued by the WUTC in Docket No. UT-053025 (Order No. 1) provides that the identity of any fiber-based collocators in a wire center will be designated as Confidential, as opposed to Highly Confidential. (¶ 5)

([http://www.wutc.wa.gov/rms2.nsf/0/7ED3BB3AD74613AA882571110068E363/\\$file/Order%2BNo.%2B01%2B-%2BProtective%2BOrder.pdf](http://www.wutc.wa.gov/rms2.nsf/0/7ED3BB3AD74613AA882571110068E363/$file/Order%2BNo.%2B01%2B-%2BProtective%2BOrder.pdf))

<sup>3</sup> The Protective Order issued by the WUTC in Docket No. UT-053025 (Order No. 1) provides that the identity of a telecommunications carrier's business lines or line counts will be provided in a "masked" format. Individual CLEC line counts will be identified using a code and will be designated as Confidential. Each individual CLEC will be provided their own code to verify data concerning that carrier. Commission Staff will be provided a code for all carriers. (¶ 5)

([http://www.wutc.wa.gov/rms2.nsf/0/7ED3BB3AD74613AA882571110068E363/\\$file/Order%2BNo.%2B01%2B-%2BProtective%2BOrder.pdf](http://www.wutc.wa.gov/rms2.nsf/0/7ED3BB3AD74613AA882571110068E363/$file/Order%2BNo.%2B01%2B-%2BProtective%2BOrder.pdf))



- (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 ILEC 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.<sup>3</sup>
- (x) Number of UNE Loops, for each CLEC, provided in combination with ILEC switching (e.g. UNE-P, QPP, or other ILEC Commercial arrangement).<sup>3</sup>
- (xi) Number of UNE Loops, for each CLEC, where the ILEC does not provide switching.<sup>3</sup>
- (xii) If different from (x) above, the number of business loops, for each CLEC, provided in combination with ILEC switching (e.g. UNE-P, QPP, or other ILEC Commercial arrangement). If this information is not available, indicate whether the response to (x) includes both business and residential loops.<sup>3</sup>
- (xiii) If different from (xi) above, the number of switched business loops, for each CLEC, where the ILEC 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.<sup>3</sup>
- (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.

**Information Request No. 4:** If the calculation of number of lines (or inclusion of certain lines) is based on a directive from the FCC as Qwest has indicated during the workshop, please provide the detailed citations of the FCC's decision(s).

**ATTACHMENT C – EXAMPLES OF QWEST NOTICES**



August 31, 2005

Kim Isaacs  
Eschelon Telecom Inc.  
730 2nd Avenue South - Suite 900  
Minneapolis, MN 55402  
kdisaacs@eschelon.com

TO:Kim Isaacs

**Announcement Date:** August 31, 2005  
**Effective Date:** September 5, 2005  
**Document Number:** CONT.08.31.05.B.001056.Req\_#5\_Civil\_Act\_No\_02M1977  
**Notification Category:** Contract Notification  
**Target Audience:** CLECs  
**Subject:** Interrogatory Request #5 – Civil Action No. 02-M-1977 (U.S. District Court for the District of Colorado) Spa Universaire, et al. v. Qwest Communications Corporation and Qwest International Inc

Please ensure that this letter is routed to those individuals within your company or agency who are responsible for maintaining your telephone services in the States of Arizona, Colorado, New Mexico, Nebraska, Minnesota, Wyoming, North Dakota, South Dakota, Idaho, Oregon, Washington, Montana, Iowa, Utah, and Oregon.

Plaintiffs Spa Universaire and Vacation Tan & Travel have brought a lawsuit against Qwest pursuant to the Sherman Antitrust Act and the Telecommunications Act of 1996. The lawsuit is a putative class action pending in the U.S. District Court for the District of Colorado. Plaintiffs have served on Qwest discovery requests that seek CLEC-specific information. The parties will enter into a protective order prohibiting the disclosure of CLEC-specific information to entities or individuals who are not parties or counsel in the action prior to the production of such information. Request No. 5 of Plaintiffs' Documents Requests and Interrogatories Addressed to Class Definition states as follows:

**Request No. 5:**

Set forth, on at least an annual basis, the dates when, and geographic areas where, within the Service Areas, competitive local exchange carriers other than AT&T, MCI or Sprint provided consumers with basic local exchange service using circuit-switched, twisted pair wireline facilities, and the number of end user lines provided by the carrier broken down by category into "resold lines", "UNE loop" and "own local loop facilities" (as those terms are understood by Qwest when it completes FCC Form 477).

Qwest intends to respond to this request and will provide this information on a highly confidential basis to Plaintiffs once a protective order has been signed. If you object to the provision of this highly confidential information, please contact Joan Timmerman, Qwest, 1801 California Street, Suite 900, Denver, CO 80202 or 303-383-6588 within 5 days of receipt of this letter.

Sincerely,

Qwest Corporation

Note: In cases of conflict between the changes implemented through this notification and any CLEC interconnection agreement (whether based on the Qwest SGAT or not), the rates, terms and conditions of such interconnection agreement shall prevail as between Qwest and the CLEC party to such interconnection agreement.

The Qwest Wholesale Web Site provides a comprehensive catalog of detailed information on Qwest products and services including specific descriptions on doing business with Qwest. All information provided on the site describes current activities and process. Prior to any modifications to existing activities or processes described on the web site, wholesale customers will receive written notification announcing the upcoming change.

If you would like to unsubscribe to mailouts please go to the "Subscribe/Unsubscribe" web site and follow the unsubscribe instructions. The site is located at:

<http://www.qwest.com/wholesale/notices/cnla/maillist.html>

cc: Coleen Austin  
Joshua Nielsen



September 21, 2005

Kim Isaacs  
Eschelon Telecom Inc.  
730 2nd Avenue South - Suite 900  
Minneapolis, MN 55402  
kdisaacs@eschelon.com

TO:Kim Isaacs

**Announcement Date:** September 21, 2005  
**Effective Date:** September 22, 2005  
**Document Number:** GENL.09.21.05.B.001080.TRACERS\_Sec\_Four\_Data\_Req  
**Notification Category:** General Notice  
**Target Audience:** Select CLECs  
**Subject:** Docket No. UX29 – TRACER’s Second and Fourth Sets of Data Requests

**Please ensure that this letter is routed to those individuals within your company who are responsible for maintaining your telephone services in the State of Oregon.**

Qwest has received a number of data requests from TRACER, in connection with Docket No. UX29 - Qwest’s Petition for Exemption from Regulation of Switched Business Services. Tracer has asked for the following:

1. Qwest’s responses to PUC Staff Set 1
2. Qwest’s responses to PUC Staff Request Nos. 63-67 (Set 14)
3. Qwest’s responses to PUC Staff Request Nos. 68-69 (Set 15)
4. Qwest’s responses to PUC Staff Request Nos. 72-73 (Set 17)
5. Qwest’s response to PUC Staff Request No. 82 (Set 22)

In responding to the above requests, Qwest is required to use wholesale information, and Qwest considers this information highly confidential because an informed observer would determine which CLEC is interconnected at a particular wire center.

Qwest is required to provide this information and will provide it to TRACER on September 23, 2004. All confidential and highly confidential information is subject to the protective order entered in Docket UX29.

If you object to Qwest providing TRACER with this data, please contact me at

303.383.6680 or email address of Meraj.Abdul-Qadir@qwest.com no later than 4:00 p.m. Mountain Time on September 22, 2005.

Sincerely,

Qwest Corporation

Note: In cases of conflict between the changes implemented through this notification and any CLEC interconnection agreement (whether based on the Qwest SGAT or not), the rates, terms and conditions of such interconnection agreement shall prevail as between Qwest and the CLEC party to such interconnection agreement.

The Qwest Wholesale Web Site provides a comprehensive catalog of detailed information on Qwest products and services including specific descriptions on doing business with Qwest. All information provided on the site describes current activities and process. Prior to any modifications to existing activities or processes described on the web site, wholesale customers will receive written notification announcing the upcoming change.

If you would like to unsubscribe to mailouts please go to the "Subscribe/Unsubscribe" web site and follow the unsubscribe instructions. The site is located at:

<http://www.qwest.com/wholesale/notices/cnla/maillist.html>

cc: Coleen Austin  
Joshua Nielsen



February 2, 2004

Kim Isaacs  
Eschelon Telecom Inc.  
730 S 2nd Ave  
Minneapolis, MN 55402  
kdisaacs@eschelon.com

TO:Kim Isaacs

<b>Announcement Date:</b>	<b>February 2, 2004</b>
<b>Effective Date:</b>	<b>N/A</b>
<b>Document Number:</b>	<b><i>CONT.02.02.04.A001046.Triennial_Review_Disclosure</i></b>
<b>Notification Category:</b>	<b>Contract Notice</b>
<b>Target Audience:</b>	<b>Select Minnesota CLECs</b>
<b>Subject/Product Name:</b>	<b>In the Matter of the Commission Investigation into ILEC Unbundling Obligations as a Result of the Federal Triennial Review Order (9-month)</b>

Please ensure that this letter is routed to those individuals within your company or agency who are responsible for maintaining your telephone services in the State of Minnesota.

AT&T Communications of the Midwest, Inc., and TCG Minnesota, Inc. (referred to collectively as "AT&T") has requested that Qwest provide the Highly Confidential Trade Secret information from the direct testimony in the above-referenced proceeding in an unmasked form. Specifically, this request affects the unmasked version of CLEC-specific information in David Teitzel's Exhibit DLT-5HC (filed January 23, 2004) and Dennis Pappas' Exhibits DP-18 and DP-19 (filed January 27, 2004) in the docket regarding In the Matter of the Commission Investigation into ILEC Unbundling Obligations as a Result of the Federal Triennial Review Order (9-month).

Qwest intends to disclose this "unmasked" CLEC-specific information responsive to the above request pursuant to the Protective Order in this docket to all appropriate parties on a Highly Confidential Trade Secret basis. Pursuant to the attached Second Prehearing Order, Qwest is providing notice herein that you have three days to object to the provision of this information by filing an objection with the Administrative Law Judge. Objections should be sent to: Michael Lewis, Office of Administrative Hearings, Suite 1700, 100 Washington Square, Minneapolis, MN 55401-2138 and Kathy Rowley, Qwest, 1801 California Street, Suite 4900, Denver, CO 80202.

Sincerely,

Qwest

If you would like to unsubscribe to mailouts please go to the  
"Subscribe/Unsubscribe" web site and follow the unsubscribe instructions. The  
site is located at:

<http://www.qwest.com/wholesale/notices/cnla/maillist.html>

cc: Coleen Austin  
Jeff Tietz

## SERVICE LIST

Covad Communications Company  
Greg Diamond  
Senior Counsel  
7901 E. Lowry Boulevard  
Denver, CO 80230  
E-mail: [gdiamond@covad.com](mailto:gdiamond@covad.com)

Verizon  
Timothy O'Connell  
Attorney, Stoel Rives  
600 University Street, Suite 3600  
Seattle, WA 98101  
E-mail: [tjoconnell@stoel.com](mailto:tjoconnell@stoel.com)

Eschelon Telecom of Oregon, Inc.  
Karen L. Clauson  
Senior Director Interconnection/Senior Attorney  
730 Second Avenue S., Suite 900  
Minneapolis, MN 55402-2489  
E-mail: [klclauson@eschelon.com](mailto:klclauson@eschelon.com)

Integra Telecom of Oregon, Inc.  
Karen Johnson  
Corporate Regulatory Attorney  
1201 NE Lloyd Blvd., Suite 500  
Portland, OR 97232  
E-mail: [Karen.johnson@integratelecom.com](mailto:Karen.johnson@integratelecom.com)

McLeodUSA Telecommunications Services, Inc.  
William Haas  
Regulatory Contact  
6400 C Street SW  
P. O. Box 3177  
Cedar Rapids, IA 52406-3177  
E-mail: [whaas@mcleodusa.com](mailto:whaas@mcleodusa.com)

XO Communications Services  
Rex Knowles  
Regulatory Contact  
111 East Broadway, Suite 1000  
Salt Lake City, UT 84111  
E-mail: [rex.knowles@xo.com](mailto:rex.knowles@xo.com)

Qwest Corporation  
Alex Duarte  
Corporate Counsel  
421 SW Oak St., Suite 810  
Portland, OR 97204  
E-mail: [alex.duarte@qwest.com](mailto:alex.duarte@qwest.com)