

**NICHOLS ANGLIN Frances**

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**From:** ARLOW Allan  
**Sent:** Thursday, August 09, 2007 10:27 AM  
**To:** NICHOLS ANGLIN Frances  
**Subject:** FW: IC 13

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**From:** Trincherro, Mark [mailto:marktrincherro@DWT.COM]  
**Sent:** Thursday, August 02, 2007 12:29 PM  
**To:** ARLOW Allan  
**Cc:** Smith, Ted; Duarte, Alex; Harpster, Kelly  
**Subject:** IC 13

Dear Judge Arlow,

In response to your inquiry of yesterday morning, namely, "are Qwest and Universal exchanging VNXX traffic in Oregon?", Mr. Smith and I have conferred. In response to your question, Qwest and Universal agree that: Qwest and Universal exchange traffic that originates outside of the Portland, Eugene, Corvallis, Roseburg, & Medford local calling areas that would technically qualify as VNXX as that term has been defined by this Commission. While it was not my understanding that you requested the response be filed in a pleading, Mr. Smith has indicated that Qwest will be filing a pleading later today that will confirm what I have stated herein. Mr. Smith has also indicated to me that Qwest's pleading will include additional statements beyond what is contained herein, but has refused my request to review a draft of such statements. Universal does not intend to file a pleading, but does request the opportunity to reply to Qwest's pleading should that be necessary.

Thank you,

**Mark Trincherro | Davis Wright Tremaine LLP**

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8/9/2007