

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 AN ORDER COMPELLING THE
PRODUCTION OF CLEC-SPECIFIC
WIRE CENTER DATA AND FOR
ENTRY OF A PROTECTIVE ORDER

Qwest Corporation ("Qwest") hereby requests that the Commission enter an order directing Qwest to produce certain data essential to this proceeding in a disaggregated form that will permit parties to match specific data with specific competitive local exchange carriers ("CLECs"). Qwest expects to produce these data with its testimony in this proceeding and potentially in response to discovery requests and, accordingly, seeks an order directing it to produce the data on a CLEC-specific basis both in testimony and in its response to discovery requests. Qwest seeks this order because CLEC-specific wire center data likely will be demanded by parties in this proceeding for the purposes of counting business line counts and fiber collocators in specific wire centers. 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.

The primary purpose of this proceeding is for the Commission determine the quantities of business lines and fiber collocators in Oregon wire centers so that carriers can implement the Section 251(d)(2) impairment standards set forth in the FCC's Triennial Review Remand Order ("TRRO") for high-capacity dedicated transport and loops.¹ Based on prior experience, Qwest

¹ Order on Remand, In the Matter of Review of Unbundled Access to Network Elements, Review of Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, CC Docket No. 01-338, WC Docket No. 04-313 (FCC rel. February 4, 2005).

anticipates that interested parties, including the Commission itself, will desire to review the wire center data Qwest produces on a CLEC-specific basis to permit determinations of the numbers of business access lines and fiber 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 interested parties will be able to conduct their own calculations of the total numbers of business lines and fiber 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.

Data that disclose 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 these data absent an order from the Commission compelling it to do so. Accordingly, to permit parties to conduct full and thorough analyses of wire center data in this proceeding, the Commission should:

(1) Order Qwest to produce wire center data in a form that will permit interested parties to match the data with individual carriers;²

(2) Direct that the information will be produced under the “Confidential” designation of the Protective Order that will govern this proceeding; and

² The Commission’s order should explain that the information Qwest produces may include, for example, identification by CLEC or carrier of specific purchases and receipt of services from Qwest. In addition, the Commission should clarify that the order directing Qwest to produce CLEC-specific information applies in circumstances where a carrier is not specifically identified in the data but the data reflect such small volumes that parties with knowledge of the market could infer the identity of the carrier.

(3) Confirm that the order will not prevent any party, including Qwest, from asserting proper objections to discovery requests.

Dated: February 28, 2006

Respectfully submitted,

QWEST CORPORATION

A handwritten signature in black ink, appearing to read 'Alex M. Duarte', written over a horizontal line.

By _____
Alex M. Duarte, OSB No. 02045
QWEST
421 SW Oak Street, Room 810
Portland, OR 97204
(503) 242-5623
(503) 242-8589 (facsimile)
Alex.Duarte@qwest.com

John M. Devaney
PERKINS COIE LLP
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011
(202) 628-6600
JDevaney@perkinscoie.com

Attorneys for Qwest Corporation

CERTIFICATE OF SERVICE

UM 1251

I hereby certify that on the 28th day of February, 2006, I served the foregoing QWEST CORPORATION'S RESPONSE TO JOINT CLECs' TRRO REQUEST FOR COMMISSION APPROVAL OF WIRE CENTER LISTS and QWEST'S MOTION FOR AN ORDER COMPELLING THE PRODUCTION OF CLEC-SPECIFIC WIRE CENTER DATA AND FOR ENTRY OF A PROTECTIVE ORDER 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.

Greg Diamond

Covad Communications, Inc.
7901 E Lowry Blvd.
Denver, CO 80230

Karen J. Johnson

Integra Telecom of Oregon, Inc.
1201 NE Lloyd Blvd., Ste. 500
Portland, OR 97232

Karen Clausen

Eschelon Telecom
730 2nd Ave., S
Suite 900
Minneapolis, MN 55402-
2489

William Haas

McLeodUSA Telecommunications
P. O. Box 3177
6400 C Street SW
Cedar Rapids, IA 52406-3177

Sarah Wallace

Davis Wright Tremaine
1300 SW Fifth Avenue
Suite 2300
Portland, OR 97201

Michael Weirich

Department of Justice
1162 Court St., NE
Salem, OR 97301-4096

Timothy O'Connell

Stoel Rives LLP
One Union Square
600 University St., Ste. 3600
Seattle, WA 98101-3197

Rex Knowles

XO Communications Services
111 E. Broadway, Suite 1000
Salt Lake City, UT 84111

John Devaney

Perkins Coie LLP
607 Fourteenth St. NW
Washington, DC 2005-

DATED this 28th day of February, 2006

QWEST CORPORATION



By:

ALEX M. DUARTE, OSB No. 02045
421 SW Oak Street, Suite 810
Portland, OR 97204
Telephone: 503-242-5623
Facsimile: 503-242-8589
[e-mail: alex.duarte@qwest.com](mailto:alex.duarte@qwest.com)

Attorney for Qwest Corporation