

BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of	)	
	)	DOCKET NO. UT-041127
THE JOINT PETITION FOR	)	
ENFORCEMENT OF	)	<b>VERIZON'S RESPONSES TO MCI'S</b>
INTERCONNECTION	)	<b>SECOND SET OF DATA REQUESTS</b>
AGREEMENTS WITH VERIZON	)	
NORTHWEST INC.	)	
_____	)	

Verizon Northwest Inc. ("Verizon") hereby responds to MCI's Second Set of Data Requests. These responses are made subject to and without waiving the specific and general objections made in response to MCI's First Set of Data Requests.

14. Did Verizon review the MCI interconnection agreement in Washington prior to making the decision that that it had no legal requirement to continue to provide unbundled Local Switching through a packet switch?

Response: Verizon objects to this question. This fact is not "directly related to matters at issue" nor is it "essential to the requesting party." WAC 480-07-650(4)(c). Verizon further objects to this Data Request on the basis that it seeks information that is not relevant to this proceeding, nor likely to lead to the discovery of relevant information. Verizon further objects to this Data Request on the basis that it calls for a legal opinion or conclusion, as well as attorney work product.

15. If the answer to Data Request 14 is anything other than an unqualified "no," provide all documents referring to the MCI ICA and Verizon's obligation, if any, to continue to provide unbundled Local Switching through a packet switch.

Response: See response to 14. Also, this question is improper to the extent it seeks attorney work product or privileged documents.

16. State every reason you contend that the MCI interconnection agreement does not require Verizon to provide Local Switching through the Mt. Vernon Nortel Succession switch.

Response: Verizon objects to this Data Request on the grounds that it seeks information protected by the attorney-client privilege or the work product doctrine. Verizon further objects to this Data Request on the basis that it is overly broad, unduly burdensome, and seeks information that is not relevant to this proceeding. Verizon further objects to this Data Request on the basis that it calls for a legal opinion or conclusion, or work product. Verizon also objects on the basis that, insofar as Verizon's legal position and theories have been extensively briefed to date and will be further detailed in its future legal briefs, the Data Request is both improper and premature.

17. Please identify every wire center in New York where Verizon has installed a packet switch and still provides Local Switching.

Response: Verizon objects to this question. This fact is not "directly related to matters at issue" nor is it "essential to the requesting party." WAC 480-07-650(4)(c). Verizon further objects to this Data Request on the basis that it seeks information that is not relevant to this proceeding, nor likely to lead to the discovery of relevant information. Without waiving these objections Verizon's general objections, the response is, "None."

18. Please describe in full detail the network architecture Verizon uses to provide Local Switching in the wire centers Verizon identified in response to Data Request 17.

Response: See response to 17.

19. Please identify every wire center in New York where Verizon will install a packet switch in 2005 and still provide Local Switching.

Response: Verizon objects to this question. This fact is not "directly related to matters at issue" nor is it "essential to the requesting party." WAC 480-07-650(4)(c). Verizon further objects to this Data Request on the basis that it is overly broad, unduly burdensome, and seeks information that is not relevant to this proceeding nor likely to lead to the discovery of relevant information.

20. Please describe in full detail the network architecture Verizon will use to provide Local Switching in the wire centers Verizon identified in response to Data Request 19.

Response: See response to 19.

21. Do you contend that it is not technically feasible for the Nortel Succession switch installed in Mt. Vernon, Washington to be used to provide Local Switching?

Response: For purposes of Motion for Judgment on the Pleadings and Answer (“Verizon’s Motion”), Verizon is not asserting that it technically infeasible for the Mt. Vernon switch to be unbundled.

22. If your response to Data Request 21 is anything other than an unqualified “no,” state each and every reason you contend it is not technically feasible for the Mt. Vernon Nortel Succession switch to be used to provide Local Switching.

Response: See response to 21.

23. If your response to Data Request 21 is anything other than an unqualified “no,” produce every document (including but not limited to technical publications, methods and procedures documents, and/or publications created by Verizon) that supports your responses to Data Requests 21 and 22.

Response: See response to 21.

24. Do you contend that any harm would occur to Verizon retail customers if Verizon provided Local Switching through the same packet switch used to serve those customers?

Response: For purposes of Motion for Judgment on the Pleadings and Answer (“Verizon’s Motion”), Verizon is not contending that its retail customers would suffer harm except for the harm to competition discussed in various FCC orders.

25. If your response to Data Request 24 is anything other than an unqualified “no,” identify each and every harm you contend would occur.

Response: See response to 24.

26. Do you contend that any harm would occur to Verizon if Verizon provided Local Switching through the same packet switch used to serve Verizon retail customers?

Response: For purposes of Motion for Judgment on the Pleadings and Answer (“Verizon’s Motion”), Verizon is not contending that it would suffer harm except for the harm discussed in various FCC orders Verizon has (or will) cite in its pleadings.

27. If your response to Data Request 26 is anything other than an unqualified “no,” identify each and every harm you contend would occur.

Response: See response to 26.

28. Please identify every feature that Verizon intends to provide its retail customers in Washington before July 2005 using the Nortel Succession switch, that Verizon does not currently provide today in wire centers that use circuit switches.

Response: Initially, the same features Verizon “currently provide[s] today in wire centers that use circuit switches” will be provided “using the Nortel Succession switch.”

29. For every feature you identify in response to Data Request 28, produce all documents showing that Verizon plans to provide these features to its retail customers before July 2005.

Response: See response to 28.

30. To the extent not identified in response to Data Request 28, please identify every service that Verizon intends to provide its retail customers in Washington before July 2005 using the Nortel Succession switch that Verizon does not currently provide today in wire centers that use circuit switches.

Response: Initially, “every service” Verizon “currently provide[s] today in wire centers that use circuit switches” will be provided “using the Nortel Succession switch.”

31. For every service you identify in response to Data Request 30, produce all documents showing that Verizon plans to provide these services to its retail customers before July 2005.

Response: See response to 30.

32. To the extent not identified in response to Data Requests 28 and 30, please identify every function that Verizon intends to provide its retail customers in Washington before

July 2005 using a packet switch that Verizon does not currently provide today in wire centers that use circuit switches.

Response: Initially, “every function” Verizon “currently provide[s] today in wire centers that use circuit switches” will be provided “using the Nortel Succession switch.”

33. For every function you identify in response to Data Request 32, produce all documents showing that Verizon plans to provide these functions to its retail customers before July 2005.

Response: See response to 32.

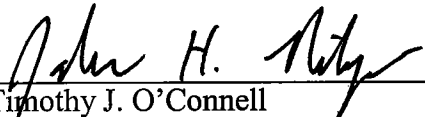
34. Please produce copies of all data requests propounded on you by other parties to this proceeding and copies of your objections and/or responses to those data requests.

Response: As of October 14, 2004, no other parties have propounded discovery.

#### ATTORNEY CERTIFICATION

The undersigned attorney for Verizon Northwest Inc. has read the foregoing Answers, Responses and Objections to MCI’s Second Set of Data Requests and they are in compliance with CR 26(g).

RESPONSES AND OBJECTIONS dated this 15 day of October, 2004.

  
\_\_\_\_\_  
Timothy J. O’Connell  
John H. Ridge  
STOEL RIVES LLP  
One Union Square  
600 University St., Suite 3600  
Seattle, WA 98101  
(206) 624-0900  
(206) 386-7500 (fax)

Attorneys for Verizon Northwest Inc.

## CERTIFICATE OF SERVICE

I hereby certify that I have this 15th day of October, 2004, served the true and correct original, along with the correct number of copies, of *Verizon's Responses to MCI's Second Set of Data Requests* and a *Certificate of Service* upon the parties noted below via E-Mail and U.S. Mail:

MICHAEL E. DAUGHTRY  
United Communications, Inc., d/b/a UNICO  
389 SW Scalehouse Court  
Bend, OR 97702

Email: mike@ucinet.com

LETTY FRIESEN  
Attorney at Law  
AT&T Communications of the Pacific North  
1875 Lawrence Street, Floor 15  
Denver, CO 80202

Email: lsfriesen@att.com

HEATHER T. HENDRICKSON  
Kelley Drye & Warren  
Representing Advanced TelCom, Inc.  
1200 19<sup>th</sup> St. NW, Suite 500  
Washington, D.C. 20036  
Email: hhendrickson@kelleydrye.com

GENEVIEVE MORELLI  
Kelley Drye & Warren  
Representing Advanced TelCom, Inc.  
1200 19<sup>th</sup> St. NW, Suite 500  
Washington, D.C. 20036

Email: gmorelli@kelleydrye.com

DAVID E. MITTLE  
Law Office of David E. Mittle  
208 Maynard  
Santa Fe, NM 87501  
Email: dmittle@att.net

MICHEL SINGER NELSON  
Attorney  
Worldcom, Inc.  
Representing MCImetro Access Transmission  
707 17<sup>th</sup> St., Suite 4200  
Denver, CO 80202  
Email: michel.singer\_nelson@mci.com

BROOKS HARLOW  
Miller Nash LLC  
Representing Advanced TelCom, Inc.  
4400 Two Union Square  
601 Union Street  
Seattle, WA 98101-2352  
Email: brooks.harlow@millernash.com

ANDREW M. KLEIN  
Kelley Drye & Warren  
Representing Advanced TelCom, Inc.  
1200 19<sup>th</sup> St. NW, Suite 500  
Washington, D.C. 20036  
Email: aklein@kelleydrye.com

DAVID RICE  
Miller Nash LLC  
Representing Advanced TelCom, Inc.  
4400 Two Union Square  
601 Union Street  
Seattle, WA 98101-2352  
Email: david.rice@millernash.com

I hereby certify that I have this 15th day of October, 2004, served a true and correct copy of the foregoing documents upon parties noted below via U.S. Mail:


MCIMETRO TRANSMISSION ACCESS  
CORP.  
707 17<sup>th</sup> St., Suite 3600  
MCI Tower  
Denver, CO 80202  
VERIZON NORTHWEST, INC.  
3723 Fairview Industrial Drive, S.E.  
Salem, OR 97302

VERIZON NORTHWEST, INC.  
1800 41<sup>st</sup> St.  
Everett, WA 98201

AT&T COMMUNICATIONS OF THE  
PACIFIC NORTHWEST, INC.  
2120 Caton Way S.W., Suite B  
Olympia, WA 98502

I declare under penalty under the laws of the State of Washington that the foregoing is correct and true.

DATED this 15th day of October, 2004, at Seattle, Washington.

---

Heidi L. Wilder