

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET NO. UT-033051
)	
QWEST CORPORATION,)	ORDER NO. 01
)	
To Modify its Statement of Generally)	ORDER APPROVING PETITION TO
Available Terms and Conditions)	MODIFY SGAT EXHIBIT K AND
)	INTERCONNECTION AGREE-
)	MENTS CONTAINING EXHIBIT K
.....)	

BACKGROUND

- 1 On October 31, 2003, Qwest Corporation, (Qwest) filed a petition with the Washington Utilities and Transportation Commission pursuant to 47 U.S.C. § 252(f) requesting that the Commission allow modifications to Exhibit K of its Statement of Generally Available Terms and Conditions (SGAT) to become effective no later than December 1, 2003. This filing relates to an October 2, 2003, petition Qwest filed requesting modifications to SGAT Exhibit B.

- 2 Exhibit K to the SGAT is Qwest’s Performance Assurance Plan, or QPAP. In this filing, Qwest proposes to modify the QPAP to reflect agreed to changes in Performance Indicator Definition (PID) OP-5, which measures Qwest’s performance for new service installation quality. Qwest’s proposed modifications to PID OP-5 are addressed separately in Docket No. UT-033041. By separate order entered this same day in Docket No. UT-033041, the Commission approves Qwest’s petition to modify SGAT Exhibit B.

- 3 Specifically, Qwest proposes to modify the QPAP to reflect that payments will be made for failure to meet performance standards for revised PID OP-5a, rather than existing PID OP-5. Qwest proposes that the new OP-5a measure become effective beginning with November 2003 data, reported in January 2004.

- 4 Participants in the Long Term PID Administration (LTPA) collaborative unanimously adopted the changes to PID OP-5 on August 6, 2003. The LTPA collaborative participants include representatives from Qwest, various CLECs, and state commission staff who meet to continue regional collaborative efforts to refine and develop the PIDs used to assess Qwest's performance in opening the local exchange market to competition.
- 5 Section 16.1.1 of the QPAP provides that any agreements reached between Qwest and CLECs in a regional PID administration forum to add, modify or delete performance measures shall be incorporated in the QPAP and modify interconnection agreements to which the QPAP is an exhibit. Qwest requests in its petition that the changes to Exhibit K "automatically apply to and modify the SGAT and existing interconnection agreements that currently contain Exhibit K, the QPAP, as an exhibit."
- 6 On November 10, 2003, Qwest filed a letter with the Commission attaching a list of all CLECs that have adopted the SGAT or amended their interconnection agreements to incorporate Exhibit K, and who are affected by this filing.

FINDINGS AND CONCLUSIONS

- 7 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by state and federal statutes with the authority to review statements of generally available term and conditions filed by Bell operating companies. *47 U.S.C. § 252(f); RCW 80.36.610(1)*.
- 8 (2) Qwest Corporation is a Bell operating company as defined in *47 U.S.C. § 153 (4)*, as well as a telecommunications company and public service company subject to the jurisdiction of the Commission.

- 9 (3) 47 U.S.C. 252(f) requires Bell operating companies to file with state commissions a statement of generally available term and conditions and authorizes state commission review of, and action on, the filing no later than 60 days after the filing date.
- 10 (4) Staff has reviewed the petition in Docket No. UT-033051, including related documentation. Staff believes the modifications to SGAT Exhibit K requested by Qwest are reasonable and should be approved.
- 11 (5) This matter was brought before the Commission at its regularly scheduled meeting on November 26, 2003.
- 12 (6) After examination of the petition filed in Docket No. UT-033051 by Qwest and giving due consideration to all relevant matters and for good cause shown, the Commission finds that the Petition filed should be approved.

ORDER

THE COMMISSION ORDERS:

- 13 (1) Qwest Corporation's petition to modify SGAT Exhibit K is approved.
- 14 (2) Qwest Corporation's request to modify existing interconnection agreements that currently contain Exhibit K as an exhibit is approved.
- 15 (3) The Commission retains jurisdiction over the subject matter and Qwest Corporation to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DOCKET NO. UT-033051
ORDER NO. 01

PAGE 4

DATED at Olympia, Washington, and effective this 26th day of November, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary