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April 28, 2004

TIMOTHY J. O'CONNELL
Direct (206) 386-7562
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VIA U.S. MAIL

Ms. Carole Washburn, Executive Secretary
Washington Utilities & Transportation Committee
1300 Evergreen Park Drive, SW
Olympia, WA 98504

**Re: Docket No. UT-043013 –
Response of Verizon Northwest Inc. to Collective Motions to Dismiss**

Dear Ms. Washburn:

In order to get Verizon's Response to Collective Motions to Dismiss filed in a timely manner, we were unable to obtain the original signature page to the Affidavit of John Peterson. We are therefore submitting the original signature page along with six copies which we ask that you add to the record in this matter.

Please don't hesitate to contact me if you have any questions. Thank you in advance for your assistance in this regard.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy J. O'Connell".

Timothy J. O'Connell

Enclosures

cc: Parties of Record

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

Petition of Verizon Northwest Inc. for Arbitration of an Amendment to Interconnection Agreements with Competitive Local Exchange Carriers and Commercial Mobile Radio Service Providers in Washington Pursuant to Section 252 of the Communications Act of 1934, as Amended, and the *Triennial Review Order*

UT-043013

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AFFIDAVIT OF JOHN PETERSON

STATE OF TEXAS)
)
COUNTY OF DALLAS)


I, John C. Peterson, being duly sworn upon oath, state as follows:

1. I am a fulltime employee of Verizon Wholesale Markets. My job title is Director, Contract Performance and Administration.
2. As part of my job responsibilities, I serve as a central point of contact for Competitive Local Exchange Carriers (“CLECs”) requesting negotiations and tracking the status of those negotiations. My department also manages Verizon’s contract database, maintains noticing addresses for all CLECs with effective contracts, and distributes formal notices to CLECs. I am therefore highly knowledgeable about negotiations with CLECs in Washington and the October 2, 2003 notice sent to CLECs regarding the FCC’s *Triennial Review Order* (“TRO”).
3. On August 21, 2003, the FCC issued the TRO, which required incumbent LECs and competitive LECs to amend their interconnection agreements to reflect new unbundling rules. I am knowledgeable about the efforts made by Verizon to negotiate TRO-related amendments with CLECs to their Washington interconnection agreements.
4. In a October 2, 2003 notice sent to all CLECs with an effective interconnection agreement, Verizon proposed a draft TRO Amendment that was available on Verizon’s wholesale website to all CLECs via an electronic link provided in the notice. The notice invited CLECs to review the draft amendment and to contact

Verizon to proceed with completion of the contracting process. The notice advised CLECs that the TRO deemed October 2, 2003 as the notification request date for contract amendment negotiations, and that, in accordance with 47 U.S.C. § 252(b), either party could request arbitration during the window from the 135th day to the 160th day after such negotiation request date. (The October 2, 2003 letters to the carriers mentioned in paragraphs below are attached as Exhibit A).

5. I understand that arbitration for the purpose of implementing a TRO Amendment is currently pending before the Washington Utilities and Transportation Commission, and that certain CLECs have argued (or implied) that Verizon had not negotiated in good faith.
6. I have reviewed all available records, including a TRO-specific spreadsheet (which summarizes the status of requests for negotiation) and our contract database (which houses all requests for negotiation that Verizon has received). To the best of my knowledge, the following CLECs in the CCC have not provided Verizon with a counterproposal to Verizon's draft TRO Amendment: Focal Communications Corp. of Washington, Allegiance Telecom of Washington Inc., DSLnet Communications, LLC, Adelphia Business Solutions Operations, Inc. d/b/a Telcove, Centel Communications, Inc., and Pac-West Telecomm, Inc.
7. Only one of the CLECs listed above, DSLnet Communications LLC, contacted Verizon and indicated that it intended to send a redline markup of Verizon's draft TRO Amendment. As of today's date, it has not done so.

I certify that the foregoing is true and accurate to the best of my recollection and belief.

Signed: 
John C. Peterson

Subscribed and sworn to me, a Notary Public, this 26th day of April, 2004.


Notary Public

My Commission Expires: 5/1/04

