

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Qwest’s Petition to be
Regulated Under an Alternative Form of
Regulation Pursuant to
RCW 80.36.135

Docket No. UT-061625

QWEST’S MOTION FOR LEAVE TO FILE
A REPLY AND TO FILE REVISED TARIFF
SHEETS IN CONNECTION WITH THE
COMMENTS FILED BY OTHER PARTIES
IN REGARD TO QWEST’S COMPLIANCE
FILING

- 1 Qwest Corporation (“Qwest”) hereby moves the Commission for leave to file a reply and to file revised tariff sheets in connection with its December 31, 2007 compliance filing (“Compliance Filing”) in this matter. Qwest’s intent in making this filing is neither to raise new issues nor is it to debate any disagreements the parties may have regarding AFOR implementation. Rather, the sole purpose of this filing is to revise Qwest’s Compliance Filing to be in accord with Staff’s interpretation of what is required for AFOR compliance as discussed in its January 15, 2008 comments (“Staff’s Comments”).¹
- 2 Qwest’s Compliance Filing consists of the tariff-to-catalog transfer of a number of services that are allowed to be treated as competitively classified services under the AFOR, and two proposed options for Qwest’s compliance with the AFOR requirement to comply with the requirement that the price for residential exchange service and feature packages not exceed the sum of the component services (“feature/package pricing requirement”).²

¹ Because the current procedural schedule for AFOR compliance established in Order 15 does not allow Qwest to challenge AFOR interpretation issues, Qwest will address any such issues it may have with the Commission at a later date. For that same reason, Qwest does not respond here to the allegations in Public Counsel’s Comments. However, this should not be interpreted as an agreement with those Comments.

² Order 06 at ¶ 81

- 3 In regard to the tariff-to-catalog transfer part of the Compliance Filing, Staff's Comments would indicate that it believes that the AFOR does not allow Qwest to transfer its listing services and custom number services for business customers. Staff states that it does not object to the other services that are being transferred from tariff-to-catalog in the Compliance Filing. Staff further states that to cure the deficiency in this part of the Compliance Filing, Qwest could revise the affected sheets in its Compliance Filing to retain the specified services in its tariff and remove them from its catalog. Consequently, Qwest requests leave from the Commission to modify its Compliance Filing regarding these two services to be in accord with Staff's recommendation. Qwest has attached revised tariff and catalog sheets to reflect these changes and requests that these modifications become part of its Compliance Filing for consideration by the Commission.
- 4 Regarding the feature/package pricing requirement, Staff's Comments indicate that Staff believes that neither of Qwest's proposal options complies with Order 06.³ Staff suggests, however, that certain modifications to Option 1 could bring it into compliance. These modifications include the following:

- 1.) In its description of the affected package Qwest would include a statement that Washington package prices can not exceed the sum of the component á la carte services and, therefore, some combinations of features are not available to customers as a package.

³ In its December 31, 2007 filing, *Additional Compliance Issues regarding A La Carte Features and Package Pricing, in Accordance with Order Nos. 06 and 15*, Qwest explained that under its current package and feature prices, certain combination of feature and exchange service, which can be selected for purchase as packages, can be purchased at a lower total price on an á la carte basis than as a package. Qwest proposed two options to comply with the AFOR's feature/package pricing requirement: Option 1 in which customers would not be allowed to purchase as a package any combinations that do not meet the pricing requirement; and, Option 2 in which Qwest would inform customers that select combinations that do not meet the pricing requirement that such service could be purchased at a lower overall rate if purchased on an á la carte basis, but customers would be allowed to make the choice as to whether they purchase the package or on an á la carte basis. Please see Qwest's filing for more details regarding its proposals.

2.) Qwest stipulates to the Commission that the ‘modified’ Option 1 would apply only to specific, affected, existing packages and that Qwest will not apply this approach to packages introduced after the date of Order 06.

3.) Qwest will be required to notify its existing affected package customers that the combination of features and service in their packages can be purchased for less on an á la carte basis and that they contact Qwest to make the appropriate changes to their service. Staff concludes, and Qwest agrees, that it would not be inconsistent with the public interest for the Commission to allow properly informed, existing customers of the specifically affected package with non-compliant feature combinations, and existing customers whose feature combinations meet the feature/package pricing requirement, to continue their service without alteration if they desire to do so.

5 Qwest agrees with Staff’s recommended modifications to its Option 1 and requests leave from the Commission to accept these modifications as if they were part of Qwest’s compliance proposal filed on December 31, 2007 as *Additional Compliance Issues regarding A La Carte Features and Package Pricing, in accordance with Order Nos. 06 and 15*. Consequently, if such leave is granted, and if the Commission orders Qwest to implement Option 1 as opposed to Option 2, Qwest would do so in accordance with the modifications, recommended by Staff, outlined above.

6 Finally, Staff’s Comments indicate that they have found a number of typographical, grammatical, omission, and sequencing errors in the catalog that Qwest filed on December 31, 2007 in Transmittal No. 3640T. Qwest has been working cooperatively with Staff to correct such errors and provided Staff with a redlined ‘tracking’ catalog on January 11, 2008 that corrects many of the errors identified by Staff in their comments. Qwest

understands that Staff would like a complete redlined and clean copy of the catalog that reflects all changes that have occurred in the AFOR compliance filings, any additional agreed-to changes that aid in cross-referencing services between the catalogs and tariffs, and changes to correct filing errors. Qwest agrees to file such a summary redlined and clean copy of the catalog after the Commission has ruled on this final Compliance Filing. Qwest will file this catalog under a separate transmittal number for tracking purposes and will provide a full explanation of the coding devices used to explain the changes in the redlined version of the catalog.

DATED this 16th day of January, 2008.

QWEST

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