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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

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November 7, 2003

VIA COURIER HAND DELIVERY

Ms. Carol J. Washburn
Executive Secretary
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Drive S.W.
Olympia, WA 98504-7250

Subject: Advanced TelCom, Inc.'s Request for Approval of Confidential Settlement
Agreement effective June 30, 2000;
DOCKET No. UT-980390

Dear Ms. Washburn:

I have enclosed for approval a redacted copy of the Confidential Settlement Agreement ("Agreement") effective June 30, 2000, between U.S. West Communications, Inc., now known as Qwest Corporation, and Advanced TelCom Group, Inc., now known as Advanced TelCom, Inc., dba Advanced TelCom Group, ("ATG"). The Agreement is a subject of the complaint filed August 15, 2003, by the Commission against ATG and Qwest, among other parties, under Docket No. UT-033011 alleging certain violations related to the filing of interconnection agreements.

ATG strongly asserts that (1) the Agreement is not an interconnection agreement that must be filed with the Commission for approval; (2) if the Agreement should have been filed, it was Qwest's responsibility to file it; and (3) all of ATG's filing obligations and penalties related thereto, if any, were discharged through ATG's recent bankruptcy.¹ ATG is submitting the Agreement for approval as an accommodation in an attempt to foster resolution of disputed issues in Docket No. UT-033011. Nothing herein should be construed as any admission by ATG that it is obligated to file the Agreement with the Commission.

ATG requests Commission approval of the Agreement. It does not discriminate against non-party carriers. It is consistent with the public interest, convenience, and necessity. It is also consistent with applicable state law requirements, including Commission orders regarding interconnection issues.

¹ Northern District of California Bankruptcy Court, Case No. 02-11073.

Ms. Carole J. Washburn

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The Order on Arbitration Procedure regarding interconnection agreement filing procedures requires that a proposed order accompany this filing. ATG requests a waiver of that requirement and is not providing a proposed order because the Commission has previously used its own format for orders. If that is not acceptable, please do not hesitate to call me and I will forward a proposed order as soon as possible. Thank you.

Sincerely,



William R. Connors

Enclosure

cc: Mr. Victor Allums, Advanced TelCom, Inc.
Mr. Brad Mutschelknaus and Ms. Erin Emmott, Kelley Drye & Warren, LLP
Ms. Lisa Anderl, Qwest Corporation
Ms. Shannon Smith, Office of the Washington Attorney General

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