

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

**In the Matter of the Investigation into
U S WEST COMMUNICATIONS, INC.'S
Compliance with Section 271 of the
Telecommunications Act of 1996**

Docket No. UT-003022

**In the Matter of
U S WEST COMMUNICATIONS, INC.'S
Statement of Generally Available Terms
Pursuant to Section 252(f) of the
Telecommunications Act of 1996.**

Docket No. UT-003040

**QWEST CORPORATION'S NOTICE OF UPDATED STATEMENT OF
GENERALLY AVAILABLE TERMS AND CONDITIONS**

Qwest Corporation, formerly known as U S WEST Communications, Inc. ("Qwest"), submits this notice of its updated Statement of Generally Available Terms and Conditions ("SGAT") in the State of Washington, along with the SGAT itself, which is attached.¹ Qwest respectfully requests that the Commission allow this version of the SGAT to go into effect within 60 days, pursuant to section 252(f)(3)(B) of the Telecommunications Act of 1996, 47 U.S.C. § 252(f)(3)(B).

¹ For the convenience of the Commission, Qwest is attaching both a "clean" version of the current SGAT that Qwest wishes to take effect, along with a redlined SGAT that reflects the changes between the present submission and the last updated SGAT, which Qwest filed on September 21, 2001.

I. INTRODUCTION

On March 22, 2000, Qwest filed its original SGAT with the Commission pursuant to Section 252(f) of the Telecommunications Act of 1996 ("Act"). Since then, Qwest and competitive local exchange carriers ("CLECs") throughout Qwest's 14-state region have participated in a collaborative process to explore and resolve literally hundreds of issues relating to specific provisions of Qwest's proposed SGAT in connection with Qwest's intent to enter in-region interLATA long distance markets in states throughout Qwest's 14-state region under Section 271 of the Act. This process has included the convening of numerous workshops where the parties have engaged in formal and informal discovery and submitted testimony, comments, and legal briefing—all of which ultimately lead either to consensus or to an order or recommendation of a state commission. To date, the process has been, by any measure, extremely successful in that the parties have been able to resolve the vast majority of disputed issues. In addition to the current filing, this collaborative process has resulted in two prior SGAT revisions, which were filed on June 29, 2001 and September 21, 2001.

As discussed further below, with the exception of those recommendations that Qwest has challenged, the document attached to this Notice is intended to reflect the revisions that are being made to comply with a pair of recent orders from the Commission. These include: Twentieth Supplemental Order; Initial Order (Workshop Four): Checklist Item 4; Emerging Services, General Terms and Conditions, Public Interest, Track A, and Section 272, November 15, 2001 ("Twentieth Supplemental Order"); Twenty-fourth Supplemental Order; Final Order (Workshop Three): Checklist Items 2, 5 and 6, December 20, 2001 ("Twenty-Fourth Supplemental Order"). The current filing also incorporates language related to the same checklist items that the parties have agreed to in Washington as well as in other states, including the joint undertaking of the state commissions of Idaho, Iowa, Montana, New Mexico, North Dakota, Utah and Wyoming (the "multi-state proceeding").

II. DISCUSSION

A. Revisions Made to Comply with the Washington Commission's Decisions

As noted above, the Commission has issued several reports on Qwest's compliance with various Section 271-related issues since Qwest's most recent SGAT revision. Like the reports and orders of other state commissions investigating Qwest's Section 271 checklist compliance, these reports recommended a number of changes to Qwest's SGAT. Except as noted below, the SGAT that accompanies this Notice complies with these reports and recommendations.² Qwest also notes that there are many instances where the Commission or the ALJ recommended a modification that had already been implemented or otherwise approved the SGAT language as written—so no revision marks are shown in the red-lined SGAT.³

Qwest also notes that it has made numerous changes to the previously-filed, official SGAT to comply with the SGAT lites that were filed at the close of the workshops and represented Qwest's position at the close of the workshops.⁴ Accordingly, these SGATs were relied upon by the ALJ and the other parties in reviewing or challenging Qwest's compliance with a given checklist item.

² See Changes resulting from Twentieth Supplemental Order; Initial Order (Workshop Four): Checklist Item 4; Emerging Services, General Terms and Conditions, Public Interest, Track A, and Section 272 ("Twentieth Supplemental Order"), November 15, 2001 in Sections 1.8.2.1; 2.2; 2.3; 2.3.1; 4.0 (definition of "legitimately related"); 5.2.1; 5.8.6; 5.16.9.1; 5.16.9.1.1; 6.4.1; 7.2.2.8.12.3; 7.2.2.8.12.4; 8.4.1.4.1; 9.2.2.4.1; 9.2.6.2; 9.2.6.7; 9.2.6.8; 9.2.6.9; 9.4.2.3.1; 9.4.2.3.4; 9.4.5.1.3.1; 9.4.6.3.3; 9.5.2.5; 9.5.3.4; 9.24.1.1; 11.3; 12.3.4.3; 12.3.6.5; 12.3.8.1.5; Changes resulting from Twenty-Fourth Supplemental Order; Final Order (Workshop Three): Checklist Items 2, 5 and 6, December 20, 2001 ("Twentieth Supplemental Order") in Sections 9.1.2.1; 9.1.2.1.3.1; 9.1.4; 9.6.1.1; 9.6.2.3; 9.6.2.4; 9.6.2.5; 9.6.2.6; 9.6.2.7; 9.6.3.1; 9.6.3.2; 9.6.3.3; 9.6.3.4; 9.6.3.5; 9.6.3.5.1; 9.6.4.1.1; 9.6.6.1; 9.7.2.3; 9.19; 9.23.1.2.2; 9.23.1.4; 9.23.1.5; 9.23.1.6; 9.23.3.7.2.12.8.

³ See SGAT §§ 9.1.10; 9.2.2.3.1; 9.2.2.8; 9.5.2.5; 9.7.1; 9.11.2.5; 9.11.2.5.3; 9.11.2.5.7; 9.14.1; 9.20.2.1; 9.20.2.1.2; 9.20.2.1.3; 9.21.7.3; 9.23.3.7.2.7; 9.23.3.12; 9.23.3.17; 12.2.9.3.

⁴ See SGAT §§ 1.2; 1.3; 1.4; 1.6; 1.7; 1.7.1.1; 1.7.1.2; 1.8; 1.8.2; 1.8.3.1; 1.8.3.2; 2.4; 3.0; 3.1; 3.2; 3.2.1; 3.2.2; 3.3; 4.0 (various definitions throughout the section); 5.1.1; 5.1.3; 5.1.3.1; 5.1.3.2; 5.1.3.3; 5.1.3.4; 5.1.4; 5.1.6; 5.1.7; 5.2.2; 5.2.2.1; 5.3.1; 5.3.2; 5.4.1; 5.4.2; 5.4.3; 5.4.4; 5.4.4.1; 5.4.4.2; 5.4.4.3; 5.4.5; 5.4.6; 5.4.7; 5.4.9; 5.5.1; 5.6.1; 5.6.1.2; 5.6.1.3; 5.6.1.5; 5.6.2; 5.7.1; 5.8.1; 5.8.2; 5.8.3; 5.8.5; 5.9.1; 5.9.1.1; 5.9.1.4; 5.9.2.2; 5.9.2.3; 5.10.1; 5.10.2; 5.10.3; 5.10.3.1; 5.10.7; 5.10.8; 5.11.1; 5.12.1; 5.12.2; 5.12.3; 5.16.1; 5.16.3; 5.16.4; 5.16.5; 5.16.7; 5.16.8; 5.16.9; 5.16.9.1; 5.16.9.2; 5.17.1; 5.18.1; 5.18.2; 5.18.3; 5.18.3.1; 5.18.3.2; 5.18.3.3; 5.18.3.3.1; 5.18.3.3.2; 5.18.3.4; 5.18.6; 5.18.7; 5.18.8; 5.19.1; 5.20.2; 5.21.1; 5.23.1; 5.24; 5.24.1; 5.25.1; 5.30.1; 9.2.2.2.1.1; 9.2.4.3.1.2.4; 9.3.5.5.2.1.3; 9.3.5.5.2.1.4; 9.3.6.4.2; 9.7.2.15; 9.7.2.17.1; 11.7; 11.12; 11.14; 11.15; 11.16; 11.18; 11.22; 11.25; 11.31; 11.34; 12.1.1; 12.1.2; 12.2.1.2; 12.2.1.4; 12.2.1.4.1-12.2.1.4.9; 12.2.1.5.3; 12.2.1.6.1; 12.2.1.7.1; 12.2.1.8; 12.2.1.9; 12.2.1.9.1-12.2.1.9.7; 12.2.1.10; 12.2.2.1; 12.2.3.1; 12.2.3.2; 12.2.3.3; 12.2.4.2; 12.2.5.2.4; 12.2.5.2.5; 12.2.5.2.7; 12.2.5.2.8; 12.2.7.1; 12.2.7.2; 12.2.8.3; 12.2.8.4; 12.2.9.1; 12.2.9.3.1; 12.2.9.3.4; 12.2.9.3.5; 12.2.9.4; 12.2.9.4.1; 12.2.9.4.2; 12.2.9.6; 12.2.9.6.1; 12.2.9.7; 12.2.9.9; 12.2.10.1; 12.2.10.2; 12.2.10.3; 12.2.11; 12.3.1.1; 12.3.1.2; 12.3.1.3; 12.3.2.1; 12.3.2.2; 12.3.2.3; 12.3.3.2; 12.3.3.5.1; 12.3.4.1; 12.3.4.2; 12.3.6.1; 12.3.6.2; 12.3.6.3; 12.3.6.4; 12.3.8.1.3; 12.3.8.1.5; 12.3.9.1; 12.3.10.1; 12.3.10.2; 12.3.10.3; 12.3.12.2; 12.3.12.3; 12.3.13.1; 12.3.13.2; 12.3.13.3; 12.3.13.4; 12.3.14.2; 12.3.15.1; 12.3.16.1; 12.3.17.1; 12.3.17.2; 12.3.18.2; 12.3.19; 12.3.19.3; 12.3.20.1; 12.3.22.4; 12.3.23.1; 12.3.23.2; 12.3.23.3; 12.3.24; 12.3.24.1; 12.3.24.2; 12.3.24.3; 12.3.24.4; 12.3.24.5; 12.3.24.6; 12.3.24.7; 12.3.24.8; 12.3.24.9; 17.1; 17.2; 17.2.7; 17.2.8; 17.3; 17.4; 17.5; 17.6; 17.8; 17.9; 17.10; 17.12; 17.13; 17.14; 18.1; 18.2; 18.2.1; 18.2.2; 18.2.3; 18.2.4; 18.2.6; 18.2.8; 18.2.8.1; 18.2.8.2; 18.2.9; 18.2.10; 18.2.11; 18.2.12; 18.2.13; 18.3; 19.3; 20.0; 22.0.

B. Sections on which Qwest is Challenging Staff's Recommendations Or Otherwise Altered The Express Letter Of A Given Recommendation.

Despite Qwest's acceptance of most of the Staff's recommendations, Qwest is challenging a number of those recommendations. First, Qwest is challenging the following recommendations from the *Twentieth Supplemental Order*:

- The recommendation with respect to Section 9.1.2 in the *Twentieth Supplemental Order* at ¶ 48, wherein the Commission determined that Qwest must construct new facilities for CLECs.
- The recommendation that Qwest must change its held order policy and hold open CLEC orders even where facilities are not available.⁵
- The recommendation requiring that Qwest modify Section 9.2.6.4 to segregate T1s within binder groups, and, if need be, replace T1s with a different technology that will eliminate interference problems.⁶
- The recommendation related to the interval in which to perform an inside wire inventory.⁷
- The recommendation that inside wire subloops must be exempted from the LSR process in Section 9.3.5.1.⁸
- The recommendation that Qwest must remove the restrictions on CLEC connection to Qwest NIDs and shorten the intervals for Sections 9.3.3.5 and 9.3.5.4.1 to two business days.⁹
- The recommendation that Qwest modify Section 9.4.1.1 to allow for line sharing on fiber loops before it is even technically feasible.¹⁰
- The recommendation that Qwest modify the SGAT to allow CLEC technicians to remove Qwest facilities from the NID to provide space for CLEC facility terminations.¹¹
- The recommendation that Qwest must allow unbundled dark fiber to be combined with other loop and transport elements without applying a local usage test.¹²
- The recommendation that Qwest must make splitters available on a line-at-a-time or shelf-at-a-time basis.¹³

⁵ See *Twentieth Supplemental Order* ¶¶ 79, 132 (recommending modification to SGAT § 9.1.2.1.3.2).

⁶ *Twentieth Supplemental Order* ¶ 119.

⁷ *Twentieth Supplemental Order* ¶ 297.

⁸ *Twentieth Supplemental Order* ¶ 289.

⁹ *Twentieth Supplemental Order* ¶ 280.

¹⁰ *Twentieth Supplemental Order* ¶ 199.

¹¹ *Twentieth Supplemental Order* ¶ 238.

¹² *Twentieth Supplemental Order* ¶ 145.

¹³ *Twentieth Supplemental Order* ¶ 169.

Qwest is also seeking reconsideration of the Commission's *Twenty-Fourth Supplemental Order* decision with respect to EELs in Sections 9.23.3.7.1, 9.23.3.7.2.12.2 and has not yet implemented that aspect of the decision.

Since Qwest has challenged these recommendations as outlined above, Qwest has refrained from making these modifications, pending the Commission's ultimate decision on these disputed matters.

Qwest also notes that the modifications reflected in Sections 2.1, 5.8.4, 5.9.1.2, 5.9.1.3, 18.1.1; 18.1.2; 18.3.1.1 are consistent with the language that Qwest advocated in its Comments on the *Twentieth Supplemental Order*.

C. Consensus Reached With Other Parties, and Compliance Language Carried Forward from Other Proceedings.

The SGAT filed herewith also includes several revisions made by Qwest that are consistent with the orders and recommendations of other state commissions and the facilitator in the multi-state proceeding for the same checklist items. Qwest believes that in many instances this language resolves issues raised by CLECs in this and other proceedings and, to that end, Qwest is willing to include such out-of-state compliance language in its SGAT in Washington. In addition, during the course of the SGAT and Section 271 proceedings, many of the issues between the parties have been resolved by the adoption of consensus language for inclusion in the SGAT. The SGAT accompanying this Notice includes consensus language, language that was required from other states or the FCC.¹⁴

Qwest also notes that at AT&T's request, it had agreed to modify Section 12.3.8.1.3 to conform with Section 6.4.1 insofar as they both pertain to misdirected calls. Qwest has accommodated AT&T's concerns that misdirected repair and ordering calls be treated in the same manner by modifying Section

¹⁴ 1.7.1; 4.0 (the parties agreed to deletion of the section numbers assigned to individual definitions, and also reached consensus on several other definitions); 5.8.1; 7.1.2; 7.2.2.8.3; 7.3.4.3; 7.3.4.4; 7.3.4.4.1; 7.3.4.4.2; 7.3.6; 7.3.6.1; 7.3.6.2; 7.3.6.2.1; 7.3.6.2.2; 7.3.6.2.2.2; 7.3.6.2.3; 7.3.6.2.3.1; 7.3.6.2.3.2; 7.3.6.2.3.3; 7.3.6.3; 8.2.1.2.3; 8.2.4.1; 8.3.1.9; 8.4.1.8.5; 9.1.1.3; 9.2.2.3.1; 9.2.2.3.2; 9.2.2.15.2; 9.2.4.3.1.2; 9.2.6.2.1; 9.2.6.2.2; 9.2.6.8; 9.3.1.1.2; 9.3.1.1.3; 9.3.1.1.4; 9.3.1.3.2; 9.3.3.5; 9.3.3.6; 9.3.3.7; 9.3.3.7.3; 9.3.3.8; 9.3.5.4.1; 9.3.5.4.3; 9.3.5.4.4; 9.3.5.4.5; 9.3.5.4.5.2; 9.3.5.4.5.2.1-9.3.5.4.5.2.4; 9.3.5.4.6; 9.3.5.4.7; 9.5.4.2; 9.6.1.2; 9.20.2.9; 9.20.3.4; 9.23.1.2.3; 9.23.3.9.3; 9.23.3.9.4; 10.2.5.2; 10.8.2.27 (Qwest agreed to change the term "multiple dwelling units" to "multiple tenants environments"); 11.19; 11.23; 11.34.1-11.34.6; 12.2.6; 12.2.6.2; 12.2.8; 12.2.9.3.2; 12.2.9.3.3; 12.2.9.5. Qwest made a number of modifications to conform the SGAT to the FCC's decision: *In the Matter of Provision of Directory Listings Information under the Telecommunications Act of 1934*, [sic], as amended, CC Docket No. 99-273, First Report and Order, FCC 01-27 (rel. Jan. 23, 2001). See SGAT §§ 10.4.2.4; 10.5.2.11; 10.6.2.1; 10.6.2.3.

12.3.8.1.5 (rather than Section 12.3.8.1.3) to conform to Section 6.4.1 and deleting the pertinent language of Section 12.3.8.1.3, however. This was done to ensure consistency with the SGAT lite.

Qwest added language to Section 9.2.4.3.1.2 indicating that Qwest will issue a Firm Order Confirmation on a DS1 capable Loop within 72 hours, consistent with the Regional Oversight Committee's approval of the 72-hour FOC PID, which included DS1s.

Finally, the Commission recommended specific language with respect to Section 9.2.6.7 in the *Twentieth Supplemental Order*, but this recommendation has since been mooted by consensus of the Parties to delete the provision in its entirety.

D. Correction of Typographical, Grammatical and Other Non-Substantive Matters.

Finally, the updated SGAT also contains a number of corrections to typographical errors, grammatical changes, capitalization changes, and updates to Qwest Web Site addresses and technical standards.¹⁵ Qwest notes that the Parties agreed to delete the individual numerical references throughout Section 4.0. Qwest also notes that various definitions have been repositioned to ensure that the definitions are in alphabetical order.

Qwest further notes that Section 7.2.2.1.5 was inadvertently duplicated in the most recent SGAT filing; and that the redundant section has been deleted in the present filing. Similarly, Qwest modified Section 10.7.3.1.6 to correct the inadvertent deletion of language in a previous filing.

II. CONCLUSION

For the foregoing reasons, the Commission should consider the SGAT filed with this notice as the baseline document for any future proceedings in this docket. Qwest respectfully requests that the Commission allow this version of the SGAT to go into effect within 60 days, pursuant to 47 U.S.C. § 252(f)(3)(B).

RESPECTFULLY SUBMITTED this 29th day of January, 2002.

Qwest Corporation

¹⁵ See SGAT §§ 1.8.3.2; 1.8.3.3; 4.0; 9.2.2.8.2; 9.2.2.10; 12.3.5; 12.3.22.1; 17.2.1-17.2.6.

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