

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of

QWEST CORPORATION

For Commission Approval of Stipulation
Regarding Certain Performance Indicator
Definitions and Qwest Performance
Assurance Plan Provisions.

DOCKET UT-073034

COMMENTS OF COMMISSION
STAFF

1 The commission's staff has not completed its review of the merits of this case and
takes no position thereupon, but offers the following preliminary comments as to scope and
process:

Scope:

2 This docket represents an important step by industry representatives to negotiate
adjustments to the Qwest Performance Assurance Plan (QPAP) within the plan's framework.

3 Commission staff notes that while three competitive local exchange carriers
(CLECs) are parties to the stipulation, the proposed alterations to the QPAP affect many
CLECs not party to the stipulation.

4 This matter does not lend itself to a narrow decision taken in isolation by either a
single state or single docket. Issues similar to those identified in the petition have been
raised but not finally resolved (as of the time of this filing) in the following dockets:

- UT-063076 Local Services Platform Agreement between Qwest and Granite Telecommunications, wherein the commission's staff recommended sending a letter advising the FCC that Qwest's QPAP in Washington State is no longer sufficient to track the company's Section 271 obligation with respect to CLEC signatories to the Local Services Platform Agreements. This matter was presented and argued at the commission's regular open meeting of May 23, 2007 but no action was taken on staff's recommendation.
- WC 07-97 Petition of Qwest for Forbearance, wherein the company seeks to be relieved of certain obligations imposed on dominant carriers for the Seattle metropolitan service area.
- UT-030388 Staff investigation, wherein staff monitors the ongoing multi-state audit and continuing implementation of QPAP provisions.

Process:

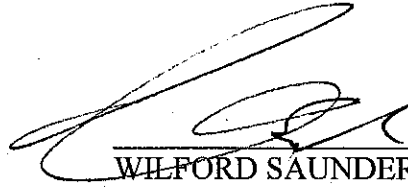
5 Staff has begun and intends to complete a diligent review of the matter.

6 Staff's ongoing review suggests that an expedited discovery process may be necessary to develop a financial, technical and contextual record sufficient to support a well-considered commission order.

7 This matter has not been presented to the Regional Oversight Committee (ROC) to consider a regional approach to the petition. Commission staff suggests that it should be. The petition draws on aspects of performance plans from other states and explicitly acknowledges that the parties intended that it be submitted to each of the fourteen state commissions in Qwest's service area. A decision on the merits in this case could thus influence the rights, positions and decisions in other ROC states where similar petitions will

be or have been brought. A multi-state approach could substantially expedite decision and implementation by facilitating exchange of other states' experience with and insight into proposed terms drawn from existing plans.

DATED this 24th day of July, 2007.



WILFORD SAUNDERS

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Washington Utilities and Transportation
Commission