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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the
Continued Costing and Pricing of
Unbundled Network Elements, Transport,
Termination, and Resale

Docket No. UT-003013, Part B
QWEST’S PETITION FOR RECONSIDERATION
AND CLARIFICATION OF THE 32ND
SUPPLEMENTAL ORDER

Pursuant to the provisions of WAC 480-09-810 and RCW 34.05.470, Qwest Corporation (“Qwest”) hereby petitions for reconsideration and clarification of the Commission’s 32nd Supplemental Order in this matter, entered on June 21, 2002.

I. INTRODUCTION

Qwest requests reconsideration of the Commission’s decision concerning nonrecurring costs and charges for the field verification process associated with requests for access to poles and ducts. Qwest also requests clarification regarding the order’s provisions in connection with recurring charges for high capacity loops.

II. ARGUMENT

A. Poles, Ducts, and Rights of Way

In Part B, Qwest proposed four nonrecurring charges for activities relating to poles, ducts, and rights of way. The Commission discussed the two charges relating to field verification activities in paragraphs 163-171. The Commission ordered Qwest to reduce its work time estimate for the inspection of a manhole to two hours, and also ordered that Qwest only be permitted to inspect (and

1 charge the CLEC for) one manhole per block in zones one and two, and one manhole every four blocks
2 in zones three, four, and five. Qwest seeks reconsideration of the latter determination.¹

3 A CLEC request for access to poles and ducts in Qwest's network requires Qwest to perform
4 an electronic search of its records to determine space availability, and a physical inspection of the pole
5 line or conduit route to confirm space availability and to confirm that environmental factors have not
6 impacted that availability. In the network, there are manholes every 600 feet (approximately 1/10 of a
7 mile, or one city block). This spacing is due to the need to access the network at regular points, and
8 due to the historical use of copper cable, which cannot generally be pulled further than 600 feet at one
9 time. In urban areas, there may also be manholes mid-block, at points where facilities branch off into
10 alleyways or other subsidiary routes. These lateral connections into the conduit may change the
11 availability of space within a conduit in less than a block.

12 Qwest's practice is that in order to verify space availability, it must inspect each and every
13 manhole along the requested conduit route. This is because the environmental factors that the
14 Commission recognized, such as construction or flooding, can significantly impact availability and do not
15 occur in predictable locations. The Commission's order acknowledges that Qwest needs to conduct
16 reasonable inspections to ascertain whether congestion exists, and thus permits inspection at locations
17 where congestion is likely. However, the order would prevent Qwest from recovering the costs
18 incurred as a result of all reasonably necessary that inspection activity.

19 Qwest does not have the option to change its practices to conform to the cost recovery allowed
20 by the order. Qwest must continue to perform inspections consistent with the practices established and
21 required for responsible network management and planning. Those practices require that all manholes
22 along a requested route be physically inspected. Indeed, failure to inspect every manhole could
23 ultimately lead to increased costs – for example, if an incomplete inspection failed to disclose a problem
24 at one of the uninspected manholes, the problem would not be discovered until the actual deployment of

25 ¹ Qwest notes that the Commission has stated that the ordered rates are interim, and may be re-addressed in Part E.
26 This mitigates the impact of the order somewhat. Nevertheless, Qwest here seeks reconsideration of the conclusion
that it is not necessary to inspect all manholes, as this conclusion is inconsistent with how Qwest believes it must
responsibly operate its network.

1 facilities. At that point, it is likely that both Qwest and the CLEC have personnel in the field, and fiber-
2 optic cable ready to be pulled through the conduit. Depending upon the location of the job, it is
3 possible that the parties will have arranged for street closures or traffic diversions, obtained city permits,
4 and incurred other planning and operational expenses. If a blockage or other space constraint is
5 discovered during that activity, resources will be wasted while the necessary inspections and corrective
6 actions are conducted. This could also delay the CLEC's ability to actually deploy its facilities. These
7 issues can all be avoided if Qwest is permitted to conduct the necessary inspections at the time the route
8 is requested.

9 The same issues are present with regard to poles, to a somewhat lesser degree. Qwest will not
10 repeat its arguments, but will simply urge the Commission to reconsider this issue, and at a minimum
11 accept additional testimony on the propriety of these inspections during the next proceeding.

12 **B. Clarification Regarding Recurring Costs for High Capacity Loops**

13 Qwest requests clarification regarding the Commission's order on recurring costs for high
14 capacity loops. From a complete reading of the order, it appears as though the Commission has
15 accepted Qwest's proposal regarding recurring costs for high capacity loops. However, there is no
16 paragraph in the order that states that conclusion directly, and Qwest seeks affirmation from the
17 Commission that it has interpreted the order correctly.

18 The Commission discussed Qwest's recurring cost studies generally at paragraphs 178-207.
19 The Commission approved the use of Qwest's proposed total installed factors (TIFs) at paragraph 203.
20 The Commission approved the use of Qwest's proposed fill factors at paragraph 204. The
21 Commission approved the use of common cost factors from Docket Nos. UT-960369, et al., at
22 paragraph 206. The Commission rejected the proposals of other parties to adjust the cost studies for
23 effects of the merger at paragraph 207. Finally, the Commission discussed high capacity loops
24 specifically in paragraphs 217-230. In the "Discussion and Decision" paragraphs, 228-230, the
25 Commission rejected the CLECs' contention that the cost of high capacity loops should be modeled
26 using the cost models from Docket Nos. UT-960369, et al., citing several reasons for doing so. As

1 Qwest reads the order, all of Qwest's inputs and assumptions were adopted, and all of the opposing
2 positions were rejected. Thus, Qwest concludes that its rates have been accepted without adjustment.
3 However, Qwest is unable to point to a paragraph that states that conclusion explicitly, and thus seeks
4 clarification as requested herein.

5 **III. CONCLUSION**

6 In conclusion, Qwest asks for reconsideration and clarification of the Commission's order as set
7 forth herein.

8 Respectfully submitted this 2nd day of July, 2002.

9 Qwest Corporation

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