

February 28, 2002

**NOTICE OF ISSUANCE OF COMMISSION BENCH REQUESTS
(March 22, 2002)**

RE: 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.

The Commission issues Bench Requests 43, 44, and 45 to all competitive local exchange companies (CLECs) registered as competitive carriers with the Washington Utilities and Transportation Commission, whether or not the CLECs are parties in this matter. The Commission issues these bench requests as a part of the process of gathering information and submitting comments to the Federal Communications Commission (FCC) in anticipation of an application by Qwest to provide in-region, interLATA service in Washington state under section 271 of the Telecommunications Act of 1996 (the Act). The responses to these questions are intended to assist the Commission in determining the state of local competition in Washington state, and whether Qwest has met the requirements of Track A of the Act.

The bench requests seek company-specific information of the type that might impose a serious business risk if disseminated without heightened protection. Companies may designate their responses to Bench Requests 43, 44, and 45 "Highly Confidential." Access to data so designated shall be restricted to the Commission and its advisors in this proceeding. No Party may review data designated as highly confidential by a CLEC in response to the bench requests. The Commission shall aggregate the highly confidential data provided by the CLECs in response to the bench requests into a single document or set of documents and shall provide the aggregated information as a confidential document to all Parties that request this information. Upon the conclusion of this proceeding, the Commission shall return all highly confidential data to the CLEC that provided it, or at the option of the CLEC, shall destroy all such data.

Please provide responses to each of the following requests electronically, as well as on separate sheets of paper and repeat the bench request at the top of the page on which the response begins. Also, indicate on both the hard copy and the electronic version provided, the date the bench response was prepared, the individual who prepared the response, and the telephone number of the preparer. Please send your responses via U.S. Mail to: Carole Washburn, Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504, and send electronic response to the Records Center at records@wutc.wa.gov.

BENCH REQUEST NO. 43:

Responses to the following questions will assist the Commission in its determination of whether Qwest has met the requirements contained in section 271(c)(1)(A) (“Track A”) of the Act .

- A. Do you have, or have you had, an interconnection agreement with Qwest? If so, when did it become effective? If not, are you currently negotiating an agreement with Qwest?
- B. What services are you currently purchasing under your interconnection agreement?
- C. If you do not have an interconnection agreement with Qwest, are you purchasing services from under Qwest's tariffs? If so, which services are you purchasing?
- D. Does your interconnection agreement contain an implementation schedule? If so, how detailed is the implementation schedule?
- E. If your interconnection agreement with Qwest has an implementation schedule, has Qwest met the commitments specified in the schedule? Please provide specific citations to the interconnection agreement. Has your company met all of its commitments specified in the agreement?
- F. Under your interconnection agreement with Qwest, please provide traffic data for all traffic terminated to Qwest separately, on a resale and facilities basis. For traffic terminated on a facilities basis, please distinguish between local and intraLATA toll traffic. All reports should include the three most current months.

BENCH REQUEST NO. 44:

To assist the Commission in determining the state of local competition in Washington, each CLEC should answer the following questions. For questions A through C, please provide information separately for customers on a resale and facilities basis. “Facilities basis” includes provision through unbundled network elements (UNEs) or wholly over your own facilities. Please specify whether the facilities are special access, UNE-P, UNE combinations, or other interconnection facilities. Please provide the information as of December 31, 2001.

Please provide your answers to questions A, B, C and D in the attached Excel spreadsheet template.

- A. On an exchange basis, what is the number of active business and residential access lines your company serves within Qwest's service territory in Washington?

- B. What is the number of business and residential customer accounts your company serves within Qwest's service territory in Washington?
- C. On both an access line and customer account basis, what is your company's current and projected share of the local exchange market in Qwest's service territory?
- D. What revenues did your company derive from Washington in 2000 and 2001 from: i) basic local residential services, ii) basic local business services, iii) intraLATA toll, iv) access charges, and v) all other types of services? The term "basic" is as defined in RCW 80.36.600(6)(b).
- E. What is your opinion concerning your company's likely success or rate of growth in the local exchange market?
- F. Provide any reports, studies, or analyses available, and created within the past two years, that contain data on market shares of Qwest and local competitors, or that evaluate the likely entry, success or rate of growth of competitors or potential competitors.
- G. Provide a description and current status of all complaints made to Qwest, to the WUTC, to the FCC, or to any other governmental authority by your company arising from your company's request for interconnection, UNEs, or the ability to resell Qwest services. Include, list, and describe the status of all suits or actions at law, other litigation, or administrative proceedings of any type, involving your company and Qwest's policies and practices in Washington state regarding services obtained from Qwest that are being considered in this proceeding, including special access services obtained as a platform for providing services to retail customers.

BENCH REQUEST NO. 45:

The following questions are intended to allow the Commission to provide information to the FCC as to whether one or more facilities-based CLECs are present in Washington state. Please respond to the following questions. Please provide your answers to questions G, H, I and J in the attached Excel spreadsheet template.

- A. Is your company registered by the Commission as a facilities-based CLEC?
- B. Is your company currently offering service to local customers using its own facilities or a combination of Qwest's and its own facilities? Describe how service is being provided (e.g., QWEST's unbundled loops connected to your company's switch).
- C. To what extent is your company offering: i) business exchange service; ii) residential exchange service, or iii) exchange and/ or special access services.

- D. For each of the services described in question C above, indicate whether the services are provided via: i) resale; ii) UNEs, iii) special access circuits, or iv) entirely over facilities your company owns.
- E. If your company is not providing any of the services listed in question C above to any customer segment, does your company have plans to offer any of those services, and if so, when?
- F. Describe the geographic location of local exchange customers your company serves, by type of customer (business and residential). Indicate whether any service segment (for example, residential) is predominantly made up of employees of your company.
- G. How many loops (business and residential), by type (i.e., DSO, DS1), does your company own or lease throughout Qwest's service territory, and on an exchange basis?
- H. How many end-office switches and line-side switch ports does your company own or lease throughout Qwest's service territory, and on an exchange basis?
- I. On a statewide and exchange basis, how many Qwest loops (business and residential), by size (i.e., DSO, DS1), are connected to a switch your company owns or controls?
- J. On a statewide and exchange basis, how many loops (business and residential), by size (i.e., DSO, DS1), that your company owns or leases are connected to Qwest switches?
- K. List the facilities your company owns or controls in Qwest's service territory and indicate where they are located.
- L. Describe your company's current facilities construction or expansion projects in Qwest's service area and anticipated completion dates.

Please respond to these Bench Requests no later than Friday, **March 22, 2002**, with an original and five copies. If you have any questions concerning these requests, please contact Paula Strain at 360-664-1278.

Sincerely,

ANN E. RENDAHL
Administrative Law Judge

cc: All parties (via fax and U.S. Mail)