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1 BEFORE THE WASHINGTON UTILITIES AND
2 TRANSPORTATION COMMISSION

3 In the Matter of the Petition)
4 of QWEST CORPORATION to) DOCKET NO. UT-033044
5 Initiate a Mass-Market)
6 Switching and Dedicated) Volume VI
7 Transport Case Pursuant to) Pages 197 to 296
8 the Triennial Review Order.)
9 _____)

10 A pre-hearing conference in the above matter
11 was held on March 1, 2004, from 9:10 a.m to 9:55 a.m.,
12 at 1300 South Evergreen Park Drive Southwest, Room 206,
13 Olympia, Washington, before Administrative Law Judge ANN
14 RENDAHL.

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1 P R O C E E D I N G S

2 JUDGE RENDAHL: Good morning. I'm Ann
3 Rendahl, the Administrative Law Judge presiding over
4 this matter. We're here before the Washington Utilities
5 and Transportation Commission this morning, Monday,
6 March 1st, 2004, in Docket Number UT-033044, captioned
7 in the matter of the Petition of Qwest Corporation to
8 Initiate a Mass Market Switching and Direct Transport
9 Case Pursuant to the Triennial Review Order. This
10 pre-hearing conference is convened pursuant to a notice
11 issued on Thursday, February 26, 2004.

12 First let's take appearances of the parties.
13 If you have already stated a full appearance in this
14 proceeding, just state your name and who you represent.
15 If you have not, then we'll need your full name, party
16 you represent, your address, telephone number, fax
17 number, and E-mail.

18 So let's begin with Qwest, Ms. Anderl.

19 MS. ANDERL: Thank you, Your Honor, Lisa
20 Anderl and Adam Sherr, in-house attorneys appearing for
21 Qwest.

22 MR. SMITH: Your Honor, my name is Ted Smith,
23 I'm with the law firm of Stoel Rives in Salt Lake City.
24 The address is 201 South Main Street, Suite 1100, Salt
25 Lake City, Utah 84111, telephone number is (801)

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1 578-6961, fax number is (801) 578-6999, my E-mail
2 address is tsmith@stoel, and Stoel is spelled S-T-O-E-L,

3 JUDGE RENDAHL: Thank you, Mr. Smith.

4 Okay, for MCI.

5 MS. RACKNER: Lisa Rackner for MCI.

6 MS. SINGER NELSON: Michel Singer Nelson also
7 on behalf of MCI in-house.

8 JUDGE RENDAHL: Thank you.

9 For AT&T.

10 MS. DECOOK: Rebecca DeCook.

11 JUDGE RENDAHL: For Covad.

12 MS. FRAME: Karen Frame.

13 JUDGE RENDAHL: For the joint CLECs.

14 MR. KOPTA: Gregory Kopta of the law firm
15 Davis Wright Tremaine, LLP, on behalf of Advanced
16 Telcom, Eschelon, Integra, Global Crossing, McLeod USA,
17 Pac-West, Time Warner Telecom, and XO.

18 JUDGE RENDAHL: Thank you, Mr. Kopta.

19 For the Department of Defense and other
20 Federal Executive Agencies.

21 MR. MELNIKOFF: Steve Melnikoff, Your Honor.

22 JUDGE RENDAHL: And for WebTEC.

23 MR. BUTLER: Arthur A. Butler.

24 JUDGE RENDAHL: Good morning.

25 For Staff.

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1 MR. THOMPSON: Jonathan Thompson.

2 JUDGE RENDAHL: And that's everyone appearing
3 in the hearing room. Is there anyone appearing on the
4 bridge line this morning who wishes to state an
5 appearance?

6 Hearing nothing, we have all of the attorneys
7 here in the room, and I'm happy that we were able to
8 provide a little additional room for you at the back
9 table there.

10 The purpose of the pre-hearing this morning
11 is first to finalize our exhibit list and mark any
12 remaining exhibits and then to go over our
13 cross-examination charts and the schedule for the
14 hearing, and then there's also the motions by AT&T and
15 Covad, the motion for summary determination by Covad and
16 AT&T's motion to strike both relating to Qwest's
17 dedicated transport case.

18 So let's first go off the record to deal with
19 the marking of exhibits, and then we'll get back on to
20 talk about scheduling and motions, so we will be off the
21 record.

22 (Discussion off the record.)

23 JUDGE RENDAHL: In speaking with the
24 Chairwoman this morning, she suggested that we refer to
25 a chart when we're talking about the various aspects of

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1 this case. This is the chart I'm talking about, I will
2 make it available to all of you. It appears in a varied
3 form in Mr. Shooshan's testimony, but the version we
4 have come from the Triennial Review Implementation
5 Project, TRIP, whatever that is, and it was an
6 attachment to the moderator's, and I'm forgetting his
7 name, Mr. Atkinson's materials, and one is a flow chart
8 of the mass market circuit switching TRO process, and
9 the second page is the local transport. This isn't an
10 exhibit, it's just for reference as to where you are and
11 what you're talking about.

12 So there are little letters, so for example
13 we're talking about the geographic market, that's topic
14 A. If you're talking about the self provisioning
15 trigger, that's topic D. If you're talking about the
16 DSO crossover, that's topic C. So the Commissioners
17 have sense of where you are, where you're going.

18 I don't think it applies to your opening
19 statement, let's not worry about that there, but when
20 you're doing your cross, let us know where you're
21 headed, what you're covering. And we'll see how it
22 works, but at least for the very beginning I think it
23 will help the Commissioners know what you're talking
24 about and what you're focusing on. So I will put these
25 on the back table, and we can do that.

1 Okay, the next thing we need to talk about, I
2 think we should first talk about the motions. Having
3 reviewed Covad's motion for summary judgment and the
4 responses and the reply and having consulted with the
5 commissioners, at this point we're going to deny the
6 motion for summary judgment. I think there is more than
7 just an assumption on Qwest's part, but it is less than
8 exact evidence directly on point, but enough to allow us
9 to go forward.

10 And that in conjunction with AT&T's motion to
11 strike Ms. Torrence's, portions of Ms. Torrence's
12 rebuttal testimony, that raises an issue that's also
13 raised in the motion for summary judgment, which is the
14 addition into Qwest's rebuttal case of responses to
15 Bench requests that were available prior to the filing
16 of the direct case. And I think the Commissioners and I
17 are in agreement that the best way to handle this,
18 because I think realistically this Commission is in a
19 position of taking evidence and based on what will
20 happen at the D.C. Circuit we may just be in a position
21 of gathering evidence, and so at this point I think it's
22 best to gather the evidence.

23 And so in order to do that, my thinking is
24 it's best based on AT&T's suggestion to move this issue
25 to April and allow an addition round of surrebuttal

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1 testimony for parties to respond to Qwest's rebuttal
2 testimony directly on the issue of how the Bench request
3 responses support or do not support Qwest's case on
4 transport issues. So I'm willing to hear from the
5 parties on this, but I think this is the best way to
6 resolve it. We need to gather the evidence, it doesn't
7 look like we're there yet, and I think we need just one
8 more round from the CLECs to explore Qwest's case and
9 the Bench requests, and then we'll go to hearing in
10 April and further resolve that.

11 Ms. Anderl.

12 MS. ANDERL: I would like to talk to the
13 other parties about the suggestion I'm about to make.
14 Obviously we were ready to argue the motion today, and
15 we believe that AT&T's motion is really largely without
16 merit in terms of their claims of surprise or otherwise,
17 but if it's Your Honor's determination that we will hear
18 this in April, we'll obviously abide by that.

19 One thing I would like to recommend though is
20 that the Commission consider modifying or deleting the
21 masking requirement for purposes of the transport case.
22 I believe that the use of the mask codes has made the
23 transport case in particular very difficult and will be
24 nigh onto impossible to cross examine on because of the
25 need to put masked responses under the nose of

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1 particular witnesses and ask the witness, is this your
2 company's response. We can do the whole thing on a
3 sealed record, but I think it would be, you know, much
4 cleaner and easier if we could just designate all of
5 these exhibits as highly confidential but use the CLEC
6 names.

7 JUDGE RENDAHL: Okay, well, I --

8 MS. ANDERL: As I said, I would like to talk
9 to the parties about that obviously to see if they have
10 an objections, but I thought it was appropriate to maybe
11 raise it early since we now know we're going to have
12 more time to deal with this.

13 JUDGE RENDAHL: From MCI, any response?

14 MS. SINGER NELSON: My preliminary response
15 is that's fine, but I do need to think about it before I
16 make a final recommendation, but my preliminary response
17 is we don't have a problem with removing the masking for
18 the transport piece.

19 JUDGE RENDAHL: Ms. DeCook.

20 MS. DECOOK: We're fine with removing the
21 masking. We believe it's been a cumbersome part of the
22 process and -- but I do want to raise the issue about
23 the mass market switching piece, about whether just
24 referring to a trigger candidate's name is highly
25 confidential as long as you don't tie it to particular

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1 pieces of data.

2 JUDGE RENDAHL: Are you talking about for
3 mass market switching or for the transport piece now?

4 MS. DECOOK: Well, actually a clarification
5 from Ms. Anderl. Because as I understood her
6 recommendation, she wanted to remove the masking
7 entirely so that when you discuss the data that it was
8 attached to a particular company that you could do so
9 freely.

10 MS. ANDERL: Just for transport.

11 MS. DECOOK: Right.

12 JUDGE RENDAHL: And you're asking now to do
13 that also for switching?

14 MS. DECOOK: Not so much to disclose the
15 data, but simply to talk about the trigger candidate's
16 name.

17 JUDGE RENDAHL: Okay.

18 Mr. Kopta.

19 MR. KOPTA: I would need to confirm with my
20 clients on this, but my initial reaction is that that
21 probably makes sense given where we are in the transport
22 case, that we have substantially reduced the number of
23 carriers that are at issue, and therefore it seems to be
24 a little bit less of an issue, and it has been one
25 that's been difficult to deal with. But I would need to

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1 confirm whether my clients have any objection, but for
2 the moment I would think that we don't have any problem
3 with what Qwest is proposing.

4 JUDGE RENDAHL: Ms. Frame.

5 And at this point I mean you can also address
6 Ms. DeCook's suggestion for mass market switching, which
7 I know, Mr. Kopta, you didn't get there if you want to
8 supplement your --

9 MR. KOPTA: I think it would be the same for
10 both actually.

11 JUDGE RENDAHL: All right.

12 MR. KOPTA: Again because we do have a more
13 limited universe now that we have the evidence in the
14 record, and so I don't think that it's as much of a
15 concern as it was before, but I think it applies to both
16 switching and transport.

17 JUDGE RENDAHL: Okay, thank you.

18 Ms. Frame.

19 MS. FRAME: I don't believe that I have a
20 problem with that either. I need to think about it a
21 little bit more as well. Just disclosing the name
22 doesn't seem to be as harmful I guess you could say in
23 this kind of an instance.

24 JUDGE RENDAHL: And as with highly
25 confidential information of any nature, if we're going

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1 to keep the hearing open, referring to a name may not be
2 as important as the identification of the route
3 associated with the name. So if there's a way to
4 discuss the document without, you know, if there's a
5 line number that you can refer to instead of the route
6 number, a line number on a document, that might be
7 helpful.

8 MS. FRAME: Okay.

9 JUDGE RENDAHL: Just as a thought.

10 Mr. Thompson?

11 No comment?

12 MR. THOMPSON: No comment.

13 JUDGE RENDAHL: Mr. Melnikoff?

14 MR. MELNIKOFF: No comment.

15 JUDGE RENDAHL: Mr. Butler?

16 MR. BUTLER: No comment.

17 JUDGE RENDAHL: Okay, well, I guess what I
18 would --

19 MS. ANDERL: Your Honor.

20 JUDGE RENDAHL: Yes.

21 MS. ANDERL: I was just going to point out I
22 think that both Mr. Teitzel and Mr. Finnegan in their
23 later rounds of testimony, Mr. Teitzel in the February
24 20th and Mr. Finnegan maybe even as early as February
25 2nd testimony, did in fact disclose trigger candidate

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1 names. There were trigger candidates stated by name in
2 those testimonies that do not link them with any
3 particular data or market definition or, you know, any
4 area in the market, and they're not masked, so it may be
5 that that cat's already out.

6 JUDGE RENDAHL: Well, I don't necessarily see
7 an issue if it's not tied to the actual highly
8 confidential data of, you know, area, wire center,
9 route, but I think the issue of -- I think I would like
10 you all to discuss this a little more since this just
11 came up this morning, and we can -- I don't think we're
12 going to get into this data until maybe at least
13 Wednesday for the mass market switching, so why don't we
14 bring it up again tomorrow right before hearing or at a
15 break today, let you all have some time to discuss it,
16 and we'll finalize how we're going to handle the highly
17 confidential information. I will also raise the issue
18 with the Commissioners and see what their comfort level
19 is, but I think it will make the hearings go more
20 smoothly if we're not tied to the masking.

21 And in terms of moving the information to
22 April, that will -- I have looked at the transport
23 estimates, and right now the estimates are about ten
24 hours of hearing time, and I'm wondering if those
25 estimates would go down if there's more time to evaluate

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1 both Ms. Torrence's testimony and the CLECs' testimony.
2 If it gels a little bit more in everyone's head, would
3 that reduce or expand the cross time do you think?

4 Ms. Singer Nelson.

5 MS. SINGER NELSON: Your Honor, there is one
6 other issue that would affect the amount of time for the
7 transport piece of the hearing. Mr. Stacy for MCI
8 addresses transport and operational impairment issues,
9 and because his testimony -- because he was scheduled to
10 testify towards the end of the operational impairment
11 piece, I didn't think it was a problem that we didn't
12 have additional time for him to just discuss transport,
13 and I didn't want to have to bring him back necessarily
14 just for transport. But now that we're going to be
15 having a month between the two hearings, he probably
16 should be added as a witness specifically on transport.
17 So I don't know how that affects Qwest's
18 cross-examination time estimate, but that is another
19 factor.

20 MS. ANDERL: I think we had folded both my
21 estimates for transport and Mr. Steese's estimates for
22 operational impairment into the one chunk of time that
23 we used, so it probably just reduces the time we would
24 need him in March, and we would need to add probably an
25 hour to an hour and a half for him in April.

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1 JUDGE RENDAHL: An hour to an hour and a
2 half?

3 MS. ANDERL: I think so.

4 JUDGE RENDAHL: Okay, well, we're going to --
5 I'm going to have to figure out the hearing time in
6 April. Right now we have just scheduled a half a day on
7 Tuesday, a half a day on Wednesday, and then Thursday
8 and Friday. We may have to go a full day on Monday, a
9 full day on Tuesday, and then half a day Wednesday, and
10 I don't even know if we'll finish it, because we've got
11 batch hot cut and transport, but we'll -- I will look at
12 it, figure it out, figure out if it's possible. But I
13 do think that we're not ready to go forward on transport
14 at this point, and I think it would be a waste of time
15 for us to wade through what we have and do the endless
16 cross-examination that it appears would be necessary to
17 figure out what's going on in transport, and I don't
18 think that's a good use of our time next week.

19 Also because of the hearing schedule that I
20 put together estimating trying to get through
21 Mr. Buckley's testimony this week, we would have to go
22 -- we would have to finish with Mr. Shooshan today,
23 which means we would have to go until about 6:00, that's
24 if the estimates are correct, and then go late until
25 about 7:30 tomorrow and go late on Thursday. Maybe we

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1 can avoid that if we move the transport issues out.

2 Mr. Kopta.

3 MR. KOPTA: Two issues, and you may be
4 approaching discussing this, but obviously the date on
5 which the additional testimony would be due we would
6 need to determine. And then for this morning, because
7 we're not addressing batch hot cut issues as part of our
8 opening statement, would that be the same for transport
9 since it's moving off into April?

10 JUDGE RENDAHL: I would say yes, so you can
11 eliminate your transport issues.

12 There's some very happy faces in the room.

13 MS. ANDERL: Well, now everybody has a chance
14 of making it in five minutes.

15 JUDGE RENDAHL: Okay, in terms of the dates,
16 we had set aside some dates and they're in the
17 pre-hearing conference order that I entered on Thursday.
18 Those would be a third round of batch hot cut testimony
19 due on Friday the 26th. Is it possible to do the same
20 for transport by that date?

21 MS. DECOOK: That was March 26th?

22 JUDGE RENDAHL: March 26th.

23 MS. DECOOK: Your Honor, I --

24 JUDGE RENDAHL: Or do we need to bump it out?

25 MS. DECOOK: We need to do some discovery, I

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1 believe, based upon Ms. Torrence's filing, and it may be
2 discovery of other CLECs, so I think we need to bump it
3 out a bit.

4 JUDGE RENDAHL: Okay, well, why don't you all
5 discuss amongst yourselves also what an appropriate date
6 for the surrebuttal testimony on transport would be,
7 keeping in mind that I want to keep all the other dates
8 the same. Given how nightmarish the exhibit problem was
9 this time, all of the exhibits have to be here plus the
10 cross exhibits and everything, cross estimates by
11 Tuesday the 20th so we can be ready for hearing. And I
12 will have to probably establish a different pre-hearing
13 time than the one on Tuesday the 27th so that we can get
14 everything ready and not have such a chore as we had
15 this time to get ready for this hearing.

16 So we'll establish a different surrebuttal
17 testimony time, and I will modify everything else. We
18 will probably do the batch hot cut and transport
19 briefing on the same day, so that would be the 14th of
20 May and the 27th of May. But again, if you want to look
21 at the schedule that's in the pre-hearing conference
22 order I sent out last week and let me know what
23 modifications need to be made to take into account
24 transport, then I think we can make it happen.

25 Okay, is there anything else we need to talk

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1 about this morning before we go to hearing?

2 Ms. DeCook.

3 MS. DECOOK: Two matters, Your Honor. Do you
4 have a preferred order of cross?

5 JUDGE RENDAHL: Well, I had tried to do that
6 in the cross estimates, but if that -- if parties wish
7 to change that around, let's just go through that and
8 let me know. At this point I have AT&T going first
9 except for the transport, which I didn't modify but I
10 can, where we had discussed the joint CLECs going first
11 for transport.

12 MS. DECOOK: And the question is -- I mean
13 it's obvious the sort of order when you're dealing with
14 company witnesses. The question came up on, for
15 example, Staff witness, in that scenario would Qwest go
16 first and then AT&T follow down your list?

17 JUDGE RENDAHL: That was my understanding
18 given that it is Qwest's case and --

19 MS. DECOOK: And that's fine, I just wanted
20 to confirm that.

21 JUDGE RENDAHL: Right, that was my
22 understanding for Mr. Spinks.

23 MS. DECOOK: The second matter has to do with
24 additional testimony that was filed on Friday by
25 Mr. Buckley.

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1 JUDGE RENDAHL: The errata?

2 MS. DECOOK: Well --

3 JUDGE RENDAHL: Well, I mean at this point I
4 haven't seen it until it came here, and I haven't looked
5 at it, so the contention is it's more than errata?

6 MS. DECOOK: Well, it's adding a new question
7 and answer, so it's more than an errata. And, you know,
8 it's fine to -- I guess our position is if it's going to
9 be allowed in, since it was in the response round that
10 this addition was made and we had no opportunity to
11 provide rebuttal evidence on it, we would at least like
12 the opportunity to do that live. It does affect a
13 material alteration that he made in the model
14 calculation, the term calculation, and we would have
15 addressed it in our rebuttal round if we had had the
16 information at the time.

17 JUDGE RENDAHL: I think it's appropriate to
18 allow cross on the issue on the stand.

19 MS. DECOOK: You mean additional direct?
20 This is an issue that our witnesses would have addressed
21 in their rebuttal.

22 JUDGE RENDAHL: I'm sorry, yes, so are you
23 speaking Ms. Starr would be addressing this in her
24 direct portion?

25 MS. DECOOK: It would probably -- I'm not

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1 exactly sure whether it would be Mr. Baranowski,
2 Mr. Denney, or Mr. Selwyn. I can -- since we just got
3 it on Friday, we're still trying to understand it. I
4 can let you know in the next day who would likely
5 address it.

6 MS. ANDERL: And, Your Honor, I would like to
7 propose that since none of those witnesses is likely to
8 appear until March 15th and Mr. Buckley did add a
9 clarifying Q&A, indeed he didn't really do something
10 new, the model adjustments that he discusses in this
11 errata testimony were ones that were made on February
12 2nd, but he felt as though they weren't adequately
13 explained in his testimony, which is why he felt he
14 needed to add that Q&A, it seems to me appropriate that
15 whomever for AT&T wants to address it could do so in a
16 Q&A that could be filed in writing sometime prior to
17 that witness taking the stand, which might simplify
18 things.

19 JUDGE RENDAHL: I would like counsel for AT&T
20 and counsel for Qwest to discuss this at a break given
21 that it doesn't appear that the testimony would be
22 addressed maybe at least until tomorrow through
23 Mr. Selwyn, if Mr. Selwyn would be addressing it. But
24 if you can address it at a break and let me know what
25 works, I'm open to allowing some limited direct on this

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1 issue.

2 MS. DECOOK: I think, Your Honor, the
3 earliest it would come up would be Mr. Selwyn's
4 appearing twice.

5 JUDGE RENDAHL: In his second appearance?

6 MS. DECOOK: In his second appearance.

7 JUDGE RENDAHL: All right. Well, if you want
8 to discuss this and let me know to which witness this
9 might go to and modify whatever estimates we have, let
10 me know, then we'll work through that.

11 Ms. Rackner, is there something else?

12 MS. RACKNER: Your Honor, I would also like
13 the opportunity to speak to our witnesses to determine
14 which witnesses would be in the best position to respond
15 to the additional Q&A. It's possible that it could come
16 up tomorrow with Dr. Cabe.

17 JUDGE RENDAHL: Okay, well, advise me, let me
18 know.

19 MS. RACKNER: We will, thank you.

20 JUDGE RENDAHL: Is there anything else we
21 need to discuss this morning before we go to hearing?

22 Ms. Rackner.

23 MS. RACKNER: Yes, thank you, Your Honor.

24 MCI did not reserve any time to cross examine
25 Dr. Selwyn, and we would like to if we could have at the

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1 maximum of ten minutes with Dr. Selwyn.

2 JUDGE RENDAHL: I think we can probably work
3 that in. I'm hoping that the estimates are still over
4 time, but we'll just see what happens. As usual what
5 happens is the first few days drag on, and it goes
6 longer than we think it's going to, and then everybody
7 starts to get panicked and we speed up towards the end.
8 I'm going to try to limit folks to their estimates so
9 that we can keep on track, and we'll see how that goes.
10 I understand that we may be sidetracked by evidentiary
11 issues, and we'll just have to handle those as we go.

12 Okay, is there anything else?

13 MS. SINGER NELSON: One more item, Your
14 Honor.

15 JUDGE RENDAHL: Ms. Singer Nelson.

16 MS. SINGER NELSON: It has to do with
17 scheduling Sherry Lichtenberg. Unfortunately she is not
18 going to be able to be here the end of the week during
19 our second week of hearing, she's only available on that
20 Monday.

21 JUDGE RENDAHL: Okay, I think what I would
22 like to do is we may -- I have heard from many people
23 that the pre-hearing on Thursday is probably not the
24 best, and so maybe we need to think about moving it to
25 Wednesday of this week, Wednesday morning. Would that

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1 accommodate your needs to travel, Mr. Melnikoff?

2 MR. MELNIKOFF: I'm going to be travel -- if
3 I have to travel, I am going to be traveling late at
4 night on Wednesday, so.

5 JUDGE RENDAHL: On Wednesday, so you would be
6 able to attend on Wednesday morning rather than Thursday
7 morning?

8 MR. MELNIKOFF: Yes.

9 JUDGE RENDAHL: Okay.

10 MR. MELNIKOFF: But I don't know whether I
11 really have anything to participate in on the
12 pre-hearing.

13 JUDGE RENDAHL: Okay. Well, what I would
14 like to do is we need to spend some additional time
15 going over our scheduling for next week considering that
16 we have moved transport on, and I would like to talk
17 about the transport, batch hot cut a little more before
18 we get there. So I would like to reserve some time, and
19 it doesn't matter to me whether it is Wednesday morning
20 or tomorrow morning or Friday morning, although it seems
21 that Friday is probably not the best bet, and so
22 Wednesday, is Wednesday a better date to move the
23 pre-hearing to?

24 Okay, so why don't we have our pre-hearing
25 instead of on Thursday we'll have it on Wednesday, and

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1 we'll talk about scheduling issues such as
2 Ms. Lichtenberg and where witnesses might appear next
3 week given that we're not going to be handling
4 transport.

5 MS. ANDERL: 8:30?

6 JUDGE RENDAHL: 8:30. And the Chairwoman has
7 said that even though there is a open meeting -- I guess
8 it doesn't matter this week, it doesn't matter. I was
9 going to say there's no open meeting this week. We were
10 talking about the week of April, and there is a
11 pre-hearing, and she doesn't mind having boxes in the
12 hearing room, so you don't have to dismantle in April,
13 so I don't think it applies this week.

14 Okay, why don't we take a five minute break
15 then, is there anything else for this morning?

16 MR. FFITCH: Your Honor.

17 JUDGE RENDAHL: Mr. ffitch.

18 MR. FFITCH: I just wanted to inquire whether
19 you had taken appearances yet.

20 JUDGE RENDAHL: We have, but we'll take them
21 again before we go on to the main hearing.

22 MR. FFITCH: All right.

23 JUDGE RENDAHL: Okay, we will be off the
24 record, and we will be back on in about five minutes to
25 start additional appearances for the Commissioners and

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1 begin opening statements. Thank you, we're off the
2 record.

3 (Prehearing adjourned at 9:55 a.m.)

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25 (The following exhibits were premarked for

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1 identification:)

2

3 HARRY M. SHOOSHAN, III (QWEST)

4 1-T Direct Testimony of Harry M. Shooshan, dated
5 December 22, 2003 (HMS-1T), Redacted Version.

6 2-TC Direct Testimony of Harry M. Shooshan, dated
7 December 22, 2003 (HMS-1T), Confidential
8 Version.

9 3-T Response Testimony of Harry M. Shooshan, dated
10 February 2, 2004 (HMS-2T).

11 4 Curriculum Vitae of Harry M. Shooshan (HMS-3).

12 5 TRO Mass Market Local Circuit Switching:
13 Decision Path (HMS-4).

14 6 Local Transport (Flow Chart) (HMS-5).

15 7-T Rebuttal Testimony of Harry M. Shooshan dated
16 February 20, 2004 (HMS-6T).

17 8 Article: Wireline Competition Unlikely Factor
18 in Cingular-AT&T Deal, Dow Jones Newswire,
19 February 18, 2004.

20 9 Transcript, Docket No. 03-09-01 DPUC
21 Implementation of the Federal Communications
22 Commission's Triennial Review Order,
23 Connecticut Department of Public Utilities
24
25 control (January 20-21, 2004).p.55-67,

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1 122-200, 203-211, 218, 256-262, 338-339.

2 10 Direct Testimony of Harry M. Shooshan III,
3 Request for Competitive Cost Classification of
4 Basic Business Exchange, Docket No. UT-030614,
5 Washington Utilities and Transportation
6 Commission (July 1, 2003).

7 11 Rebuttal Testimony of Harry M. Shooshan III,
8 Request for Competitive Cost Classification of
9 Basic Business Exchange, Docket No. UT-030614,
10 Washington Utilities and Transportation
11 Commission (August 29, 2003).

12 12 Qwest's Products and Services 7/2003.

13 13-C Qwest's Responses to the Joint CLECs' Second
14 Set of Data Requests (Nos. 02-012, 015, 016).

15 14-C Qwest's Responses to AT&T's Second Set of Data
16 Request Responses (Nos. 02-190 through 202).

17 15 Qwest's Responses to MCI's Third Set of Data
18 Request Responses (Nos. 03-205 through 207).

19 16-HC Qwest's Responses to MCI's First Set of Data
20 Requests (Nos. 01-111 through 116).

21 17 Qwest's Responses to MCI's First Set of Data
22 Requests (Nos. 01-076, 077).

23

24

25 18 Horizontal Merger Guidelines, U.S. Department

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1 of Justice and the Federal Trade Commission,
2 Issued 4/3/92; Revised 4/8/97.

3 19-HC Graphs Depicting Distribution of Washington
4 Business Customers by Number of Loops per
5 Address (with and without single line
6 customers) (Prepared by Richard Cabe).

7 20 Qwest's Response to MCI's Second Set of Data
8 Requests (No. 02-201).

9 21 Qwest's Responses to AT&T's Seventh Set of
10 Discovery Requests (Nos. 07-412 to 07-417).
11

12 RICHARD CABE (MCI) .

13 25-T Direct Testimony of Richard Cabe on Behalf of
14 WorldCom, Inc. (MCI) (includes errata sheet
15 filed 1/13/04) (no exhibit number originally
16 assigned).

17 26 Curriculum Vitae of Richard Cabe (RC-1).
18 27 SBC November 13, 2003 Press Release (RC-2).
19 28 Retail Trigger Criteria Flowchart (RC-3).
20 29 October 2003 Cable Datacom News Article
21 (RC-4).

22 30-THC Highly Confidential Rebuttal Testimony of
23 Richard Cabe on Behalf of WorldCom, Inc. (MCI)
24 (RC-5T).

25 31 Allegiance Telecom of Florida, Inc.'s Response

0248

1 to BellSouth Telecommunications, Inc.'s Second
2 Set of Interrogatories, Interrogatory No. 95,
3 Docket No. 030851-TP (RC-6).
4 32 SBC Seattle Service Area Map (RC-7).
5 33-HC IDCF for Wire Centers in Seattle, Tacoma,
6 Olympia, Bremerton, Bellingham, and Vancouver
7 MSAs (RC-8HC).
8 34 Wall Street Journal, Now Comes the Hard Part:
9 Having Rescued Qwest, Notebaert Sees Bells'
10 Future Depending on Service, Internet
11 (January 19, 2004) (RC-9).
12 35-HC Incremental DCF for Specified Wire Center
13 (RC-10HC).
14 36 Fixed Utilities New Applications and Advice
15 Letters (Colorado Public Utilities Commission)
16 (RC-11).
17 37 MCI's Responses to Qwest's Data Requests Nos.
18 17 to 29.
19 38 MCI Website: The Neighborhood - Product
20 Details.
21 39 Reply Comments of the National Cable and
22 Telecommunications Association, In the Matter
23 of the Petition for Declaratory Ruling that
24 AT&T's Phone to Phone IP Telephony Services
25 are Exempt from Access Charges, WC Docket No.

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1 02-361, January 24, 2003.

2 40 AT&T Earnings Commentary, Quarterly Update -
3 Third Quarter 2002, October 22 2002.

4

5 LEE L. SELWYN (AT&T)

6 41-T Direct Testimony on Economic Considerations
7 (WHL-1T).

8 42 William H. Lehr's Curriculum Vitae (WHL-2).

9 43 Lee L. Selywn's Statement of Qualifications
10 (WHL-3).

11 44-T Response Testimony on Economic Considerations
12 (WHL-4T).

13 44-TC Response Testimony on Economic Considerations
14 (WHL-4T) Confidential Version.

15 44-THC Response Testimony on Economic Considerations
16 (WHL-4T) Highly Confidential Version.

17 45 Phone Service Bundles Could Backfire as
18 Customers Switch - Wall Street Journal Article
19 (WHL-5).

20 46 IXC Direct Mail Marketing Materials for
21 Local/Long Distance Bundles (WHL-6).

22 47-T Rebuttal Testimony on Economic Considerations
23 (WHL-7).

24

25 47-TC Rebuttal Testimony on Economic Considerations

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1 (WHL-7) Confidential Version.
2 47-THC Rebuttal Testimony on Economic Considerations
3 (WHL-7) Highly Confidential Version.
4 48 Verizon LD Growth Initiatives Graph (WHL-8).
5 49 CLEC Monthly Churn Rates in 2003 (WHL-9).
6 50 Qwest WA Loops with Integrated DLC and
7 Universal DLC Summary Table (WHL-10).
8 51 AT&T's Response to Qwest's Data Request No.
9 28.
10 52 AT&T's Response to Qwest's Data Request No.
11 53.
12 53 AT&T's Responses to Qwest's Data Requests Nos.
13 59 to 61.
14 54 Banc of America Research Report re AT&T
15 Corporation, April 30, 2003.
16 55 AT&T Communications of the Pacific Northwest,
17 Washington, Schedule 20 Price List, February
18 13, 2004.
19 56 Letter to Carole Washburn from AT&T re Advice
20 2004-03, February 13, 2004.
21 57 A Presentation by Betsy Bernard, President and
22 Chief Executive Officer, January 7, 2002.
23
24
25 58 McLeodUSA Press Release: McLeodUSA Reports

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1 Fourth Quarter and Total Year 2003 Results,
2 February 18, 2004.

3 59 AT&T to Launch VoIP Nationwide, CNET News.com,
4 February 25, 2004.

5 60 AT&T News Release: Dorman Outlines Aggressive,
6 Continuing Transformation of AT&T as the
7 'World's Networking Company,' February 25,
8 2004.

9 61 Credit Suisse First Boston Equity Research re
10 AT&T Corporation, AT&T Consumer: A Base Case
11 Ahead of the Triennial Review, February 5,
12 2003.

13

14 DAVID L. TEITZEL (QWEST)
15 (Adopting Reynolds Testimony and Exhibits)

16 65-T Direct Testimony of Mark S. Reynolds dated
17 December 22, 2003 (MSR-1T) Redacted Version.

18 66-TC Direct Testimony of Mark S. Reynolds dated
19 December 22, 2003 (MSR-1T) Confidential
20 Version.

21 67 Washington Sample Switching Architecture
22 (MSR-2C) Redacted Version.

23 68-C Washington Sample Switching Architecture
24 (MSR-2C) Confidential Version.

25 69 Washington E911 Customer Records

0252

1 (MSR-3C) Redacted Version.
2 70-C Washington E911 Customer Records
3 (MSR-3C) Confidential Version.
4 71 Washington Facilities-Based CLECs In Selected
5 MSAs (MSR-4C) Redacted Version.
6 72-C Washington Facilities-Based CLECs In Selected
7 MSAs (MSR-4C) Confidential Version.
8 73 Washington NXX Codes Assigned to CLECs in
9 Qwest Rate Centers (MSR-5C) Redacted Version.
10 74-C Washington NXX Codes Assigned to CLECs in
11 Qwest Rate Centers (MSR-5C) Confidential
12 Version.
13 75 CLECs Serving Mass Markets: Seattle, Tacoma,
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25 124 Washington Unbundled Loops in Service as of

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22 184-HC Mass Market Switching Data, REVISED
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8 - An Overview (PBC-3).
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20 Sherwood to Seattle Duwamish (Confidential
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22 351 Diagram: Detail at Node Site - DS3 Level Cross
23 Connects (MLS-7).
24 352 Photograph of DSX3 Cross Connects (MLS-8)
25 353 Diagram: Example of a Dedicated Transport

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1 Route (MLS-9).
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17 365 Chart: MCI UNE-L to Qwest Retail (Winback)
18 Migration (CC-5).
19 366 Chart: Qwest Retail with DSL to MCI UNE-L with
20 DSL Migration (CC-6).
21 367 Chart: Line Splitting CLEC (Voice and Data) to
22 MCI DSL-Capable Loop (Qwest) Migration (CC-7).
23 368 Line Splitting CLEC & DLEC to MCI DSL-Capable
24 Loop (Qwest) Migration (CC-8).
25 369 Proposed Batch Hot Cut Provisioning Flow and

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1 Proposed Batch Hot Cut Task List (CC-9).
2 370-T Rebuttal Testimony of Cedric Cox on Behalf of
3 WorldCom, Inc. (MCI).
4
5 ROBERT V. FALCONE (AT&T)
6 376-T Direct Testimony on Network Architecture
7 (RVF-1T).
8 377 Understanding Competitive Loop Access DVD
9 (RVF-2).
10 378 Local Loop Diagram (RVF-3).
11 379 Distribution Frame Diagram (RVF-4).
12 380 Depicting Collocation and Backhaul Diagram
13 (RVF-5).
14 381 Collocation with ILEC Transport Diagram
15 (RVF-6).
16 382 Collocation with CLEC Backhaul Diagram
17 (RVF-7).
18 383 Collocation Hubbing and Backhaul Diagram
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20 384 Simplified CLEC Loop Network Architecture
21 Diagram (RVF-9).
22 385 CLEC Call Termination Requirements Diagram
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25 386-T Response Testimony on Network and Operational

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1 Impairment (RVF-17T).
2 387 Qwest's Collocation Inventory (RVF-18).
3 388 Qwest's Collocation Inventory (RVF-19).
4 389-T Rebuttal Testimony on Network and Operational
5 Impairment (RVF-21T).
6 390 Call From CLEC Customer to ILEC Customer Using
7 Tandem Transport diagram (RVF-22).
8 391 Call From CLEC Customer to ILEC Customer Using
9 Direct Trunk Group (RVF-23).
10
11 MATTHEW B. WHITE (QWEST)
12 395-T Response Testimony of Matthew B. White
13 (MBW-1T), February 2, 2004.
14 396-T Rebuttal Testimony of Matthew B. White
15 (MBW-2T), February 20, 2004.
16
17 RACHEL TORRENCE (QWEST)
18 401-T Direct Testimony of Rachel Torrence dated
19 December 22, 2003 (RT-1T).
20 402-C Maps: Competitive Fiber Routes (RT-2C)
21 Confidential Version only.
22 403 Competitive Fiber-Optic Cable Report
23 (RT-3HC) Redacted Version.
24
25 404-HC Competitive Fiber-Optic Cable Report (RT-3HC)

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1 Highly Confidential (Masked) Version.
2 405 Matching Fiber-Based Collocation Data (Revised
3 Version) (RT-4HC) Redacted Version.
4 406-HC Matching Fiber-Based Collocation Data
5 (Revised) (RT-4HC) Highly Confidential
6 (Masked) Version.
7 407 Field Verification Data (RT-5C) Redacted
8 Version.
9 408-C Field Verification Data (RT-5C) Confidential
10 Version.
11 409 Photograph Cable Locate (RT-6).
12 410 Connectivity Example (RT-7HC) Redacted
13 Version.
14 411-HC Connectivity Example (RT-7HC) Highly
15 Confidential (Masked) Version.
16 412 Data Compilation (Revised) (RT-8HC) Redacted
17 Version.
18 413-HC Data Compilation (Revised) (RT-8HC) Highly
19 Confidential (Masked Version).
20 414 Summary of Routes that Meet Triggers
21 (Replacement) (RT-9HC) Redacted Version.
22 415-HC Summary of Routes that Meet Triggers
23 (Replacement) (RT-9HC) Highly Confidential
24 (Masked) Version.
25 416-T Response Testimony of Rachel Torrence dated

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1 February 2, 2004 (RT-10T).
2 417-T Rebuttal Testimony of Rachel Torrence dated
3 February 20, 2004 (RT-11THC and C) Redacted
4 Version.
5 418-THC Rebuttal Testimony of Rachel Torrence dated
6 February 20, 2004 (RT-11THC and C) Highly
7 Confidential (Masked)/Confidential Version.
8 419 Routes Investigated for Triggers (RT-12HC)
9 Redacted Version.
10 420-HC Routes Investigated for Triggers (RT-12HC)
11 Highly Confidential (Masked) Version.
12 421 D1, Z6 and U4's Response to CLEC Question 19
13 (Bench Request No. 50) (RT-13HC) Redacted
14 Version.
15 422-HC D1, Z6 and U4's Response to CLEC Question 19
16 (Bench Request No. 50) (RT-13HC) Highly
17 Confidential (Masked) Version.
18 423 MCI's Supplemental Response to CLEC Question
19 No. 20 (Bench Request No. 51) (RT-14).
20 424 I4's Response to Bench Request No. 50
21 (RT-15HC) Redacted Version.
22 425-HC I4's Response to Bench Request No. 50
23 (RT-15HC) Highly Confidential (Masked)
24 Version.
25 426 P4's Response to Bench Request No. 50

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1 (RT-16HC) Redacted Version.
2 427-HC P4's Response to Bench Request No. 50
3 (RT-16HC) Highly Confidential (Masked)
4 Version.
5 428 AT&T's Response to Bench Request No. 50
6 (RT-17C) Redacted Version.
7 429-C AT&T's Response to Bench Request No. 50
8 (RT-17C) Confidential Version.
9 430 Y7's Response to CLEC Question 19 (Bench
10 Request No. 50) (RT-18HC) Redacted Version.
11 431-HC Y7's Response to CLEC Question 19 (Bench
12 Request No. 50) (RT-18HC) Highly Confidential
13 Version.
14 432-C Looking Glass' Response to CLEC Question 19
15 (Bench Request No. 50) (RT-19) Confidential
16 Version only.
17 433 G2's Response to CLEC Question 20 (RT-20HC)
18 Redacted Version.
19 434-HC G2's Response to CLEC Question 20 (RT-20HC)
20 Highly Confidential (Masked) Version.
21 435 Z4's Response to Bench Request No. 50
22 (RT-21HC) Redacted Version.
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24
25 436-HC Z4's Response to Bench Request No. 50

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1 (RT-21HC) Highly Confidential (Masked)
2 Version.
3 437 T6's Response to CLEC Question 19 (Bench
4 Request No. 50) (RT-22HC) Redacted Version.
5 438-HC T6's Response to CLEC Question 19 (Bench
6 Request No. 50) (RT-22HC) Highly Confidential
7 (Masked) Versions.
8 439 Z6's Response to Data Request JCLEC 01-001
9 (RT-23).
10 440 Level 3's Response to CLEC Question No. 20
11 (Bench Request No. 51) (RT-24C) Redacted
12 version.
13 441-C Level 3's Response to CLEC Question No. 20
14 (Bench Request No. 51) (RT-24C) Confidential
15 version.
16 442 S1's Responses to Joint CLEC's First Set of
17 Data Requests, Nos. JCLEC 01-001 to 008
18 (RT-25C) Redacted version.
19 443-C S1's Responses to Joint CLEC's First Set of
20 Data Requests, Nos. JCLEC 01-001 to 008
21 (RT-25C) Confidential version.
22 444 Qwest's Responses to AT&T's Third Set of Data
23 Requests (Nos. 03-203 to 03-360).
24
25 445 Qwest's Responses to AT&T's Eighth Set of Data

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1 Requests (Nos. 08-434 to 08-473).
2
3 JOHN P. LYNOTT (AT&T)
4 (Adopting GIOVANNUCCI)
5 451-T Direct Testimony on Dedicated Transport
6 (AJG-1T).
7 452-T Response Testimony(AJG-2T).
8 453-HC Discovery Responses to B2, P4, P6, Y7 and Y3
9 (AJG-3HC).
10 454-C AT&T's Response to BR No. 50 (AJG-4C).
11 455 Qwest Response to AT&T DR 03-203 (AJG-5).
12 456 Unbundled Dark Fiber Loop and Transport Sprint
13 Web Page (AJG-6).
14 457-HC H5's Responses to AT&T's First Set of Data
15 Requests (AJG-7HC).
16 458-T Rebuttal Testimony of John P. Lynott Regarding
17 Dedicated Transport (JPL-1T).
18 459 Resume of John P. Lynott (JPL-2).
19 460 Court Approves Proposed Sale of Allegiance
20 Telecom to XO Communications article (JPL-3).
21 461-HC DR Responses of B2, D1, J1, P4, Y3 and Z4 to
22 AT&T's First Set (JPL-4HC).
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24
25 DEAN R. FASSETT (JOINT CLECs)

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1 466-T Response Testimony of Dean R. Fassett
2 (February 2, 2004) (DRF-1T).
3 467 Curriculum Vitae (DRF-2).
4 468 Regulatory Docket History (DRF-3).
5 469 Qwest Response to Joint CLEC DR 02-017
6 (DRF-4).
7 470-HC Revised HIGHLY CONFIDENTIAL Transport Route
8 Analysis (DRF-5HC).
9 471 Non-confidential Responses to Subpoenas
10 (DRF-6).
11 472-HC HIGHLY CONFIDENTIAL Responses to Subpoenas
12 (DRF-7HC).
13 473-C Confidential Responses to Data Requests
14 (DRF-8C).
15
16 DAVID BENNETT (INTEGRA)
17 476-T Response Testimony of David Bennett (February
18 2, 2004) (DB-1T).
19 477-THC HIGHLY CONFIDENTIAL Pages from David Bennett
20 Response Testimony.
21 478-HC Integra Transport Facilities on Qwest
22 Identified Routes (DB-2HC).
23
24
25 BENCH REQUEST RESPONSES

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1 501 Advanced TelCom, Inc. and Shared
2 Communications Services, Inc. responses to
3 Bench Request Nos. 32-38.

4 502-HC Attachment A to Advanced Telcom, Inc. and
5 Shared Communications Services, Inc. response
6 to Bench Request Nos. 37 (Highly
7 Confidential).

8 503 Advanced TelCom, Inc. and Shared
9 Communications Services, Inc. responses to
10 Bench Request Nos. 40, 48, 55, 58, 62.

11 504-C Advanced TelCom, Inc. and Shared
12 Communications Services, Inc. responses to
13 Bench Request Nos. 39, 41. 42 (Confidential).

14 505 Allegiance Telecom of Washington, Inc.'s
15 responses to Bench Request Nos. 32 -42(c), 42
16 (f) and (g), 46-47, 49, 51-52, 55-57(a), 58,
17 59(f), 61, 62, including supplemental response
18 to No. 58.

19 506-C Allegiance Telecom of Washington, Inc.'s
20 responses to Bench Request Nos. 42(d) and (e),
21 43-45, 48, 50, 53, 54, 57(b)(c), (d), 59(a-e),
22 59(g-i), 60 (a-f) (Confidential).

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24

25 507 AT&T responses to Bench Request Nos. 32-62.

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1 Redacted Version.

2 508-C AT&T Confidential responses to Bench Request

3 Nos. 38, 42, 43, 50, 59, and Confidential

4 Attachments C, G, and L, including corrected

5 response to No. 43.

6 509 Covad Communications Company responses to

7 Bench Request Nos. 32-38.

8 510 Covad Communications Company responses to

9 Bench Request Nos. 39-62, Redacted Version.

10 511 Eschelon Telecom Inc. responses to Bench

11 Request Nos. 32-38, Redacted Version.

12 512-C Eschelon Telecom Inc. Confidential responses

13 to Bench Request Nos. 33, 36-38.

14 513-HC Eschelon Telecom Inc. Highly Confidential

15 Exhibits 1-3 to responses to Bench Request

16 Nos. 32-38.

17 514 Eschelon Telecom Inc. responses to Bench

18 Request Nos. 41, 48, 51, 52, 54-58, 60.

19 515-C Eschelon Telecom Inc. Confidential responses

20 to Bench Request Nos. 39, 40, 42, 62.

21 516 Global Crossing Local Services, Inc. responses

22 to Bench Request Nos. 32-38.

23 517 Global Crossing Local Services, Inc. responses

24 to Bench Request Nos. 46, 47, 49-59, 61-62.

25 518-C Global Crossing Local Services, Inc.

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1 Confidential responses to Bench Request Nos.
2 39-42, 48, 60.

3 519 Integra Telecom of Washington, Inc. responses
4 to Bench Request Nos. 32-38.

5 520 Integra Telecom of Washington, Inc. responses
6 to Bench Request Nos. 41, 46-48, 51, 55-58,
7 60-62.

8 521-C Integra Telecom of Washington, Inc.
9 Confidential responses to Bench Request Nos.
10 39, 40, 42.

11 522 MCI's responses to Bench Request Nos. 32-62,
12 Redacted Version.

13 523-C MCI's Confidential responses to Bench Request
14 Nos. 45, 48, 52.

15 524 MCI's Supplemental responses to Bench Request
16 Nos. 37, 44, 45, 49, 51, 56, 57, 61 (February
17 6, 2004).

18 525-C McLeodUSA Confidential responses to Bench
19 Request Nos. 32-36, 38.

20 526-HC McLeodUSA Highly Confidential response to
21 Bench Request Nos. 37.

22 527 McLeodUSA responses to Bench Request Nos. 48,
23 49, 51, 52, 55-58, 60-62.

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25 528-C McLeodUSA Confidential responses to Bench

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1 Request Nos. 39-42.

2 529 Pac-West Telecomm, Inc. responses to Bench

3 Request Nos. 32-38.

4 530 Pac-West Telecomm, Inc. responses to Bench

5 Request Nos. 40-41, 47-49, 51-62.

6 531-C Pac-West Telecomm, Inc. Confidential responses

7 to Bench Request Nos. 39, 42, 44, 45.

8 532 Qwest responses to Bench Request Nos. 1-31

9 (11/26/04 replacement).

10 533-C Qwest Confidential Attachment A to responses

11 to Bench Request Nos. 1-31 (11/26/04

12 replacement).

13 534-HC Qwest Highly Confidential Attachments to

14 responses to Bench Request Nos. 1-31 (11/26/04

15 replacement).

16 535 Qwest Supplemental responses to Bench Request

17 Nos. 2, 3, 10, 11, and second Supplemental

18 response to Bench Request No. 11.

19 536-HC Qwest Highly Confidential Attachments to

20 Supplemental responses to Bench Request Nos.

21 2, 3, 10, 11, and second Supplemental response

22 to Bench Request No. 11.

23

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25 537 Qwest responses to Bench Request Nos. 63-70,

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1 including first supplemental responses to Nos.
2 64, 67, 68 (11/26/03 replacement).

3 538-C Qwest Confidential Attachment As to responses
4 to Bench Request Nos. 64, 65 (11/26/03
5 replacement).

6 539-HC Qwest Highly Confidential Attachments to
7 responses to Bench Request Nos. 64, 65, 67,
8 68, and 70, including supplemental responses
9 to Nos. 64, 67, and 68 (11/26/03 replacement),
10 and second supplemental response to Bench
11 Request No. 64.

12 540 Time Warner Telecom of Washington, LLC
13 responses to Bench Request Nos. 32-38.

14 541 Time Warner Telecom of Washington, LLC
15 responses to Bench Request Nos. 41, 45-49, 52,
16 55-58, 61-62.

17 542-C Time Warner Telecom of Washington, LLC
18 Confidential responses to Bench Request Nos.
19 39, 40, 42, 44.

20 543 XO Washington, Inc. responses to Bench
21 Requests Nos. 32-38.

22 544 XO Washington, Inc. responses to Bench
23 Requests Nos. 44, 46-48, 55-58, 61-62.
24

25 545-C XO Washington, Inc. Confidential responses to

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1 Bench Requests Nos. 39, 40, 41, 42.

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3 CLEC RESPONSES TO ORDER NOS. 03 & 04

4 550 American Fiber Network, Inc. letter indicating
5 no facilities in Washington, November 5, 2003.

6 551 Asotin Telephone Company, d/b/a TDS Telecom
7 letter identifying no CLEC activity, November
8 25, 2003.

9 552 Centel Communications, Inc. letter indicating
10 no facilities in Washington, November 17,
11 2003.

12 553 Claricom Networks, LLC. letter indicating no
13 facilities in Washington, December 3, 2003.

14 554 Comm South Companies, Inc. letter indicating
15 no facilities in Washington, November 19,
16 2003.

17 555 Comcast Phone of Washington responses to Order
18 No. 03 (Bench Request Nos. 32-62).

19 556-C Comcast Phone of Washington Confidential
20 responses to Order No. 03 (Bench Request Nos.
21 39, 40, 50, 53, and Attachments to Nos. 43,
22 44, including corrected Attachment to No. 44).

23

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25 557 Computers 5 d/b/a LocalTel Communications

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1 response to Order No. 03 (Bench Request Nos.
2 32-62).
3 558 Electric Lightwave responses to Order No. 03
4 (Bench Request Nos. 32-62).
5 559 Ellensburg Telephone Company letter
6 identifying no CLEC activity, December 5,
7 2003.
8 560 El Paso Networks, LLC indicating no activity
9 in Washington, October 31, 2003.
10 561 Excel Telecommunications, Inc. responses to
11 Order No. 03 (Bench Request Nos. 32-62).
12 562-C Confidential Attachment D to Excel
13 Telecommunications, Inc. responses to Order
14 No. 03 (Bench Request No. 49).
15 563 Fox Communication Corporations responses to
16 Order No. 04 (Bench Request Nos. 32-62).
17 564 France Telecom Corporate Solutions responses
18 to Order No. 03 (Bench Request Nos. 32-62).
19 565 Granite Telecommunications, LLC letter
20 indicating no activity in Washington, November
21 17, 2003.
22 566 Intellicall Operator Services, Inc. letter
23 indicating no activity in Washington, October
24 31, 2003.
25 567 ICG Telecom Group, Inc. responses to Order No.

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1 03 (Bench Request Nos. 32-62).
2 568 Lewis River Telephone Company, d/b/a TDS
3 Telecom letter identifying no CLEC activity,
4 November 25, 2003.
5 569-C Level 3 Communications, LLC Confidential
6 responses to Order No. 03 (Bench Request Nos.
7 32-62).
8 570 Local Access Prime, LLC responses to Order No.
9 03 (Bench Request Nos. 32-62).
10 571 Looking Glass Networks, Inc. responses to
11 Order No. 03 (Bench Request Nos. 32-62)
12 Redacted Version.
13 572-C Looking Glass Networks, Inc. responses to
14 Order No. 03 (Bench Request Nos. 32-62)
15 Confidential Version.
16 573 McDaniel Telephone Company, d/b/a TDS Telecom
17 letter identifying no CLEC activity, November
18 25, 2003.
19 574-C NCI Datacom, Inc. responses to Order No. 03
20 (Bench Request Nos. 32-62) Confidential
21 Version.
22 575 NoaNet Oregon's responses to Order No. 03
23 (Bench Request Nos. 32-62).
24
25 576 NTC Network, LLC e-mail advising no activity

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1 in Washington.

2 577 Declaration of Michael J. Bradshaw,
3 PowerTelNET Communications, Inc., dated
4 December 1, 2003.

5 578 Preferred Carrier Services responses to Order
6 No. 03 (Bench Request Nos. 32-62).

7 579 Rainier Connect, Inc. responses to Order No.
8 03 (Bench Request Nos. 32-62).

9 580 Rainier Connect, Inc. revised response to
10 Order No. 03 (Bench Request No. 43).

11 581 Sprint Communications Company, LP responses to
12 Order No. 03 (Bench Request Nos. 32-62).

13 582-C Sprint Communications Company, LP Confidential
14 Attachment to response to Order No. 03 (Bench
15 Request No. 18).

16 583-HC Sprint Communications Company, LP Highly
17 Confidential Attachments to response to Order
18 No. 03 (Bench Request Nos. 19, 21, 23, 26,
19 28).

20 584 Talk America Inc. responses to Order No. 03
21 (Bench Request Nos. 32-62).

22 585-C Talk America Inc. Confidential responses to
23 Order No. 03 (Bench Request Nos. 37, 49).

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25 586-C Tel West Communications, LLC Confidential

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1 responses to Order No. 03 (Bench Request Nos.
2 32-62).

3 587 United Communications, Inc. d.b.a UNICOM
4 responses to Order No. 03 (Bench Request Nos.
5 32-62).

6 588 Universal Access, Inc. letter concerning
7 activity in Washington, November 17, 2003.

8 589 U.S. TelePacific Corp. d/b/a TelePacific
9 Communications letter advising no activity in
10 Washington, October 29, 2003.

11 590 VarTec Telecom, Inc. response to Order No. 03
12 (Bench Request Nos. 39-41).

13 591-C VarTec Telecom, Inc. Confidential response to
14 Order No. 03 (Bench Request Nos. 49).

15 592 Vectren Communications Services, Inc. letter
16 and declaration identifying no activity in
17 Washington, November 10, 2003.

18 593 Verizon Avenue Corp. (f/k/a One Point
19 Communications - Colorado, LLC d/b/a Verizon
20 Avenue) letter identifying no activity in
21 Washington, November 17, 2003.

22 594 Verizon Select Services, Inc. responses to
23 Order No. 03 (Bench Request Nos. 32-62).

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25 595 WCI responses to Order No. 03 (Bench Request

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1 Nos. 32-62).

2 596 Wilshire Connection, LLC e-mail advising no

3 activity in Washington.

4 597-C WilTel Local Network, LLC Confidential

5 responses to Order No. 03 (Bench Request Nos.

6 32-62).

7 598 YCOM Networks letter indicating no CLEC

8 activity, December 5, 2003.

9 599 Z-Tel Communications, Inc. responses to Order

10 No. 03 (Bench Request Nos. 32-62).

11 600 360Networks (USA) inc. responses to Order No.

12 03 (Bench Request Nos. 32-62).

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14 HIGHLY CONFIDENTIAL (MASKED) RESPONSES TO

15 BENCH REQUESTS & ORDER NOS. 03 & 04

16 605-HC B6 Highly Confidential Responses to WUTC Order

17 No. 03 / Bench Requests.

18 606-HC D1, Z6 & U4 Highly Confidential Responses to

19 WUTC Order No. 03 / Bench Requests.

20 607-HC D1, Z6 & U4 Highly Confidential Supplemental

21 Response to WUTC Order No. 03 / Bench Requests

22 (Bench Request Nos. 44 and 45).

23 608-HC F8 Highly Confidential Responses to WUTC Order

24 No. 03 / Bench Requests.

25 609-HC G2 Highly Confidential Responses to WUTC Order

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1 No. 03 / Bench Requests.

2 610-HC G8 Highly Confidential Responses to WUTC Order

3 No. 03 / Bench Requests.

4 611-HC H2 Highly Confidential Responses to WUTC Order

5 No. 03 / Bench Requests.

6 612-HC H5 Highly Confidential Responses to WUTC Order

7 No. 03 / Bench Requests.

8 613-HC H8 Highly Confidential Responses to WUTC Order

9 No. 03 / Bench Requests.

10 614-HC I4 Highly Confidential Responses to WUTC Order

11 No. 03 / Bench Requests.

12 615-HC J4 Highly Confidential Responses to WUTC Order

13 No. 03 / Bench Requests.

14 616-HC N7, Y6, and S1 Highly Confidential Corrected

15 Responses to WUTC Order No. 03 / Bench

16 Requests.

17 617-HC P1 Highly Confidential Responses to WUTC Order

18 No. 03 / Bench Requests.

19 618-HC P4 Highly Confidential Responses to WUTC Order

20 No. 03 / Bench Requests.

21 619-HC Q2 Highly Confidential Responses to WUTC Order

22 No. 03 / Bench Requests.

23 620-HC R6 Highly Confidential Responses to WUTC Order

24 No. 03 / Bench Requests.

25 621-HC T6 Highly Confidential Responses to WUTC Order

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1 No. 03 / Bench Requests.

2 622-HC U3 Highly Confidential Responses to WUTC Order

3 No. 03 / Bench Requests.

4 623-HC Y3 Highly Confidential Responses to WUTC Order

5 No. 03 / Bench Requests.

6 624-HC Y4 Highly Confidential Responses to WUTC Order

7 No. 03 / Bench Requests.

8 625-HC Z1 Highly Confidential Responses to WUTC Order

9 No. 03 / Bench Requests.

10 626-HC Z1 Highly Confidential Responses to WUTC Order

11 No. 03 / Bench Requests (Revised responses to

12 Bench Requests No. 42, 44, 45).

13 627-HC Z4 Highly Confidential Responses to WUTC Order

14 No. 03 / Bench Requests.

15 628-HC Z5 Highly Confidential Responses to WUTC Order

16 No. 03 / Bench Requests.

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