

Performance Assurance Plan, or QPAP. Qwest's filing in this docket represents the Ninth Amended Exhibit K.

- 3 The Seventh Amended Exhibit B contains changes to PID OP-5B concerning new service quality and new service provisioning quality. The changes Qwest proposes to Exhibit B were agreed to in a settlement in a six-month review proceeding in Arizona. The parties to the settlement agreement—Qwest, Arizona Staff, Eschelon Telecom, Inc. (Eschelon), MCI, Inc. (MCI), Covad Communications Corporation (Covad), and AT&T Communications of the Mountain States, Inc. and TCG of Phoenix, Inc. (AT&T)—agreed to submit the same proposed changes to other state commissions in Qwest's 14-state region.¹
- 4 The agreed-to changes to PID OP-5B in SGAT Exhibit B include applying a 96.5 percent benchmark standard to all products reported in PID OP-5B, except for three product disaggregations which remain under a diagnostic standard: frame relay, sub-loop unbundling, and dark fiber. The Arizona settlement also provides for low volume treatment for OP-5B in SGAT Exhibit K if both (1) the CLEC volume of orders is less than or equal to 29, and (2) the number of orders with trouble in PID OP-5A is no more than one. If both conditions are met, a standard of no more than one order with new service trouble applies.
- 5 The Commission received no comments on or objections to Qwest's petition.

¹ Qwest, Washington Commission Staff, Eschelon, MCI, Covad, and AT&T agreed to changes to SGAT Exhibit B in the Arizona Settlement similar to those agreed to and approved by this Commission on September 17, 2004, in Order No. 10 in Docket No. UT-043007 and Order No. 01 in Docket No. UT-043088.

FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by state and federal statutes with the authority to review statements of generally available term and conditions filed by Bell operating companies. *47 U.S.C. § 252(f); RCW 80.36.610(1)*.
- 7 (2) Qwest Corporation is a Bell operating company as defined in 47 U.S.C. § 153 (4), as well as a telecommunications company and public service company subject to the jurisdiction of the Commission.
- 8 (3) 47 U.S.C. 252(f) requires Bell operating companies to file with state commissions a statement of generally available term and conditions and authorizes state commission review of, and action on, the filing no later than 60 days after the filing date.
- 9 (4) Staff has reviewed the petition in Docket Nos. UT-043007 and UT-043119, including related documentation. Staff believes the changes in the proposed Seventh Amended SGAT Exhibit B and Ninth Amended SGAT Exhibit K are reasonable and should be approved.
- 10 (5) This matter was brought before the Commission at its regularly scheduled meeting on January 12, 2005.
- 11 (6) After examination of Qwest's filing in Docket Nos. UT-043007 and UT-043119, and giving due consideration to all relevant matters and for good cause shown, the Commission finds that Qwest's Seventh Amended

SGAT Exhibit B and Ninth Amended SGAT Exhibit K should be approved.

ORDER

THE COMMISSION ORDERS:

- 12 (1) Qwest Corporation's Seventh Amended Exhibit B to the SGAT, as filed on November 2, 2004, in Docket Nos. UT-043007 and UT-043119 is approved.
- 13 (2) Qwest Corporation's Ninth Amended Exhibit K to the SGAT, as filed on December 1, 2004, in Docket Nos. UT-043007 and UT-043119 is approved.
- 14 (3) All existing interconnection agreements that currently contain Exhibit B and K as exhibits are modified to include the Seventh Amended Exhibit B and the Ninth Amended Exhibit K to the SGAT.
- 15 (4) The Commission retains jurisdiction over the subject matter and Qwest Corporation to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DOCKET NO. UT-043007
ORDER NO. 15

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DOCKET NO. UT-043119
ORDER NO. 01

DATED at Olympia, Washington, and effective this 12th day of January, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary