

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

In the Matter of the Petition of

QWEST CORPORATION

For Competitive Classification of  
Basic Business Exchange  
Telecommunications Services

DOCKET NO. UT-030614

RESPONSE OF INTEGRA  
TELECOM OF WASHINGTON,  
INC. TO PETITIONS FOR  
REVIEW OF INTERLOCUTORY  
ORDERS FILED BY PUBLIC  
COUNSEL AND WeBTEC

Integra Telecom of Washington, Inc. (“Integra”) supports the Commission’s position and the additional protections of highly confidential information afforded by Interlocutory Orders 05, 06, and 07. Integra submits the following brief response to the Petitions for Review of the Interlocutory Orders filed by Public Counsel and WeBTEC.

Integra disagrees with the statements of Public Counsel and WeBTEC related to the need for protection for the highly confidential information of CLECs. Neither Public Counsel nor WeBTEC have shown how either would be substantially prejudiced by the orders. Neither has provided any compelling reason or need for the individual CLEC trade secret information that would balance the potential damage that exposure of this information, other than on the limited basis as set forth in the Orders, to parties other than the Staff representing the entity regulating the industry, would cause.

Again, Integra believes that the information requested is available from sources other than from confidential, trade secret information from the individual CLECs. Proof of competition is Qwest's burden to carry in this case. Qwest has or can provide much of the information sought, but through its interconnection agreements, Qwest is appropriately prohibited from disclosing customer (CLEC) specific information. Qwest's evidence in support of its original petition is not CLEC specific.

In addition, Staff already has compiled many reports on the status of competition in the State of Washington.

The CLECs who are parties have argued and shown that the information that has been requested is not easily obtained, is not generally nor readily available and that any disclosure of this information would be detrimental to the CLECs' on-going business concerns. As WeBTEC points out, many CLECs operating in the State of Washington are not even parties to this docket and are not subject to the data requests. Qwest has stated that there are well over one hundred CLECs operating in the State of Washington and well over 100 CLECs with interconnection agreements with Qwest buying services from Qwest. Qwest bases its argument for allowing the declassification of its business services on sales to all of these various entities, not just the parties. All parties will have to rely on an "aggregation of data" either from Qwest information or from the Staff. To penalize the few CLECs who are parties here by requiring release of their confidential, trade secret information would be unjust.

Further, the question here is Qwest's competition against the market as a whole, not against individual CLECs. Therefore, an aggregation of data performed by the Staff will be necessary to show the status of competition, but most importantly the aggregation

is exactly the information that the Commission and each of the parties need without unduly exposing individual CLECs trade secret and highly confidential information. The aggregated data will be made available by the Staff and not in a fashion so as to expose any individual CLEC.

On a final note, Integra does see a distinction in Staff's position on behalf of the regulatory body governing telecommunications as compared to Public Counsel's position representing the Washington consumer (of which WeBTEC is a member) and one step further as compared to WeBTEC representing an association of electronic and telecommunications businesses. Staff represents the body charged by the legislature with the duty to regulate the telecommunications industry; the Staff does not represent consumers looking for better deals or potential competitors.

Integra objects to the Petitions for Review and believes that the Commission should deny the petition filed by Public Counsel and the petition filed by WeBTEC.

Respectfully submitted, this 14th day of July, 2003.

Integra Telecom of Washington, Inc.

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## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Petition to Intervene on the following

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I further certify that said copies were served by facsimile to the numbers so designated and by placing them in sealed envelopes addressed to said party's/attorneys' last know addresses as shown and deposited in the United States Mail at Beaverton, Oregon, and that the postage thereon was prepaid.

DATED this 14th day of July, 2003.

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