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December 12, 2003

**VIA COURIER HAND DELIVERY**

Ms. Carol J. Washburn  
Executive Secretary  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
1300 S. Evergreen Park Drive S.W.  
Olympia, WA 98504-7250

Subject: Covad Communications Company's Answer to Staff's Motion for Partial  
Summary Determination;  
WUTC -v- Advanced Telecom Group, Inc., et al;  
**DOCKET NO. UT-033011**

Dear Ms. Washburn:

Enclosed are an original and 12 copies of above referenced answer dated  
December 12, 2003. Please do not hesitate to call me if you have any questions or comments.  
Thank you.

Sincerely,



William R. Connors

Enclosures

cc: Docket No. UT-033011 Service List

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BEFORE THE WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

Complainant

vs.

ADVANCED TELECOM GROUP, INC.;  
ALLEGIANCE TELECOM, INC.; AT&T  
CORP; COVAD COMMUNICATIONS  
COMPANY; ELECTRIC LIGHTWAVE  
INC.; ESCHELON TELECOM, INC. f/k/a  
ADVANCED TELECOMMUNICATIONS,  
INC.; FAIRPOINT COMMUNICATIONS  
SOLUTIONS, INC.; GLOBAL CROSSING  
LOCAL SERVICES, INC.; INTEGRA  
TELECOM, INC.; MCI WORLDCOM, INC.;  
QWEST CORPORATION; XO  
COMMUNICATIONS, INC. f/k/a  
NEXTLINK COMMUNICATIONS, INC.

Respondents.

) Docket No. UT- 033011

)  
) COVAD COMMUNICATIONS  
) COMPANY'S ANSWER TO STAFF'S  
) MOTION FOR PARTIAL SUMMARY  
) DETERMINATION

On November 7, 2003, Staff submitted a motion for partial summary  
determination ("Motion") arguing that Qwest and a counterparty competitive local exchange  
carrier ("CLEC") are jointly responsible for filing interconnection agreements with the  
Commission for approval. Covad Communications Company ("Covad") strongly disagrees with  
Staff. Qwest, as the incumbent local exchange carrier, has the obligation to make any necessary  
interconnection agreement filings with the Commission, not the CLECs. *See, e.g.*, Eschelon's

1 Brief in Support of Motion to Dismiss at 2-7; McLeodUSA's Brief in Support of Motion to  
2 Dismiss at 1-4. Covad hereby supports and adopts the position taken by Eschelon and  
3 McLeodUSA that Qwest has the sole responsibility to file interconnection agreements with the  
4 Commission for approval.  
5

6 Covad respectfully requests that the Commission (a) deny Staff's Motion;  
7 (b) issue an order affirming that only Qwest has the obligation to file interconnection agreements  
8 with the Commission; and (c) dismiss all claims against Covad and the other CLECs in this  
9 docket.

10 DATED December 12, 2003.

11 **COVAD COMMUNICATIONS COMPANY**

12  
13  
14 By: 

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**CERTIFICATE OF SERVICE  
DOCKET NO. UT-033011**

I hereby certify that I have served a true and correct copy of the foregoing document via the method(s) noted below, properly addressed as follows:

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Dated December 12, 2003.

  
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