BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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

AT&T'S ANSWER TO QWEST'S PETITION FOR RECONSIDERATION AND CLARIFICATION OF TWENTY-EIGHTH SUPPLEMENTAL ORDER

AT&T Communications of the Pacific Northwest, Inc. and AT&T Local Services on behalf of TCG Seattle and TCG Oregon (collectively, "AT&T") hereby file this Answer to Qwest's Petition for Reconsideration and Clarification ("Petition") of the Commission's Twenty-Eighth Supplemental Order ("28th Supplemental Order"). AT&T opposes Qwest's Petition on the grounds that it is contrary to the law and record evidence presented in this proceeding. The Commission's rulings in the 28th Supplemental Order are well founded and should not be modified or reversed.

A. The Commission's Ruling On Access To Loop Qualification Information Is Consistent With The Record, The Act And FCC Orders And Should Not Be Modified - WA Loop 3(a).

1. Access to Loop Qualification Information.

In its Petition, while Qwest claims that it will modify its SGAT to include a "manual procedure,"[1] Qwest continues to object to any additional access beyond the loop qualification tools, clearly in an effort to convince the Commission that it should reverse its decision.

The Commission should not do so. The Commission's Order is consistent with the Act, the FCC's rulings on this issues and the record evidence. Qwest presents no legal citation to suggest that the Commission's ruling is contrary to law. Nor does it cite to any record evidence that would alter the Commission's conclusions. In short, there is no basis to alter the 28th Supplemental Order.

In its 28th Supplemental Order on this issue, the Washington Commission concluded that Qwest lacked the requisite legal obligation and that its SGAT must be amended. Specifically, the Commission stated:

> We have reviewed the Texas Model Interconnection Agreement (T2A), and note that it does allow CLECs access to the LFACS database of SWBT. However, it also provides that CLECs needing further information, or clarification, regarding loops other than what resides in LFACS are required to request it from SWBT. SWBT is in turn required to provide the so-called "backend" information in the same time frame and manner as it provides such information to its retail departments. Qwest's SGAT does not include such a procedure, which is necessary to provide CLECs the same access to loop qualifying information that is not accessible electronically, as required by the *UNE Remand Order* at paragraph 431. Qwest must modify its SGAT to include such a procedure.[2]

The Commission's Order is consistent with the Act, the FCC's rulings on this issues and the record evidence.

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[1] A procedure that is not consistent with the Commission's Order as will be detailed further below.

[2] *Twenty-Eighth Supplemental Order*, ¶ 34.

The FCC's requirements on access to loop qualification information are clear. As set forth in AT&T's prior briefing, the *UNE Remand Order*, the *SBC Kansas/Oklahoma 271 Order*, and the *Verizon Massachusetts 271 Order* require incumbent LECs to provide the requesting carrier with nondiscriminatory access to the same detailed information about the loop that the incumbent LEC has in any of its own databases or other internal records.[3] The incumbent LEC must provide access to the underlying loop qualification information contained in its engineering records, plant records, and other back office systems so that requesting carriers can make their own judgments about whether those loops are suitable for the services the requesting carriers seek to offer.[4]

The incumbent may not filter or digest such information to provide only that information that is useful in the provision of a particular type of xDSL that the incumbent chooses to offer. Even if the **such information is not normally provided to the incumbent LEC's retail personnel, but can be obtained by contacting incumbent back office personnel, it must be provided to requesting carriers within the same time frame that any incumbent personnel are able to obtain such information.**[5]

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[3] *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996,* Third Report and Order, CC Docket No. 96-98, FCC 99-238, ¶ 427-31 (released November 5, 1999) ("*UNE Remand Order*"); *In the Matter of Joint Application by SBC Communications Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance for Provision of In-Region, InterLATA Services in Kansas and Oklahoma,* Memorandum Opinion and Order, CC Docket No. 00-217, FCC 01-29, ¶ 121 (released January 22, 2001) ("*SBC Kansas/Oklahoma 271 Order*"); *In the Matter of Application of Verizon New England Inc, Bell Atlantic Co Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solution) and Verizon Global Networks Inc., for Authorization to Provide In-Region, InterLATA Service in Massachusetts,* Memorandum Opinion and Order, CC Docket No. 01-8, FCC 01-130, ¶ 54 (released April 16, 2001) ("*Verizon Massachusetts 271 Order*").

[4] *Id.* ¶ 428.

[5] *Id.* ¶ 431.

The FCC has clearly established that the parity standard for access to loop or loop plant information is CLECs should have access to any information that **any Qwest employee** has access to, **not** what is accessible by Qwest's retail operations. Qwest's SGAT and Qwest's reliance on its loop qualification tools in general, and its RLDT in particular, is insufficient to comply with these FCC mandates, as the Washington Commission properly recognized.

A comparison of the loop qualification information that Verizon and Southwestern Bell are providing to CLECs highlights the disparity of Qwest's offering when compared to the type of information access provided by Verizon and Southwestern Bell -- **access that was determined by the FCC to satisfy the legal requirement**.

For example, as discussed in the *SBC Kansas/Oklahoma 271 Order*, Southwestern Bell ("SWBT") provides competitors access to actual loop make-up information, theoretical, or design, loop make-up information, or CLECs can request that SWBT perform a manual search of its paper records to determine actual loop information.[6] Contrary to Qwest's assertion, SWBT does, in fact, provide competitors with access to the actual loop make-up information contained in SWBT's LFACS through the pre-ordering interfaces Verigate, Datagate and EDI/CORBA. Qwest states that the mediated access that SWBT provides is functionally equivalent to the access provided by Qwest. That is not the case. SWBT provides CLECs with direct access to LFACs, via a graphical user interface ("GUI"). In contrast, Qwest predetermines what LFACs information CLECs will have access to, identifies that information in LFACS and feeds it into the Raw Loop Data Tool. SWBT does not predetermine what information from

[6] *SBC Kansas/Oklahoma 271 Order*, ¶121.

LFACs the CLECs will see. Qwest does. Qwest's procedure is precisely the type of filtering that the FCC prohibited.

If, however, actual loop make-up information is not available in LFACS, SWBT will also provide the CLEC with theoretical, or design, loop makeup information. Specifically, SWBT will cause a query to be made into its LoopQual database for loop information based on a standard loop design for the longest loop in that end user's distribution area. Additionally, a carrier may also request loop design information without having to first request an actual loop make-up query. Finally, carriers may also request that SWBT perform a manual search of SWBT's engineering records. Once SWBT engineers complete the manual search, they will update the information in LFACS and the competing carrier can either receive the results via email or review the results in LFACS.[7]

Similarly, based upon in the *Verizon Massachusetts 271 Order*, Verizon provides four ways for competing carriers to obtain loop make-up information: (1) mechanized loop qualification based on information in its LiveWire database; (2) access to loop make-up information in its Loop Facility Assignment and Control System (LFACS) database; (3) manual loop qualification; and (4) engineering record requests.[8]

Not only does Verizon provide direct access to its Live Wire and LFACs databases, Verizon provides a manual loop qualification process as a pre-order function in which Verizon examines information from the LiveWire and LFACS databases, and performs a mechanized line test (MLT) on the loop to verify the actual loop length.[9] If

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[7] *SBC Kansas/Oklahoma 271 Order*, ¶121.
[8] *Verizon Massachusetts 271 Order*, ¶ 55.
[9] *Id*., ¶ 58.

this information is inconclusive, engineers in Verizon's Facilities Management Center examine paper records to determine the loop length, whether or not the loop is qualified and, if it is not, the reasons why.[10] Finally, Verizon, through an engineering record request, provides additional types of loop make-up information not returned through the mechanized and manual loop qualification processes. Verizon indicates that competitors may request this engineering query on a pre-order basis. To conduct this engineering query, Verizon's Facilities Management Center conducts a search of loop inventory and paper records. The additional information provided through an engineering query includes the exact locations of load coils, the exact locations and lengths of bridge taps, as well as actual cable gauges and the length of each gauge and provides loop make-up information for loops not in the LFACS database.[11]

Clearly, the Raw Loop Data tool fails in comparison to the comprehensive access to loop qualification information that is provided by Verizon and Southwestern Bell. Moreover, the record demonstrates that Qwest employees have the ability to access LFACs, other databases, as well review paper records and manual review processes to provision service to its customers, yet Qwest continues to object to providing that same access to CLECs. That is the parity issue that this Commission sought to address in its Order.

Qwest contends that the FCC has concluded that manual access to loop information is not required if CLECs have access to the same information through an alternative method of access. Nothing in any FCC Orders says anything of the sort. In the paragraph cited by Qwest, the FCC rejected CLEC claims that Verizon failed to

[10] *Id*., ¶ 58.
[11] *Id*., ¶ 59.

comply because it had not yet established a pre-ordering interface for Verizon's manual loop qualification process. The FCC concluded that the CLECs were getting the information from the manual process and other interfaces. This is consistent with the FCC's conclusion in the UNE Remand Order that it was not going to require the incumbent LEC to create electronic access where none currently existed. The FCC did not say that the availability of access to some information electronically relieved the incumbent of an obligation to provide manual access to its records. To the contrary, key to the FCC's ruling was the fact that the CLEC had access to the information through existing means. That is not the case here. As discussed further below, Qwest is not providing access to all spare facility information in its tools and Qwest's tools have not been demonstrated to be completely accurate. Moreover, Qwest has utterly failed to demonstrate that CLECs have access to all the same information that all Qwest employees have access to, instead Qwest sought to limit the obligation to information that its retail representatives have access to. That is not the FCC's standard. Indeed, Qwest witnesses admitted that Qwest engineers have access to other information.[12] Finally, the FCC even concluded that "**to the extent such information is not normally provided to the incumbent LEC's retail personnel, but can be obtained by contacting incumbent back office personnel, it must be provided to requesting carriers within the same time frame that any incumbent personnel are able to obtain such information."**[13] Qwest reliance on the *Verizon Massachusetts 271 Order* is unavailing.

More to the point, Qwest's argument depends upon its claim that the loop make-up information available through the Raw Loop Data Tool is so complete that access to

[12] CO Transcript (05/25/01), p. 74 (Attached to AT&T's Initial Brief on Workshop 4 as Attachment A).
[13] *Id*., ¶ 431.

paper files is unnecessary; paper files simply would not provide any information that is not already available through the Raw Loop Data Tool.[14] That is not the case. Ms. Liston admitted that the reason Qwest performed the bulk de-load project was because Qwest was encountering significant inaccuracies with the LFACs database.[15] While Qwest has corrected some information in LFACs based upon the bulk-deload project, including the bulk MLT process Qwest performed in conjunction with its Megabit service, Qwest did not correct the LFACs database for all loops.[16] For example, in Colorado Qwest's bulk-deload only affected loops in 38 of 178 wire centers. This still leaves many loops where inaccuracies were not addressed.

In addition, based upon the record, Qwest has admitted that not all loop qualification information is in the raw loop data tools. For example, information on loop conditioning and spare facilities is not in the raw loop data tools.[17] Information regarding all spare facilities, including fragments, is necessary for CLECs to have a meaningful opportunity to compete. Qwest maintains records of spare facilities, including loop fragments, somewhere in its back office systems. Qwest's witness in Colorado stated that this information is available to Qwest engineers.[18]

Now, Qwest claims that spare facility information has been added to the RLDT. Qwest is not telling the Commission the whole story. Apparently, Qwest has added

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[14] Qwest's cites a number a new enhancements that it claims has been recently made to the RLDT. None of these enhancements address the accessibility of information relating to spare facilities not attached to the switch or the concern regarding the accuracy of the underlying LFAC information.

[15] WA Transcript, pp. 4341-42.

[16] In addition, Qwest only makes corrections to LFACs as it encounters error in the normal course of business.

[17] CO Transcript (04/18/01), pp. 25-53, CO Transcript (05/25/01), pp. 74-77 (Attached to AT&T's Initial Brief on Workshop 4).

[18] CO Transcript (05/25/01), p. 74 (Attached to AT&T's Initial Brief on Workshop 4).

information to the RLDT regarding spare loops that are attached to the switch or partially attached to the switch to the RLDT.[19] Even if this is true, which cannot be verified based on this record, there remains a very large and important gap. The RLDT does not have information regarding loops that are not attached to the switch.[20] This is the spare facility information that AT&T was concerned about from the outset. This information still does not reside in the RLDT.

The bottom line is that Qwest's SGAT does not contain the required legal obligation for access to loop and loop qualification information. In addition, the existing tools lack information regarding spare facilities that are not attached to a Qwest switch. Moreover, as a result of the bulk deload and MLT projects conducted by Qwest, Qwest's retail representatives are assured of getting complete and accurate loop information on the loops that Qwest wants to serve. While the MLT information for these loops was loaded into LFACs and the RLDT, there remain a significant number of loops where such updated loop information has not been obtained. Of course, if the CLEC were satisfied with limiting its marketing to the same customers that Qwest wants to serve, then they would benefit from the same accurate information. However, the CLEC should not be limited in its marketing to areas that neatly match Qwest business plans. They must have the ability to pre-qualify their loops, even loops outside of Qwest's predetermined marketing area, in the same manner as Qwest. To put the CLEC on a level playing field, they must have access to all of Qwest's loop qualification information. The Commission's Order was designed to level the playing field by ensuring that the loop

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[19] *See* Attachment A, Excerpt from Motion for Reconsideration filed by Qwest before the New Mexico Public Regulation Commission, dated December 14, 2001, p. 15.

[20] *Id.*

access requirements are enforced and meaningful. The Commission's Order should not be reversed.

2. Qwest's Proposed Procedure.

In its Order, the Washington Commission noted that SWBT is required to provide the so-called "backend" information in the same time frame and manner as it provides such information to its retail departments and concluded that Qwest's SGAT does not include such a procedure, which is necessary to provide CLECs the same access to loop qualifying information that is not accessible electronically, as required by the *UNE Remand Order* at paragraph 431.[21] The Commission's conclusion on its face is consistent with the mandates of the FCC.

Again, AT&T would note that the standard articulated by the FCC is that CLECs must provided access to the same information that is available to any Qwest employee. However, AT&T notes with concern that Qwest appears to be interpreting the Commission's and the FCC's requirements inappropriately. According to Qwest's Petition, Qwest describes its proposed manual procedure as follows:

> Qwest will agree to implement a manual process to permit CLECs to obtain loop make up information. CLECs can request a manual loop qualification in the unlikely event the Qwest loop qualification tools fail to provide loop make up information for a particular facility or return inconsistent information. This process is similar to the process Southwestern Bell employs. As discussed in the *SBC Kansas/Oklahoma Order*, SBC performs a manual process when loop make-up information for a facility is not contained in SBC's LFACS database. The SBC engineers merely investigate the loop make-up to create an LFACS record for the facility. The CLEC then has access to the loop make-up information via an e-mail message or the mediated access to LFACS. Thus, as described in the SBC *Kansas/Oklahoma Order*, the manual process simply provides the information that should have been in the LFACS database. Given the strength of its loop qualification tools, Qwest

[21] *28th Supplemental Order*, ¶ 34.

believes that such manual loop make up requests will be extraordinarily infrequent.[22]

While it will not be entirely clear what Qwest's manual procedure will consist of until Qwest makes its compliance SGAT filing, AT&T notes now its concern that Qwest's interpretation of the SBC processes are clearly wrong. Qwest states that the SBC engineers merely investigate the loop make-up to create an LFACs record for the facility. As discussed above, the SBC process is far more extensive and involves reviewing the company's paper records. Qwest should offer the same options that are available to CLECs in SWBT and Verizon territory: access to actual loop make-up information, access to theoretical, or design, loop make-up information, or the ability to request a manual search of Qwest's paper records to determine actual loop information and access to such information should be made in a timely manner.

3. Audit Provision.

Finally, Qwest objects to the inclusion of any audit provision, claiming that such a provision is inappropriate.[23] It is Qwest's burden to demonstrate that it is providing access to loop information in the manner required by the FCC in the *UNE Remand Order* and the Section 271 Orders. Qwest has failed to do so, instead making the tactical decision to limit its case to the assertion that the RLDT and other qualification tools are sufficient. As the Commission has found, the tools are not sufficient to comply with the FCC's Orders. Qwest has refused to provide access to LFACs or any other source of loop information available to Qwest employees. In fact, during the course of the loop

[22] Petition, p. 6.
[23] Petition, pp. 7-10.

workshops, obtaining information regarding where loop or loop plant information resides in Qwest's database(s) or back office systems and what information is accessible by any Qwest employee was virtually impossible. Qwest dodged every inquiry, even the direct inquiry from the ALJ in Oregon. Thus, the record throughout the various state loop workshops is so confusing that it is impossible to tell where loop qualification information resides in Qwest's systems and back office files and what the Qwest employees have access to. Without information from Qwest, CLECs have no independent ability to ascertain what information Qwest employees have access to. Nor will the Commission. Because of the uncertainty surrounding what access is available to Qwest employees and Qwest's refusal to provide the evidence to make that demonstration, an audit provision is entirely appropriate.

Qwest claims that a test performed by KPMG as part of the OSS test demonstrates that Qwest is providing parity access.[24] Such a conclusion is premature. This test is still in progress, with KPMG conducting further review as a result of the last technical conference. Moreover, additional issues surrounding this test will likely be raised by AT&T at the next technical conference. In fact, AT&T reviewed some of the workpapers for this test on April 3, 2002 and was informed by KPMG that KPMG was still supplementing this test with additional documentation and interviews. However, based upon the workpapers AT&T has examined to date, the review conducted by KPMG was completely inadequate and what little information there is regarding Qwest's access to loop quality information supports AT&T's contention that Qwest is not providing parity

[24] Petition, p. 8.

access. Accordingly, no conclusion can be reached as to Qwest's provisioning of access to loop qualification information based upon this test.

Qwest also asserts that CLECs will demand audits "for audits sake."[25] This claim is ridiculous. CLECs don't have the time or the resources to conduct frivolous audits. This fact can be substantiated by the fact that AT&T's current contract with Qwest has audit rights and AT&T has never requested frivolous audits under this provision. Accordingly, there is no need to require any independent third party auditor. That is simply a way for Qwest to impose additional expense on CLECs and completely undermine the value of the ordered audit provision.

The Texas Commission has ordered the adoption of a similar audit provision in Texas, noting that such an audit provision is appropriate and that a review should be Texas-specific, not region-wide (like the OSS review suggested by Qwest would be).[26] The Texas Commission concluded that the CLEC ability to audit the company's record, backend systems and databases in Texas was necessary to ensure that CLECs were receiving the required information from SWBT. That is precisely why AT&T sought such an audit provision here. Qwest has presented no new evidence that would justify any modification or reversal of the Commission's ruling. Therefore, Qwest's Petition should be rejected.

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[25] Petition, p. 9.

[26] *See Petition of IP Communications Corporation to Establish Expedited Public Utility Commission of Texas Oversight Concerning Line Sharing Issues*, Public Utility Commission of Texas, Arbitration Award, Docket Nos, 22168 and 22469, pp. 105-07 (dated July 13, 2001) (Attached to AT&T's Initial Brief on Workshop 4 as Attachment B.

B. The Commission's Ruling On The Inapplicability Of The Local Use Restriction To EELs Comprised Of Dark Fiber Is Proper And Should Not Be Altered - WA DF-2.

In its Motion for Reconsideration, Qwest reiterates the same arguments that this Commission had previously considered, as memorialized in the Commission's Twentieth Supplemental Order.[27] First Qwest argues that because dark fiber is "a flavor of transport and loop," it is subject to the local usage restriction that the FCC prescribed for EELs.[28] Qwest next argues that the test is appropriate for dark fiber because "(t)he FCC imposed the local use restriction to prevent unbundling requirements from interfering with access charges and universal service reform."[29]

The Commission has visited these issues on numerous occasions, addressing the same Qwest seminal argument articulated above. Each time the Commission found against Qwest adopting almost verbatim FCC Rule 315(c), in indicating that "ILECs (need to) perform the functions necessary to combine requested UNEs in any technically feasible manner either with other UNEs from their networks, or with network elements possessed by the requiring carriers."[30] The Commission also acknowledged the FCC's *Supplemental Clarification Order* on this subject indicating that it saw no reason to "vary from the status quo that this Commission has established in Washington State," and that

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[27] *See generally, Twentieth Supplemental Order, ¶137-38*

[28] Qwest's Legal Brief Regarding Impasse Issues Relating to Packet Switching, Line Sharing, Subloop Unbundling, Dark Fiber, Line Splitting and Network Interface Devices at p.38*;* See also Qwest's Motion for Reconsideration *at p.10*.

[29] *Id*., p. 11.

[30] *See In re the Arbitration of Sprint Communications Company, L.P. and US WEST Communications, Inc*., *Fifth Supplemental Order*, August 28, 2000; *Thirteenth Supplemental Order*, Initial Order, Workshop 3, ¶98; *Twentieth Supplemental Order*, Initial Order, ¶ 141.

"(i)f the FCC changes the requirements of the application of its rule," at that time, "the Commission can accept a modification to the SGAT."[31]

The only new argument in Qwest's Motion for Reconsideration is the following:

> In the *24th Supplemental Order* (sic.), the Commission decided the issue against Qwest relying on a "previous Commission arbitration order, *Sprint/US WEST Arbitration, UT-003006, 5th Suppl. Order*, which rejected Qwest restrictions on combinations of UNEs for CLECs." **The Sprint Arbitration Order, however, has no applicability to this issue**.[32]

Qwest never articulates why the Sprint Arbitration Order has no applicability.

The Sprint Arbitration Order is applicable. Dark fiber was explicitly defined as deployed **unlit** fiber optic cable that connects two points within the incumbent LEC's network.[33] As such, it cannot be an EEL (i.e. loop transport combination) because it is not lit and is not transporting. If the CLEC decided to light the dark fiber, it still would not be an EEL because the CLEC, and not Qwest, would be lighting (i.e. transporting) on the fiber. This is why the FCC included dark fiber in the unbundling mandate without diving into the EEL restriction issue.[34] As the Commission's Sprint Arbitration Decision mirrors the FCC's rule on this issue, and dark fiber is part of the unbundling requirement, Qwest's claim has no merit.

Also, as AT&T has articulated in this docket, practically speaking, utilizing the local usage restriction test for dark fiber is like trying to fit a round peg into a square hole. The FCC local usage test developed for EELs relates to a single user (analogous to as how special access is generally carried). Dark fiber utilized for transport is

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[31] *Thirteenth Supplemental Order*, ¶ 99-102; *Twentieth Supplemental Order*, ¶141-144.
[32] *Id.* (emphasis added).
[33] *UNE Remand Order*, ¶325.
[34] *Compare id.*, ¶167 with Petition, p. 13.

traditionally utilized for multiple end-users. Thus, because dark fiber does not fit the definition of an EEL, the local usage test derived for EELs is simply not applicable.

For these reasons, the Commission's decision should be upheld and Qwest's current proposed language on §9.7.2.9 should be stricken.

C. The NID Language Revision Proposed By Qwest Is Ambiguous, Will Create An Added And Unnecessary Burden For CLECs And Will Be Administratively Superfluous - WA NID-2(b).

In its Petition, Qwest proposes the addition of what it claims is a slight modification to the NID language adopted by the Commission at paragraph 80 of the 28th Supplemental Order.[35] AT&T objects to the proposed revision for several reasons. First, the language proposed by Qwest is nonsensical. The proposed revisions states: "[I]n such instances, CLEC will provide Qwest with written notice that it had so disconnected the Qwest facilities from the protection device." This statement makes no sense in context because the CLEC is required by the Commission-approved language to secure the Qwest facility on a protection device. The CLEC is not disconnecting Qwest facilities from the protection device.

Second, Qwest's proposed notice requirement would be an implementation nightmare for CLECs. First, since the technician in the field for the CLEC would not be responsible for sending a written notice, the CLEC would have to set up unique procedures for the technician in the field to inform another department that he/she has done something that would trigger written notification. Then the CLEC would have to develop a process for ensuring the written notice got sent. It is unclear how that notice would be communicated to Qwest and to whom. Would it be as part of a supplement to

[35] Petition, pp. 13-14.

the Order, which could interfere with the regular processing of the LSR or is there some other method contemplated?

In addition, it is unclear if and how this notice would be processed or maintained by Qwest. It is unlikely that Qwest will create a file that relates to the NID in question. Absent that, it will be impossible for Qwest to "properly inventory the facility." It is more likely that the CLEC would merely fall out and be thrown away or filed in some miscellaneous office file, never to surface again.

Obviously, again Qwest's proposed procedure appears designed to create more administrative burden and expense for the CLEC, rather than provide any meaningful information for Qwest. Moreover, the notice requirement Qwest seeks to impose has nothing whatsoever to do with protecting the customer. The language adopted by the Commission takes care of that. Nothing more is required. Accordingly, AT&T requests that the Commission reject Qwest's proposed revision.

CONCLUSION

WHEREFORE, for all the reasons set forth herein, Qwest's Petition for Reconsideration and Clarification should be denied.

Respectfully submitted this 8th day of April, 2002.

AT&T COMMUNICATIONS OF THE PACIFIC NORTHWEST, INC. AND AT&T LOCAL SERVICES ON BEHALF OF TCG SEATTLE AND TCG OREGON

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