

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of:)	
)	Docket No. UT-033044
QWEST CORPORATION)	
)	MCI RESPONSE TO JOINT CLEC
To Initiate a Mass-Market Switching and)	MOTION FOR ANONYMOUS
Dedicated Transport Case Pursuant to the)	DISCLOSURE OF CLEC DATA
Triennial Review Order)	
_____)	

WorldCom, Inc., n/k/a MCI, on behalf of its regulated subsidiaries in Washington, hereby responds to the Motion of Advanced TelCom, Inc., Eschelon Telecom of Washington, Inc., Integra Telecom of Washington, Inc., Global Crossing Local Services, Inc., McLeodUSA Telecommunications, Inc., Pac-West Telecomm, Inc., Time Warner Telecom of Washington, LLC, and XO Washington, Inc. (collectively “Joint CLECs”) for Anonymous Disclosure of CLEC Data (“Motion”). In support thereof, MCI states:

1. MCI subsidiaries are registered competitive local exchange carriers (“CLECs”) in Washington. These subsidiaries provide local exchange service using a variety of methods, including the purchase of the Unbundled Network Element Platform (“UNE-P”) from Qwest. Thus, MCI data will likely be produced in this docket in response to the Commission data requests as well as in response to separate data requests from parties. MCI, like the Joint CLECs, has an interest in protecting its confidential data from improper disclosure.

2. MCI also has an interest, however, in ensuring that parties have access to all information that is necessary to enable parties to evaluate and litigate this matter fully. In addition, MCI has an interest in obtaining the ability to advise the Commission on all

issues involved in this case in order to assist the Commission to make a fully informed decision.

3. Based on recent experience in the Qwest Competitive Classification proceeding, MCI believes that it is difficult, if not impossible, for parties to evaluate, litigate and advise the Commission fully when only Staff has access to raw data and the parties only have access to aggregated data. Without the underlying data, parties cannot verify the Staff's numbers or the Staff's methods of aggregation. In addition, parties cannot perform independent analyses of the raw data by, for example, grouping the numbers differently than how Staff decided to group the numbers. Analysts have different ways to view raw data, depending upon the question the analyst is attempting to answer. Data points also have varying significance to parties with varying interests. Parties should be allowed access to the raw data to enable them to perform all independent analyses that they deem necessary to present their arguments.

4. Limiting access to the raw data to Staff is also a difficult position in which to place the Commission Staff. Staff would be burdened with the overwhelming task of collecting, analyzing and aggregating data from up to 200 registered CLECs in Washington. Collecting the data, as Staff is tasked to do now, will be difficult in and of itself. Aggregating it as necessary to take into account all relevant ways to view the data would seem to be an insurmountable task, particularly in the short time frame that the Commission has to litigate this matter.

5. In their Motion, the Joint CLECs ask the Commission to establish a procedure whereby CLECs may submit highly confidential responses to bench or data requests to the Commission or Commission Staff, who would make that information

available to parties entitled to review highly confidential information without identifying the individual CLECs that provided the information.

6. MCI has no objection to the request that responding CLEC identities be masked. Independent analysis is possible without knowing the identity of the CLEC. For the reasons stated above, however, MCI objects to any request that would allow only Staff to have access to raw data and only permit parties to have access to aggregated data.

Dated this 13th day of November 2003.

Respectfully submitted,

MCI

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