

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Investigation Into U S WEST) Docket No. UT-003022
Communications, Inc.'s Compliance with Section)
271 of the Telecommunications Act of 1996)
.....)
In the Matter of U S WEST Communications, Inc.'s) Docket No. UT-003040
Statement of Generally Available Terms Pursuant to)
Section 252(f) of the Telecommunications Act of)
1996.)
_____)

**QWEST'S MEMORANDUM REGARDING
REMOTE DEPLOYMENT OF DSL**

In the Commission's Twenty-Eighth Supplemental Order (Commission Order Addressing Workshop Four Issues: Checklist Item No. 4 (Loops), Emerging Services, General Terms and Conditions, Public Interest, Track A, and Section 272 ("*28th Supplemental Order*"), the Commission modified the Administrative Law Judge's recommendation in the *20th Supplemental Order* regarding Loop Issue 10-2, remote deployment of DSL services. In the *20th Supplemental Order*, the ALJ had ordered Qwest to make a filing with the Commission prior to deploying DSL remotely to identify which of the three criteria in the FCC's *Line Sharing Order*¹ Qwest satisfied.² However, as the Commission

¹ Third Report and Order in CC Docket No. 98-147, Fourth Report and Order in CC Docket No. 96-98, *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket Nos. 98-147, 96-98, 14 FCC Rcd 20912 (rel. Dec. 9, 1999) ("*Line Sharing Order*").

noted in the *28th Supplemental Order*, Qwest had already begun deployment of remote DSL in Washington at the time of this recommendation.³ Therefore, the Commission modified the recommendation in the *20th Supplemental Order* "to require Qwest to file a memorandum with the Commission in this docket that specifies which of the FCC requirements Qwest has met for deploying remote DSL in Washington."⁴ This Memorandum is filed in accordance with this instruction.

DISCUSSION

Paragraph 195 of the *Line Sharing Order* the FCC found that "a loop technology should be presumed to be acceptable for deployment under any one of several circumstances."⁵ These circumstances include that the technology:

- (1) complies with existing industry standards;
- (2) is approved by an industry standards body, the Commission, or any state commission; *or*
- (3) has been successfully deployed by any carrier without "significantly degrading" the performance of other services.⁶

As the FCC made clear, a carrier need only satisfy one of the criteria listed above, not all of them. Qwest has met the first and second FCC requirements. Specifically, paragraph 67 of the *First Report and Order and Further Notice of Proposed Rulemaking in the Advanced Services* proceeding states that T1.601 defines the technical specifications for ISDN-BRI and T1.413 defines ADSL technical specifications. Qwest's deployment of these services complies with these industry standards.

² *20th Supplemental Order* ¶ 110.

³ *28th Supplemental Order* ¶ 43.

⁴ *28th Supplemental Order* ¶ 43.

⁵ *Line Sharing Order* ¶ 195.

⁶ *Id.* (emphasis added).

Although there do not appear to be FCC or Commission rules directly addressing the spectrum issues surrounding remote deployment of DSL,⁷ the DSLAM that Qwest has deployed in the field complies with ANSI T1.417, *Spectrum Management for Loop Transmission Services*.⁸ The remote DSL equipment that Qwest has deployed has been deployed successfully by other carriers, such as Sprint. Thus, Qwest complies with the third FCC requirement identified above.

Qwest has successfully deployed 1,492 remote DSLAMs across its 14-state region and 242 within Washington. When determining where to place its remote DSLAMs, Qwest chose locations that would not interfere with its own or CLECs' central-office based DSL. Based on the specifications as recommended in T1.417 for line sharing, Qwest chose locations for remote DSL based on Distribution Areas ("DA"). The DAs were chosen after considering a number of factors, two of which were intended to ensure that there will be no interference to central office-based DSL. The first factor considered was distance from the central office. Qwest intentionally chose DAs with copper feed from the central office beyond 15.5 kilofeet. The second was based on the digital loop carrier ("DLC") feed to the DA. If a DA is fed exclusively by a DLC, central office-based DSL cannot serve the DA, and the only way to provide DSL is from a remote DSLAM. Qwest, therefore, also chose to remotely deploy in those DAs in which DLC was prevalent, and central-office based DSL was not possible.

To ensure that Qwest met its legal obligations, Qwest held several meetings and conference calls with CLECs beginning in the fall of 2000 through the spring of 2001 regarding Qwest's remote deployment plans, including where Qwest intended to remotely deploy DSLAMs. Qwest informed CLECs of its intended deployment of remote DSL pursuant to Network Disclosure 459.⁹ To Qwest's knowledge, no Washington CLEC has complained to Qwest regarding interference from Qwest's remote

⁷ In *Line Sharing Order* ¶ 183-91, the FCC turned to standards setting bodies such as T1E1 and NRIC for spectrum guidance. Working Group T1E1 is currently developing a second revision to ANSI T1.417 to include spectrum management guidelines for repeatered DSL systems and remote DSL systems when central-office based DSL systems are present. In addition, NRIC V, Focus Group 3, has put forth a recommendation to the FCC on the mechanism for dispute resolution in the event of spectrum management and compatibility problems.

⁸ ANSI T1.417 contains industry standards for spectrum management.

⁹ Qwest publicly posts its network disclosures at the following web address: <http://www.qwest.com/disclosures/>.

deployment of DSL. Accordingly, Qwest has successfully deployed remote DSL without "significantly degrading" the performance of other services, in accordance with paragraph 195 of the *Line Sharing Order*.

CONCLUSION

Qwest has made the Commission's requested filing. Qwest respectfully requests that the Commission close this issue and find that Qwest has complied with the Commission's requirements in the *28th Supplemental Order*.

Dated this 10th day of April, 2002.

Lisa A. Anderl, WSBA No. 13236
QWEST CORPORATION
1600 7th Avenue, Room 3206
Seattle, WA 98191
(206) 345-1574

Kara M. Sacilotto
PERKINS COIE LLP
607 Fourteenth Street, N.W., Suite 800
Washington, D.C. 20005
(202) 628-6600

ATTORNEYS FOR QWEST CORPORATION