

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation)
Concerning the Status of Competition and) DOCKET NO. UT-053025
Impact of the FCC’s Triennial Review)
Remand Order on the Competitive) JOINT CLEC COMMENTS ON WIRE
Telecommunications Environment in) CENTER DESIGNATIONS
Washington State.)
_____)
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1. Pursuant to Order 03, Initial Order Requiring Disclosure of Additional Information (“Initial Order”), Covad Communications Company, Eschelon Telecom of Washington, Inc., Integra Telecom of Washington, Inc., McLeodUSA Telecommunications Services, Inc., and XO Communications Services, Inc. (collectively “Joint CLECs”) provide the following comments on the non-impairment designations submitted by Qwest Corporation (“Qwest”) and Verizon Northwest Inc. (“Verizon”).¹ Subject to Commission review of the Initial Order, the Joint CLECs continue to dispute some of those designations, even in light of the supplemental information that Qwest and Verizon have provided.

COMMENTS

2. The Joint CLECs continue to take issue with some of the Initial Order’s conclusions on the proper calculation of “business lines” pursuant to the TRRO but will address those issues in a petition for administrative review of that decision. The ultimate resolution of this issue impacts all wire center designations based in whole or in part on

¹ Covad does not join the portions of these Comments that are specific to Verizon.

the number of business lines served out of that central office, including the Qwest Seattle Main,² Seattle Cherry, and Kent O'Brien wire centers and the Verizon Bothell wire center.³ Subject to any revisions to the data as a result of any Commission review, the Joint CLECs have the following comments on Qwest's and Verizon's wire center designations based on the data that each of these companies has produced to date.

A. Qwest Has Not Provided Sufficient Information to Verify the Designation of Three of Its Wire Centers.

3. The Joint CLECs cannot accept, and thus continue to object to, three of Qwest's designations: Kent O'Brien (as Tier 1), Seattle Cherry (as Tier 2), and Olympia Whitehall (as Tier 1). Qwest has designated the Kent O'Brien and Seattle Cherry wire centers based on business line counts. Qwest adjusted its business line counts in ostensible compliance with the Initial Order, but provided no information on how Qwest made those adjustments. The Joint CLECs also recalculated Qwest's business line counts based on the information that Qwest originally provided and the Initial Order requirements, but the Joint CLECs' calculations are different than Qwest's numbers. Without some explanation of how Qwest recalculated its business lines, the Joint CLECs cannot accept Qwest's business line counts or the Kent O'Brien and Seattle Cherry wire

² The Joint CLECs do not dispute Qwest's designation of the Seattle Main wire center pending any Commission review of the Initial Order.

³ Verizon has also provided business line count data for its Redmond wire center but has based its designation of that central office as a Tier 1 wire center on the number of fiber-based collocators as discussed in more detail below. The business line count data that Verizon has provided would support designation of that central office as a Tier 2 wire center, so subject to any Commission modification of the Initial Order, the Joint CLECs would not dispute a Tier 2 designation of that wire center based on Verizon's business line counts, regardless of the issue of the number of fiber-based collocators in that wire center the Joint CLECs raise below.

center designations based on those line counts because those differences bring into question the accuracy of the different sets of data Qwest has provided before and after entry of the Initial Order.

4. Qwest designated its Olympia Whitehall central office as a Tier 1 wire center based on the number of fiber-based collocators in that office. Qwest originally identified five such collocators in that office, but apparently has now reduced that number to four, the minimum number required for Tier 1 designation. The Joint CLECs have confirmed three of those four but cannot confirm the fourth. To the contrary, a CLEC representative who has been in that office informed the Joint CLECs that the fourth alleged collocator, [REDACTED], has a cage with its name on it in the area where the other collocators are located, but the cage is empty. In the absence of evidence that [REDACTED] is collocated elsewhere in this central office, Qwest has failed to demonstrate that the Olympia Whitehall wire center is properly designated as Tier 1 (rather than Tier 2).

B. Verizon Has Provided Insufficient Information to Verify the Tier 1 Designation of Its Redmond Wire Center.

5. Verizon designated its Redmond wire center as Tier 1 based on the alleged number of fiber-based collocators in that central office. The Joint CLECs, however, have not been able to verify that there are at least four such collocators. One of the five companies that Verizon has identified as having fiber-based collocation in that office, [REDACTED], denies that it is a fiber-based collocator as defined in the TRRO, and the Joint CLECs have been unable to independently confirm that two of the other four collocators satisfy that definition.

6. The supplementary information that Verizon provided, moreover, raises more questions than it answers. Verizon provides a document that purports to summarize the results of its inspection of these collocations, but the inspections were in the summer of 2003, *several months* before the TRRO was issued. Verizon also provides a confidential document outlining the process for inspections pursuant to the *TRO*, but not only does that document not even address TRRO requirements, the confidential summary of the results of the inspection do not reflect the vast majority of the steps outlined in the process, much less confirm that the inspector complied with that process.

7. In addition, one of the fiber-based collocators that Verizon has identified but that the Joint CLECs have not independently verified, [REDACTED], provides information on its website showing that [REDACTED]
[REDACTED]
[REDACTED]. In the absence of independent verification and/or sufficient additional data from Verizon, the Commission should find that Verizon has failed to demonstrate that it has properly designated its Redmond central office as a Tier 1 wire center.

CONCLUSION

8. Qwest and Verizon still have not provided sufficient information to support their designations of several wire centers. Until such information is provided to the Commission and interested parties, the Commission should not find that these wire centers have been accurately designated.

DATED this 5th day of May, 2006.

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