



1801 California, Suite 4730  
Denver, Colorado 80015  
(303) 896-5123  
E-mail: Mark.Brinton@qwest.com

**Mark Brinton**  
Manager – Regulatory  
Public Policy

January 28, 2005

Basic Contract Number: OMR #111391

Ms. Carole Washburn,  
Executive Secretary  
Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S. W.  
Olympia, Washington 98504

Dear Ms. Washburn:

Pursuant to WAC 480-80-142, Qwest Corporation (Qwest) is forwarding a copy of a thirty-six (36) month Special Contract for Metro Optical Ethernet Service. Qwest respectfully requests that this contract become effective upon the Washington Utilities and Transportation Commission's approval on February 10, 2005.

This contract is not subject to federal competitive bid. Pursuant to the requirements of the Telecommunications Act of 1996, and RCW 80.36.170 and 80.36.180, where those statutes are applicable, Qwest offers the local exchange service in this contract for resale under the same terms and conditions set forth in this contract and at the discounted rate where applicable as established by the Commission in Docket No. UT-960369.

Attached is a non-proprietary statement of the essential terms and conditions of this contract. Also attached is the associated Contract Analysis. Some of this information is considered confidential by Qwest and should be protected under the provisions of WAC 480-07-160.

Very truly yours,

Attachments

## ESSENTIAL TERMS AND CONDITIONS

Basic Contract Number: OMR #111391

New  Modified \_\_\_\_\_ Renewal \_\_\_\_\_

Duration of Basic Contract: 36 months

Effective Date: On February 10, 2005

The term of this Agreement will begin upon the Effective Date and will expire thirty-six (36) months from the date Service is available to the Customer, as evidenced by Qwest's records ("Term"). The minimum service period ("Minimum Service Period") for each Service is twelve months. If Qwest continues to provide Service after the Term, the provisions for month-to-month service in the Tariff will apply. However, this Agreement will only become effective after all mandatory filing requirements are met and approved by the Washington Utilities and Transportation Commission.

Note: This contract represents service for a number of circuits that are in place today, originally provisioned under a Qwest interstate GeoMax Service Agreement that is expiring. As such, with this Agreement, the customer is upgrading their service to Metro Optical Ethernet and adding a number of service locations.

Description of Service:

Metro Optical Ethernet Service is a flexible transport service that uses established Ethernet transport technology. The service provides connections between multiple customer locations within a metropolitan area using native Ethernet protocol.

Monthly Recurring Charge:	\$15,861.00
Nonrecurring Charge:	\$0
Service Location(s):	Seattle, Federal Way, Issaquah, Bellevue
Number of Circuits:	9

TELECOMMUNICATIONS CONTRACTS: 480-80-142 (7)

1. Documentation: Standard filing requirements and effective dates. Contracts must be filed with the commission not less than 30 days before the proposed effective date of the contract. Each application filed for commission approval of a contract must include a complete copy of the proposed contract. Documentation must show that the contract does not result in undue or unreasonable discrimination between customers receiving like and contemporaneous service under substantially similar circumstances; and demonstrate, at a minimum, that the contract charges cover the company's cost of providing the service. In addition, the company must summarize the following information with each contract submitted:

(A) Summarize the basis of the charge(s) proposed in the contract and explain the derivation of the proposed charge(s) including all cost computations involved.

**Answer:** Current Washington tariffs do not offer Metro Optical Ethernet Service. Pricing for this service considers the pricing relationship to similar Ethernet Arrangements. The underlying costs of the individual components were identified in a recent cost study. Attachment A provides a summary of the costs and a contribution analysis. Since non-recurring charges were waived, Attachment A analysis also shows that in the first month, the NRC would be recovered through the monthly rate.

(B) Indicate the basis for using a contract rather than a filed tariff for the specific service involved.

**Answer:** Current Washington tariffs do not offer Metro Optical Ethernet Service. With this service, Qwest is responding to a specific customer request and the competitive marketplace.

