

Docket Nos. UT-003022/003040

Qwest's Compliance with Commission Orders

Ordering Paragraph	Description of Compliance Issue	Compliance PAP Cite
	QPAP	
30 th Supp. Order, Final Order, At 335	Qwest must modify section 12 of the QPAP to incorporate a flat 36% revenue cap, and to reflect the use of current ARMIS net revenue data.	12.1 language modified.
30 th Supp. Order, Final Order, At 336	Qwest must modify section 6 of the QPAP to incorporate the Facilitator's recommendation for a six-month cap on Tier 1 escalation payments.	6.2 language modified.
30 th Supp. Order, Final Order, At 337	Qwest must remove the 100% cap from the performance measures calculated as averages or means and contained in sections 8 and 9 of the QPAP.	8.2.1.2 and 9.2.2.2 language modified.
30 th Supp. Order, Final Order, At 338	Qwest must clarify the language in the QPAP regarding the calculation of misses for parity to specifically incorporate the term "parity value" so that there will be no confusion at a later date as to how the calculations are performed.	4.3, 8.2.1.1, 8.2.1.2, 8.2.2.1, 8.2.2.2, 8.2.3.1, 8.2.3.2, 9.2.1.1, 9.2.2.2, 9.3.1, 9.3.2.1, 9.4.1., and 9.4.1.1 language clarified.
30 th Supp. Order, Final Order, At 339	Qwest must modify section 7.3 of the QPAP to require Tier 2 payments in any month that Qwest fails to meet the Tier 2 performance standards.	7.3, 9.2.2.3, 9.3.1.2, 9.3.1.3, 9.4.1.1, and 9.4.1.2 language modified.
30 th Supp. Order, Final Order, At 340	Qwest must incorporate the Washington state collocation rule into the QPAP, and ensure that the reference in the QPAP to CP-2 and CP-4 business rules is applicable only to matters not addressed in WAC 480-120-560. Qwest must also ensure that section 6.3 of the QPAP and section 8.4.1.10 of the SGAT are consistent in applying the Washington rule.	6.3 language modified.
30 th Supp. Order, Final Order, At 341	Qwest must revise section 12 to reflect that payments made to uphold the integrity of the QPAP, such as late payment penalties, should be excluded from the cap.	12.1 and 14.3 language modified.
30 th Supp. Order, Final Order, At 342	Qwest must modify sections 13.8 and 12.1 of the QPAP to be consistent with the sections 11.2 and 16.8 of the CPAP, to allow the Commission to assess penalties where necessary to address service quality issues, but allow Qwest to dispute any	12.1 and 13.8 language modified.

	payments it believes are duplicate.	
30 th Supp. Order, Final Order, At 343	Qwest must begin filing monthly special access reports in Washington in the same month that Qwest begins special access reporting to the Colorado commission.	Qwest will comply.
30 th Supp. Order, Final Order, At 344	Qwest must provide payment opportunities in the QPAP for the set of performance measures applicable to EELs, including OP-3, OP-4, OP-5, OP-6, OP-15, MR-5, MR-6, MR-7 and MR-8, as the standards are determined and must not wait until a six-month review to do so. Qwest must also add the sub-loop and line sharing standards to the QPAP as the ROC collaborative establishes them.	Qwest will comply.
30 th Supp. Order, Final Order, At 345	Qwest must add an electronic flow-through measure to the QPAP in the Low Tier 1 and High Tier 2 payment categories	PO-2b added to Attachment 1.
30 th Supp. Order, Final Order, At 346	Qwest must amend the QPAP to include the payment table for high-value services proposed in Exhibit 1205 at page 12.	6.2, 6.2.1, Table 2A, 8.2.1.2, 8.2.2.3, 8.2.3.3
30 th Supp. Order, Final Order, At 347	Qwest must modify section 16.1 of the QPAP to strike "Changes shall not be made without Qwest's agreement," and add the following: "After the Commission considers such changes through the six-month process, it shall determine what set of changes should be embodied in an amendment SGAT that Qwest will file to effectuate these changes."	Modification in 16.5.
30 th Supp. Order, Final Order, At 348	Qwest must modify section 16.1 to include the following language: "Parties or the Commission may suggest more fundamental changes to the plan; but, unless the suggestion is highly exigent, the suggestion shall either be declined or deferred until the biennial review."	Modification in 16.7.
30 th Supp. Order, Final Order, At 349	Qwest must revise section 16.1 and 16.2 of the QPAP to refer only to this Commission. Qwest must include new language in that section providing that nothing in the QPAP prohibits the Commission from joining a multi-state effort to conduct QPAP reviews. Qwest must delete the language in section 16.1 concerning the use of an arbitrator to resolve disputes, as well as language referring to the volume of data points.	Revision in 16.3 – 16.8, 16.11.
30 th Supp. Order, Final Order, At 351	Until we determine whether and how we will participate in any multi-state process, Qwest must modify section 7.5 of the QPAP	7.5 language modified.

	to reflect that Qwest must maintain an identified escrow account and deposit any payments of Tier 2 funds for Washington state into that account.	
30 th Supp. Order, Final Order, At 352	Qwest must modify the QPAP to strike the language in section 11.3, and include language stating that nothing in the QPAP prohibits the Commission from directing the establishment of an identified escrow account or other fund, and or contributing a portion of Tier 2 funds to the account for the purpose of funding a multi-state process to review and audit the QPAP.	11.3 language modified.
30 th Supp. Order, Final Order, At 354	Qwest must modify section 16.2 of the QPAP to mirror section 18.11 of the CPAP, allowing CLEC payments to continue, subject to review, upon Qwest exiting the long-distance market.	Modification in 16.12.
30 th Supp. Order, Final Order, At 355	Qwest must strike the last sentence in QPAP section 13.6, as shown in Exhibit 1217. Qwest must add the election of remedies language proposed by AT&T and WorldCom, and include the portion of section 16.6 of the CPAP, as described above in paragraph 195 of this Order.	13.6 language modified.
30 th Supp. Order, Final Order, At 356	Qwest must modify QPAP section 13.7 to incorporate the language in section 16.7 of the CPAP.	13.7 language modified.
30 th Supp. Order, Final Order, At 357	Qwest must modify section 13.3 of the QPAP to provide (1) that the Commission is the entity that determines whether a request for waiver of payment obligations should be granted, and (2) that Qwest must file any waiver request with the Commission no later than the last business day of the month after the month in which payments are being disputed. Qwest must also delete the reference to "parity" in the last sentence of section 13.3 of the QPAP.	13.3 language modified.
30 th Supp. Order, Final Order, At 358	Qwest must amend section 11.2 of the QPAP to adopt the language from section 12.2 of the CPAP which states: "All payments shall be in cash. Qwest shall be able to offset cash payments to CLEC with a bill credit applied against any non-disputed charges that are more than 90 days past due."	11.2 language modified.
30 th Supp. Order, Final Order, At 359	Qwest must strike the first three sentences in section 14.4 of the QPAP, and replace them with the following: "Qwest shall retain	14.4 language modified

	for a three year period (measured from the monthly payment due date) sufficient records to demonstrate fully the basis of its calculations for making payments under this PAP."	
30 th Supp. Order, Final Order, At 360	Qwest must modify section 15 of the QPAP as set forth in paragraphs 241 and 242 of this Order.	15 language modified.
30 th Supp. Order, Final Order, At 361	Qwest must modify section 14.2 of the QPAP as follows: "Qwest will also provide <i>to the Commission, and relevant parties upon request</i> , a monthly report of aggregate CLEC performance results."	14.2 language modified.
33 rd Supp. Order Final Order at 110	Qwest must modify SGAT Sections 8.2.1.1 and 8.2.1.10 as set forth in Paragraph 28 of this order	Qwest will comply.
33 rd Supp Order Final Order at 112	Qwest must provide reports on special access performance in Washington at the same time, and upon the same measures as it does so for Colorado.	Qwest will comply.
33 rd Supp Order Final Order at 113.	To ensure that language in section 13.6 of the QPAP retains the intent of section 16.6 of the Colorado plan, Qwest must modify the QPAP as set forth in paragraph 66 of this order.	13.6 language modified
33 rd Supp. Order Final Order at 114	Qwest must modify the language in QPAP section 13.3 to add the words "(excluding Force Majeure events)" after the word "parity"	13.3 language modified
33 rd Supp Order Final Order at 115	Qwest must revise QPAP section 14.1 to provide that it will make the aggregate performance data available to the public on its website and will provide a paper copy and electronic copy of the information to the Commission and Public Counsel	Modification in 14.2.