

UT-043028 (IA)
5-12-04

Qwest

1600 7th Avenue, Room 3206
Seattle, Washington 98191
(206) 398-2504
Facsimile (206) 343-4040

Elizabeth M. Weber

Senior Paralegal
Regulatory Law Department

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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION



Via E-Mail and Overnight Delivery

April 20, 2004

Ms. Carole J. Washburn, Secretary
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Dr. S.W.
P.O. Box 47250
Olympia, WA 98504-7254

Re: Docket No. UT-~~023005~~
Request for Approval of Interconnection Agreement between Qwest
Corporation and Winstar Communications, LLC

Dear Ms. Washburn:

In accordance with WAC 480-07-640, Qwest submits three copies of the enclosed Letter Agreement dated January 31, 2002, executed by Qwest Corporation ("Qwest") and Winstar Communications, LLC ("Winstar") on February 18 and February 2, 2002 respectively. Please note that the original of this agreement is currently on file with the Commission in this docket. Winstar has adopted, in its entirety, the previously approved Agreement between Qwest and Sprint Communications Company, L.P. (Docket No. UT-003006; approved on August 28, 2000). This agreement provides Winstar with the terms, conditions and rates in the Qwest/Sprint agreement.

Qwest originally filed this agreement for approval by the Washington Utilities and Transportation Commission (WUTC) on March 7 2002. By subsequent letter dated March 26, 2002, Qwest withdrew the filing. This agreement is now being resubmitted for Commission approval.

The enclosed Agreement does not discriminate against non-party carriers. It is consistent with state and federal law, and is in the public interest. Qwest respectfully requests that the Commission approve this Agreement expeditiously.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth M. Weber".

Elizabeth M. Weber

Enclosure

cc: Richard S. Dodd II, Winstar
Joseph M. Sandri, Winstar
Todd Lundy, Qwest
Nancy Donahue, Qwest
Theresa Atkins, Qwest



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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

January 31, 2002

Winstar Communications, LLC
1850 M Street NW
Washington, DC 20036

Dear Mr. Carowitz:

We have received your request that, under Section 252(i) of the Telecommunications Act of 1996, Winstar Communications, LLC ("CLEC") wishes to "Pick and Choose" in its entirety, the terms of the Interconnection Agreement and any associated amendments, if applicable, ("Agreement") between Sprint Communications Company LP and Qwest Corporation fka U S WEST Communications, Inc. ("Qwest") that was approved by the Commission as an effective agreement in the State of Washington. Winstar Communications, LLC is incorporated in the state of Delaware. We understand you have a copy of the wireline agreement.

With respect to the aforementioned Agreement, Qwest and CLEC ("the Parties") understand and agree:

1. The Parties shall request the Commission to expedite its review and approval of this Agreement. This Agreement shall become effective upon such approval.
2. Notwithstanding the mutual commitments set forth herein, the Qwest is entering into this Agreement without prejudice to any positions it has taken previously, or may take in the future, in any legislative, regulatory, or other public forum addressing any matters, including those relating to the types of arrangements contained in this Agreement. During the proceeding in which the Commission is to review and approve the Agreement, Qwest may point out that it has objected, and continues to object, to the inclusion of the terms and conditions to which it objected in the proceedings involving the approval of the Underlying Agreement.
3. CLEC adopts the terms and conditions of the Sprint Communications Company LP Agreement for interconnection with Qwest and in applying the terms and conditions, agrees that Winstar Communications, LLC be substituted in place of "Sprint Communications Company LP" throughout the Agreement wherever the latter appears.
4. Qwest requests that notice to Qwest Corporation as may be required under the Agreement shall be provided as follows:

To: Qwest Corporation
Director Interconnection Compliance
1801 California Street, Room 2410
Denver, CO 80202

With copy to:
Qwest Corporation Law Department
Attention: General Counsel, Interconnection
1801 California Street, 38th Floor
Denver, CO 80202

CLEC requests that notice to CLEC as may be required under the Agreement shall be provided as follows:

To: Winstar Communications, LLC
Michael Carowitz
1850 M Street NW
Washington, DC 20036
Phone: 202-367-7607
Fax: 202-659-1931

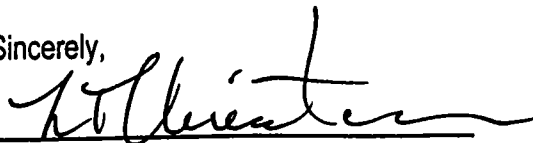
Kathleen L. Greenan
Swidler Berlin Shereff Friedman LLP
3000 K Street, N.W., Suite 300
Washington, DC 20007
Phone: 202-945-6922
Fax: 202-424-7645

CLEC represents and warrants that prior to providing service it will be a certified provider of local dialtone service in the State of Washington, and that this Agreement will cover services in that state only.

Please sign all three original copies of this letter, and overnight them to Heidi Higer, 1801 California St, Suite 2410 – Denver, CO 80202 (Phone: 303-965-3029) by May 1, 2002. After May 1, 2002 Qwest may rescind its willingness to consider the Agreement's terms and conditions, and will consider that you have withdrawn from good faith negotiations.

Please note that Qwest will file this letter with the appropriate state commission for approval; however, some state commissions will not approve the letter until the CLEC is certified by the state commission. You may want to contact the appropriate state commission to determine the requisite filing guidelines.

Sincerely,



Qwest Corporation
L.T. Christensen
Director – Business Policy
1801 California Street, Suite 23rd Floor
Denver, Colorado 80202

Date

2/18/02

I agree to all terms and conditions contained in this letter as indicated by my signature below:

CLEC Name

Signature

Name

Title

February 2, 2002

CDS-020131-0050 (WA)
01/31/02 - HAH