

[Service Date June 25, 2002]

BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

In the Matter of the Investigation Into)	DOCKET NO. UT-003022
U S WEST COMMUNICATIONS, INC.'s)	
Compliance With Section 271 of the)	DOCKET NO. UT-003040
Telecommunications Act of 1996)	
.....)	
In the Matter of)	38 th SUPPLEMENTAL ORDER;
U S WEST COMMUNICATIONS, INC.'s)	ORDER CLARIFYING
Statement of Generally Available Terms)	PORTIONS OF 37 th
Pursuant to Section 252(f) of the)	SUPPLEMENTAL ORDER
Telecommunications Act of 1996)	
.....)	

I. PROCEDURAL HISTORY

- 1 On June 20, 2002, the Commission entered its 37th *Supplemental Order, Commission Order Addressing Qwest's Compliance with Commission Orders Concerning Qwest's SGAT and Performance Assurance Plan (QPAP) (37th Supplemental Order)*. In that order, the Commission directed Qwest to file a revised SGAT, with exhibits, in compliance with the order by Tuesday, June 25, 2002. Qwest's Performance Assurance Plan, or QPAP, is included in the SGAT as Exhibit K. *The 37th Supplemental Order* also directed Qwest to file a revised QPAP by June 25, 2002 that complied with the order.
- 2 On June 24, 2002, Qwest filed with the Commission a Request for Clarification Regarding QPAP Compliance Filing. In its request for clarification, Qwest identified two sections of the 37th *Supplemental Order* about which Qwest needs further guidance before filing a revised QPAP on June 25. Specifically, Qwest requested clarification regarding modification of the high-value services payment table, Table 2A, and adding the line sharing measure to Attachment 1 to the QPAP.

II. MEMORANDUM

3 Qwest asserts that the Commission directed Qwest in paragraph 44 of the 37th
4 *Supplemental Order* to “modify Table 2A to increase the base value of QPAP
5 payments for residential and business resale and UBL-2 wire/analog loops to \$150.”
6 Qwest seeks clarification of whether the Commission intends Qwest to return the base
7 levels of residential and business resale and UBL-2 wire/analog loops to the levels
8 listed in the QPAP prior to the introduction of Table 2A. Qwest proposes to remove
9 these products and services from Table 2A, and make them subject to Table 2
10 payment levels.

11 In addition, Qwest notes that paragraph 40 of the 37th *Supplemental Order* directs
12 Qwest to include the line sharing measure in Attachment 1. Qwest states that it
13 understands that the Commission has ordered Qwest to include the line sharing
14 measure as one of the services to which payments apply under the QPAP. Qwest
15 asserts that Attachment 1 to the QPAP includes those measures that are subject to
16 QPAP Tier 1 and Tier 2 per occurrence payments, and that it is not appropriate to
17 include line sharing in Attachment 1. Qwest asserts, however, that the Commission’s
18 requirement will be met by including the Performance Indicator Definitions, or PIDs,
19 in Exhibit B to the SGAT, which is cross referenced to the QPAP through section 20
20 of the SGAT. Qwest seeks clarification that its method of implementing the
21 requirement in the 37th *Supplemental Order* is acceptable.

22 **Discussion and Decision.** We clarify that Qwest must comply with paragraph 44 of
23 the 37th *Supplemental Order* by returning residential and business resale, and UBL 2-
24 wire /analog loops to their pre-existing payment levels. Qwest may do this by
25 reflecting those pre-existing payment levels in Table 2A, or by making the products
26 and services subject to Table 2.

27 In addition, we find acceptable Qwest’s proposal to include the line sharing measure
28 in Exhibit B to the SGAT, given that Exhibit B will apply to the SGAT through the
29 reference in section 20 of the SGAT.

III. ORDER

IT IS ORDERED That,

- 30 (1) Qwest must comply with paragraph 44 of the 37th *Supplemental Order* by
31 returning residential and business resale, and UBL 2-wire /analog loops to
32 their pre-existing payment levels, and
- 33 (2) Qwest must comply with paragraph 40 of the 37th *Supplemental Order* by
34 including the line sharing measure in Exhibit B to the SGAT.

DATED at Olympia, Washington and effective this 25th day of June, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner