

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**In the Matter of the Petition of Qwest
Corporation for Arbitration with Eschelon
Telecom, Inc. Pursuant to 47 U.S.C. Section
252 of the Federal Telecommunications Act of
1996**

Docket No. UT-063061

EXHIBIT MS-6

TO THE

REBUTTAL TESTIMONY OF MICHAEL STARKEY

ON BEHALF OF ESCHELON TELECOM, INC.

DECEMBER 4, 2006

LIST OF ESCHELON DIRECT & REBUTTAL EXHIBITS

I. Exhibits to Eschelon's Direct Testimony

Exhibits to the Direct Testimony of Douglas Denney

- **DD-1:** Qwest's September 1, 2005 notice to Eschelon indicating that Qwest would begin to apply Design Change charges to unbundled loops. This exhibit is related to Subject Matter No. 4.
- **DD-2:** Eschelon's escalation of Qwest's proposal to inappropriately apply the Design Change charge to unbundled loops. This exhibit is related to Subject Matter No. 4.
- **DD-3:** Chronology of Qwest's threat to disconnect Eschelon's UNE circuits and stop processing Eschelon orders. This exhibit is related to Payment and Deposit provisions contained in Subject Matter Nos. 5, 6 and 7 and helps demonstrate why Qwest should not have unilateral authority to require deposits, disconnect Eschelon's circuits, or to stop processing Eschelon's orders. (Confidential Exhibit)
- **DD-4:** "Three Consecutive Months" standard. This exhibit is related to Payment and Deposit provisions contained in Subject Matter Nos. 5, 6 and 7. It contains pages of various carriers' ICAs with Qwest showing that Qwest has agreed to the three consecutive month standard with numerous CLECs, CMRS providers and paging companies.
- **DD-5:** Chronology of terms relating to Collocation Space Option Reservation. This exhibit is related to Subject Matter No. 13, Optioned Contiguous Space and helps to demonstrate that Qwest's claims that this issue needs to go through CMP is contrary to Qwest's historical practice.
- **DD-6:** Description of modifications to Qwest cost studies to support Eschelon's proposed interim rates.

Exhibits to the Direct Testimony of Bonnie Johnson

- **BJJ-1:** Qwest CMP Document
- **BJJ-2:** No Build Held Order (Delayed Order) Chronology
- **BJJ-3:** Chronology of Qwest CMP Changes Relating to Expedites & Qwest RPD – "Due Dates – POTS/Non-Design – All States Bus Res"
- **BJJ-4:** Documented Facts Matrix Relating to Expedites

- **BJJ-5:** Jeopardy Classification and Firm Order Confirmation Chronology
- **BJJ-6:** Jeopardy Classification and Firm Order Confirmation: Examples of Qwest's Failure to Provide a Timely FOC
- **BJJ-7:** Secret TRRO PCAT Chronology
- **BJJ-8:** Summary Of Examples For Issues 12-64, 12-65 and 12-66
- **BJJ-9:** DS1 CRUNEC Chronology
- **BJJ-10:** CRUNEC Level 3 Notice
- **BJJ-11:** CRUNEC Qwest-Eschelon Email exchange
- **BJJ-12:** Qwest Retail Letter to Eschelon End User Customer
- **BJJ-13:** Qwest Retail Letter Supporting Documentation (Qwest-Eschelon Email exchange relating to BJJ-12; Qwest Retail Letter Chronology; and Qwest Retail Letter – Qwest Service Management 8-31-06 E-mail)
- **BJJ-14:** Qwest CMP Documentation, EDI/XML, S&E section, PSON (9/15/06)
- **BJJ-15:** Non-CMP Notification of Revisions to the EDI Implementation Guidelines (9/15/06)

Exhibits to the Direct Testimony of Michael Starkey

- **MS-1:** Curriculum Vitae of Michael Starkey
- **MS-2:** Eschelon comments on Held Order Change Request
- **MS-3:** Qwest's Power Measuring Amendment
- **MS-4:** Qwest collocation application

Exhibits to the Direct Testimony of James Webber

- **JW-1:** Curriculum Vitae of James Webber
- **JW-2:** Email exchange between Eschelon and Qwest related to network maintenance and modernization (Subject Matter #16)
- **JW-3:** Qwest tariff pages related to expedite orders (Subject Matter #31)

II. Exhibits to Eschelon's Rebuttal Testimony

Exhibits to the Rebuttal Testimony of Douglas Denney

- **DD-7:** (Confidential) A string of emails between Eschelon and Qwest showing that Qwest's past due records are not always accurate.
- **DD-8:** Email string showing that Qwest threatens to disconnect Eschelon's circuits and stop processing Eschelon's orders even when Eschelon has already paid the bill Qwest claims is delinquent.
- **DD-9:** (Confidential) A string of emails between Eschelon and Qwest demonstration that Qwest incorrectly classified amounts as past due.
- **DD-10:** (Confidential) An email from Qwest showing that sometimes Eschelon's payment disputes fall into the "black hole."
- **DD-11:** (Confidential) An email string showing that Qwest sometimes applies payments to incorrect accounts causing accounts to appear past due when they are not.
- **DD-12:** A demonstration that Qwest does always follow its own process and does not properly send notification to appropriate Eschelon personnel creating unnecessary disputes regarding balances.
- **DD-13:** A copy of the CMP bill dispute resolution.
- **DD-14:** An email from Eschelon to Qwest making clear that Eschelon does not agree to the bill dispute resolution process developed over Eschelon's objections in CMP and that, consistent with the CMP document, Eschelon's contract will govern billing disputes.
- **DD-15:** (Confidential) A calculation of the discrepancies between Qwest and Eschelon in the amount of disputed payments.
- **DD-16:** August 31, 2006 Process Notice from Qwest Regarding Changes to Qwest's Negotiations Template and Excerpts from MN Negotiations Template Exhibit A.
- **DD-17:** CFA Change Chronology for limit of one.
- **DD-18:** A redlined comparison of the Washington SGAT and the Covad ICA payment and deposit sections.

- **DD-19:** Qwest's September 29, 2006 billing notice attempting to change the rate application described in issue 8-20(a). This notice confirms that Eschelon's language in section 8.2.10.4.3 is appropriate.
- **DD-20:** Excerpts from Arizona Open Meeting Transcript Regarding Qwest's failure to implement rates as ordered by the Arizona Commission.

Exhibits to the Rebuttal Testimony of Bonnie Johnson

- **BJJ-16:** Qwest Negotiations Template Input – Qwest/Eschelon Exchange
- **BJJ-17:** Multiple CLEC Negotiations – Qwest/Eschelon Exchange
- **BJJ-18:** Excerpt from CMP Redesign Meeting Minutes (Jan 02)
- **BJJ-19:** Excerpt from CMP Redesign Meeting Minutes (Apr 02)
- **BJJ-20:** Excerpt from CMP Redesign Meeting Minutes (Oct 01)
- **BJJ-21:** Draft Eschelon Section 12 (March 18, 2004), Annotated
- **BJJ-22:** Jeopardy Change Requests Information from Qwest's Archive
- **BJJ-23:** Loss and Completions Change Requests Information from Qwest's Archive
- **BJJ-24:** CMP Documentation, Qwest CR# PC100101-5 (Optional Testing)
- **BJJ-25:** Non-CMP TRRO PCAT Reclassification of Terminations, (APOT), Qwest/Eschelon Exchanges
- **BJJ-26:** Expedites: Examples of Expedite Requests Approved by Qwest for Unbundled Loop Orders; Version 30 Announcement and Qwest Response to CLEC Comments; and 9/21/01 Product Notification
- **BJJ-27:** Qwest/Eschelon exchanges on dB loss
- **BJJ-28:** List of Qwest non-CMP TRRO PCAT URLs
- **BJJ-29:** CMP Redesign Action Item Log for #143 & CMP Gap Analysis for #142 Regarding EDI Implementation Guidelines and Scope of CMP
- **BJJ-30:** Summary and excerpts from supporting documentation showing that contract language was discussed in prior CLEC Forum meetings & list of Forums from Qwest wholesale calendar.
- **BJJ-31:** PSON Change Requests Information from Qwest's Archive

- **BJJ-32:** Fatal Rejection Notice Change Requests Information from Qwest's Archive
- **BJJ-33:** Non-CMP TRRO Notices, Qwest/Eschelon Exchange
- **BJJ-34:** Matrix of Closed Language and Associated CMP Activity, if Any
- **BJJ-35:** Updated Jeopardy Classification and Firm Order Confirmation: Examples of Qwest's Failure to Provide an FOC or a Timely FOC
- **BJJ-36:** Jeopardies/FOCs/Delayed Order Compliance: Qwest Recent Refusal to Review and Root Cause Data, Qwest/Eschelon Exchanges
- **BJJ-37:** Withdrawn Qwest Product and Process Change Requests
- **BJJ-38:** SGAT Withdrawal: Excerpt from Qwest Minnesota Testimony; Qwest Notices; and Screen Shots of Qwest's Website

Exhibits to the Rebuttal Testimony of Michael Starkey

- **MS-5:** Updated Issues by Subject Matter List (annotated)
- **MS-6:** List of Eschelon Direct and Rebuttal Exhibits
- **MS-7:** Eschelon/Qwest letter exchange on Qwest's "policy decision" to take Issue 9-58 to CMP within two months

Exhibits to the Rebuttal Testimony of James Webber

- **JW-4:** Impacted CLEC Circuits Form showing Circuit ID and customer address information of impacted circuits.