

December 12, 2002

**REQUEST FOR COMMENTS;  
NOTICE OF OPPORTUNITY TO FILE RESPONSES**

**(December 31, 2002)**

**(January 14, 2003)**

RE: In the Matter of the Investigation Into U S WEST COMMUNICATIONS, INC.'s Compliance with Section 271 of the Telecommunications Act of 1996, Docket No. UT-003022; In the Matter of U S WEST COMMUNICATIONS, INC.'s Statement of Generally Available Terms Pursuant to Section 252(f) of the Telecommunications Act of 1996, Docket No. UT-003040.

TO PARTIES OF RECORD:

Upon reviewing Qwest's Statement of Generally Available Terms and Conditions (SGAT), it appears that there is a discrepancy in language in section 9.11.2.5 of the SGAT. SGAT section 9.11.2.5 describes an exception to the provision of unbundled local switching at UNE rates. The section specifies that in certain wire centers, unbundled local switching is not available at UNE rates when a CLEC end-user customer to be served with unbundled local switching has four or more access lines in a given location. This SGAT provision complies with the Commission's decision in paragraph 277 of the 13<sup>th</sup> Supplemental Order, which required Qwest to count lines by customer location, rather than by wire center, when determining whether to apply the exemption for "four or more lines."

Section 9.11.2.5.2 of the SGAT, however, states that the "exclusion will be calculated using the number of DS0-equivalent access lines CLEC intends to serve an End User Customer within a Wire Center." Such a calculation appears to be at direct odds with the Commission's directives on this issue in the 13<sup>th</sup> Supplemental Order, and language appearing in section 9.11.2.5.

Qwest is requested to file with the Commission an explanation of this discrepancy by the close of business, Tuesday, December 31, 2002. Any party wishing to respond to Qwest's explanation may do so by the close of business on Tuesday, January 14, 2003.

Sincerely,

ANN E. RENDAHL  
Administrative Law Judge