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**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation into  
U S WEST Communications, Inc.'s  
Compliance with § 271 of those  
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

**QWEST'S COMMENTS REGARDING SGAT  
SECTIONS 9.11.2.5 AND 9.11.2.5.2**

On December 12, 2002 the Commission issued a Request for Comments (“Request”) in this matter, asking Qwest to comment on two sections of the SGAT where there appears to be a discrepancy in the language. Qwest hereby responds in accordance with that request.

The Commission’s December 12 Request first notes that section 9.11.2.5 of the currently effective SGAT contains language that describes the exception to the availability of unbundled switching as a UNE. This exception is when a CLEC’s end-user customer has four or more lines to a single location in a particular wire center. The Request further notes that the language in section 9.11.2.5 complies with Commission’s 13th Supplemental Order, paragraph 277, where the Commission ordered the language in that section to be modified to make it clear that the exception is to be determined by counting lines by customer location rather than by wire center.

The Request then describes the apparent discrepancy in section 9.11.2.5.2. This provision states that the “exclusion will be calculated using the number of DS-0 equivalent access lines CLEC intends to

1 serve an End User Customer within a Wire Center specified above.” The Commission states that such a  
2 calculation appears to be at direct odds with the Commission’s directives with regard to this issue and  
3 with the language in section 9.11.2.5.2 and asks Qwest to explain the discrepancy. The Commission’s  
4 concern appears to be focused on the use of the language “within a Wire Center” as opposed to  
5 referencing the “per location” requirement.

6 Qwest does not believe that section 9.11.2.5.2 is inconsistent with section 9.11.2.5, or with the  
7 Commission’s orders on this issue. Section 9.11.2.5 is the more general language that defines the  
8 exception in accordance with Commission requirements. Section 9.11.2.5.2 (which is a subsection of  
9 9.11.2.5 and therefore governed by the general rule that is established in that provision) merely describes  
10 that the "four lines" for purposes of the exception will be counted using the number of DS0-equivalent  
11 access lines. Qwest does not believe that this modifies the "per location" requirement in 9.11.2.5. The  
12 "within a Wire Center specified above" language simply ties back to section 9.11.2.5.1 which contains  
13 explicit reference to the Seattle Main and Seattle Elliot Wire Centers – the only wire centers in the state of  
14 Washington where the exception could occur. The language in section 9.11.2.5.2 does not change the  
15 methodology for counting lines, which is clearly on a per-location basis, in accordance with Section  
16 9.11.2.5.

17 Dated this 31st day of December, 2002.

18 QWEST CORPORATION

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