

Judge Rendahl,

This email memorializes Judge Willis' approval of Level 3's request for extension of time to file Level 3's response to Bench Request No. 5 based upon my representation that Qwest counsel, Tom Dethlefs concurs to a 1-day extension, and upon the nature of the circumstances from which this request arose, subject to conditions noted below.

In making final preparations to our response to Bench Request No. 5's call for specific breakdowns of all dollar costs associated with implementing the interconnection methods proposed by Qwest and Level 3, we found that the inputs to cost calculations contained in excel spreadsheets were inaccurate. While the actual calculations themselves were correct, key inputs, based upon data collected from Level 3 network inventory systems, was not. This is because the search parameters used were incorrect. Though we've discovered the error, remedying it will require re-run of significant amounts of data. It will not be accomplished until at least until after 9pm MST tonight.

I discovered this error at about 5:15pm MST and upon determining its extent, telephoned Qwest counsel Tom Dethlefs at approximately 5:30pm MST, informing him of the same. Based upon my representation that I had not read Qwest's responses to Bench Requests Nos. 4 and 6, filed early this afternoon, that I had instructed those involved in preparing our response to Bench Request No. 5, not to read Qwest's responses filed today, and that I believed we could provide a full and complete response to Bench Request No. 5 tomorrow morning, he consented to our late filing of this material. I also informed Mr. Dethlefs I would telephone you to inform you of the situation.

Upon completing the call with Mr. Dethlefs, I communicated the foregoing to Judge Willis, who was available to speak with me. He determined that judicial economy would be better served by the single filing of our response to Bench Request No. 5 based upon accurate information. He therefore approved of our filing this information tomorrow, following our verification of the correct inputs. In addition he requested I memorialize this via email to you, the parties and copying him.

I understand that you will return to the office Thursday morning. This email will be among the mountains of information - both electronic and paper - you will be sifting through after three days out of the office. But in the off chance you receive this before our filing and have questions or concerns, please let me know.

Respectfully,

Erik Cecil
Corporate Counsel
Level 3 Communications, LLC

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> -----Original Message-----

> From: Dethlefs, Thomas [mailto:thomas.dethlefs@qwest.com]
> Sent: Monday, November 06, 2006 9:45 AM
> To: Ann Rendahl
> Cc: Bob Williamson; csavage@crblaw.com; Cook, Denise; Jill Davenport; Mike
> Sommerville; Thayer, Rick; Porter, Scott; Smith, Ted; Anderl, Lisa; Cecil, Erik
> Subject: RE: Bench Requests

>
> Your Honor,
>
> Qwest agrees to Level 3's request.
>
> Tom Dethlefs
> Qwest Services Corporation

> -----Original Message-----

> From: Cecil, Erik [mailto:Erik.Cecil@Level3.com]
> Sent: Monday, November 06, 2006 9:38 AM
> To: Ann Rendahl
> Cc: Bob Williamson; csavage@crblaw.com; Cook, Denise; Jill Davenport; Mike Sommerville; Thayer, Rick; Porter, Scott; Dethlefs, Thomas; Smith,
> Ted; Anderl, Lisa
> Subject: Bench Requests

>
> Your Honor,
>
> In reviewing the Bench Requests for Nos. 4, 5 and 6, it appears that
> some are due today but that a final request directed at the same
> information as is requested of Level 3 is due from Qwest tomorrow.
> Noting that both Qwest and Level 3 counsel were in hearing in Wyoming
> on
> Friday, and that tomorrow's election in the Denver area will require
> that Level 3 counsel be out of the office and that Qwest counsel will
> be
> out of the office as well, I would like to request, with Qwest
> counsel's
> concurrence, that the deadline for all three requests be extended
> until

> Wednesday 11-08-06.
>
> In the meantime, I would like to report there has been significant
> progress on resolving outstanding contract issues.
>
> Thank you for your consideration.
>
> Erik Cecil
> Corporate Counsel
> Level 3 Communications, LLC
>
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> > -----Original Message-----
> > From: Anderl, Lisa [mailto:Lisa.Anderl@qwest.com]
> > Sent: Wednesday, November 01, 2006 2:11 PM
> > To: Ann Rendahl; Cecil, Erik
> > Cc: Bob Williamson; csavage@crblaw.com; Cook, Denise; Jill
Davenport;
> Mike
> > Sommerville; Thayer, Rick; Porter, Scott; Dethlefs, Thomas; Smith,
Ted
> > Subject: RE: Electronic Copy of Level 3 and Qwest Washington Arb
> Exhibit 67
> >
> > I will ask that it be sent in.
> >
> > Lisa A. Anderl
> > Associate General Counsel
> > Qwest Regulatory Law
> > 206-345-1574
> > lisa.anderl@qwest.com
> >
> > -----Original Message-----
> > From: Ann Rendahl [mailto:arendahl@wutc.wa.gov]
> > Sent: Wednesday, November 01, 2006 1:07 PM
> > To: Cecil, Erik
> > Cc: Bob Williamson; csavage@crblaw.com; Cook, Denise; Jill
Davenport;
> > Anderl, Lisa; Mike Sommerville; Thayer, Rick; Porter, Scott;

Dethlefs,

>

> > Thomas; Smith, Ted

> > Subject: RE: Electronic Copy of Level 3 and Qwest Washington Arb

> Exhibit

> > 67

> >

> > Thanks for letting me know. Mr. Dethlefs, Mr. Smith or Ms. Anderl -

> do

> > you

> > have an electronic copy of the original responses to Level 3's data

> > requests and requests for admission that we can post in this docket?

> >

> > Ann E. Rendahl

> > Administrative Law Judge

> > Washington Utilities and Transportation Commission

> > Tel: (360) 664-1144

> > Fax: (360) 664-2654

> >

> >

> >

> >

> > "Cecil, Erik"

> >

> > <Erik.Cecil@Level

> >

> > 3.com>

> > To

> >

"Ann Rendahl"

> >

> > 11/01/2006 12:16

<arendahl@wutc.wa.gov>

> >

> > PM

> > cc

> >

"Bob Williamson"

> >

<BWilliam@wutc.wa.gov>,

> >

<csavage@crblaw.com>,

"Anderl,

> >

Lisa"

> >

<Lisa.Anderl@qwest.com>,

> >

"Thayer, Rick"

> >

<Rick.Thayer@Level3.com>,

> >

> >

> > "Porter,

> >

Scott"

> <Scott.Porter@Level3.com>,

> >

"Dethlefs, Thomas"

> >

> >

<thomas.dethlefs@qwest.com>,

> >

> >
> > "Smith, Ted"
> <TSMITH@stoel.com>,
> >
> > "Mike Sommerville"
> >
> > <msommerv@wutc.wa.gov>,
> "Cook,"
> >
> > Denise"
> > <denise_cook@icgcomm.com>,
> >
> > "Jill Davenport"
> >
> > <jrd@aterwynne.com>
> >
> > Subject
> > RE: Electronic Copy of Level
> 3
> > and
> > Qwest Washington Arb Exhibit
> 67
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> > Your honor,
> >
> > If Qwest could forward electronic copies of original /initial
> > responses
> > to LSC01-001 though 020 and Qwest's responses to Level 3's Requests
> > for
> > Admission denoted LSC 01A-001 though 016, it would help greatly.
> > We've
> > looked, but because of changes in our organizational structure, are
> > having trouble locating the email containing them.
> >
> > Thanks,
> >
> > Erik Cecil
> > Corporate Counsel

> > Level 3 Communications, LLC
> >
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> > > -----Original Message-----
> > > From: Ann Rendahl [mailto:arendahl@wutc.wa.gov]
> > > Sent: Wednesday, November 01, 2006 12:12 PM
> > > To: Cecil, Erik
> > > Cc: Bob Williamson; csavage@crblaw.com; Anderl, Lisa; Thayer,
Rick;
> > Porter, Scott;
> > > Dethlefs, Thomas; Smith, Ted; Mike Sommerville
> > > Subject: Re: Electronic Copy of Level 3 and Qwest Washington Arb
> > Exhibit 67
> > >
> > > Yesterday, the Commission received electronic copies of Qwest's
> > responses
> > > to Level 3's data requests, including confidential responses.
What
> > appears
> > > to be missing are Qwest's original /initial responses to LSC01-001
> > though
> > > 020 and Qwest's responses to Level 3's Requests for Admission
> denoted
> > LSC
> > > 01A-001 though 016. To ensure that the electronic copies match
what
> > is in
> > > the paper exhibits, please send these electronically to the
> Commission
> > via
> > > the records center (records@wutc.wa.gov) and identify them as
> included
> > in
> > > Exhibit 67. Thank you!

> > >
> > > Ann E. Rendahl
> > > Administrative Law Judge
> > > Washington Utilities and Transportation Commission
> > > Tel: (360) 664-1144
> > > Fax: (360) 664-2654
> > >
> > >
> > >
> > > "Cecil, Erik"
> > > <Erik.Cecil@Level
> > > 3.com>
> > To
> > > "Smith, Ted"
> > <TSMITH@stoel.com>,
> > > 10/27/2006 07:57 "Dethlefs, Thomas"
> > > AM
> > <thomas.dethlefs@qwest.com>,
> > >
> > > "Anderl, Lisa"
> > > <Lisa.Anderl@qwest.com>
> > >
> > cc
> > > "Thayer, Rick"
> > > <Rick.Thayer@Level3.com>,
> "Ann
> > > Rendahl"
> > <arendahl@wutc.wa.gov>,
> > >
> > > "Bob Williamson"
> > > <BWilliam@wutc.wa.gov>,
> > > <csavage@crblaw.com>,
> "Porter,
> > > Scott"
> > <Scott.Porter@Level3.com>
> > >
> > Subject
> > > Electronic Copy of Level 3
> and
> > > Qwest Washington Arb
Exhibit
> 67
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> > > We will separately designate and file the electronic copies with
the
>
> > > records center according to WA Rules, but understand that we can

> email
> > > copies containing confidential information directly to those in
the
> > case
> > > who have signed the protective order.
> > >
> > > Erik Cecil
> > > Corporate Counsel
> > > Level 3 Communications, LLC
> > > 1025 Eldorado Boulevard
> > > Broomfield, CO 80021
> > > tel: (720) 888-1319
> > > fax: (720) 888-5134
> > > erik.cecil@level3.com
> > > www.level3.com
> > >
> > >
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> > >
> > > (See attached file: WA UT-063006 Jt. CLEC 02-006S1 Conf Attach A
Sw
> > Access
> > > Intrastate Billed Revenue 04 and 05.xls) (See attached file:
> > Confidential
> > > Attachment A #007S1 Universal Service Fund WA.xls) (See attached
> file:
> > L3C
> > > 01-002S2 CONFIDENTIAL ATTACHMENT C.pdf) (See attached file: L3C Set

1

> > Sups
> > > 050906 .pdf) (See attached file: WA 009S1 Confidential Attachment
> > A.xls)
> > > (See attached file: Qwest's response to L3C No 14S1 emailed
5-12-06
> > > Washington UT-063006 L3C .pdf) (See attached file: Washington
> UT-063006
> > L3C
> > > 01-014S1 Confidential Attachments A-K.pdf)
> >
> >
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