

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 5:**

Please identify any Washington statutes, regulations or other authorities that create any obligation by telecommunications carriers to file with the Washington State Utilities and Transportation Commission (“Commission”) a broader range of agreements than the definition of “interconnection agreement” contained in the FCC Order.

**RESPONSE:**

Objection. The question calls for a legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 6:**

Please identify any Washington statutes, regulations or other authorities that create any obligation by telecommunications carriers to file inter-carrier settlement agreements with the Commission.

**RESPONSE:**

Objection. The question calls for a legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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**QWEST DATA REQUEST TO STAFF NO. 7:**

Please identify any federal statutes, regulations or other authorities that create any obligation by telecommunications carriers to file inter-carrier settlement agreements with the Commission.

**RESPONSE:**

Objection. The question calls for a legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 8:**

Please identify any Washington statutes, regulations or other authorities that create any obligation by telecommunications carriers to publish or otherwise make inter-carrier settlement agreements available for public inspection, review, comment, approval or opt-in.

**RESPONSE:**

Objection. The question calls for a legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 9:**

Please identify any federal statutes, regulations or other authorities that create any obligation by telecommunications carriers to publish or otherwise make inter-carrier settlement agreements available for public inspection, review, comment, approval or opt-in.

**RESPONSE:**

Objection. The question calls for a legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 10:**

Please admit that Qwest was not required by any statute, regulation or other authority to file the agreements listed in Exhibit B to Commission Order No. 05 with the Commission for approval. If your response is anything other than an unqualified admission, please identify each statute, regulation or other authority supporting your answer.

**RESPONSE:**

Objection. The questions call for a legal conclusion rather than an admission of fact.

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**QWEST DATA REQUEST TO STAFF NO. 11:**

Please admit that Qwest is not required to file settlement agreements containing only “backward looking” terms with the Commission for approval.

**RESPONSE:**

Objection. The question calls for a legal conclusion rather than an admission of fact.

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**QWEST DATA REQUEST TO STAFF NO. 12:**

If your response to Qwest Data Request No. 11 is anything other than an unqualified admission, please explain why and under what circumstances Qwest is required to file settlement agreements containing only “backward looking” terms with the Commission for approval and identify all authorities on which the Staff relies for that position.

**RESPONSE:**

Objection. Please see response to Qwest Data Request No. 11.



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**QWEST DATA REQUEST TO STAFF NO. 15:**

Please admit that CLECs that wish to opt into approved interconnection agreement provisions pursuant to 47 U.S.C. § 251(i) must satisfy all reasonably related terms and conditions of the agreement or provision they wish to opt into. If your response is anything other than an unqualified admission, please identify each statute, regulation or other authority supporting your answer.

**RESPONSE:**

Objection. Calls for a legal conclusion rather than a factual admission.

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**QWEST DATA REQUEST TO STAFF NO. 16:**

Please admit that a CLEC that is unwilling or unable to satisfy all reasonably related terms and conditions of an agreement or provision it wishes to opt into may not then opt into that agreement or provision.

**RESPONSE:**

Objection. Calls for a legal conclusion rather than a factual admission.

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**QWEST DATA REQUEST TO STAFF NO. 17:**

If your response to Qwest Data Request No. 16 is anything other than an unqualified admission, please explain why the Staff does not agree with that statement and identify all authorities on which the Staff relies in support of its position.

**RESPONSE:**

Objection. Calls for a legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 18:**

Please admit that CLECs may not opt into interconnection agreement provisions pursuant to 47 U.S.C. § 251(i) unless those provisions have been approved by the Commission.

**RESPONSE:**

Objection. Calls for a legal conclusion rather than a factual admission.

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**QWEST DATA REQUEST TO STAFF NO. 19:**

Please admit that CLECs suffer no harm from the inability to opt into interconnection agreement provisions that would not have been approved by the Commission had they been filed in a timely manner.

**RESPONSE:**

Objection. The question is vague, ambiguous, and confusing and assumes facts not in evidence about a hypothetical situation where Staff is being asked to determine that there has not been any harm. Staff has no way to know if harm is suffered or not under the hypothetical scenario vaguely described.

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**QWEST DATA REQUEST TO STAFF NO. 20:**

If your response to Qwest Data Request No. 19 is anything other than an unqualified admission, please explain why the Staff does not agree with that statement and identify all authorities on which the Staff relies in support of its position.

**RESPONSE:**

Objection. Calls for a legal conclusion. See also response to Qwest Data Request to Staff No. 19.

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**QWEST DATA REQUEST TO STAFF NO. 21:**

Please admit that CLECs suffer no harm from the inability to opt into interconnection agreement provisions for which they would have been unable or unwilling to satisfy all reasonably related terms.

**RESPONSE:**

See response to Qwest Data Requests to Staff No. 19.

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**QWEST DATA REQUEST TO STAFF NO. 22:**

If your response to Qwest Data Request No. 21 is anything other than an unqualified admission, please explain why the Staff does not agree with that statement and identify all authorities on which the Staff relies in support of its position.

**RESPONSE:**

Objection. Calls for legal conclusion. See also response to Qwest Data Request to Staff No. 21.



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WITNESS: Thomas L. Wilson  
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**QWEST DATA REQUEST TO STAFF NO. 23:**

Please explain why settlements of backward-looking disputes between two carriers must, in the Staff's view, be made available for public inspection, review, comment, approval or opt-in.

**RESPONSE:**

Objection. Mischaracterizes Staff's view.

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**QWEST DATA REQUEST TO STAFF NO. 25:**

Please explain how, in the Staff's view, carriers who were not parties to the agreements listed in Exhibit B to Commission Order No. 05 would have or should have become aware of those agreements and their terms under the procedures that the Staff believes Qwest should have followed.

**RESPONSE:**

Objection, the question mischaracterizes Staff's view.

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**QWEST DATA REQUEST TO STAFF NO. 27:**

Please state whether it is the Staff's position that the settlement agreement described in this hypothetical must be filed with the Commission.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 28:**

If your answer to Qwest Data Request No. 27 is anything other than an unqualified “no,” please explain the reason(s) why the Staff contends that this hypothetical settlement agreement should be filed with the Commission, the authorities on which the Staff relies in support of that contention, and the procedures the Staff contends that Qwest should follow in complying with that obligation.

**RESPONSE:**

Objection. Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion. See also answer to data request number 27.

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**QWEST DATA REQUEST TO STAFF NO. 29:**

If your answer to Qwest Data Request No. 27 is anything other than an unqualified “no,” please explain whether the Commission would, in the Staff’s view, have the obligation or authority to approve, disapprove or modify this hypothetical settlement agreement and, if so, the authorities conferring that authority or obligation.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 30:**

If your answer to Qwest Data Request No. 27 is anything other than an unqualified “no,” please explain the standard(s) the Commission would be authorized or obliged, in the Staff’s view, to apply in deciding whether to approve, reject or modify this hypothetical settlement agreement.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 31:**

If the Staff contends that the Commission has the authority to approve the hypothetical settlement agreement, please identify the right(s), terms and/or provisions other carriers could adopt or opt into upon approval and explain how those other carriers would do so.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 32:**

If the Staff contends that the Commission has the authority to reject the hypothetical settlement agreement, please explain whether Qwest and CLEC A would then be precluded from resolving their dispute on those terms.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.



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**QWEST DATA REQUEST TO STAFF NO. 33:**

If the Staff contends that the Commission has the authority to modify the hypothetical settlement agreement, please explain whether Qwest and CLEC A would then be required to resolve their dispute on the modified terms.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 34:**

Please state whether it is the Staff's position that the settlement agreement described in this hypothetical must be published or otherwise made available to other carriers for inspection, review, approval or opt-in.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 35:**

If your answer to Qwest Data Request No. 34 is anything other than an unqualified “no,” please explain the reason(s) why the Staff contends that this hypothetical settlement agreement must be published or otherwise made available to other carriers for inspection, review, approval or opt-in, the authorities on which the Staff relies in support of that contention, and the procedures the Staff contends that Qwest should follow in complying with that obligation.

**RESPONSE:**

See answer to DR No. 34.

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**QWEST DATA REQUEST TO STAFF NO. 36:**

If the Staff contends that Qwest is obliged to publish this hypothetical settlement agreement or otherwise make it available to other carriers for inspection, review, approval or opt-in, please identify the right(s), terms and/or provisions other carriers could adopt or opt into upon approval and explain how those other carriers would do so.

**RESPONSE:**

See answer to DR No. 34.

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**QWEST DATA REQUEST TO STAFF NO. 37:**

If the Staff contends that Qwest is obliged to publish this hypothetical settlement agreement or otherwise make it available to other carriers for inspection, review, approval or opt-in, please explain whether other carriers' right to adopt or opt into the right(s), terms and/or provisions of this hypothetical settlement agreement would change, affect or define Qwest's rights in connection with disputes it has with other carriers relating to matters other than minutes of usage.

**RESPONSE:**

See answer to DR No. 34.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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**QWEST DATA REQUEST TO STAFF NO. 38:**

Please explain whether, in the Staff's view, Commission approval or other publication of this hypothetical settlement agreement would require Qwest to resolve all disputes with all CLECs relating to minutes of usage.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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**QWEST DATA REQUEST TO STAFF NO. 39:**

If your response to Qwest Data Request No. 38 is anything other than an unqualified “no,” please explain the terms on which Commission approval or other publication of this hypothetical settlement agreement would require Qwest to resolve all disputes with all CLECs relating to minutes of usage.

**RESPONSE:**

See answer to DR No. 38.

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**QWEST DATA REQUEST TO STAFF NO. 40:**

If your response to Qwest Data Request No. 38 is anything other than an unqualified “no,” please explain whether the publication or approval of this hypothetical settlement agreement would require Qwest to settle some or all future disputes with CLEC A relating to minutes of usage, whatever the facts or circumstances of the particular dispute.

**RESPONSE:**

See answer to DR No. 38.



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**QWEST DATA REQUEST TO STAFF NO. 41:**

If your response to Qwest Data Request No. 38 is anything other than an unqualified “no,” please explain whether the publication or approval of this hypothetical settlement agreement would require Qwest to settle some or all future disputes with other carriers relating to minutes of usage, whatever the facts or circumstances of the particular dispute.

**RESPONSE:**

See answer to DR No. 38.

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**QWEST DATA REQUEST TO STAFF NO. 42:**

Please explain whether, in the Staff's view, Commission approval or other publication of this hypothetical settlement agreement would require Qwest to resolve any dispute with any other CLEC relating to matters other than minutes of usage.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 43:**

If your response to Qwest Data Request No. 42 is anything other than an unqualified “no,” please identify the authorities on which the Staff relies for its contention that Commission approval or other publication of this hypothetical settlement agreement in any way alters or defines Qwest’s right or ability to resolve disputes relating to matters other than minutes of usage.

**RESPONSE:**

See answer to DR No. 42.

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**QWEST DATA REQUEST TO STAFF NO. 44:**

If your response to Qwest Data Request No. 42 is anything other than an unqualified “no,” please explain how Commission approval or other publication of this hypothetical settlement agreement alters or defines Qwest’s right or ability to resolve disputes relating to matters other than minutes of usage.

**RESPONSE:**

See answer to DR No. 42.

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**QWEST DATA REQUEST TO STAFF NO. 45:**

Please explain whether, and if so how, failure by Qwest or CLEC A to file or publish this hypothetical settlement agreement would or could harm other carriers with existing disputes relating to minutes of usage.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 46:**

Please explain whether, and if so how, failure by Qwest or CLEC A to file or publish this hypothetical settlement agreement would or could harm other carriers that have existing disputes with Qwest relating to issues other than minutes of usage (assume that these other carriers do not also have a minutes of usage dispute).

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 47:**

Please explain whether, and if so how, failure by Qwest or CLEC A to file or publish this hypothetical settlement agreement would or could harm other carriers that have no existing disputes with Qwest.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question and calls for legal conclusion.

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**QWEST DATA REQUEST TO STAFF NO. 54:**

Please state whether the Staff considers Qwest's decision to remove these calls from the customer's bill to be discrimination by that carrier against other retail customers and, if so, please identify the authorities on which the Staff relies in support of its position.

**RESPONSE:**

Objection. Speculative, insufficient information provided to answer the question, question vague as to which authority Qwest is referring to and calls for legal conclusion.



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**QWEST DATA REQUEST TO STAFF NO. 55:**

If your response to Qwest Data Request No. 54 is anything other than an unqualified “no,” please explain the circumstances under which, in the Staff’s view, billing adjustments by carriers to retail customers constitute discrimination by that carrier against other retail customers, and identify the authorities on which the Staff relies in support of its position.

**RESPONSE:**

See answer to DR 54.

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**QWEST DATA REQUEST TO STAFF NO. 56:**

If your response to Qwest Data Request No. 54 is an unqualified “no,” please explain whether, in the Staff’s view, billing adjustments by carriers to wholesale customers constitute discrimination by that carrier against other wholesale customers, and identify the authorities on which the Staff relies in support of its position.

**RESPONSE:**

See answer to DR 54.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 57:**

If your responses to Qwest Data Request Nos. 54 and 56 reflect any difference in the Staff's position regarding billing adjustments for retail versus wholesale customers, please explain the bases for any such differences and identify the authorities on which the Staff relies to justify those differences.

**RESPONSE:**

See answer to DR 54.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 58:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 1 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 59:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 2 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 60:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 3 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 61:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 4 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 62:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 5 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 63:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 6 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 64:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 7 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC



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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 65:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 8 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 66:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 9 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 67:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 10 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 68:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 12 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 69:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 16 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 70:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 17 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 71:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 18 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 72:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 19 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 73:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 20 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 74:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 21 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 75:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 23 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 76:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 25 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC



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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 77:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 26 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 78:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 27 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 79:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 28 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 80:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 29 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC



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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 81:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 30 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 82:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 31 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 83:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 32 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
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j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 84:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 33 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 85:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 34 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 86:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 35 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 87:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 36 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 88:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 40 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC



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TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 89:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 41 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 90:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 42 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 91:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 44 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 92:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 45 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
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j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 93:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 46 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 94:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 47 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 95:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 48 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC

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RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 96:**

Please provide the following information with respect to the agreement attached as Exhibit A, Agreement No. 52 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that this agreement constitutes an "interconnection agreement" under the definition set forth in the FCC Order.
- b. Please state the date by which the Staff contends that Qwest should have filed this agreement with the Commission.
- c. Please state whether the Staff contends that the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of 47 U.S.C. § 252(e), 47 U.S.C. § 252(i), RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and produce all documents in the Staff's possession, custody or control demonstrating that the CLEC



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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

could have satisfied all terms legitimately related to those the Staff knows or believes the CLEC would have sought to opt into.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

k. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control as of the date of these Requests that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 97:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 1 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 98:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 2 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 99:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 3 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 100:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 4 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 101:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 5 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

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REQUESTER: Qwest

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 102:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 6 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 103:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 7 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 104:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 8 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 105:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 9 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 106:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 10 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

i. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 107:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 11 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 108:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 12 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and



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DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 109:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 13 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 110:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 14 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED:	July 6, 2004	WITNESS:	Thomas L. Wilson
CASE NO.:	UT-033011	RESPONDER:	Thomas L. Wilson
REQUESTER:	Qwest	TELEPHONE:	(360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 111:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 15 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 112:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 16 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and



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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 113:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 17 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 114:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 18 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 115:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 19 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

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RESPONDER: Thomas L. Wilson  
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produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 116:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 20 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and



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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED: July 6, 2004  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 117:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 21 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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DATE PREPARED:	July 6, 2004	WITNESS:	Thomas L. Wilson
CASE NO.:	UT-033011	RESPONDER:	Thomas L. Wilson
REQUESTER:	Qwest	TELEPHONE:	(360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 118:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 22 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

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RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 119:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 23 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and

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produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
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WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 120:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 24 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.
- i. For each CLEC identified in your response to subpart f above, please identify all facts and



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REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 121:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 25 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

i. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

**QWEST DATA REQUEST TO STAFF NO. 122:**

Please provide the following information with respect to the agreement attached as Exhibit B, Agreement No. 26 to Commission Order No. 05:

- a. Please state the basis for the Staff's belief that Qwest was required to publish this agreement or otherwise make this agreement available for inspection, review, approval or opt-in.
- b. Please state the date by which the Staff contends that Qwest should have published this agreement or otherwise made this agreement available for inspection, review, approval or opt-in.
- c. Please state whether the Staff contends that Commission approval would have been necessary for this agreement to take effect and, if so, if the Commission would have approved this agreement had Qwest filed it in what the Staff would consider a timely manner.
- d. If your response to subpart c above is anything other than an unqualified "yes," please state the reasons why the Staff contends that the Commission would not have approved this agreement and the authorities supporting that position.
- e. Please explain the bases for Mr. Wilson's calculation, in Exhibit TW-72 to his testimony, of the number of days the Staff deems Qwest to have been in violation of RCW 80.36.170, RCW 80.36.180, and RCW 80.36.186.
- f. Please identify all Washington-certificated CLECs that the Staff knows or believes would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- g. For each CLEC identified in your response to subpart f above, please identify all bases for the Staff's knowledge or belief that the CLEC would have sought to adopt or opt into any provision of this agreement had it been filed in what the Staff would consider a timely manner.
- h. For each CLEC identified in your response to subpart f above, please identify the provision(s) that the Staff knows or believes that CLEC would have sought adopt or to opt into had the agreement been filed in what the Staff would consider a timely manner.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282

i. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control identifying, defining or quantifying or attempting to identify, define or quantify any harm the CLEC suffered or may have suffered as a result of Qwest's alleged failure to file this agreement in what the Staff would consider a timely manner.

j. For each CLEC identified in your response to subpart f above, please identify all facts and produce copies of all documents in the Staff's possession, custody or control that in any way suggest that the CLEC could have or would have changed its business model or modified its business behavior in any way had Qwest filed this agreement in what the Staff would consider a timely manner.

**RESPONSE:**

Objection to "a" and "b". Mischaracterizes Staff's position and calls for legal conclusion.  
Objections to "c" and "d". Speculative, insufficient information provided to answer the question and calls for legal conclusion.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION STAFF  
RESPONSE TO DATA REQUEST

DATE PREPARED: July 6, 2004  
CASE NO.: UT-033011  
REQUESTER: Qwest

WITNESS: Thomas L. Wilson  
RESPONDER: Thomas L. Wilson  
TELEPHONE: (360) 664-1282