

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AT&T COMMUNICATIONS OF
THE PACIFIC NORTHWEST, INC.,
TCG SEATTLE, AND TCG OREGON;
AND TIME WARNER TELECOM OF
WASHINGTON, LLC,

Complainants,

v.

QWEST CORPORATION,

Respondent.

Docket No. UT-051682

JOINT NARRATIVE IN SUPPORT OF
SETTLEMENT AGREEMENT

- 1* Pursuant to WAC 480-07-740(2), this Narrative Supporting Settlement Agreement (“Narrative”) summarizes the confidential Settlement Agreement that is being filed concurrently with this Narrative. It is not intended to modify any terms of the Settlement Agreement.

- 2* This docket concerns disputes between AT&T Communications of the Pacific Northwest, Inc., TCG Seattle and TCG Oregon (collectively “AT&T”) and Qwest Corporation (“Qwest”) concerning certain agreements that Qwest entered into with other competitive local exchange

carriers (“CLECs”), and AT&T’s allegations that those agreements were not made available to it under the provisions of 47 U.S.C. 252(i).¹ Qwest has denied the allegations in the complaint and has filed a motion to dismiss on various grounds. That motion is pending, and the procedural schedule is currently suspended at the Parties’ request.

3 AT&T and Qwest have agreed to settle and compromise the disputes by entering into a confidential Settlement Agreement. The Settlement Agreement resolves the past issues in Washington and similar disputes in eight other jurisdictions as well, and further settles claims that Qwest has brought against AT&T in other states.

4 Under the terms of the Settlement Agreement, Qwest agrees to pay a confidential sum in monetary compensation to AT&T. Both Parties agree to release certain claims that they have against each other, including the claims that AT&T raised in its complaints in this proceeding. The Settlement Agreement also includes provisions that address and resolve claims that were not raised or otherwise presented to this Commission for resolution.

5 This matter is within the jurisdiction of the Commission. The Settlement Agreement resolves the issues raised in AT&T’s complaint. The Parties assert that the Agreement is in the public interest because the complaint generally raises intercarrier issues that are specific to the Parties and do not directly impact consumers or other carriers. Early resolution of the Parties’ dispute conserves limited Party and Commission resources that would otherwise be devoted to litigating AT&T’s claims.

6 AT&T and Qwest have filed a joint motion requesting expedited Commission approval of the confidential Settlement Agreement. The Parties do not believe that a hearing on the Settlement Agreement is necessary but will provide witnesses in support of the Settlement if requested to

¹ Time Warner Telecom of Washington LLC (“Time Warner”) was a party to the original complaint that was dismissed by Commission Order No. 04. Time Warner is not a party to the amended complaint that is currently pending in this docket and is not a party to the settlement agreement that is the subject of this narrative.

do so by the Commission.

DATED this 28th day of November, 2007.

Qwest Corporation

AT&T

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