

Open Product/Process CR PC102704-1ES Detail

Title: New Revised title effective 1/11/05: Certain Unbundled Network Elements (UNE) Product Discontinuance (see Description of Change for previous title)

CR Number	Current Status Date	Area Impacted	Products Impacted
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PC102704-1ES	CLEC Test 11/9/2006	Provisioning, Ordering	See Description of Change
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Originator: Whitt, Michael

Originator Company Name: Qwest Corporation

Owner: Buckmaster, Cindy

Director: Hooks, Perry

CR PM: Esquibel-Reed, Peggy

Description Of Change

Revised Description of Change effective 3/1/05:

This CR will be implemented as a product/process CR as there are no CLEC facing system changes.

This CR details changes to availability of certain Unbundled Network Elements (UNE) products.

The following UNE products are no longer available to CLECs unless the most current effective version of the CLEC's Interconnection

Agreement (ICA) of Amendment includes terms, conditions, and pricing for the products before 6/14/04.

Unbundled Network Element (UNE)- Switching (UBS) <http://www.qwest.com/wholesale/pcat/unswitch.html>

Unbundled Network Elements- Platform (UNE-P)-General Information <http://www.qwest.com/wholesale/pcat/unep.html>

Unbundled Network Elements - Platform (UNE-P) - Integrated Services Digital Network (ISDN) Basic Rate Interface (BRI)

<http://www.qwest.com/wholesale/pcat/unepisdnbri.html>

Unbundled Network Elements-Platform (UNE-P)-Centrex <http://www.qwest.com/wholesale/pcat/unepcentrex.html>

Unbundled Network Elements-Platform (UNE-P)-Public Access Lines (PAL) <http://www.qwest.com/wholesale/pcat/uneppal.html>

Unbundled Network Elements- Platform (UNE-P)- Private Branch Exchange (PBX)

Trunks <http://www.qwest.com/wholesale/pcat/uneppbx.html>

Unbundled Network Elements - Platform (UNE-P)-Plain Old Telephone Service (POTS) <http://www.qwest.com/wholesale/pcat/uneppots.html>

Unbundled Network Elements - Platform (UNE-P) - Digital Switched Service (DSS) <http://www.qwest.com/wholesale/pcat/unepdss.html>

Unbundled Network Elements -Platform (UNE-P) - Integrated Services Digital Network (ISDN) Primary Rate Interface (PRI)

<http://www.qwest.com/wholesale/pcat/unepisdnpri.html>

The remaining products on this CR are being revised due to changes based on the FCC Order received 2/4/05. The following products will be revised and will be noticed on a future date associated with this change request.

Unbundled Local Loop-General Information

Unbundled Local Loop-Digital Signal Level 1 (DS1) Capable Loop

Unbundled Local Loop-Digital Signal Level 3 (DS3) Capable Loop

Enhanced Extended Loop (EEL)

Loop MUX Combination (LMC)

Unbundled Dark Fiber (UDF)

Unbundled Dedicated Interoffice Transport (UDIT)

Unbundled Customer Controlled Rearrangement Element (UCCRE)

As always, any future changes of law may impact this notification and will be supported by the applicable notification.

Expected Deliverables/Proposed Implementation Date (if applicable):

Implement PCAT changes retroactive to 6-15-04 subject to CMP Guidelines

Revised Description of Change effective 1/11/05:

This CR will be implemented as a product/process CR as there are no CLEC facing system changes.

This CR details changes to availability of certain Unbundled Network Elements (UNE) products.

The following UNE products are no longer available to CLECs unless the most current effective version of the CLEC's Interconnection Agreement (ICA) of Amendment includes terms, conditions, and pricing for the products before 6/14/04.

-All Enterprise and Mass Market Unbundled Network Elements Switching (UBS) products, detailed in the following Product Catalog

(PCAT): <http://www.qwest.com/wholesale/pcat/unswitch.html>

-All Enterprise and Mass Market Unbundled Network Elements-Platform (UNE-P) products, detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/unep.html>

-DS1 Unbundled Loop detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/unloopds1caploop.html>

-DS3 Unbundled Loop detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/unloopds3caploop.html>

-Unbundled Dark Fiber (UDF), including E-UDF and Meet-Point UDF, detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/darkfiber.html>

-DS1 and DS3 Unbundled Dedicated Interoffice Transport (UDIT), including E-UDIT and M-UDIT, detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/udit.html>

-DS1 and DS3 Enhanced Extended Loop (EEL) detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/eel.html>

-Unbundled Customer Controlled Rearrangement Element (UCCRE) detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/uccre.html>

-DS1 and DS3 Loop Mux Combo detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/lmc.html>

As always, any future changes of law may impact this notification and will be supported by the applicable notification.

Expected Deliverables/Proposed Implementation Date (if applicable):

Implement PCAT changes retroactive to 6-15-04 subject to CMP Guidelines

Previous Title and CR Description of Change - see below for information prior to 1/10/05. This CR was Revised on 1/11/05

Previous Title:

U.S. Court of Appeals for the DC Circuit decision (USTA II) Decision No. 00-1012, and FCC Interim Rules Compliance: Certain Unbundled Network Elements (UNE) Product Discontinuance

Previous Description of Change:

This CR will be implemented as a product/process CR as there are no CLEC facing system changes.

This CR details changes to availability of certain Unbundled Network Elements

(UNE) products pursuant to the U.S. Court of Appeals for the DC Circuit decision 00-1012 ('USTA II') which vacated some of the FCC's unbundling rules, and the subsequent FCC Interim Rules which preserved some of the unbundling rules vacated in USTA II.

In accordance with these orders and findings, the following UNE products are no longer available to CLECs unless the most current, effective version of the CLEC's Interconnection Agreement (ICA) or Amendment includes terms, conditions, and pricing for the products before 6/15/04:

-All Enterprise and Mass Market Unbundled Network Elements Switching (UBS) products, detailed in the following Product Catalog (PCAT): <http://www.qwest.com/wholesale/pcat/unswitch.html>

-All Enterprise and Mass Market Unbundled Network Elements-Platform (UNE-P) products, detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/unep.html>

-DS1 Unbundled Loop detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/unloops1caploop.html>

-DS3 Unbundled Loop detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/unloops3caploop.html>

-Unbundled Dark Fiber (UDF), including E-UDF and Meet-Point UDF, detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/darkfiber.html>

-DS1 and DS3 Unbundled Dedicated Interoffice Transport (UDIT), including E-UDIT and M-UDIT, detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/udit.html>

-DS1 and DS3 Enhanced Extended Loop (EEL) detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/eel.html>

-Unbundled Customer Controlled Rearrangement Element (UCCRE) detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/uccre.html>

-DS1 and DS3 Loop Mux Combo detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/lmc.html>

Expected Deliverables/Proposed Implementation Date (if applicable):

Retroactive to 6/15/04 pursuant to FCC Interim Rules, subject to CMP Guidelines.

Status History

10/27/04: CR Received

10/29/04: CR Acknowledged

10/29/04: Customer contacted / clarification held

10/29/04 - CMPR.10.29.04.F.02250.Regulatory_CR_FCC_Interim

11/02/04 - CMPR.11.02.04.F.02261.Regulatory_CR_FCC_Interim

11/04/04 - Revised the CR to remove regulatory classification

11/04/04 - CMPR.11.04.04.F.02273.Regulatory_CR_FCC_Interim

11/09/04 - CMPR.11.09.04.F.02287.Escalation Notification

11/9/04 - Escalation received/posted to web <http://www.qwest.com/wholesale/cmp/escalations.html>

11/10/04 - Revised the CR title, description, scope in the database

11/17/04 - November CMP Meeting minutes will be posted to the database

12/15/04 - December CMP Meeting minutes will be posted to the database

1/4/05 - Oversight Meeting held URL for Oversight: <http://www.qwest.com/wholesale/cmp/coc.html>

1/10/05 - Oversight Meeting held URL for Oversight: <http://www.qwest.com/wholesale/cmp/coc.html>

1/11/05 - Added url to Status History for Escalation and Oversight Meeting information and documentation. Please review the below url for additional project information.

URL for Escalations: <http://www.qwest.com/wholesale/cmp/escalations.html>

URL for Oversight: <http://www.qwest.com/wholesale/cmp/coc.html>

1/18/05 - CMPR.01.18.05.F.02487.AdHocMeeting

01/19/2005 - Discussed in the January Product Process Monthly CMP Meeting

01/25/2005 - Ad Hoc Meeting Held

02/01/2005 - PROD.02.01.05.F.02515.MultiplePCATs_CR Related

02/16/2005 - Discussed in the February Product Process Monthly CMP Meeting

03/01/2005 - Revision made to CR

03/03/2005 - PROD.03.03.05.F.02628.FNL-MultiplePCATs_CR_Rel (Final Notice and Qwest Response to Comments)

03/16/2005 - Discussed in the Monthly Product/Process CMP Meeting

03/21/2005 - Status Changed to CLEC Test, as agreed at the March CMP Meeting, Due to the Implementation of Part 1.

04/20/2005 - Discussed in the Monthly Product/Process CMP Meeting

05/18/2005 - Discussed in the Monthly Product Process CMP Meeting

06/14/2005 - CMPR.06.14.05.F.03015.TRRO_TRRO_Ad_Hoc_Meeting

06/15/2005 - Discussed in the Monthly Product Process CMP Meeting

06/20/2005 - CMPR..6.20.05.F.03042.AdHocMeetingRescheduled

06/30/2005 - Ad Hoc Meeting Held

07/20/2005 - Discussed in the Monthly Product Process CMP Meeting

08/17/2005 - Discussed in the Monthly Product Process CMP Meeting

09/21/2005 - Discussed in the Monthly Product Process CMP Meeting

09/29/2005 - PROS.09.29.05.F.03322.TRRO_USERID_Passwaord

10/19/2005 - Discussed in the Monthly Product Process CMP Meeting

10/25/2005 - PROD.10.25.05.F.03400.TRRO_EEL_V2

11/16/2005 - Discussed in the Monthly Product Process CMP Meeting

12/14/2005 - Discussed in the Monthly Product Process CMP Meeting

01/18/2006 - Discussed in the Monthly Product Process CMP Meeting

11/09/2006 - Status Changed from Deferred to CLEC Test, for Discussion in the November 15, 2006 CMP Meeting

Project Meetings

January 18, 2006 Monthly Product Process CMP Meeting Discussion: Jill Martain-Qwest stated that this is the CR for the TRO work and because there has been no change in the status, for several months, she would like to put the CR in a Deferred Status. Jill stated that when it is time for the PCAT updates, this CR would move out of Deferred. There was no dissent to moving this CR to Deferred. Kim Isaacs-Eschelon stated that there was a notice out today for TRRO and asked if that was separate from this effort. Jill Martain-Qwest stated that it was separate and that it was a non-CMP Notice. (1/27/05 - Comments to Minutes Received from Eschelon: Jill Martain-Qwest stated that the TRRO notices sent today was for CLECs that had signed the TRRO Amendment.

- December 14, 2005 Monthly Product Process CMP Meeting Discussion: Jill Martain/Qwest stated that this is still unchanged and that Qwest is still waiting for the SGATs, as previously discussed. This CR remains in Development Status.

- November 16, 2005 Monthly Product Process CMP Meeting Discussion: Jill Martain/Qwest stated that there is no change from the previous month. This CR remains in Development Status.

December 4, 2006

Page 7

-- October 19, 2005 Monthly Product Process CMP Meeting Discussion: Jill Martain/Qwest stated that there is no new status for this CR. Liz Balvin/Covad noted that the CLECs do now have access to the secret PCATs.

September 21, 2005 Monthly Product Process CMP Meeting Discussion: Jill Martain/Qwest stated that there was no change on this CR and that we are still in a hold mode. Liz Balvin/Covad stated that she had a question on a Process Notification on the TRRO Product and Service Log On. Jill Martain/Qwest said that she believed that notice was a Non CMP Notice. Liz Balvin/Covad said that they feel the General Notice should have been a CMP Notice because it was the result of a CR. She said that it did not come out in a notice fashion with an effective date of 10/3. Liz said that she can't comprehend how Qwest can determine that you can only look at a PCAT when an amendment is signed. Liz said that she was confused because she thought it was a process change that Qwest was trying to implement. Liz said that the TRRO does not allow Qwest to restrict the ability to send in orders. Liz said that she would like to formally object to the process Qwest is trying to implement. Jill Martain/Qwest stated that she would like to take this discussion offline with Covad. Jill said that this stemmed from a Product/Process CR where we agreed in an adhoc meeting, held on June 30, 2005 (see PC102704-1ES for meeting minutes) that the TRRO PCATs would be provided separately. She also said that Qwest and the CLECs agreed Qwest would not update the CMP controlled PCAT documents until the SGATs were approved. Liz Balvin/Covad said that restricting access gives the appearance of preferential treatment. Jill Martain/Qwest stated that she would like to get the appropriate people together and discuss offline. Bonnie Johnson/Eschelon said that they would like to be included in the discussions. Liz Balvin/Qwest stated that it is inappropriate to restrict access to PCATs and that they have a concern with the effective date. Sue Wright/XO Communications stated that they have a concern as well. She said that they are concerned that Qwest would be implementing differences in process based on the CLEC. Nancy Sanders/Comcast said that they are concerned too. Julie Pickar/TDS Metrocom is concerned. Liz Balvin/Covad stated that the PCATs are not binding and that an adhoc meeting is needed to discuss these concerns. Jill Martain/Qwest stated that we have noted these concerns and will get back with the CLECs. Liz Balvin/Covad asked if she should escalate via the CMP Process. Jill Martain/Qwest said no and that we have their concerns noted.

- August 17, 2005 Monthly Product Process CMP Meeting discussion: Jill Martain-Qwest stated that there is no change to the status and remains in Development.

July 20, 2005 Monthly Product Process CMP Meeting discussion: Jill Martain-Qwest stated that an adhoc meeting was held to communicate the proposal on how we will move forward and that we will continue down that path. Jill said that this CR will remain in Development.

- June 30, 2005 Ad Hoc Meeting Minutes: Attendees: Rosalin Davis-MCI, Chad Warner-MCI, Chris Terrell-AT&T, Greg Diamond-Covad, Tom Hyde-Cbeyond, Jeff Sonnier-Sprint, Bonnie Johnson-Eschelon, Doug Henney-Eschelon, Liz Balvin-Covad, Kim Isaacs-Eschelon

Cindy Buckmaster-Qwest said that Qwest suggested this Ad-Hoc meeting to help communicate our implementation plans for the TRO/TRRO. She said that many of the CLECs are interested in the implementation of the rules laid out in the orders and may have questions. Cindy said the CLECs likely agree that these orders cover numerous products and processes, not to mention availability and even eligibility. Cindy said that Qwest is

developing template language that encompasses our obligations under the TRO/TRRO and that we will be filing that template language with the states in the months to come. She said that the normal filing process will be followed likely allowing a comment period from interested parties. Cindy said that in the meantime, our negotiations team will negotiate the amendment or full template with interested CLECs. Cindy said that negotiation combined with State approval of our template language that is necessary to finalize applicable language and/or processes. Cindy said that in order to most effectively and efficiently work through that process, we believe that it is best to further delay announcements of process or product changes related to these orders via CMP until such time as the language is finalized and will impact all CLECs. She said that no TRO/TRRO changes to products or processes will be made across the board until such language is final. Cindy said, as mentioned earlier, we will implement product and process changes only as you sign the amendment or template language, through the change of law provisions that are outlined in your individual contracts. She said that the CLECs, at that time, will be provided with individual Product Catalogs (PCATs) and Business Procedures that are in alignment with their current language so that they can determine any changes to the way you do business with Qwest. Tom Hyde-Cbeyond stated that this plan sounds logical and asked when Qwest could share a draft or final version of the language to review before negotiating. Cindy Buckmaster-Qwest said that Candice Mowers (Qwest) is closer to the filings and this Qwest effort. Candice Mowers-Qwest stated that with the SGAT, there are no filings scheduled yet and with the number of changes, getting language is quite a task. Candice said that there is a negotiations template and a TRO Remand Compliance template on the Qwest Wholesale Website at www.Qwest.com/wholesale/clecs/amendments.html. Candice said that when the CLECs want to begin negotiations, they can contact the Qwest negotiations team. Tom Hyde-Cbeyond said that they would like to review and schedule negotiations. Candice Mowers-Qwest said that this was a good idea and to wait until the last minute will be a push. Tom Hyde-Cbeyond stated that he would download and review the information. The following question was raised in the meeting: What does this have to do with QPP? Cindy Buckmaster-Qwest said that this has nothing to do with QPP. She said that the QPP Commercial Agreements are on the same website and will remain there. Liz Balvin-Covad summarized that the purpose of this meeting was to relay information on the TRO negotiations, the templates are out there for review and that the PCATs won't be updated until the final language is approved. Cindy Buckmaster-Qwest stated that we did not want to make process changes that will impact a lot of you and that we will honor your contracts. She said we will share documents as process changes are made. The following question was asked in the meeting: Does this have anything to do with PC102704-1ES. Cindy Buckmaster-Qwest said that this CR was opened as a way to communicate changes in the TRO/TRRO. She said that there are more changes coming and the CR is the means to share those changes. Cindy said that the CR was initially issued when the TRO came out and had changes. She said that we had to pull back some of the PCATs but will keep the CR open until we can finish CR. Tom Hyde-Cbeyond said that he understood the format and information can be used on the website. Cindy Buckmaster-Qwest stated that the next steps depend on where each Company is. She said that they can go to the web, study and start negotiations. Cindy said that if you don't want involvement, they could do nothing. She said that as SGAT language changes, we will have a comment period and that the States will engage you when decisions are made. Cindy also said that PCAT changes will be brought through CMP. There were no additional questions or comments.

- June 15, 2005 Monthly Product Process CMP Meeting discussion: Jill Martain-Qwest stated that an ad hoc meeting had been scheduled for June 22nd for discussion of Qwest's direction as a result of the order and to discuss how Qwest would like to move forward. Bonnie Johnson-Eschelon stated that she needs to know who to invite to this meeting and asked for further explanation of the discussion intent. Bonnie then noted that this

meeting conflicts with Eschelon's schedule. Bonnie then asked who the Qwest participants would be and asked if there was an agenda. Jill Martain-Qwest stated that the Qwest participants would be Product Managers and stated that the meeting is to discuss how Qwest CMP would like to move forward with the CMP CRs. Bonnie Johnson-Eschelon asked whom the CLECs should invite to participate and asked if they should include systems people or regulatory people. Jill Martain-Qwest stated that the discussion should not need systems type people and stated that in regard to regulatory participants; she did not know. Qwest wants to discuss how Qwest would like to move forward from a CMP perspective. Bonnie Johnson-Eschelon stated that it might be a good idea that those involved in TRO or with the change of law participate. Jill Martain-Qwest stated that the meeting was not regarding the interpretation of the rules; rather how Qwest would like to move forward with the implementation of the process as it related to CMP Liz Balvin-Covad stated that she is also on vacation on June 22nd and could have a back-up at the meeting. Jill Martain-Qwest stated that the meeting could be rescheduled. Bonnie Johnson-Eschelon stated that June 27th would work for Eschelon and noted that Tuesday's and Wednesday's were not good for Eschelon. Jill Martain-Qwest asked if June 30th would work. Bonnie Johnson-Eschelon stated yes. Liz Balvin-Covad also said yes. Jill Martain-Qwest stated that Qwest would see if the meeting could be rescheduled for June 30th and stated that if it could not, Qwest would look at other meeting options. There were no additional comments or questions.

-- COMMUNICATOR EXCERPT June 14, 2005 Announcement Date: June 14, 2005 Effective Date: Immediately Notification Number: CMPR.06.14.05.F.03015.TROTRROAdHocMeeting Notification Category: Change Management Notification Target Audience: CLECs, Resellers Subject: CMP-TRO/TRRO Documentation Publishing Ad Hoc Meeting Associated CR # or System Name and Number: Qwest-PC102704-1ES Certain Unbundled Network Elements (UNE) Product Discontinuance

Description of the Issue and Reason for Calling an Ad Hoc Meeting Pursuant to Section 3.0 of the Qwest Wholesale Management Process document, <http://www.qwest.com/wholesale/cmp/whaticmp.html> the purpose of this notification is to alert the CMP community that Qwest will conduct an ad hoc meeting for further discussion of the Qwest submitted Change Request, PC102704-1ES.

Logistics for the Ad Hoc Meeting: Date: Wednesday, June 22, 2005 Time: 12:00 p.m. MT Conference Bridge: 1-877-564-8688 Conference ID 8571927#

Supporting Material: Change Request PC102704-1ES is contained in the Product Process Interactive Report posted to the Qwest Web site at <http://www.qwest.com/wholesale/cmp/changerequest.html>.

If you have any questions or comments about this notification, please contact Peggy Esquibel-Reed, Qwest Change Request Project Manager, at Peggy.Esquibel-Reed@qwest.com or 303.382.5761.

Sincerely, Qwest

May 18, 2005 Monthly Product Process CMP Meeting discussion: Peggy Esquibel Reed-Qwest stated that this was effective on March 18th for some products and was moved back to development for the implementation of the remaining products. Peggy stated that she was not aware of a date yet. Peggy then noted that the CR would remain in Development status. Liz Balvin-Covad stated that the actual amendment notice is now available and so is the appendix A sheet. Jill Martain-Qwest stated that we would check with Cindy (Buckmaster-Qwest) offline.

April 20, 2005 Product Process CMP Meeting Discussion: Peggy Esquibel Reed-Qwest stated that this CR is in CLEC Test due to the effective date of March 18th for the first set of products and stated that Qwest would like to move the CR back to Development status for the implementation of the remaining products. Liz Balvin-Covad asked if there was a timeline for the changes in law provisions. Jill Martain-Qwest stated that there are no dates yet. There was no dissent to the CR moving back to Development status.

- March 16, 2005 Product Process CMP Meeting Discussion: Cindy Buckmaster-Qwest stated that this CR will be effective on March 18th and that she would like to move the CR to CLEC Test on the 18th. Jill Martain-Qwest stated that she was okay moving this CR to CLEC Test on the 18th, but then would like it moved back to Development status for the rest of the piece. Bonnie Johnson-Eschelon stated that she was okay with this moving to CLEC Test on the 18th, for those that are effective on the 18th. [Comment received from Eschelon: but does not think it is appropriate to do so before 3/18.] Cindy Buckmaster-Qwest agreed. Jill Martain-Qwest stated that this CR would move to CLEC Test on March 18th, then when the other notices go out for the rest of the CR, the status would change to Development.

- February 16, 2005 Product Process CMP Meeting Discussion: Jill Martain-Qwest stated that when the final rulings came out, we received feedback. Jill stated that Qwest would withdraw the PCATs that were affected by the final rules and that Qwest would proceed with UNE-P. Jill stated that Qwest would reissue the PCATs that are being removed from the CR, once it is determined what those changes are and would notify via this same CR. Liz Balvin-Covad asked if Qwest would confirm that Qwest will follow the change of law provisions in their ICA. Comment to notes received from Eschelon 2/24/05 and said she expected a response to her comments. Jill Martain-Qwest stated that Qwest had received Covads comment and that Qwest would be responding to the comment and all comments that were received. Jill Martain-Qwest stated that this CR remains in Development status.

January 25, 2005 Ad Hoc Meeting: Attendee's: Liz Balvin-Covad, Sue Lamb-One Eighty, Elaine Birkquest-Norstar, Sharon Van Meter-AT&T, Becky Quintana-CO PUC, Marty-Rantel, Noreen Carol-Birch Telcom, Chris Terrell-AT&T, Doug Denney-Eschelon, Bonnie Johnson-Eschelon, Tom Hyde-Cbeyond, Rosalin Davis-MCI, Chad Warner-MCI, Cindy Buckmaster-Qwest, Jill Martain-Qwest, Bob Mohr-Qwest, Robyn Libadia-Qwest, Pat Finley-Qwest, Vicki Dryden-Qwest, John Hansen-Qwest, Susan Lorence-Qwest, Jennifer Fischer-Qwest, Pete Budner-Qwest, Chris Quinn Struck-Qwest, Peggy Esquibel Reed-Qwest DISCUSSION: Peggy Esquibel Reed-Qwest stated that the purpose of the call was for Qwest to review the updates that will be made to PCAT documentation, for this Change Request. Cindy Buckmaster-Qwest stated that in the last CMP Meeting, the CR revisions were communicated and that the CR was re-introduced. Cindy stated that Qwest received a lot of opposition in regard to the Regulatory designation. Cindy noted that Qwest agreed to remove the regulatory designation and moved this CR to a non-regulatory category. Cindy also stated that references to the law and regulatory were removed. Cindy noted that law was the reason for the change, but Qwest would now show this CR as non-regulatory. Cindy stated that the changes are based on Qwest not being obligated to provide products added to the Change Request. Cindy noted that future changes will affect product offerings and that they would be noticed. Cindy stated that the PCATs are identified and the products are included in the CR. Cindy then stated that there would be a simple change at the beginning of the PCATs that will state that this PCAT change details changes to availability of certain Unbundled Network Elements (UNE) products pursuant to the U.S. Court of Appeals for the DC Circuit decision 00-1012 ('USTA II') which vacated some of the FCC's unbundling rules, and the FCC's Interim Rules, which preserved some of

the unbundling rules vacated in USTA II. In accordance with these orders and findings, the 'product specified' is/are no longer available to CLECs unless the most current, effective version of CLEC's Interconnection Agreement (ICA) or Amendment includes terms, conditions, and pricing for the products before 6/15/04. Bonnie Johnson-Eschelon asked if they would be sent out for review. Cindy Buckmaster said yes and stated that Qwest is not changing the availability to those who have via an ICA; and would make available for CLECs who do not have an ICA. Tom Hyde-Cbeyond asked for the timing of giving DS1 wire center information. Cindy Buckmaster-Qwest stated that there would be no wire center information and stated that Qwest is standing by for further instructions from the FCC. Cindy stated that the order is not yet posted and said that once it is posted, Qwest would then have it go into effect in 30-days. Cindy noted that the process would be followed and that notices would be sent to communicate the changes. Tom Hyde-Cbeyond stated that he had a concern regarding timing, and noted that by March 14th, major changes would be involved and concerned as to how quickly Qwest would get the changes out. Tom stated that all need to make changes and need time to react. Cindy Buckmaster-Qwest stated that Qwest would not make changes without the proper timeframes in place. Sharon Van Meter-AT&T asked if this information was in the CR. Peggy Esquibel Reed-Qwest stated that this discussion would be in the meeting minutes of this call. Liz Balvin-Covad stated that if Qwest did not want to receive comments, Qwest needs to state clearly in the notices. Jill Martain-Qwest stated that the revised and noted Description of Change would also help. Liz Balvin-Covad stated that Qwest needs to provide the intent of the changes and who would be impacted. Jill Martain-Qwest stated that what Cindy (Buckmaster-Qwest) is proposing will be clear in the notices. Liz Balvin-Covad stated that what Cindy (Buckmaster-Qwest) related would go a long way and asked to confirm that once the FCC rules are permanent, that Qwest would adhere to the timeframes and go thru the Regulatory process. Jill Martain-Qwest said that she agreed that if a particular change is a result of the TRO or is a regulatory change, Qwest would follow that process and would provide the appropriate information. Liz Balvin-Covad asked what level of change the PCATs would be. Jill Martain-Qwest stated that they would be Level 4 Notices. Liz Balvin-Covad stated that she recommends time be provided, due to Cbeyond's concern. Bonnie Johnson-Eschelon said that she had a global comment that she has noticed that the notices do now have additional information included. Bonnie then thanked Qwest for providing that additional information. There were no additional questions or comments. The call was concluded.

-- January 21, 2005 Email Sent to Cbeyond: Mr. Hyde, I received your email and will make note of your comments in the CR. As a result of the Oversight meeting that was held with this CR, Qwest is moving forward with the ad hoc call, and if the final rules warrant a change, we will address it at that time. Thank you, Peggy Esquibel-Reed Qwest CMP CRPM

- January 21, 2005 Email Received from Cbeyond: Once again, it is premature to hold any discussion until the permanent FCC rules are issued in the next few weeks. Among other things, the permanent rules allow DS1 loops and EELs in many-if not most-Qwest locations. Any attempt to implement prior to reading the FCC's final order is an exercise in futility and a waste of precious resources.

January 10, 2005 CMP Oversight Committee Meeting Minutes PURPOSE: This was the second meeting of the CMP Oversight Committee to review an issue submitted to the committee on 11/30/04 by Liz Balvin of Covad. The following is the write-up of the discussion. List of Attendees: Jen Arnold-TDS Metrocom/U S Link, Liz Balvin-Covad, Becky Quintana-Colorado PUC, Bonnie Johnson-Eschelon, Sharon Van Meter-AT&T, Amanda Silva-VCI, Susie Bliss-Qwest, Susan Lorence-Qwest, Bill Campbell-Qwest, Cindy Macy-Qwest, Peggy Esquibel Reed-Qwest, Linda Sanchez-Steinke-Qwest MEETING MINUTES Linda Sanchez-Steinke of Qwest stated

that on Friday Qwest sent an e-mail to Oversight members explaining that we would prefer to revise the CR PC102704-1ES. By revising the CR the historical information is preserved and the references to law would be removed and the title would be changed. Attached to the e-mail was a redlined CR with the proposed changes. The proposed deletions would become the revised title and the revised description of change keeping the original title and the original description of change within the CR. The Oversight members stated they had received and reviewed. Liz Balvin of Covad stated she did not think this process would preserve the CR history and recalled from the last meeting the only recommendation was to defer the CR until the final rules were issued. Susie Bliss of Qwest stated Qwest reviewed three options for the CR; defer until final rules, amend the CR or withdraw the CR and issue a new CR. Liz Balvin asked if Qwest was going to consider deferring until the rules are permanent. Susie Bliss said that the approach was considered and voiced concern that the products are currently not available and current contracts are expiring. Bonnie Johnson of Eschelon stated there are products in the PCAT that cannot be ordered because they are not in the CLEC's contract. Bonnie said she was trying to understand why the CR is needed. Bill Campbell of Qwest explained that the PCATs are based on the approved SGATs and the SGATs can be different from the ICA. We try to time the CMP update changes with the SGAT changes and Qwest did put together SGAT changes. However, the SGAT's have been pulled back with concurrence of the states due to the unsettled regulatory situation post USTA II, post interim order and pre final FCC order. Qwest has changed the ICA language template (insert comment) but the current SGAT's do not accurately reflect the products Qwest offers and Qwest (end comment) feels it is important to notify CLECs on the changes to the products. Liz Balvin countered that if the legal implications were removed, the situation is in flux, the permanent rules will be issued later this month and the CLECs are restricted from ordering existing products that are not included in their ICA. Bill Campbell responded after 6/15/04 CLECs without the ICA including the products do not have the option of ordering the products. Qwest is choosing to move forward with the CR because the final FCC rules although scheduled to be finalized in January and effective in March, it would most likely be June before changes to the order are made. Liz Balvin felt that the process was backward because if a CLEC wants these products they would work with the negotiation team and would not go through CMP (insert comment) because CMP specifically call out ICA's override (end comment). Bill Campbell discussed that Qwest has an obligation to notice the change in the PCAT when the SGAT has not changed. Bonnie Johnson said that product availability is based on the ICA and even though Qwest notices about product availability, CLEC's can't get the products without an agreement including the product. Bill Campbell explained that new CLECs may go to the Qwest website to find which products are available and then would be given a contract that does not list all the products that were available on the website. Normally the SGAT change would force the change in the PCAT. Liz Balvin stated that Qwest restricting products to CLECs who don't have them in their ICA is different than limiting the product availability. The intent of the CR was drawn from legal rules and the permanent rules could change the offering. Bill Campbell responded that the CR would have to be changed. Bonnie Johnson asked if traditionally a new CLEC would go to the SGAT or PCAT to see what is available and they are not in sync. Bill Campbell explained that the PCAT and SGAT are in sync but they are not in sync with Qwest policy. The states are not accepting SGAT changes at this time and the SGAT and PCAT are in sync but the ICA template is different. Becky Quintana of the Colorado PUC asked if Qwest was considering filing the SGAT prior to the final rules or waiting and Bill Campbell stated that Qwest is waiting, although we did file prior to the USTA decision, but withdrew the filings when it was clear that the states did not believe the timing was right to make the proposed changes knowing full well any state proceedings would have to be revisited. Becky Quintana voiced concerned that the SGAT on file and the Wholesale tariff are not the current Qwest offering. Liz Balvin and Bill Campbell agreed that the CR was issued as a result of law. Liz was

concerned that Qwest would be restricting CLECs from gaining the product going forward but it is available for CLECs with an ICA. Liz Balvin stated that she continues to see the only option is deferring to keep the history of the CR and that not all the history is maintained about the Escalation and Oversight review. Susie Bliss said at the last meeting the committee was polled on the options. Liz Balvin and Bill Campbell discussed whether the CR is limiting products (as called for in the CMP governing document), restricting new CLECs from getting these products and if a CLECs contract expires then they would be restricted from the product availability. Liz Balvin stated that the CR should identify the interim rules as the basis for notifying the CLECs of 6/15 product changes and that Qwest is not going to file the SGAT until the permanent rules are available. Bill Campbell agreed that the CR is based on the USTA II rules and that Qwest has restricted the products and changes will have to be made to comply with the final rules. Liz Balvin stated the basis is USTA II and Bill Campbell said he agreed that the basis is USTA II, and under the FCC guidance, are no longer required to provide unbundled elements. Liz Balvin said Qwest's current position needs to be identified in the CR. Bill Campbell said that AT&T and Eschelon have a different opinion. Bonnie Johnson said AT&T and Eschelon agree this is not a Regulatory CR and restated Liz's concern if it was appropriate to issue the CR at all if the guidelines are not followed. We agreed the CR is not regulatory because Qwest was not ordered, Qwest made the choice not to offer the products. Bill Campbell asked Liz if we include the language and make it a regulatory CR. Liz Balvin said that the genesis of the change was the USTA II decision and now Qwest wants to remove that. Bill Campbell stated that during the last meeting it was clear this was not a Regulatory CR. USTA II was a court opinion about what needed to be offered. Bonnie Johnson said that is what takes it out of Regulatory CR classification. Liz Balvin argued that the rules are "as is" until the permanent rules come out and since it is just an opinion and believes Qwest should follow the SGATs until the rules are permanent. Bill Campbell stated that the DC court vacated the FCC rules and in a sense undermined them and took away the unbundled rules. The FCC said here is the interim rules and will freeze prior to 6/15 until we can put out the final rules. Qwest doesn't want to put the CR in deferred status. Bonnie Johnson said Eschelon does not have an objection to Qwest updating the existing CR (insert comment) because Eschelon has updated CRs without the clock starting over. Becky Quintana questioned whether the CLECs were arguing the merits of the CR rather than the process that Qwest used. Liz Balvin said the CR could be updated and requested information relating to Oversight and Escalation be included. Linda Sanchez-Steinke stated that Qwest has not included Escalation response or Oversight minutes in other CRs as the Escalation and Oversight minutes are found in another location on the web site. There was agreement that the CR would provide the revised title, original title, revised description of change, original description of change and url links to the Escalation and Oversight web locations. CR PC120803-1 was provided as an example of a CR that has been revised. Bonnie stated that the history is captured and that this CR is an anomaly because it had the regulatory issue and was not just a systems to process crossover, but does not agree with the CR and does not understand what Qwest is trying to accomplish and Qwest feels the need to move forward. Sharon Van Meter stated that AT&T does not think this is a regulatory CR and would like the CR to include the history of what has been discussed. Deferring the CR would be better and revising is acceptable if the history is included. Liz Balvin agreed deferring would be better and revising the CR sets a precedent that the CR is regulatory but not identifying in that way. There was recommendation from Covad, Eschelon, AT&T, TDS/MetroCom and MCI that the CR be deferred until permanent rules are issued. Becky Quintana stated that without making any statement on the merits of the CR, she believed that Qwest should go ahead with the CR because she agreed with Bill Campbell's estimated timeline for permanent rules. Qwest would like to move forward by revising the CR. The Oversight Recommendation will include the different recommendations from the Oversight members. Bonnie Johnson and Becky Quintana discussed the merit of language changes to the CMP

process. Liz Balvin and Bonnie Johnson stated that the CR should not have defaulted to CMP as it was not the appropriate approach and the importance of keeping the CMP guidelines in tact. The meeting was concluded.

January 4, 2005 CMP Oversight Committee Meeting Minutes PURPOSE: This was a meeting of the CMP Oversight Committee to review an issue submitted to the committee on 11/30/04 by Liz Balvin of Covad. The following is the write-up of the discussion. List of Attendees: Jen Arnold-TDS Metrocom/U S Link, Liz Balvin-Covad, Becky Quintana-Colorado PUC, Bonnie Johnson-Eschelon, Kim Isaacs-Eschelon, Sharon Van Meter-AT&T, Kathy Stichter-Eschelon, Doug Denny-Eschelon, Amanda Silva-VCI, Jeff Sonnier-Sprint, Susie Bliss-Qwest, Susan Lorence-Qwest, Cindy Buckmaster-Qwest, Bill Campbell-Qwest, Cindy Macy-Qwest, Jill Martain-Qwest, Linda Sanchez Steinke-Qwest MEETING MINUTES The meeting began with Qwest making introductions. Linda Sanchez-Steinke of Qwest reviewed the issue Covad submitted to Oversight on 11/30/04. Linda read from the Description of the Issue; Qwest inappropriate use of CMP to drive legal interpretation of the Law, and the desired resolution; the proposed changes (PC102704-1ES) be withdrawn until Qwest can properly follow the CMP governing document. Qwest responded on 12/10/04 requesting that Oversight meet to discuss how to move forward with the Change Request. Liz Balvin reviewed the history of the issue and stated Covad's position that the biggest issue is Qwest is out of scope of CMP. She stated that the first problem is that the Systems CR SCR102704-1RG was identified as Regulatory and did not follow the process of referencing the page and paragraph and called into question the law or mandate. The second problem is that six CLECs objected to the regulatory classification of the CR and the objections should have been addressed. The CR was then converted to Product / Process, the regulatory classification removed, and Qwest did not follow the crossover guidelines. Qwest's binding response to the Covad escalation continued to assert that Product / Process is not the correct category and it is a regulatory CR. Qwest has been out of scope of CMP for this CR. [Comment received from Covad: Qwest's binding response to the Covad escalation continued to base decision on USTA II and FCC interim rules but not call regulatory. Qwest has been out of scope of CMP for this CR.] Susie Bliss of Qwest stated Qwest's position was when objections to the regulatory classification were received, the regulatory definition in CMP did not fit. There was not unanimous agreement that the CR was regulatory. Section 5.1.1 states that if there is not unanimous agreement then the CR will be treated as non-regulatory. PCAT changes need to be made and when PCAT changes are made, Qwest is obligated to notify the CLECs by following 5.4.5 limiting the product availability. Qwest proceeded as a Product / Process Level 4 change. Liz Balvin and Susie Bliss discussed the concern that CLECs were not given a chance to discuss the CR and whether Qwest was limiting or restricting availability of products. [Comment received from Covad: Liz Balvin stated that CLECs were not given the opportunity to iron out whether the CR should have been categorized as regulatory. Susie Bliss indicated that Qwest has the right to limit the availability of products based on the CMP document. Liz Balvin stated that Qwest is not limiting, but restricting products that other carriers continue to be able to purchase.] Bonnie Johnson of Eschelon stated that Qwest can not make a decision as a company and not allow the customer to order the product any longer. It is required to provide the basis under which the product is removed. Bill Campbell of Qwest, Liz Balvin, Bonnie Johnson and Susie Bliss discussed resolving the issue by providing the USTA II document and identifying for each product the page and paragraph reference. Liz Balvin and Bonnie Johnson were concerned that CMP process has not been followed, and stated the CR is lacking the steps required. Susie Bliss asked if citing the paragraph would resolve. Liz recalled that the CMP document was written to address regulatory CRs and that Qwest tried to remove the regulatory classification and page and paragraph of law should be provided to move forward with the change. Cindy Buckmaster of Qwest restated Liz's position; Covad does not want the Regulatory classification

removed, but instead would like Qwest to add the page and paragraph.
[Comment received from Covad: Cindy Buckmaster of Qwest asked to restate Liz's (Covad's) position; does Covad want the Regulatory classification removed or Qwest to cite add the page and paragraph. Liz's stated that Qwest continues to call into question the law but not want to cite page and paragraph, there is a difference.] Further discussion ensued between Liz Balvin and Cindy Buckmaster whether appropriate to revise the CR or leave the CR as is currently. Susan Lorence of Qwest added that when grandparenting products, the CRs remove the product availability. Liz Balvin felt that Qwest has called into question the law and has jerry rigged the CMP process to meet Qwest's needs because there are system edits in place to restrict ordering the products. [Comment received from Covad: products and that the notifications, even level 4 notices carry the clause that IA supercede PCAT documents.] Becky Quintana of the Colorado PUC asked if Liz's issue was there is not a way the CR can be categorized as a regulatory CR. Liz Balvin responded that Qwest has called into question the law and should follow the CMP guidelines and provide page and paragraph. Becky Quintana stated that if Qwest withdraws the CR and then re-submits the CR as regulatory it is not clear how the CLECs could object. Sharon Van Meter of AT&T stated AT&T had objected to the regulatory classification and read the AT&T attorney position. Cindy Buckmaster interjected that this is the very objection that resulted in Qwest removing Regulatory classification from the CR. A number of CLECs objected on this basis and that is where Qwest took its action from. Liz indicated that may have been some CLEC prematurely showing part of their hand but she didn't see these remarks nor a response from Qwest on these remarks and therefore didn't know Qwest had this information. Bonnie Johnson, Bill Campbell and Cindy Buckmaster discussed that a regulatory classification means Qwest cannot (by law) provide the product and a non-regulatory classification means that Qwest does not have an obligation to and chooses not to provide the product. It was agreed this CR is non-regulatory. Becky Quintana added that it is now clear why this is not a regulatory CR. Liz Balvin stated that Covad had objected to the Systems CR and then escalated the Product / Process CR. If Qwest had followed the process, the CLECs would have discussed the objections and Qwest's responses to the objections. Qwest is aware of all the other CLEC's positions. [Comment received from Covad: Liz Balvin stated it is easy for Qwest, now that it has all the information in hand, to take this new position. If Qwest had followed the process, the CLECs would have discussed the objections and Qwest's responses to the objections. Qwest is aware of all the other CLEC's positions and by not following the CMP guidelines has eliminated CLECs insight to all that Qwest has.] Cindy Buckmaster requested input on how the CR could be moved forward. Liz Balvin requested that Qwest respond to the objections. There was discussion between Linda Sanchez-Steinke, Liz Balvin and Susie Bliss concerning Section 5.1.1 related to any requirement that Qwest respond to objections. There was further discussion between Liz Balvin, Susie Bliss, Cindy Macy and Susan Lorence regarding the CMP voting process, classification of the CR, following CMP guidelines for the CR and the precedent that has been set with change to disposition requests. Liz felt these were different situations. [Comment received from Covad: Liz stated these situations were different because no one has requested a change in disposition.] Becky Quintana asked if the concern was that Qwest did not follow the process outlined in 5.1.1 or if the concern would be the same if 5.1.1 were followed. Liz Balvin said she couldn't say for sure because Qwest has all the ammunition and we have none. Bonnie Johnson and Becky Quintana discussed Qwest exercising their rights to limit product availability, basis for product limitation as it relates to PCAT comments, limiting of products prematurely, and appropriateness of legal discussion on Product / Process changes. [Comment received from Eschelon: Bonnie Johnson and Becky Quintana discussed Qwest exercising their rights to limit product availability, basis for product limitation as it relates to PCAT comments, Bonnie said Qwest is limiting products prematurely and Becky agreed. Becky and Bonnie discussed the appropriateness of legal discussion on Product / Process changes.] Susan Lorence and Liz Balvin

discussed processing grandparenting change requests, the tariff reference being out of CMP scope and whether the products are currently ordered by CLECs. Liz felt this CR is different because Qwest is citing the law.

[Comment received from Eschelon: and on grandparenting CRs no CLECs order the products.][Comment received from Covad: Liz stated that whenever Qwest grandfather's a product, the first question from CLECs is whether anyone is ordering the products.]Cindy Buckmaster responded that Qwest has the right to not have to offer products based on the law. Kim Isaacs of Eschelon said that the title of the CR, USTA II, implies that the change is based on the law. Cindy Buckmaster said that she was not involved when the CR was initiated or when it was decided it was a regulatory CR. The change is not a mandate and Qwest is obligated to notify CLECs of the change. There has been no effort to jerry rig CMP. Qwest is notifying CLECs the products will not be available on a going forward basis. Liz Balvin and Becky Quintana discussed if notification should be through CMP and PCAT changes. Bill Campbell said a note in the PCAT stating if the CLEC does not have these products in the current ICA then these products are not available. Bill Campbell, Liz Balvin and Cindy Buckmaster continued discussing options to process the CR, ability to vote down a regulatory CR and then move it to product / process. Re-issuing the CR and starting the clock over based on conversation and intent, changing the title and editing the CR, and posting of historical information to the CR. Bonnie Johnson asked that the meeting minutes reflect all of the conversation that has taken place. [Comment received from Eschelon: Bonnie said Qwest often reflects their views but not CLECs.]Liz Balvin, Sharon Van Meter, Susie Bliss and Becky Quintana presented options to process the CR; changing it to a regulatory CR because it is citing the law, submitting a new product / process non-regulatory CR stating intentions, changing the CR title, deferring, amending the current CR and maintaining the history. Susan Lorence suggested Oversight members take a poll on which would like to modify the existing CR, which would like a new CR .Bill Campbell, Becky Quintana, Cindy Buckmaster, Bonnie Johnson and Liz Balvin discussed options related to the CR. The CR is currently accurate and may change soon. When the final rules are issued DS1 and DS3 loops may not be accurate. [Comment received from Eschelon: When the final rules are issued this will change because DS1and DS3 loops may not be accurate.] Bill Campbell asked if the CR is moved to deferred status if the CLEC community is willing to waive the notification requirement. Kim Isaacs and Bill Campbell discussed SGAT changes, PCAT changes and the ICA negotiations. [Comment received from Eschelon: Bill said that the current negotiation template reflects the correct information but the SGATs have not been updated. Bonnie asked if there was a particular CLEC that was challenging Qwest on this issue and if that is why Qwest needed to update PCATs.]Cindy Buckmaster, Bonnie Johnson and Liz Balvin continued discussion related to processing the CR, Bonnie Johnson, Bill Campbell and Liz Balvin discussed how CLECs should be notified of the product change and the PCAT reflecting the SGAT, notification through change of law, how contracts override the PCATs, and product availability is negotiated through the ICA agreements. [Comment received from Eschelon: Bonnie said if Qwest will limit product availability in its existing ICA, Qwest would need to notify Eschelon through the change in law provision of its contract and not through a PCAT CMP notice. Bill agreed.] Becky Quintana suggested that Qwest discuss the CR options internally. The Oversight committee agreed to meet again on 1/10/04 at 3:00 p.m. Mountain time. The meeting was concluded.

January 19, 2005 Product Process CMP Meeting Discussion Jill Martain/
Qwest stated that a meeting was held and that the CR Title was revised. Cindy Buckmaster/Qwest provided history of the CR and noted that the CR was issued as Regulatory and it limited the availability on certain products. The CR designation changed, in November 2004, to a Product/ Process CR and that several elements remained on the request. Cindy noted that there was discussion in December and on a January 5th ad-hoc meeting. Cindy stated that the CR was again revised and noted that there is no law forcing Qwest to make this decision. Cindy stated that this is an

opportunity that Qwest is taking advantage of. Cindy noted that the CRs Title and Description were changed to remove references to USTA II. Cindy then reviewed the new Title and Description. Cindy stated that the CR Description states "any future changes of law may impact this notification and will be supported by the applicable notification". Cindy stated that the CR is in Development status and will notify the CLECs, on a going forward basis, the dates that the products cannot be ordered. Cindy then noted that there is an ad-hoc meeting scheduled for January 25th to review the changes. Linda Sanchez Steinke/Qwest stated that Qwest sent a notice on January 17th and as there was no recommendation from Oversight, the notice included the competing recommendations. Jill Martain/Qwest asked if there were any questions or comments. Bonnie Johnson/Eschelon stated that she has not yet reviewed the revisions and will reserve comments for the ad-hoc meeting. [1/28/05 Comment Received from Eschelon: and/or comment cycle.]

- December CMP Meeting Minutes Cindy Buckmaster-Qwest advised that we have suggested an Oversight Committee meeting be held. Qwest has scheduled the meeting for December 20 at 1:00 p.m. MT. Liz Balvin-Covad advised that Qwest continues to site law without issuing the CR as Regulatory. Covad believes system edits are in place to not allow CLECs to order products not available. If Qwest sites legal interpretation of law the page and paragraph must be included. Covad is not saying that CMP is or isn't the right forum, but Qwest is trying to make a unilateral decision and we do not know what law Qwest is citing. Qwest doesn't believe the CLECs need to know what page and paragraph are referenced, as the CMP document states. It was agreed more discussion would take place at the Oversight meeting. This CR will move to Development Status.

11/17/04 November meeting minutes Cindy Buckmaster – Qwest stated that this CR has drawn quite a bit of attention. Qwest would like to clarify the intent of the CR. Cindy advised that we are having an ad hoc meeting on Friday, November 19 to review the documentation and take issues. Qwest apologizes for the confusion as we issued the CR two times. The CR was modified to clarify the scope to include USTA II and FCC Interim Rules. Cindy Buckmaster advised that CLECs who have language in their ICA can continue to order these products and CLEC who do not have language in their ICA can not order the products nor amend their ICA to include such language. Cindy listed the products affected. Josh Theriot – TelWest asked what if a CLEC opts into an existing contract? Cindy Buckmaster – Qwest advised that you are permitted with the exception of the elements cited. David Mittle – TelWest questioned without signing a TRO USTA II agreement a CLEC can opt into a contract? David advised that Qwest Regulatory has said CLECs can not do this. Cindy Buckmaster – Qwest said that the contract would be modified as it has to be TRO and USTA II compliant. Liz Balvin – Covad advised that we continue to object that Qwest bring (insert comment from Covad / Eschelon) to CMP its legal interpretation. Liz advised that Qwest is using ad hoc meetings to gain insight into the CLECs view of the law and it is inappropriate (end comment). Cindy Buckmaster – Qwest advised this has nothing to do with Qwest telling our interpretation of the law. This is in CMP to advise about a product that is being limited. Liz Balvin – Covad stated that this is more than a product being discontinued. In addition, Qwest can not cite the law and then not call it a Regulatory CR. There are legal means to negotiate agreements. Cindy Buckmaster advised this CR was initially a Regulatory CR and it was opposed. That is why we changed it to a Product Process CR. We are only telling you that you can't have the product if you don't have it in your contract. Liz Balvin – Covad advised the reason they objected to the Regulatory classification is that Qwest didn't cite the page and paragraph. Qwest is still citing the law, (insert comment from Covad/ Eschelon) not calling it a regulated changed and that is still out of scope for CMP. Liz advised that Qwest should have followed CMP governing document and not simply converted the systems CR to product and process, that the objections should have been addressed and if agreed to

by the community, the CR would have 'crossed over' to product and process. Qwest is trying to manipulate the CMP process to fit their needs. Liz advised that it is inappropriate for Qwest to host an ad hoc meeting. Without following the CMP governing documentation, Qwest is asserting its legal interpretation, and that is the problem (end comment) This should be handled through arbitration of contracts. Cindy Buckmaster restated that if you do not have the products in your contract you can not order them. Qwest does not have an obligation to offer this. David Mittle – TelWest said it is not important to me what Qwest's interpretation is. It should be arbitrated and not unilaterally implemented by Qwest. Cindy Buckmaster – summarized and clarified the discussion - if Qwest sites the page and paragraph, and why it is the law, and if we come to agreement on the language in the CR, than we can move it forward in CMP. Bonnie Johnson – Eschelon said whether or not we agree on the language, this should not be discussed in CMP. We do not discuss legal interpretation in CMP. This should be done in a different forum. Liz Balvin –Covad stated that this is an ICA negotiation discussion. David Mittle – TelWest stated that he still has a concern with how we are treating CLECs without an existing ICA and that they can not opt into existing ICAs. I think the interpretation is wrong and CLECs should be able to do this. Qwest agreed to cancel the November 19 ad hoc meeting and review the CR and provide additional information at a later date. This CR will move to Presented Status. (Insert comment from Eschelon) Cindy Buckmaster said like in the words of Arnold Swartzager "I'll be back" (end comment).

[<Back](#)

Information Current as of 11/29/2006