

[Service date: March 15, 2006]

BEFORE THE
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

In the Matter of:

LEVEL 3 COMMUNICATIONS, LLC's Petition
for Arbitration Pursuant to Section 252(B) of the
Communications Act of 1934, as Amended by the
Telecommunications Act of 1996, and the
Applicable State Laws for Rates, Terms, and
Conditions of Interconnection with QWEST
CORPORATION

Docket No. UT-063006

LEVEL 3 COMMUNICATIONS
LLC'S FIRST DATA REQUESTS
TO QWEST CORPORATION

TO: QWEST CORPORATION

Level 3 Communications, LLC ("Level 3") hereby requests that Qwest Corporation ("Qwest") provide responses to the requests for admission stated below within *ten (10) business days* or such other time as may be required in this matter. Please provide a copy of your responses to:

Arthur A. Butler
Ater Wynne LLP
601 Union Street, Suite 5450
Seattle WA 98101-2327

Rick Thayer
Level 3 Communications LLC
1025 Eldorado Boulevard
Broomfield, CO 80021

Erik Cecil
Level 3 Communications LLC
1025 Eldorado Boulevard
Broomfield, CO 80021

DEFINITIONS AND INSTRUCTIONS

A. Each request pertains to documents, physical objects, and computer recorded information in your knowledge, possession, custody, or control, or in the knowledge, possession, custody, or control of your agents or representatives. Each request is also a continuing request for information and documents, which come into your control during the time in which this proceeding is pending.

B. With respect to any document responsive hereto which has been destroyed, lost, or is no longer in your possession or subject to your control, you shall submit a statement setting forth as to each, a description of the item, its disposition, the date of disposition, and the names of all those with knowledge thereof.

C. The words "document", "memoranda", "work papers", "notes", "correspondence", "item", and "record", include any physical object, written, printed, typed, recorded or graphic, however

produced or reproduced, whether sent, received or neither, including originals, copies and drafts, and including but not limited to: correspondence, email, telecopier correspondence, messages, reports and recordings of telephone or other conversations and of interviews and conferences, memoranda, notes, opinions, records, balance sheets, income statements, monthly statements, book entries, account letters, ledgers, journals, books or records of accounts, summaries of accounts, purchase or sales orders, invoices, vouchers, bills, receipts, checks stubs, cancelled checks, drafts, leases, contracts, offers, desk calendars, appointment books, diaries, expense reports, summaries, transcripts, minutes, reports, affidavits, statements, questionnaires, answers to questionnaires, plans, specifications, lab books and notations, data notations, workpapers, confirmations, formula, studies, forecasts, projections, analyses, evaluations, statistical records, tabulations, calculations, charts, graphs, surveys, renderings, diagrams, photographs, recordings, films, video recordings, microfilms, papers, books, periodicals, pamphlets, newspaper articles or clippings, publications, schedules, lists, indexes, all other records or information kept by electronic, photographic, mechanical or other means, and any item similar to the foregoing, however denominated, whether currently in existence or already destroyed.

D. As used herein, the words "Qwest," or "Company" or "QC" refer to Qwest Corporation, d/b/a Qwest Washington and any predecessor, or successor corporation, its present and former directors, officers, agents, representatives, employees, attorneys, joint venture, strategic partner, and all other present or former persons, corporations, companies, partnerships, organizations or other entities acting or purporting to act on behalf of Qwest or in which Qwest has a superior financial interest.

E. As used herein, the words "Qwest Communications Corporation," or "QCC" refer to Qwest Communications Corporation and any predecessor, or successor corporations, its present and former directors, officers, agents, representatives, employees, attorneys, joint venture, strategic partner, and all other present or former persons, corporations, companies, partnerships, organizations or other entities acting or purporting to act on behalf of Qwest Communications Corporation or in which Qwest Communications Corporation has a superior financial interest.

F. As used herein, the words "Qwest Communications International," or "QCI" refer to Qwest Communications International and any predecessor, or successor corporations, its present and former directors, officers, agents, representatives, employees, attorneys, joint venture, strategic partner, and all other present or former persons, corporations, companies, partnerships, organizations or other entities acting or purporting to act on behalf of Qwest Communications International or in which Qwest Communications International has a superior financial interest.

G. As used herein, the words "Qwest and its affiliates," or "Company and its affiliates" or "QC and its affiliates" refer to Qwest Corporation, d/b/a Qwest Washington and any predecessor, or successor, or affiliated corporation(s), its present and former directors, officers, agents, representatives, employees, attorneys, joint venture, strategic partner, and all other present or former persons, corporations, companies, partnerships, organizations or other entities acting or purporting to act on behalf of Qwest or in which Qwest has a superior financial interest.

H. The words "this state", or references to this "state", means Washington.

I. These requests are directed to all documents and information in your possession, custody or control. A document is deemed to be in your possession, custody or control if you have possession of the document, have the right to secure such document or communication from another person having possession thereof, or the document or communication is reasonably available to you (including those documents or communications in the custody or control of your company's present employees, attorneys, agents, or other persons acting on its behalf and its

affiliates. In response to requests for production of documents contained in these discovery requests, you shall produce the documents, including all appendices, exhibits, schedules, and attachments that are most relevant to the request.

J. If you are unable to produce a document or information based on a claim that the document is not in your possession, custody or control, state the whereabouts of such document or information when it was last in your possession, custody or control, and provide a detailed description of the reason the document is no longer in your possession, custody or control, and the manner in which it was removed from your possession, custody or control.

K. Qwest, QCC, QCI or any Affiliate responsible for providing responses to these Data Requests shall produce all responsive documents for inspection and copying unaltered and/or unredacted as they are kept in the usual course of business and organize and label them to correspond to the categories in this request. If the requested documents are kept in an electronic format, you shall produce the requested document in such format. If any part of a document is responsive to any request, the whole document is to be produced. If there has been any alteration, modification or addition to a document (whether in paper form or electronic), including any marginal notes, handwritten notes, underlining, date stamps, received stamps, attachments, distribution lists, drafts, revisions or redlines, each such alteration, modification or addition is to be considered as a separate document and it must be produced.

L. With respect to any responsive document to which Qwest asserts a claim of privilege, you shall submit a list identifying each document. Identification shall include the (1) date of the document, (2) the names, addresses and capacity of those who have signed the document, (3) the names, addresses and capacity of those who participated in its preparation, (4) the addressee or addressees, (5) the person or persons by whom it was received, (6) the general subject matter thereof, (7) the present or last known location and custodian of the original (or, if that is unavailable, the most legible copy or duplicate thereof), (8) the names and addresses of those who have received a copy of the document, and (9) the basis for your claim of privilege.

M. Please answer each question separately and in the order that it is asked. Label each response to correspond to the interrogatory, request for production of documents and/ or request for admission. The numbers of the answers should correspond to the numbers of the data requests being answered. In addition, copy each question immediately before the answer. Following each answer, identify the person or persons responsible for the answer and indicate what person or witness provided responsive information or documents, and where applicable, what witness will sponsor each answer in testimony.

N. In response to Interrogatories requesting you to identify documents or other items, information or materials for disclosure, please identify the document(s) or other item(s), information or material(s) in sufficient detail so that they can be produced in response to a separate Request for Production. Such identification shall contain the number (and subpart, if applicable) of the Interrogatory requesting the identification and the page count or description of the document or item. Additionally, to the extent known, the listing shall include the author, publisher, title, date, and any "Bates" or other sequential production numbering for the document or item. When responding to the Request for Production, please produce copies of all documents, other items, information or materials that were identified in response to a request or directive to "identify for disclosure" in these Interrogatories. For each document or other item, please identify by number (including subpart, if any) the interrogatory which caused the "identification for disclosure."

O. In accordance with WAC 480-07-400 - 425 these discovery requests impose a continuing

obligation on the respondent to supplement an initial response with additional responsive information if such information becomes available. Should there be a change in circumstances which would modify or change an answer you have supplied, you should change or modify such answer and submit such changes, modifications, or additional information as a supplement to the original answer. Further, should a subsequent version(s) of a document be created or exist after the date of this discovery request, such version(s) must be produced. Where prior versions or drafts of documents exist, please produce all such documents in your possession, custody or control. In this regard, should additional responsive information become available, advise Level 3 in writing, and provide a supplemental response as soon as the material becomes available.

P. For each response, please provide the name, title and work address of any person that assisted in the preparation of the response and the witnesses who will be testifying on behalf of Qwest who will be prepared to answer questions relating to such responses. If, at the time, that responses to those requests are due, it has not been determined whether a witness will be testifying on behalf of Qwest who can answer questions relating to a particular response, then for each response provide the name of the Qwest representative most knowledgeable regarding the subject matter of and information in the response. If, prior to the evidentiary hearing in this matter, you identify the witness(es) who will testify on your behalf on a particular response to a question set forth herein, please supplement your response to identify the appropriate witness.

Q. For each person that Qwest intends to call as a witness in this proceeding, provide that witness' name, address and business affiliations and if the person has previously appeared as a witness in any regulatory proceeding in the state, please provide copies of all testimony that the person has submitted in each such proceeding.

R. "Affiliate" shall have the same meaning as in 47 U.S.C. § 153.

S. "Customer" means wholesale customer of an ESP, whether such customer purchases services from a Local Exchange Carrier or an affiliate of such Local Exchange Carrier.

T. "Information Service" shall have the same meaning as in 47 U.S.C. § 153.

U. "IP in the Middle" traffic or "PSTN-IP-PSTN Traffic" is defined as traffic that (1) uses ordinary customer premises equipment (CPE) with no enhanced functionality; (2) originates from and terminates to landline customers that draw dial tone from a circuit switch; (3) originating customer dials 1 plus the called party's number, just as in any other circuit-switched long distance call; and (4) the call undergoes no net protocol conversion and provides no enhanced functionality to such landline customers due to the intermediate provider's use of IP technology.

V. "ISP" includes entities providing ISP dialup services and/or VoIP Services on a wholesale or retail basis.

W. "Local Call" refers to a call placed by a wireline end user of a LEC where the end user dials a 7 or 10 digit telephone number which call is routed to and over interconnection facilities. A "local call" is distinguished from an "LXC" "Interexchange" "long distance" "FGD" or "telephone toll" call in that the latter group require the end user to subscribe or presubscribed (whether pre-paid, post-paid or paid by another (e.g. 8YY service)) for such service and the service requires the end user to dial 1+ before dialing the remaining digits to complete the call.

X. "Persons" are defined as living, breathing bipedal hominids generally known as human beings. Persons may or may not be end users or customers. Legal "persons" such as

corporations, will be specifically defined and referred to. Legal entities and/or Legal "persons" are not "persons" for purposes of these discovery requests, unless of course a living breathing human being is a lawyer, in which case it is assumed that such entity is a human being and not a shell corporation or some such other legal fiction.

Y. "PRI" or "PRI circuit" means a Primary Rate Service (PRS-Integrated Services Digital Network) and/or Direct Inward Dialing (DID) or Direct Outward Dialing (DOD) or equivalent services provided by Qwest, QCC or any Affiliate to customers, whether such customers are characterized for regulatory or legal purposes as Qwest retail customers, Qwest wholesale customers, Qwest end users, QCC (or any Affiliate's) retail or wholesale customers or end users including ISPs, in the state or elsewhere according to the terms and conditions identified Qwest (or QCC) Exchange and Network Services tariffs, price lists, Individual Case Basis (ICB) contracts, or pursuant to private contract.

Z. "Technically Feasible" is as defined in 47 C.F.R. § 51.305 and FCC orders and federal cases interpreting the same.

AA. "Telecommunications Service" shall have the same meaning as in 47 U.S.C. § 153.

BB. "Traffic" is defined here to include "Telecommunications" and "Information Services" traffic as such are defined in the 1996 Act at 47 U.S.C. § 153, including, but not limited to, ISP-bound Traffic, VoIP Calls, and/or IP-enabled Traffic.

CC. "VoIP Calls" are defined as calls between Persons connected to the Internet via devices operating in IP protocol that enable real time voice communications with Persons connected to Qwest's TDM (circuit switched) wireline telephone services. Accordingly, for purposes of determining call flows: "IP to TDM calls" are VoIP calls originating in IP protocol and terminating to Persons connected to Qwest's TDM (circuit switched) wireline telephone services.

I. DATA REQUESTS

LEVEL 3 DATA REQUEST NO. 1: Does QC offer any telecommunications services that QCC utilizes as an input to providing dial-up Internet access services to ISPs that are customers of QCC?

LEVEL 3 DATA REQUEST NO. 2: To the extent that Data Request No. 1 applies to QC, please provide:

(a) the terms, conditions and rates under which QC offers such telecommunications services to QCC;

(b) starting from the date that QCC first started offering wholesale ISP-dialup in the state of Washington, please provide copies of all invoices from QC to QCC for any such telecommunications services that QC has sold to QCC for the provision of wholesale ISP-dialup in the state of Washington;

(c) the number of ISP customers QCC serves in the state of Washington;

(d) the locations by rate center of the billing addresses of these customers;

(e) the locations by rate center of each ISP's modems and servers

(f) the locations by rate center of each PRI or other QC-provided telecommunications service being used by QCC to provide service to these ISP customers; and

(g) the physical location of QCC's Cisco AS 400s or equivalent equipment that provides modem functionality for dial-up access to the Internet (what Qwest terms "information access") to QCC's ISP customers.

LEVEL 3 DATA REQUEST NO. 3: Does QCC purchase from QC any retail or wholesale telecommunications services (such as PRI circuits) that QCC incorporates or otherwise uses in the provisioning of any VoIP services (such as wholesale dial) that it offers to customers of QCC?

LEVEL 3 DATA REQUEST NO. 4: If the answer to Data Request 3 is "yes," please provide the following information:

(a) starting from the date that QCC first started offering wholesale VoIP in the state of Washington, please provide copies of all invoices from QC to QCC for any such telecommunications services that QC has sold to QCC for the provision of wholesale VoIP in the state of Washington.

(b) the number of VoIP customers QCC serves in the state of Washington;

(d) the locations by rate center of the billing addresses of these customers;

(e) the locations by rate center of each VoIP customer's [equipment]

(f) the locations by rate center of each PRI or other QC provided telecommunications service being used by QCC to provide service to these VoIP customers.

(g) the physical location of QCC's Cisco AS 400s or equivalent equipment converts IP to TDM (and vice versa) to provide functions associated with the exchange of VoIP calls between QC and QCC;

LEVEL 3 DATA REQUEST NO. 5: Qwest's website at <http://www.qwest.com/wholesale/industrysolution/isp.html> describes "Internet Service Provider (ISP) Industry Solutions" which returns a page that describes the "Internet Service Provider (ISP) Industry Solutions" reproduced in part below:

Internet Service Provider (ISP) Industry Solutions

As your backbone provider, Qwest's diverse products and services can help you expand your service offerings, extend your services to new markets and customers, and grow your profits.

To learn more about our products and services for ISPs, please visit our Prospective Customer Inquiry Form (<http://www.qwest.com/wholesale/pcfeedback.html>) so we can provide you with the proper representative to help answer all your questions.

A. Where Qwest offers such services within its incumbent serving area in Washington, please detail where Qwest maintains a "physical presence" in each local calling area in the state for provision of wholesale ISP dialup services for the products listed in the subparts to this question below. For the purposes of this request, describe and name the physical facility or service that Qwest considers to constitute a "physical presence" in the local exchange calling area.

1. "Digital Signal Level 1 (DS1) - V1.0" available at <http://www.qwest.com/wholesale/pcat/ds1.html>
2. "Voice Termination" available at <http://www.qwest.com/wholesale/pcat/voicetermination.html>
3. "Outbound Voice Services" available at <http://www.qwest.com/wholesale/pcat/ovs.html>.

B. Where Qwest offers such services outside of its incumbent serving area in Washington, please detail where Qwest maintains a "physical presence" in each local calling area in the state for provision of wholesale ISP dialup services for the products listed in the subparts to this question below. For the purposes of this request, describe and name the physical facility or service that Qwest considers to constitute a "physical presence" in the local exchange calling area.

1. "Digital Signal Level 1 (DS1) - V1.0" available at <http://www.qwest.com/wholesale/pcat/ds1.html>
2. "Voice Termination" available at <http://www.qwest.com/wholesale/pcat/voicetermination.html>

3. "Outbound Voice Services" available at <http://www.qwest.com/wholesale/pcat/ovs.html>.

C. Where Qwest offers such services outside of its incumbent serving area in California, Texas, Illinois, Florida, and Massachusetts does Qwest maintain a "physical presence" in each local calling area in the state for provision of wholesale ISP dialup services for the products listed in the subparts to this question below? If so, for the purposes of this request, describe and name the physical facility or service that Qwest considers to constitute a "physical presence" in each of the local exchange calling areas in the state it locates such equipment.

1. "Digital Signal Level 1 (DS1) - V1.0" available at <http://www.qwest.com/wholesale/pcat/ds1.html>
2. "Voice Termination" available at <http://www.qwest.com/wholesale/pcat/voicetermination.html>
3. "Outbound Voice Services" available at <http://www.qwest.com/wholesale/pcat/ovs.html>.

LEVEL 3 DATA REQUEST NO. 6: Please state the total intrastate access revenues collected by Qwest in the state of Washington for the years 2004 and 2005.

LEVEL 3 DATA REQUEST NO. 7: Please state the total amounts Qwest has collected for universal service in the state of Washington for the years 2004 and 2005.

LEVEL 3 DATA REQUEST NO. 8: Please state whether Qwest has been found by any state commission to have failed to invest in network infrastructure in any state in its 14 state incumbent territory, such as a failure to invest funds in exchange for approval of mergers, acquisitions or in return for alternative regulation of its services. For any such instances please provide the name of the state, date of such finding, agency or court making such finding, docket number and most recent disposition.

LEVEL 3 DATA REQUEST NO. 9: Please state the total interstate access revenues collected by Qwest in the state of Washington for traffic originating in the state of Washington for the years 2004 and 2005.

LEVEL 3 DATA REQUEST NO. 10: Please state the total interstate access revenues collected by Qwest in the state of Washington for traffic terminating in the state of Washington for the years 2004 and 2005.

LEVEL 3 DATA REQUEST NO. 11: Please explain the physical and technical characteristics, including the components of a Qwest PRI circuit beginning with the line side of a Qwest End Office Switch and through the point where such circuit terminates to an ISP.

LEVEL 3 DATA REQUEST NO. 12: Please explain the physical and technical characteristics, including the components of a Qwest PRI circuit beginning with the line side of a Qwest End Office Switch and through the point where such circuit terminates to an ESP provider of VoIP services.

LEVEL 3 DATA REQUEST NO. 13: Qwest's website at <http://www.qwest.com/wholesale/industrysolution/isp.html> describes "Internet Service Provider (ISP) Industry Solutions" which web page contains a link to

<http://www.qwest.com/wholesale/pcat/natdial.html> which link returns a page that describes the "Qwest Wholesale Dial" reproduced in part below:

"Dial-up network infrastructure (network-based modems support, V.90 V.92 and V.44 with dial coverage from over 2,500 points-of-presence (PoPs), and covering over 84% of the U.S. population with a local call."

A. Where Qwest offers such services within its incumbent serving area in the state, please detail where Qwest maintains a "point-of-presence (PoP)" as the term is used by Qwest above, in each local calling area in the state for provision of wholesale ISP dialup services. For the purposes of this request, describe and name the physical facility or service that Qwest considers to constitute a "point-of-presence (PoP)" in the local exchange calling area.

B. Where Qwest offers such services outside of its incumbent serving area in the state, please detail where Qwest maintains a "point-of-presence (PoP)" as the term is used by Qwest above, in each local calling area in the state for provision of wholesale ISP dialup services. For the purposes of this request, describe and name the physical facility or service that Qwest considers to constitute a "point-of-presence (PoP)" in the local exchange calling area.

C. Where Qwest offers such services outside of its incumbent serving area in California, Texas, Illinois, Florida, and Massachusetts does Qwest maintain a "point-of-presence (PoP)" as the term is used by Qwest above, in each local calling area in the state for provision of wholesale ISP dialup services? For the purposes of this request, describe and name the physical facility or service that Qwest considers to constitute a "point-of-presence (PoP)" in the local exchange calling area.

D. For each response in A-C above, please specify the precise physical location of Qwest's Network Access Server ("NAS"), which is described on the same webpage as the "Qwest Wholesale Dial" service under the heading "How It Works" which is reproduced for convenience below.

Your end users' PCs dial local access numbers provided by Qwest to connect to local exchange carriers (LECs). Calls are authenticated via a Qwest-provided remote authentication dial-in service (RADIUS) proxy server communicating with your RADIUS authentication server. After an end user is authenticated and the end-user software negotiates the IP connection, the Qwest Network Access Server (NAS) routes end-user packets to the Internet, based on the destination IP address. (available at <http://www.qwest.com/wholesale/pcat/natdial.html>)

LEVEL 3 DATA REQUEST NO. 14: Qwest's website at <http://www.qwest.com/wholesale/industrysolution/isp.html> describes "Internet Service Provider (ISP) Industry Solutions" which web page contains a link to <http://www.qwest.com/wholesale/pcat/natdial.html> which link returns a page that describes a "Wholesale Voice Termination Services", reproduced in relevant portion below:

Voice Termination

Product Description

Wholesale Voice Termination Services provide high quality long distance service over our Macro Capacity® Fiber Network. A fundamental component of any size business, long distance service is a key building

block in Qwest's virtual enterprise solution, providing a complete suite of communication tools to meet our customers' needs. Voice Termination Services are part of the Qwest Express brand and give the customer the option of an RBOC/ITC or Blended rate. The RBOC/ITC option gives the customer two rates per LATA depending on whether termination is through the RBOC or an ITC. The Blended option gives the customer one rate per LATA. For both types of service Qwest carries and bills for the call from the time the carrier's originating switch signals the Qwest switch to the terminating point of the call.

- A. Please describe the components of Qwest's "Wholesale Voice Termination Services" as offered over Qwest's incumbent network within the state.
- B. Please describe the components of Qwest's "Wholesale Voice Termination Services" as offered in Sprint's incumbent territory within the state.
- C. Please describe the components of Qwest's "Wholesale Voice Termination Services" as offered in Verizon's incumbent serving territory within the state.
- D. Please describe the components of Qwest's "Wholesale Voice Termination Services" as offered in SBC's (n/k/a AT&T's) incumbent serving territory outside of the state.
- E. Please describe the components of Qwest's "Wholesale Voice Termination Services" as offered in Verizon's incumbent serving territory (n/k/a AT&T's) outside of the state.
- F. Please describe the components of Qwest's "Wholesale Voice Termination Services" as offered in BellSouth's incumbent serving territory (n/k/a AT&T's) outside of the state.
- G. Does Qwest offer the "Wholesale Voice Termination Services" as an input to VoIP providers seeking to terminate VoIP Calls to Qwest's incumbent network in the state? If so, please:
1. Please detail where Qwest maintains a "point-of-presence (PoP)" as the term is used by Qwest in the quoted portions reflected in Level 3 Data Request 14 above, in each local calling area in the state for provision of such Wholesale Voice Termination Services. For the purposes of this request, describe and name the physical facility or service that Qwest considers to constitute a "point-of-presence (PoP)" in the local exchange calling area.
- H. Does Qwest offer the "Wholesale Voice Termination Services" as an input to VoIP providers seeking to terminate VoIP Calls to Sprint's incumbent network in the state? If so, please:
- I. Please detail where Qwest maintains a "point-of-presence (PoP)" as the term is used by Qwest in the quoted portions reflected in Level 3 Data Request 14 above, in each local calling area in the state for provision of such Wholesale Voice Termination Services. For the purposes of this request, describe and name the physical facility or service that Qwest considers to constitute a "point-of-presence (PoP)" in the local exchange calling area.
- J. Does Qwest offer the "Wholesale Voice Termination Services" as an input to VoIP providers seeking to terminate VoIP Calls to Verizon's incumbent network in the state? If so:

1. Please detail where Qwest maintains a "point-of-presence (PoP)" as the term is used by Qwest in the quoted portions reflected in Level 3 Data Request 14 above, in each local calling area in the state for provision of such Wholesale Voice Termination Services. For the purposes of this request, describe and name the physical facility or service that Qwest considers to constitute a "point-of-presence (PoP)" in the local exchange calling area.
- K. Where Qwest offers such "Wholesale Voice Termination Services" outside of its incumbent serving area in California, Texas, Illinois, Florida, and Massachusetts does Qwest maintain a "point-of-presence (PoP)" as the term is used by Qwest in the quoted portions reflected at the beginning of Data Request No. 14 above, in each local calling area in the state for provision of wholesale ISP dialup services? For the purposes of this request, describe and name the physical facility or service that Qwest considers to constitute a "point-of-presence (PoP)" in the local exchange calling area.
- L. For each response in A-H (including subparts) above, please specify the precise physical location of NAS, which is described on the same webpage as the "Qwest Wholesale Dial" service under the heading "How It Works" which is reproduced for convenience below.
- Your end users' PCs dial local access numbers provided by Qwest to connect to local exchange carriers (LECs). Calls are authenticated via a Qwest-provided remote authentication dial-in service (RADIUS) proxy server communicating with your RADIUS authentication server. After an end user is authenticated and the end-user software negotiates the IP connection, the Qwest Network Access Server (NAS) routes end-user packets to the Internet, based on the destination IP address. (*available at <http://www.qwest.com/wholesale/pcat/natdial.html>*)
- M. To the extent that Qwest does not use a "Network Access Server (NAS)" to provide supportive or constituent functionalities related to "Wholesale Voice Termination Services" please provide the name, manufacturer, model, and location of any device(s) that provide IP to TDM conversion, and/or call control and/or call routing, and/or SS7, to the extent that Qwest provides such functionalities in connection such service.
- N. Please specify the rates Qwest offers for the "The Blended option gives the customer one rate per LATA" for "Wholesale Voice Termination Services" Qwest offers in the state of Washington. Include the tariff, rate sheet, or individual case basis filings under which such are offered within the state.
- O. Please specify the rates Qwest offers for the "The RBOC/ITC option gives the customer two rates per LATA depending on whether termination is through the RBOC or an ITC." for "Wholesale Voice Termination Services" Qwest offers in the state of Washington. Include the tariff, rate sheet, or individual case basis filings under which such are offered within the state.
- P. For Questions A-K above, please provide the same information if for any portion of any response to such questions Qwest contends that QCC or any other Qwest Affiliate provides in whole or part such services (whether regulated or not) or, in whole or part, owns, operates or controls directly or indirectly any device, feature or functionality used in the provision, sale, or offering of such Wholesale Voice Termination Services.
- Q. If in response to Data Request No. 14(Q) above, Qwest contends that QCC or any other Qwest Affiliate provides in whole or part such services (whether regulated or not) or, in whole or

part, owns, operates or controls directly or indirectly any device, feature or functionality used in the provision, sale, or offering of such service requested in Data Request No. 14 please provide copies of all invoices submitted by Qwest to QCC or such other Qwest Affiliate related to such entity's provision or offering of Wholesale Voice Termination Services.

LEVEL 3 DATA REQUEST NO. 15: Please state whether Qwest requires any "Internet Service Provider (ISP)" as Qwest uses that term on its web pages (such as <http://www.qwest.com/wholesale/pcat/natdial.html>) that purchases a "Qwest Wholesale Dial" product to:

- A. Collocate any equipment at a Qwest "Network Access Server (NAS)" location;
- B. Physically locate modems or equipment provides the modem functionality in the state?
- C. Place, operate, own, maintain, locate or collocate modems, modem banks, or equipment providing modem functionality in each Qwest local calling area in the state (regardless of whether such physical location occurs within, near, inside or outside of a Qwest Central Office or Serving Wire Center and regardless of whether such physical location is, is not, may be, could be, or might be regulated under local, state or federal law)?
- D. Place, operate, own, maintain, locate or collocate proxy RADIUS server(s), or such equipment providing equivalent functionality in each Qwest local calling area in the state (regardless of whether such physical location occurs within, near, inside or outside of a Qwest Central Office or Serving Wire Center and regardless of whether such physical location is, is not, may be, could be, or might be regulated under local, state or federal law)?
- E. For Questions A-D above, please provide the same information if for any portion of any response to such questions Qwest contends that QCC or any other Qwest Affiliate is responsible in whole or in part for the provision of Qwest Wholesale Dial or for any requirements or restrictions requested in Data Request No. 15:
- F. If in response to Data Request No. 15(E) above, Qwest contends that QCC or any other Qwest Affiliate is responsible in whole or in part for the provision of Qwest Wholesale Dial or for any requirements or restrictions requested in Data Request No. 15 please provide copies of all invoices submitted by Qwest to QCC or such other Qwest Affiliate for any such inputs to Qwest Wholesale Dial Services that QCC or such other Qwest Affiliate purchases from Qwest for purposes of offering or providing such Wholesale Dial Services.

LEVEL 3 DATA REQUEST NO. 16: Please list each local calling area within the state in which QCC maintains a physical presence as defined by QC in Section 4-Definitions VNXX Traffic (Issue No. 3B) of the Qwest's proposed changes to the Parties' interconnection agreement.

LEVEL 3 DATA REQUEST NO. 17: Of those states in which Qwest operates as an ILEC (as defined in Section 251(h) of the Act), list the states where Qwest combines CLEC local and toll (IntraLATA and InterLATA) traffic on a single trunk?

LEVEL 3 DATA REQUEST NO. 18: For each state in which Qwest operates as an ILEC (as defined in Section 251(h) of the Act), please identify each CLEC with which Qwest (a) exchanges local and toll (IntraLATA and InterLATA) traffic on a single trunk group and (b) uses a Percent Local Use (PLU) or similar method of establishing the apportionment of local vs. toll traffic on the combined trunk group.

LEVEL 3 DATA REQUEST NO. 19: For each state in which a Qwest CLEC affiliate combines local and toll (IntraLATA and InterLATA) traffic on a single trunk group, please state whether Qwest's CLEC affiliate uses a Percent Local Use (PLU) or similar other method of establishing the apportionment of local vs. toll traffic on the combined trunk group.

LEVEL 3 DATA REQUEST NO. 20: Please explain why the following contract sections contained in Qwest's Washington SGAT prohibit Level 3 from exchanging VoIP Calls, ISP-bound traffic and terminating traditional 1+ dialed Interexchange traffic (also known as terminating "IP in the middle" traffic) over Level 3's existing co-carrier network using billing factors in the state. The full SGAT is available at: <http://www.qwest.com/wholesale/clecs/sgatswireline.html>, scroll down to "Washington" and Choose "SGAT 6/25/02", which will return a word document containing these (and other provisions).

7.2.2.9.3 Separate trunk groups may be established based on Billing, signaling, and network requirements. The following is the current list of traffic types that require separate trunk groups, unless specifically otherwise stated in this Agreement.

- a) Directory assistance trunks (where the Switch type requires separation from operator services trunks);
- b) 911/E911 trunks;
- c) Operator services trunks (where the Switch type requires separation from Directory Assistance trunks)
- d) Mass calling trunks, if applicable.

7.2.2.9.3.1 Exchange Service (EAS/local), Exchange Access (IntraLATA toll carried solely by Local Exchange Carriers) and Jointly Provided Switched Access (InterLATA and IntraLATA toll involving a third-party IXC) may be combined in a single LIS trunk group or transmitted on separate LIS trunk groups. If traffic is combined, Section 7.3.9 of this Agreement applies.

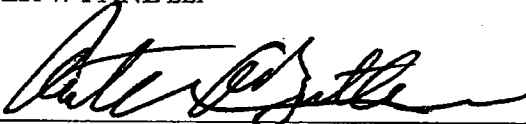
7.2.2.9.3.2 Exchange Service (EAS/Local) traffic and Switched Access traffic including Jointly Provided Switched Access traffic, may be combined on the same trunk group. If combined, the originating Carrier shall provide to the terminating Carrier, each quarter, Percent Local Use (PLU) factor(s) that can be verified with individual call record detail. Call detail or direct jurisdictionalization using Calling Party Number information may be exchanged in lieu of PLU if it is available.

And

7.3.9 To the extent a Party combines Exchange Service (EAS/Local), Exchange Access (IntraLATA Toll carried solely by Local Exchange Carriers), and Jointly Provided Switched Access (InterLATA and IntraLATA calls exchanged with a third-party IXC) traffic on a single LIS trunk group, the originating Party, at the terminating party's request will declare quarterly PLU(s). Such PLU's will be verifiable with either call summary records utilizing Calling Party Number information for

jurisdictionalization or call detail samples. The terminating Party should apportion per minute of use (MOU) charges appropriately.

ATER WYNNE LLP

By 
Arthur A. Butler, WSBA # 04678

Attorneys for Respondent Level 3, Inc.

BEFORE THE
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

In the Matter of:

LEVEL 3 COMMUNICATIONS, LLC's Petition for Arbitration Pursuant to Section 252(B) of the Communications Act of 1934, as Amended by the Telecommunications Act of 1996, and the Applicable State Laws for Rates, Terms, and Conditions of Interconnection with QWEST CORPORATION

Docket No. UT-063006

**LEVEL 3 COMMUNICATIONS
LLC'S FIRST SET OF REQUESTS
FOR ADMISSION TO QWEST
CORPORATION**

TO: QWEST CORPORATION

Level 3 Communications, LLC ("Level 3") hereby requests that Qwest Corporation ("Qwest") provide responses to the requests for admission stated below within *ten (10) business days* or such other time as may be required in this matter. Please provide a copy of your responses to:

Arthur A. Butler Ater Wynne LLP 601 Union Street, Suite 5450 Seattle WA 98101-2327	Rick Thayer Level 3 Communications LLC 1025 Eldorado Boulevard Broomfield, CO 80021	Erik Cecil Level 3 Communications LLC 1025 Eldorado Boulevard Broomfield, CO 80021
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DEFINITIONS AND INSTRUCTIONS

A. Each request pertains to documents, physical objects, and computer recorded information in your knowledge, possession, custody, or control, or in the knowledge, possession, custody, or control of your agents or representatives. Each request is also a continuing request for information and documents, which come into your control during the time in which this proceeding is pending.

B. With respect to any document responsive hereto which has been destroyed, lost, or is no longer in your possession or subject to your control, you shall submit a statement setting forth as

to each, a description of the item, its disposition, the date of disposition, and the names of all those with knowledge thereof.

C. The words "document", "memoranda", "work papers", "notes", "correspondence", "item", and "record", include any physical object, written, printed, typed, recorded or graphic, however produced or reproduced, whether sent, received or neither, including originals, copies and drafts, and including but not limited to: correspondence, email, telecopier correspondence, messages, reports and recordings of telephone or other conversations and of interviews and conferences, memoranda, notes, opinions, records, balance sheets, income statements, monthly statements, book entries, account letters, ledgers, journals, books or records of accounts, summaries of accounts, purchase or sales orders, invoices, vouchers, bills, receipts, checks stubs, cancelled checks, drafts, leases, contracts, offers, desk calendars, appointment books, diaries, expense reports, summaries, transcripts, minutes, reports, affidavits, statements, questionnaires, answers to questionnaires, plans, specifications, lab books and notations, data notations, workpapers, confirmations, formula, studies, forecasts, projections, analyses, evaluations, statistical records, tabulations, calculations, charts, graphs, surveys, renderings, diagrams, photographs, recordings, films, video recordings, microfilms, papers, books, periodicals, pamphlets, newspaper articles or clippings, publications, schedules, lists, indexes, all other records or information kept by electronic, photographic, mechanical or other means, and any item similar to the foregoing, however denominated, whether currently in existence or already destroyed.

D. As used herein, the words "Qwest," or "Company" or "QC" refer to Qwest Corporation, d/b/a Qwest Washington and any predecessor, or successor corporation, its present and former directors, officers, agents, representatives, employees, attorneys, joint venture, strategic partner, and all other present or former persons, corporations, companies, partnerships, organizations or other entities acting or purporting to act on behalf of Qwest or in which Qwest has a superior financial interest.

E. As used herein, the words "Qwest Communications Corporation," or "QCC" refer to Qwest Communications Corporation and any predecessor, or successor corporations, its present and former directors, officers, agents, representatives, employees, attorneys, joint venture, strategic partner, and all other present or former persons, corporations, companies, partnerships, organizations or other entities acting or purporting to act on behalf of Qwest Communications Corporation or in which Qwest Communications Corporation has a superior financial interest.

F. As used herein, the words "Qwest Communications International," or "QCI" refer to Qwest Communications International and any predecessor, or successor corporations, its present and former directors, officers, agents, representatives, employees, attorneys, joint venture, strategic partner, and all other present or former persons, corporations, companies, partnerships, organizations or other entities acting or purporting to act on behalf of Qwest Communications International or in which Qwest Communications International has a superior financial interest.

G. As used herein, the words "Qwest and its affiliates," or "Company and its affiliates" or "QC and its affiliates" refer to Qwest Corporation, d/b/a Qwest Washington and any predecessor, or successor, or affiliated corporation(s), its present and former directors, officers, agents, representatives, employees, attorneys, joint venture, strategic partner, and all other present or

former persons, corporations, companies, partnerships, organizations or other entities acting or purporting to act on behalf of Qwest or in which Qwest has a superior financial interest.

H. The words "this state", or references to this "state", means Washington.

I. These requests are directed to all documents and information in your possession, custody or control. A document is deemed to be in your possession, custody or control if you have possession of the document, have the right to secure such document or communication from another person having possession thereof, or the document or communication is reasonably available to you (including those documents or communications in the custody or control of your company's present employees, attorneys, agents, or other persons acting on its behalf and its affiliates. In response to requests for production of documents contained in these requests, you shall produce the documents, including all appendices, exhibits, schedules, and attachments that are most relevant to the request.

J. If you are unable to produce a document or information based on a claim that the document is not in your possession, custody or control, state the whereabouts of such document or information when it was last in your possession, custody or control, and provide a detailed description of the reason the document is no longer in your possession, custody or control, and the manner in which it was removed from your possession, custody or control.

K. Qwest, QCC, QCI or any Affiliate responsible for providing responses to these Data Requests shall produce all responsive documents for inspection and copying unaltered and/or unredacted as they are kept in the usual course of business and organize and label them to correspond to the categories in this request. If the requested documents are kept in an electronic format, you shall produce the requested document in such format. If any part of a document is responsive to any request, the whole document is to be produced. If there has been any alteration, modification or addition to a document (whether in paper form or electronic), including any marginal notes, handwritten notes, underlining, date stamps, received stamps, attachments, distribution lists, drafts, revisions or redlines, each such alteration, modification or addition is to be considered as a separate document and it must be produced.

L. With respect to any responsive document to which Qwest asserts a claim of privilege, you shall submit a list identifying each document. Identification shall include the (1) date of the document, (2) the names, addresses and capacity of those who have signed the document, (3) the names, addresses and capacity of those who participated in its preparation, (4) the addressee or addressees, (5) the person or persons by whom it was received, (6) the general subject matter thereof, (7) the present or last known location and custodian of the original (or, if that is unavailable, the most legible copy or duplicate thereof), (8) the names and addresses of those who have received a copy of the document, and (9) the basis for your claim of privilege.

M. Please answer each question separately and in the order that it is asked. Label each response to correspond to the interrogatory, request for production of documents and/ or request for admission. The numbers of the answers should correspond to the numbers of the data requests being answered. In addition, copy each question immediately before the answer. Following each answer, identify the person or persons responsible for the answer and indicate

what person or witness provided responsive information or documents, and where applicable, what witness will sponsor each answer in testimony.

N. In response to Interrogatories requesting you to identify documents or other items, information or materials for disclosure, please identify the document(s) or other item(s), information or material(s) in sufficient detail so that they can be produced in response to a separate Request for Production. Such identification shall contain the number (and subpart, if applicable) of the Interrogatory requesting the identification and the page count or description of the document or item. Additionally, to the extent known, the listing shall include the author, publisher, title, date, and any "Bates" or other sequential production numbering for the document or item. When responding to the Request for Production, please produce copies of all documents, other items, information or materials that were identified in response to a request or directive to "identify for disclosure" in these Interrogatories. For each document or other item, please identify by number (including subpart, if any) the interrogatory which caused the "identification for disclosure."

O. In accordance with WAC 480-07-400 - 425 these requests impose a continuing obligation on the respondent to supplement an initial response with additional responsive information if such information becomes available. Should there be a change in circumstances which would modify or change an answer you have supplied, you should change or modify such answer and submit such changes, modifications, or additional information as a supplement to the original answer. Further, should a subsequent version(s) of a document be created or exist after the date of this request, such version(s) must be produced. Where prior versions or drafts of documents exist, please produce all such documents in your possession, custody or control. In this regard, should additional responsive information become available, advise Level 3 in writing, and provide a supplemental response as soon as the material becomes available.

P. For each response, please provide the name, title and work address of any person that assisted in the preparation of the response and the witnesses who will be testifying on behalf of Qwest who will be prepared to answer questions relating to such responses. If, at the time, that responses to those requests are due, it has not been determined whether a witness will be testifying on behalf of Qwest who can answer questions relating to a particular response, then for each response provide the name of the Qwest representative most knowledgeable regarding the subject matter of and information in the response. If, prior to the evidentiary hearing in this matter, you identify the witness(es) who will testify on your behalf on a particular response to a question set forth herein, please supplement your response to identify the appropriate witness.

Q. For each person that Qwest intends to call as a witness in this proceeding, provide that witness' name, address and business affiliations and if the person has previously appeared as a witness in any regulatory proceeding in the state, please provide copies of all testimony that the person has submitted in each such proceeding.

R. "Affiliate" shall have the same meaning as in 47 U.S.C. § 153.

S. For purposes of these requests, "INS" is defined as a group of small independently owned telephone companies provide much of the local telephone exchange service to the residents of Iowa, which group comprises nearly 150 of the small, independently-owned LECs in Iowa.

Membership in INS allows each independent LEC to utilize INS's expanded centralized network as its own. Qwest is not a member of INS. See e.g., *Iowa Network Services, Inc. v. Qwest Corporation*, 63 F.3d 683, 685 (8th Cir. 2004).

T. "Information Service" shall have the same meaning as in 47 U.S.C. § 153.

U. "IP in the Middle" traffic or "PSTN-IP-PSTN Traffic" is defined as traffic that (1) uses ordinary customer premises equipment (CPE) with no enhanced functionality; (2) originates from and terminates to landline customers that draw dial tone from a circuit switch; (3) originating customer dials 1 plus the called party's number, just as in any other circuit-switched long distance call; and (4) the call undergoes no net protocol conversion and provides no enhanced functionality to such landline customers due to the intermediate provider's use of IP technology.

V. "ISP" includes entities providing ISP dialup services and/or VoIP Services on a wholesale or retail basis.

W. "Local Call" refers to a call placed by a wireline end user of a LEC where the end user dials a 7 or 10 digit telephone number which call is routed to and over interconnection facilities. A "local call" is distinguished from an "IXC" "Interexchange" "long distance" "FGD" or "telephone toll" call in that the latter group require the end user to subscribe or presubscribe (whether pre-paid, post-paid or paid by another (e.g. 8YY service)) for such service and the service requires the end user to dial 1+ before dialing the remaining digits to complete the call.

X. "Persons" are defined as living, breathing bipedal hominids generally known as human beings. Persons may or may not be end users or customers. Legal "persons" such as corporations, will be specifically defined and referred to. Legal entities and/or Legal "persons" are not "persons" for purposes of these discovery requests, unless of course a living breathing human being is a lawyer, in which case it is assumed that such entity is a human being and not a shell corporation or some such other legal fiction.

Y. "PRI" or "PRI circuit" means a Primary Rate Service (PRS-Integrated Services Digital Network) and/or Direct Inward Dialing (DID) or Direct Outward Dialing (DOD) or equivalent services provided by Qwest, QCC or any Affiliate to customers, whether such customers are characterized for regulatory or legal purposes as Qwest retail customers, Qwest wholesale customers, Qwest end users, QCC (or any Affiliate's) retail or wholesale customers or end users including ISPs, in the state or elsewhere according to the terms and conditions identified Qwest (or QCC) Exchange and Network Services tariffs, price lists, Individual Case Basis (ICB) contracts, or pursuant to private contract.

Z. "Technically Feasible" is as defined in 47 C.F.R. § 51.305 and FCC orders and federal cases interpreting the same.

AA. "Telecommunications Service" shall have the same meaning as in 47 U.S.C. § 153.

BB. "Traffic" is defined here to include "Telecommunications" and "Information Services" traffic as such are defined in the 1996 Act at 47 U.S.C. § 153, including, but not limited to, ISP-

bound Traffic, VoIP Calls, and/or IP-enabled Traffic.

CC. "VoIP Calls" are defined as calls between Persons connected to the Internet via devices operating in IP protocol that enable real time voice communications with Persons connected to Qwest's TDM (circuit switched) wireline telephone services. Accordingly, for purposes of determining call flows: "IP to TDM calls" are VoIP calls originating in IP protocol and terminating to Persons connected to Qwest's TDM (circuit switched) wireline telephone services.

REQUESTS FOR ADMISSION

REQUESTS FOR ADMISSION

1. Please admit that if the Qwest contract positions are adopted and Level 3's current network configuration remains as it is today, Level 3 will not be able to receive ISP-bound traffic from any Qwest Washington rate centers where the ISP-bound traffic meets Qwest's definition of VNXX.

2. Please admit that QCC is a subsidiary of QCI.

3. Please admit that QC is a subsidiary of QCI.

4. Please admit that Qwest's requirement for Feature Group D billing is not technically necessary for the transmission and routing of locally dialed calls from QC to Level 3.

5. Please admit that Qwest's requirement for Feature Group D billing is not technically necessary for the transmission and routing of calls delivered by Level 3 to Qwest customers where Level 3 terminates such calls to tandems or end offices serving the called NPA-NXX codes.

6. Please admit that Qwest billing systems cannot automatically determine the physical location of a person making a circuit switched telephone call.

7. Please admit that Qwest billing systems cannot automatically determine the physical location of a person receiving a circuit switched telephone call.
8. Please admit that Qwest billing systems cannot automatically determine the physical location of a person making a VoIP call.
9. Please admit that Qwest billing systems cannot automatically determine the physical location of a person receiving a VoIP call.
10. Please admit that Qwest's end office and tandem switches do not store any information indicating the address or location of any end user's premises.
11. Please admit that Qwest's end office and tandem switches route traffic to other switches and/or to end users on the basis of the dialed telephone number, without any reference to information regarding the address or location of any end user's premises.
12. Please admit that Qwest's call routing systems never sample any data regarding the address or location of any end user's premises for purposes of routing a call.
13. Please admit that Qwest does not impose an additional per minute of use charge to calls made by Qwest 1FR customers to NPA-NXX numbers that appear local to the rate center in which such calls originate, but which calls terminates to Level 3 facilities located outside the local calling area in which the call originates.
14. Please admit that in the state of Iowa Qwest offers a transit service over which it "commingles", or mixes together wireline and wireless traffic including both interstate and

intrastate telephone calls on common trunks before transmitting it to third party carriers including INS.

15. Please admit that in the state of Iowa Qwest offers a transit service over which it "commingles", or mixes together wireline and wireless traffic including both interstate and intrastate telephone calls on "local" trunks before transmitting it to third party carriers including INS.

16. Please admit that in the state of Iowa Qwest offers a transit service over which it "commingles", or mixes together wireline and wireless traffic including both interstate and intrastate telephone calls but not over Feature Group D trunks (as Qwest uses that term) before transmitting it to third party carriers including INS.

DATED this 15th day of March, 2006.

ATER WYNNE LLP

By 

Arthur A. Butler, WSBA #04678

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Seattle, Washington 98101-2327

Tel: (206) 623-4711

Fax: (206) 467-8406

Email: aab@aterwynne.com

Attorneys for Level 3 Communications, LLC

CERTIFICATE OF SERVICE

I hereby certify that I have this 15th day of March, 2006, served a true and correct copy of the foregoing document upon parties of record, via the method(s) noted below, properly addressed as follows:

On Behalf Of Qwest Corporation:

Lisa A. Anderl
Qwest Corporation
1600 7th Avenue, Room 3206
Seattle WA 98191

Confidentiality Status:

- Hand Delivered
- U.S. Mail (first-class, postage prepaid)
- Overnight Mail (UPS)
- Facsimile (206) 343-4040
- Email (lisa.anderl@qwest.com)

On Behalf Of Qwest Corporation:

Thomas Dethlefs
Qwest Corporation
1801 California Street
Denver CO 80202

Confidentiality Status:

- Hand Delivered
- U.S. Mail (first-class, postage prepaid)
- Overnight Mail (UPS)
- Facsimile
- Email (thomas.dethlefs@qwest.com)

On Behalf Of Qwest Corporation :

Ted D. Smith
Stoel Rives LLP
201 South Main Street, Suite 1100
Salt Lake City UT 84111-4904

Confidentiality Status:

- Hand Delivered
- U.S. Mail (first-class, postage prepaid)
- Overnight Mail (UPS)
- Facsimile (801) 578-6999
- Email (tsmith@stoel.com)

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 15th day of March, 2006, at Seattle, Washington.

