

Qwest Petition for Modification of Ninth Supplemental Order and Mitigation of Credit Amount in Docket No. UT-991358.

5. The existing, agreed-to, and approved provision allows for exceptions. What has changed that would cause Qwest to agree to the exceptions as stated in 2000 but now causes the company to seek a change?

Response: The change is sought due to the analysis of the tickets and the specific conditions that prevented restoration within two working days. Qwest had not previously undertaken this manual effort and did not have time to do a comparable analysis when it agreed to the approved provisions. As stated in the petition, the data available, at the time this provision was negotiated, indicated that Qwest failed to repair almost 15% of its repair reports within two working days. A manual analysis of this nature, at that time, would have been extremely difficult based on the number of reports involved. The ability to analyze 0.5% of our total out-of-service repair reports was a much more feasible task. Qwest believed it had captured those exceptions that would prevent restoration within two business days in the exceptions previously agreed to. Our experience in 2001 indicates there are additional exceptions that are appropriate considerations. This information was not readily available when the exceptions were previously addressed.