

*WUTC v. ATG, et al.*  
 Exhibit A Agreement Matrix

COMPLAINT NUMBER	CLEC	NAME OF AGREEMENT	DATE <sup>1/</sup>	STATUS	PENALTY DAYS <sup>2/</sup>
Exhibit A, No. 1	ATI (now Eschelon)	Stipulation between ATI and U S WEST	2/28/00	<p>¶ 7 relates to reciprocal compensation, which was considered to be interstate. This term was superseded by a bill and keep amendment filed with Commission and approved on 12/18/00. Prior to the bill and keep amendment, Eschelon did not bill Qwest for reciprocal compensation for any traffic in Washington.</p> <p>¶ 10 relates to the suspension of termination liability assessments (“TLAs”). This issue was limited to Minnesota and was superseded by a 10/2/01 Order from the Minnesota Commission relating to TLAs.</p> <p>¶¶ 11-12 relate to a dedicated provisioning team. The dedicated provisioning team term was filed with the Commission on 12/18/00 and approved by the Commission on 1/24/01. These terms expired on 3/17/02 and were superseded by the <i>Trial Agreement</i> dated 5/1/00, which itself was terminated by parties 6/15/02.</p> <p>¶ 14 contains a dispute resolution clause. This term was superseded by the escalation process letter dated 11/15/00, which itself was terminated by the Settlement Agreement dated 3/1/02 (at ¶ 3(b)(3)).</p>	283 days  (02/28/00 through 12/18/00)
Exhibit A, No. 2	Eschelon (formerly ATI)	Trial Agreement	7/21/00	Expired by terms of agreement on 5/1/01. However, this agreement was subsequently extended by the parties and ultimately terminated on 6/15/02.	694 days  (07/21/00 through 6/15/02)

<sup>1/</sup> Based on chart titled “Status of Agreements at Issue” attached to Order No. 5 in *WUTC v. ATG, et al.*, Docket No. UT-033011.

<sup>2/</sup> Where an agreement contains multiple provisions, this column lists the days in effect of the provision(s) addressed in the Staff’s testimony.

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Exhibit A, No. 3	Eschelon	Confidential Agreement (Letter form) re Escalation Procedures and Business Solutions	11/15/00	<p>This agreement memorialized the substance of the escalation process available to all CLECs. Terminated by the March 1, 2002 Settlement Agreement (¶ 3(b)(3)).</p> <p>The Commission found that an identical escalation agreement with McLeod (McLeod 9A) did not discriminate and that it facilitated competition in its approval order issued on 9/25/02. No CLEC has sought to opt-in to McLeod 9A since it was posted on Qwest's website in September 2002.</p>	0 days
Exhibit A, No. 4	Eschelon	Confidential Amendment to Confidential/Trade Secret Stipulation	11/15/00	<p>Eschelon was the only CLEC receiving DUF files through a manual process, which was a related term and would have made any other CLEC ineligible to opt-in. Terminated by the March 1, 2002 Settlement Agreement (at ¶ 3(b)(5)).</p>	471 days
Exhibit A, No. 5	Eschelon	Letter form Agreement re Status of Switched Access Minute Reporting	7/3/01	<p>Eschelon was the only CLEC receiving DUF files through a manual process, which was a related term and would have made any other CLEC ineligible to opt-in. Terminated by the March 1, 2002 Settlement Agreement (at ¶ 3(b)(7)).</p> <p>The last credit provided pursuant to the provision was on 11/5/01.</p>	124 days
Exhibit A, No. 6	Eschelon	Implementation Plan	7/31/01	<p>With the exception of Attachment 3, this agreement was terminated by the March 1, 2002 Settlement Agreement (at ¶ 3(b)(8)). Attachment 2 is an order provisioning chart available to all CLECs. §§ 2.3 and 2.5 relate to quarterly meetings between Qwest and Eschelon executives, which were routinely held with CLECs.</p> <p>Attachment 3 is a standard methodology that was used with other CLECs, and it was filed on 5/15/02 and approved by the Washington Commission on 7/10/02.</p>	288 days
Exhibit A, No. 7	Covad	U S WEST Service	4/19/00	Provided to the Commission for its information on May 2,	0 days

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		Level Agreement with Covad Communications Company, Unbundled Loop Services		2000. Qwest's service levels to all CLECs were greater than or equal to the service levels set out in this agreement.  Filed for Commission approval on 8/22/02. The Commission found that this agreement did not discriminate and that it facilitated competition in its approval order issued on 9/25/02. No CLEC has sought to opt-in to this agreement since it was posted on Qwest's website in September 2002. The parties terminated the agreement in 5/03.	
Exhibit A, No. 8	McLeodUSA	Confidential Billing Settlement Agreement	4/28/00	¶ 2(d) relates to reciprocal compensation, which was considered to be interstate. CLECs had rates that were higher or equal than those reflected in this agreement under the publicly filed and approved MFS Interconnection Agreement.  Filed for Commission approval on 8/22/02. The Commission found that this agreement did not discriminate and that it facilitated competition in its approval order issued on 9/25/02.	0 days
Exhibit A, No. 9	McLeodUSA	Confidential Agreement (Letter form) re Escalation Procedures and Business Solutions	10/21/00	This agreement memorialized the substance of the escalation process available to all CLECs. The Commission found that this agreement did not discriminate and that it facilitated competition in its approval order issued on 9/25/02. No CLEC has sought to opt-in to this agreement since it was posted on Qwest's website in September 2002.	0 days
Exhibit A, No. 10	SBC Telecom	Letter agreement re line sharing	6/1/00	Attached line sharing agreement is a form agreement available to all CLECs. This agreement was never signed with SBC.	0 days
Exhibit A, No. 11	ATI (now Eschelon)	Stipulation and Agreement	2/29/00		Dismissal granted, Order No. 5

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Exhibit A, No. 12	Eschelon	Settlement Agreement	3/3/02	<p>By its express terms, this agreement settled historical disputes between the parties.</p> <p>¶ 3(a) contains the consideration for the settlement.</p> <p>¶ 3(b) terminated pre-existing agreements as stated elsewhere in this matrix.</p> <p>¶ 3(c) contains an agreement to file an amendment to Eschelon's interconnection agreement relating to UNE-E. This amendment was filed with the Commission on 5/15/02 and approved 7/10/02.</p> <p>¶ 3(d) was terminated upon transition to a mechanized process, which has been fully completed.</p> <p>¶¶ 3(e) and 3(f) contain the only terms in the agreement that arguably are going forward, and even these are subject to debate. These provisions were filed with the Commission on 8/22/02. The Commission found that this agreement did not discriminate and that it facilitated competition in its approval order issued on 9/25/02.</p> <p>¶ 3(g) concerns a transition to a mechanized billing process, which has been fully performed and completed.</p> <p>Finally, ¶ 3(h) (Eschelon's withdrawal of its escalation request) is not a going forward term.</p>	0 days
Exhibit A, No. 13	Allegiance Telecom	Confidential Billing Settlement Agreement	12/24/01		Dismissal granted, Order No. 5
Exhibit A, No. 14	AT&T	Facility Decommissioning Reimbursement Agreement	12/27/01		Dismissal granted, Order No. 5
Exhibit A, No. 15	Covad	Private Line Services Agreement	1/99		Dismissal granted, Order No. 5

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Exhibit A, No. 16	Covad	Facility Decommissioning Agreement	1/3/02	Form agreement available through Qwest's website. The Commission found that this agreement did not discriminate and that it facilitated competition in its approval order issued on 9/25/02. No CLEC has sought to opt-in to this agreement since it was posted on Qwest's website in September 2002.	0 days
Exhibit A, No. 17	Eschelon	Letter agreement re implementation plan	11/14/00	This agreement does not contain any § 251 terms; instead, the parties merely agreed to execute an Implementation Plan at some point in the future. This agreement was terminated by virtue of the fact that the parties entered into an Implementation Plan dated 7/31/01, which itself was terminated by the March 1, 2002 Settlement Agreement (at ¶3(b)(8)).	0 days Staff moved to dismiss on 8/11/04.
Exhibit A, No. 18	Eschelon	Letter agreement re features	11/15/00	This letter addressed the features that are part of the UNE-E platform, which was filed on 12/18/00 and approved by the Washington Commission on 1/24/01. Moreover, the letter agreement was terminated by the March 1, 2002 Settlement Agreement (¶ 3(b)(1)).	0 days Staff moved to dismiss on 8/11/04.
Exhibit A, No. 19	Eschelon	Letter agreement re daily usage information and billing	11/15/00	This letter relates to the manual process used by Qwest to extract switched access minutes from DUF files to enable Eschelon to bill switched access minutes to IXCs. All other CLECs were on a mechanized process. This agreement was terminated by the March 1, 2002 Settlement Agreement (at ¶ 3(d)).	0 days
Exhibit A, No. 20	Eschelon	Letter agreement re billing for reciprocal compensation and LIS trunking services	8/1/01	This letter is relates to Eschelon's decision to forbear from billing for services that it provided to Qwest in the past, and it is not an agreement.	0 days Staff moved to dismiss on 8/11/04.

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Exhibit A, No. 21	Eschelon	Confidential Purchase Agreement	11/15/00	This writing evidences a volume purchase agreement and contains no provisions setting rates, terms or conditions for § 251(b) or (c) obligations. Thus, this is not an interconnection agreement. In any event, this agreement was terminated by the March 1, 2002 Settlement Agreement (¶ 3(b)(4)).	0 days
Exhibit A, No. 22	Eschelon	Confidential Billing Settlement Agreement	11/15/00		Dismissal granted, Order No. 5
Exhibit A, No. 23	Eschelon	Confidential Second Amendment to Confidential/ Trade Secret Stipulation	3/31/01	¶¶ 1, 4, and 5 – by their express terms – are a resolution of historical disputes with only backward-looking compensation. ¶ 6 relates to the negotiation of an Implementation Plan, which was entered into on 7/31/01, but itself was terminated by the March 1, 2002 Settlement Agreement (at ¶3(b)(8)).	0 days Staff moved to dismiss on 8/11/04.
Exhibit A, No. 24	Eschelon	Letter agreement referred to as Definitive Letter Agreement	2/22/02		Dismissal granted, Order No. 5
Exhibit A, No. 25	Integra	Facility Decommissioning Agreement	11/20/01	Form agreement available through Qwest's website. The Commission found that this agreement did not discriminate and that it facilitated competition in its approval order issued on 3/28/02. No CLEC has sought to opt-in to this agreement since it was posted on Qwest's website in September 2002.	0 days

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Exhibit A, No. 26	AT&T	Confidential Billing Settlement Agreement and Release	3/13/00	This agreement (1) settles historic disputes for the billing of toll traffic and limited local traffic that may transit the access tandem; and (2) contains some going-forward terms addressing billing for toll and limited portions of local traffic transiting the access tandem. In retrospect under the October 4, 2002 FCC Order, this agreement may contain some terms that are within the filing standard. However, all § 251 terms have either expired or been superseded. (¶ 2B expired 7/1/00; ¶ 3 expired 1/7/01)	300 days
Exhibit A, No. 27	Advanced Telecom Group – ATG	Confidential Settlement Agreement	6/30/00	This agreement relates to reciprocal compensation, which was considered to be interstate. CLECs had rates that were higher or equal than those reflected in this agreement under the publicly filed and approved MFS Interconnection Agreement. Qwest agreed to help ATG compare existing retail Centrex costs with potential wholesale Centrex costs in Washington, and convert ATG to wholesale Centrex effective May 1, 2000. Qwest has always worked with carriers to convert large blocks of Centrex customers in a seamless transition and routinely negotiates the conversion process as it did with ATG in this agreement.	0 days
Exhibit A, No. 28	Electric Lightwave – ELI	Confidential Billing Settlement Agreement and Release	12/30/99	This agreement relates to reciprocal compensation, which was considered to be interstate. CLECs had rates that were higher or equal than those reflected in this agreement under the publicly filed and approved MFS Interconnection Agreement. Terms related to reciprocal compensation expired on 12/31/01. Factors related to reciprocal compensation expired and were superseded by a subsequent agreement filed with the Commission on 6/25/02 and approved on 08/14/02.	0 days

COMPLAINT NUMBER	CLEC	NAME OF AGREEMENT	DATE <u>1/</u>	STATUS	PENALTY DAYS <u>2/</u>
Exhibit A, No. 29	Electric Lightwave – ELI	Amendment No. 1 to the Confidential Billing Settlement Agreement and Release	6/12/00	This agreement relates to reciprocal compensation, which was considered to be interstate. CLECs had rates that were higher or equal than those reflected in this agreement under the publicly filed and approved MFS Interconnection Agreement. Matters related to interconnection rates and terms have expired by their terms and have been superseded as outlined in the 4/26/02 <i>Confidential Billing Settlement Agreement</i> and in interconnection agreement amendments filed with the Washington Commission on 06/25/02 and 07/10/02.	0 days
Exhibit A, No. 30	Fairpoint	Confidential Billing Settlement Agreement	9/4/01	This agreement memorialized the escalation process available to all CLECs. The Commission found that this agreement did not discriminate and that it facilitated competition in its approval order issued on 10/23/02. No CLEC has sought to opt-in to this agreement since it was posted on Qwest's website in September 2002. FairPoint Communications Solutions Corp. filed a request to cease business in the state of Washington on 5/10/02. However, out of an abundance of caution, Qwest filed this agreement for Commission approval as part of a broad, remedial filing on 8/22/02.	0 days
Exhibit A, No. 31	MCI WorldCom	Settlement Agreement	11/18/99	This agreement addresses FCC tariffed services, not § 251 services.	0 days
Exhibit A, No. 32	WorldCom – MCI for Brooks Fiber Communications (BFP)	Confidential Billing Settlement Agreement	12/1/00	¶ 1 is a settlement of a historical dispute with only backward-looking consideration and is not a term of interconnection  ¶ 2(A) and (B) concerns the use of traffic split factors to calculate local, EAS, internet-bound and intraLATA toll traffic. The local toll traffic factor, which is the only piece that could be related to 251(b) or (c) services, uses Qwest's CROSS7 data, which is the same method used for all CLECs.  ¶ 2(C), for the state of Washington, simply incorporates	0 days



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				the commission's end office rate elements for reciprocal compensation.	
Exhibit A, No. 33	MCI WorldCom	Business Escalation Agreement	6/29/01	This agreement memorialized the escalation process available to all CLECs. Qwest filed this agreement with the Commission on 8/22/02, although it is not clear whether the Commission approved this agreement.	0 days

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Exhibit A, No. 34	MCI WorldCom	Confidential Billing Settlement Agreement (Non-Cobra)	6/29/01	<p>¶ 1 is a settlement of a historical dispute.</p> <p>¶ 2 relates to unbundled network element combinations and has been superseded by an interconnection agreement amendments filed with the Washington Commission on 10/12/01.</p> <p>¶ 3 is a settlement of historical dispute and pending litigation.</p> <p>¶ 4 is also a settlement of a historical dispute with only backward-looking consideration</p> <p>The terms related to reciprocal compensation in ¶ 5 are included in the interconnection agreement amendments executed on 6/29/01 and filed in Washington.</p> <p>¶ 6 is a settlement of historical dispute.</p> <p>The portions of ¶ 7 reflecting going forward terms for the calculation of a relative use factor have been filed with the applicable states. The remainder of ¶ 7 either involved the settlement of historical disputes or the carrier-specific percentage, which would not be applicable to other carriers because that percentage is based upon carrier-specific usage.</p> <p>¶ 8 is only an agreement to negotiate, and it was filed in Washington on 8/22/02. In addition, the business escalation agreement also dated 6/29/01, which was also filed in Washington, reflects a dispute resolution process discussed in this ¶ 8.</p>	0 days

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Exhibit A, No. 35	MCI WorldCom	Facility Decommissioning Settlement Agreement	12/27/01	Form agreement available to all CLECs. The Commission found that this agreement did not discriminate and that it facilitated competition in its approval order issued on 9/25/02. No CLEC has sought to opt-in to this agreement since it was posted on Qwest's website in September 2002.	0 days
Exhibit A, No. 36	Nextlink	Confidential Billing Settlement Agreement	5/12/00	The first part of ¶ 4 is a settlement of a historical dispute regarding collocation and recurring and non-recurring charges. The second part of ¶ 4 addresses collocation terms for the state of Washington, and such terms were superseded by collocation orders and rates established by the Commission (No. 003013 Part A Order (13 <sup>th</sup> Supplemental Order), Jan. 31, 2001).	0 days
Exhibit A, No. 37	XO (formerly Nextlink)	Amendment to Confidential Billing Settlement Agreement	4/17/01		Dismissal granted, Order No. 5
Exhibit A, No. 38	XO	Confidential Billing Settlement Agreement	12/31/01		Dismissal granted, Order No. 5
Exhibit A, No. 39	XO	Confidential Billing Settlement Agreement	12/31/01		Dismissal granted, Order No. 5
Exhibit A, No. 40	XO (and subsidiaries)	Confidential Billing Settlement Agreement	12/31/01	The escalation procedures in ¶ 3 were filed with the Commission on 8/22/02. This agreement memorialized the escalation process available to all CLECs. The Commission found that this agreement did not discriminate and that it facilitated competition in its approval order issued on 10/9/02. No CLEC has sought to opt-in to this agreement since it was posted on Qwest's website in September 2002.	0 days

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Exhibit A, No. 41	McLeodUSA	Confidential Settlement Document (Letter form) re U S WEST/Qwest Merger: Settlement Agreement	4/25/00	This was a proposal letter that was formalized and superseded in its entirety by the <i>Confidential Billing Settlement Agreement</i> with McLeod dated 4/28/00.	0 days
Exhibit A, No. 42	McLeodUSA	Confidential Settlement Agreement	4/28/00	The substance of the process described in this agreement was available to all CLECs. Filed with the Commission on 8/22/02. The Commission found that this agreement did not discriminate and that it facilitated competition in its approval order issued on 9/25/02. No CLEC has sought to opt-in to this agreement since it was posted on Qwest's website in September 2002.	0 days
Exhibit A, No. 43	McLeodUSA	Letter agreement re bill and keep agreement	9/18/00		Dismissal granted, Order No. 5
Exhibit A, No. 44	McLeodUSA	Purchase Agreement (McLeod from Qwest)	10/26/00	This was a purchase agreement and does not affect terms and conditions of interconnection. This agreement was terminated by the parties on 9/16/02.	0 days
Exhibit A, No. 45	McLeodUSA	Purchase Agreement (Qwest from McLeod)	10/26/00	This was a purchase agreement and does not affect terms and conditions of interconnection. This agreement was terminated by the parties on 9/16/02.	0 days
Exhibit A, No. 46	McLeodUSA	Confidential Amendment to Confidential Billing Settlement Agreement	10/26/00	¶¶ 1 and 2 settle a historical dispute and amend the backward-looking consideration contained in the 9/29/00 Confidential Amendment to Confidential Billing Settlement Agreement.	0 days

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Exhibit A, No. 47	Global Crossing	Confidential Billing Settlement Agreement	7/17/01	<p>¶ 1 is a settlement of a historical dispute with backward-looking consideration, and has been fully performed.</p> <p>¶ 2 concerns conversion to UNE-P or EEL and says only that Qwest will bill Global Crossing at the appropriate resale or other rate until each line is converted to UNE-P, when Qwest will charge the appropriate UNE-P rate. Filed with the Commission on 8/22/02. The Commission found that this agreement did not discriminate and that it facilitated competition in its approval order issued on 10/9/02. No CLEC has sought to opt-in to this agreement since it was posted on Qwest's website in September 2002.</p>	0 days
Exhibit A, No. 48	Electric Lightwave – ELI	Binding Letter Agreement	7/19/01	<p>¶¶ 1 and 3 are the settlement of a historical dispute with only backward-looking consideration.</p> <p>¶¶ 4 and 5 largely relate to the payment by Qwest to ELI for termination of intraLATA toll traffic, which is not a § 251 service. Qwest denies that the remaining sentences of ¶¶ 4 and 5 create a § 252 obligation on the part of Qwest because the language is an agreement to negotiate and therefore does not appear to create a § 251 obligation.</p> <p>¶ 6 does not create a § 251 obligation but relates to the withdrawal of an FCC complaint and the agreement to negotiate.</p> <p>¶ 7 is an escalation process, which was superseded by an escalation process filed with this Commission on 6/21/02. The substance of this escalation process was available to all CLECs.</p> <p>Finally, the terms of this agreement were incorporated and superseded by the 4/26/02 Confidential Billing Settlement Agreement.</p>	0 days

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Exhibit A, No. 49	Electric Lightwave – ELI	Binding Letter Agreement	7/19/01		Dismissal granted, Order No. 8
Exhibit A, No. 50	Advanced Telcom Group – ATG	Amended Confidential Settlement Agreement	3/15/01		Dismissal granted, Order No. 5
Exhibit A, No. 51	Advanced Telcom Group – ATG	Agreement for Migration of Services	1/30/02		Dismissal granted, Order No. 5
Exhibit A, No. 52	Global Crossing	Settlement Agreement and Release	9/18/00	Provisions of this agreement reflecting terms and conditions of UNE combinations in Washington were superseded by an interconnection agreement amendment filed with the Commission on 11/13/00 and approved on 11/29/00. The agreement simply states that Qwest and Global Crossing will work in good faith on UNE-P conversion and will agree on appropriate implementation schedules.	0 days