

BEFORE THE  
WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

PAC-WEST TELECOMM, INC.

Petitioner,

v.

QWEST CORPORATION,

Respondent.

DOCKET NO. UT-053036

DOCKET NO. UT-053039

(consolidated)

LEVEL 3 COMMUNICATIONS, LLC,

Petitioner,

v.

QWEST CORPORATION,

Respondent.

AFFIDAVIT OF STEPHEN J.  
KENNEDY REGARDING  
DOCUMENTARY APPENDIX TO  
LEVEL 3'S AND PAC-WEST'S  
MOTION FOR SUMMARY  
DETERMINATION

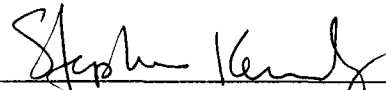
I, STEPHEN J. KENNEDY, under penalty of perjury under the laws of the State of Washington, hereby declare and state as follows:

1. I am one of the attorneys of record for Petitioner Pac-West Telecomm, Inc. ("Pac-West") in the above-captioned action. I make this declaration on the basis of my personal knowledge, and if called upon to testify in this matter I could and would competently do so as set forth herein.

2. Attached hereto as Attachments E, F, G, L, and M are true and correct copies of the following Pac-West documents included in the Documentary Appendix to the Motion for Summary Determination:

- E. Excerpts from 2001 Pac-West Interconnection Agreement
- F. Excerpts from 2002 Amendment to 2001 Pac-West Interconnection Agreement
- G. Excerpts from 2009 Pac-West Interconnection Agreement
- L. Excerpts from Findings of Fact, Conclusions of Law, and Order Under 11 U.S.C. § 1129(a) and (b) and Fed. R. Bankr. P. 3020 Confirming the Final Modified Second Amended Joint Plan of Reorganization of Pac-West Telecomm, Inc. and its Debtor Affiliates (With Technical Amendments), dated November 19, 2007.
- M. Excerpts from Final Modified Second Amended Joint Plan of Reorganization of Pac-West Telecomm, Inc. and its Debtor Affiliates (With Technical Amendments), dated November 19, 2007, at §§ 11.1 and 12.2

DATED this 1<sup>st</sup> day of June, 2012.



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Stephen J. Kennedy

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 1st day of June, 2012, served the true and correct original, along with the correct number of copies, of the foregoing document upon the WUTC, via the method(s) noted below, properly addressed as follows:

David S. Danner  
Secretary and Executive Director  
Washington Utilities and Transportation  
Commission  
1300 S Evergreen Park Drive SW  
PO Box 47250  
Olympia, WA 98504-7250

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile (360) 586-8203  
 Email (records@wutc.wa.gov)

I hereby certify that I have this 1<sup>st</sup> day of June, 2012 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 Level 3 Communications:***

Lisa F. Rackner  
McDowell, Rackner & Gibson PC  
Suite 400  
419 SW 11th Avenue  
Portland OR 97205

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile (503) 595-3928  
 Email (lisa@mcd-law.com)

***On Behalf Of Level 3 Communications:***

Mack Greene  
Senior Carrier Negotiator  
1025 Eldorado Blvd.  
Broomfield, CO 80021

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile  
 Email (Mack.greene@level3.com)

***On Behalf Of CenturyLink:***

Lisa A. Anderl  
CenturyLink  
Room 3206  
1600 7th Avenue  
Seattle WA 98191

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

**On Behalf Of CenturyLink:**

Mark S. Reynolds  
CenturyLink  
Room 3206  
1600 7th Avenue  
Seattle WA 98191

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile (206) 346-7289  
 Email  
 (mark.reynolds3@centurylink.com)

**On Behalf Of CenturyLink:**

Adam L. Sherr  
CenturyLink  
Room 3206  
1600 7th Avenue  
Seattle WA 98191

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile (206) 343-4040  
 Email (adam.sherr@centurylink.com)

**On Behalf Of CenturyLink:**

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

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

**On Behalf Of CenturyLink:**

Thomas Dethlefs  
CenturyLink  
Room 3206  
1600 7th Avenue  
Seattle WA 98191

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile (206) 343-4040  
 Email  
 (thomas.dethlefs@centurylink.com)

**Courtesy Copy:**

Ann E. Rendahl ALJ  
Washington Utilities and Transportation  
Commission  
1300 S Evergreen Park Drive SW  
PO Box 47250  
Olympia WA 98504-7250

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile (360) 586-8203  
 Email (arendahl@wutc.wa.gov)

**Courtesy Copy:**

Presiding ALJ  
Washington Utilities and Transportation  
Commission  
1300 S Evergreen Park Drive SW  
PO Box 47250  
Olympia WA 98504-7250

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile (360) 586-8203  
 Email (mlovinge@utc.wa.gov)

**On Behalf Of Staff:**

Sally Brown  
Attorney General of Washington  
PO Box 40128  
1300 Evergreen Park Drive S.  
Olympia WA 98504

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile  
 Email (sallyb@atg.wa.gov)

**On Behalf Of Public Counsel:**

Simon J. ffitc  
Attorney General of Washington  
Public Counsel Section  
Suite 2000  
800 Fifth Avenue  
Seattle WA 98104-3188

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile (206) 389-2079  
 Email (simonf@atg.wa.gov)

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

DATED this 1st day of June, 2012, at Seattle, Washington.

