

BEFORE THE  
WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

In the Matter of the Petition of:

QWEST CORPORATION

To be Regulated Under an Alternative Form of  
Regulation Pursuant to RCW 80.36.135

Docket No. UT-061625

**WEBTEC'S PETITION TO  
INTERVENE**

Pursuant to WAC 480-07-355, the Washington Electronic Business and  
Telecommunications Coalition ("WeBTEC") hereby petitions the Commission for leave to  
intervene in the above-entitled docket. As grounds for intervention, WeBTEC states as  
follows:

1. The name, address, and telephone number of the person to whom  
communications should be addressed are:

Arthur A. Butler  
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2. WeBTEC is an association of large business consumers of telecommunications  
services. Its members are customers of Qwest Corporation ("Qwest") in Washington.

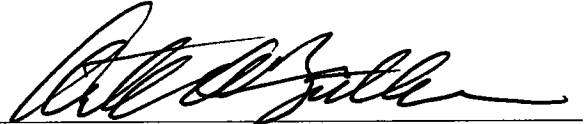
3. WeBTEC has a substantial interest in the extent to which Qwest's services are subject to an alternative form of regulation ("AFOR"). Most, if not all, of the intrastate telecommunications services WeBTEC's members obtain from Qwest in Washington have been classified as competitive. Those competitive classifications were all based in substantial part on the continued availability of cost-based, unbundled network elements ("UNEs") to competitive local exchange companies ("CLECs"). However, pursuant to various FCC orders, some network elements in some locations are no longer available to CLECs on a cost-based, unbundled basis, and more may not be available in the near future. Without access to cost-based UNEs, CLECs will have to rely on Qwest special access services to reach end-user customer locations, unless they have been able to construct access facilities to those customer locations themselves or lease them from another provider. Currently, Qwest's special access services, like the services provided to business end-user customers, are classified as competitive based on the availability of cost-based UNEs. At this point it is an open question whether effective competition can be found to exist for either Qwest's business end-user or special access services if cost-based UNEs are not available. Significantly, in Docket No. UT-053025, the Commission has been asked to review Qwest's pricing of its intrastate special access services. Under Qwest's proposed AFOR, if the Commission were to find that effective competition no longer exists and remove the competitive classification of the services Qwest offers to its end-user customers or to its competitors, those Qwest services would still be subject to pricing flexibility under the AFOR. The Commission would be unable to establish fair, just, and reasonable rates for those services. In other words, there would be no market discipline sufficient to ensure fair, just, and reasonable rates, nor would there be any regulatory mechanism or regulatory authority to do so. WeBTEC, therefore, seeks to intervene in this proceeding to preserve its full rights to Commission oversight of Qwest's intrastate business services and of those services that are provided to CLECs.

4. The evidence, if any, and briefing presented by WeBTEC will be of material value to the Commission in its determination of the issues involved in this proceeding, and WeBTEC's intervention will not broaden those issues or delay the proceedings.

5. WHEREFORE, WeBTEC prays for leave to intervene as a party to this proceeding, with a right to discovery, to have notice of and appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard in person or by counsel on brief and at oral argument.

RESPECTFULLY SUBMITTED this 2nd day of November, 2006.

ATER WYNNE LLP

By 

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Attorneys for WeBTEC

## CERTIFICATE OF SERVICE

I hereby certify that I have this 2nd day of November, 2006, 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:

Carole Washburn  
Executive Secretary  
Washington Utilities and Transportation  
Commission  
1300 S Evergreen Park Drive SW  
Olympia, WA 98504-7250

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I hereby certify that I have this 2nd day of November, 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:***

Lisa A. Anderl  
Qwest Corporation  
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***On Behalf Of Public Counsel:***

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***On Behalf Of Staff:***


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

DATED this 2nd day of November, 2006, at Seattle, Washington.

  
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