

Qwest

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Via E-Mail and Overnight Delivery

May 3, 2004

Ms. Carole J. Washburn, Secretary
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Dr. S.W.
P.O. Box 47250
Olympia, WA 98504-7254

Re: Docket No. UT-980390
Qwest Services Transfer Agreements between Qwest Corporation, Advanced
TelCom, Inc. and Avista Communications of Washington, Inc. and between Qwest
Corporation, Advanced TelCom, Inc. and Fairpoint Communications

Dear Ms. Washburn:

Qwest Corporation ("Qwest"), Advanced TelCom, Inc. ("ATG"), and Avista Communications of Washington, Inc. ("Avista") entered into a form business agreement on December 5, 2001 entitled Qwest Services Transfer Agreement in order to effectuate the transfer of collocation space from Avista to ATG. Avista and Qwest entered into an Amendment for Cancellation Decommission to the Interconnection Agreement in order to formally finalize Avista's obligations concerning this transfer. The amendment was filed with the Commission in Docket No. UT-003105 on February 8, 2002 and approved on March 13, 2002.

Similarly, Qwest, ATG and Fairpoint Communications ("Fairpoint") entered into a form business agreement on April 26, 2002 entitled Qwest Services Transfer Agreement in order to effectuate the transfer of collocation space from Fairpoint to ATG. Fairpoint and Qwest entered into an Amendment for Cancellation Decommission to the Interconnection Agreement in order to formally finalize Fairpoint's obligations concerning this transfer. The amendment was filed with the Commission in Docket No. UT-990343 on February 8, 2002 and approved on March 13, 2002.

Qwest and ATG have not entered into a Collocation Transfer of Responsibility Amendment in order to formally finalize ATG's obligations concerning these transfers. Qwest contacted ATG (see enclosed letter from Larry Christensen of Qwest to Lon Blake of ATG from dated July 15, 2003) and requested that the standard Amendment for Collocation Transfer of Responsibility

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be signed. However, ATG is unwilling to sign such an agreement despite that the services have indeed been transferred and that Qwest and ATG have, in effect, performed their respective obligations under the standard amendment. I have enclosed the standard form Amendment for Collocation Transfer of Responsibility, a copy of which was forwarded to ATG. The amendment reflects the terms under which the collocation was transferred to ATG in 2001. This standard form Amendment is also located on Qwest's website and is available for review by other CLECs. Qwest is providing this agreement for the Commission's information, and asks the Commission to take whatever steps it deems appropriate to ensure that the file in the above-referenced docket is complete.

Also enclosed are the Qwest Services Transfer Agreements between Qwest, ATG and Avista and between Qwest, ATG and Fairpoint for informational purposes. Qwest is providing this information with state commissions relating to the Section 252 filing requirement in the spirit of cooperation (as Mr. Steve Davis stated in his letter to Carole Washburn on May 9, 2002 announcing Qwest's new expansive policies relating to Section 252 filing issues).

Because the enclosed Qwest Services Transfer Agreements contain information that Qwest, ATG, Avista and Fairpoint consider proprietary in nature, such as account information, Qwest requests that this agreement be treated as confidential information pursuant to WAC 480-07-160(3).

Thank you.

Sincerely,

Adam L. Sherr

Enclosures

cc: Mr. Lon Blake, Advanced TelCom, Inc.
Margie Herlth, Qwest

CERTIFICATE OF SERVICE

Docket No. UT-980390

I hereby certify that I have this day served a cover letter without an enclosed amendment upon all persons listed below who are parties of record in this proceeding, by United States Postal Service first class mail in accordance with WAC 480-07-150.

Lon Blake Advanced TelCom Group 110 Stoney Point Road, Second Floor Santa Rosa, California 95401	
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Dated at Seattle, Washington this 3rd day of May, 2004.

Elizabeth M. Weber