



January 27, 2005

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LEVEL 3 COMMUNICATIONS

General Counsel  
Level 3 Communications  
1025 Eldorado Blvd.  
Broomfield, CO 80021  
USA

To: General Counsel

<b>Announcement Date:</b>	January 27, 2005
<b>Effective Date:</b>	Immediately
<b>Document Number:</b>	PROD.01.25.05.A.001303.LIS_LOCAL
<b>Notification Category:</b>	Product Notification
<b>Target Audience:</b>	CLEC
<b>Subject:</b>	VNXX on LIS Trunks

Local Interconnection Service (LIS) trunks are to be used only for the mutual exchange of Exchange Service (Local), Exchange Access, and Jointly Provided Switched Access Services. Calls that originate in one local calling area and terminate to an end user located in another local calling area are not Exchange Service calls, regardless of the NPA-NXX used for those calls, and should properly be treated as long distance calls. Therefore, these types of calls should be rated using Qwest's Switched Access tariffs with appropriate provisioning of interexchange transport.

Qwest has become aware that Level 3 Communications is utilizing LIS trunking for the termination of inappropriate long distance traffic. This inappropriate use of LIS trunking is achieved by obtaining local NPA-NXXs and filing the NPA-NXXs in the Local Exchange Routing Guide (LERG), to give the appearance of a local dialing pattern for these intraLATA or interLATA toll calls. The industry now refers to this type of toll traffic as Virtual NXX (or "VNXX") traffic. **No interconnection agreement between Qwest and any party permits or requires the exchange of VNXX traffic, and LIS trunking should not be utilized for the exchange of VNXX traffic. This restriction includes Single Point of Presence (SPOP) LIS trunking arrangements.**

**Please see the attached VNXX service example.**

**It is Level 3 Communications's responsibility to ensure that VNXX traffic is not exchanged via LIS trunking arrangements.** To resolve any potential misuse of LIS trunking arrangements, Level 3 Communications can take the following step:

- You can modify your assignment of telephone numbers to your end-user customers to ensure that they are only receiving a phone number with an NXX assigned to the rate center where they are physically located. This would modify the dialing patterns (to 1+) for your current VNXX traffic and either migrate the traffic from LIS to tariffed Switched Access Feature Group D trunks for interLATA traffic or appropriately use the LIS trunking if the traffic is Exchange Access traffic.

**By this letter, Qwest is initiating a dispute with Level 3 Communications pursuant to the dispute resolution provisions of Level 3 Communications's interconnection agreement with Qwest. Qwest requires that Level 3 Communications cease its use of VNXX architecture such that Qwest is forced to send VNXX traffic to Level 3 Communications. In addition, Qwest will be taking the following steps:**

1. Cessation of payment of reciprocal compensation for VNXX traffic. Should Level 3 Communications dispute Qwest's findings with respect to the determination of VNXX traffic versus Exchange Service, Exchange Access or Jointly Provided Switched Access traffic, Qwest will, in good faith, work with Level 3 Communications to resolve that dispute;
2. Continuation of the Dispute Resolution process in Level 3 Communications's interconnection agreement with Qwest, including but not limited to filing complaints regarding this dispute with the appropriate state regulatory agency; and
3. Any other appropriate actions that Qwest may deem necessary to cease the exchange of VNXX traffic with Level 3 Communications and appropriately compensate Qwest for use of its facilities. Qwest does not waive and specifically reserves any claims, rights and actions it may have against Level 3 Communications regarding the exchange of VNXX traffic, including but not limited to seeking compensation for Level 3 Communications's use of Qwest facilities in exchanging this interexchange VNXX traffic.

Therefore, as discussed above, this letter serves to open the applicable dispute timeframes in Level 3 Communications's interconnection agreement with Qwest. Qwest must receive written confirmation no later than February 15, 2005, that Level 3 Communications has either ceased forcing Qwest to exchange VNXX traffic with Level 3 Communications or a specific date upon which Level 3 Communications will cease doing so. If Level 3 Communications fails to provide this written notice by February 15, 2005, to Dan Hult, Director, Carrier Relations, at [dan.hult@qwest.com](mailto:dan.hult@qwest.com) or at 1314 Douglas Street, Omaha, NE 68102, Qwest will continue to pursue all of the actions discussed above, including but not limited to filing of complaints with the appropriate regulatory agencies. It is necessary that Level 3 Communications and Qwest begin working immediately on a cooperative solution that follows the requirements of the interconnection agreement between Level 3 Communications and Qwest. Please work with Dan Hult as Qwest's initial contact for this dispute, who can be reached at [dan.hult@qwest.com](mailto:dan.hult@qwest.com). Thank you in advance for your cooperation on this issue.

Best regards,

Steven Hansen  
Vice President – Carrier Relations  
Wholesale Markets  
Qwest Services Corporation

cc: , Liz Stamp  
Renee Virlee

Note: In cases of conflict between the changes implemented through this notification and any CLEC interconnection agreement (whether based on the Qwest SGAT or not), the rates, terms and conditions of such interconnection agreement shall prevail as between Qwest and the CLEC party to such interconnection agreement.

The Qwest Wholesale Web Site provides a comprehensive catalog of detailed information on Qwest products and services including specific descriptions on doing business with Qwest. All information provided on the site describes current activities and process.

Prior to any modifications to existing activities or processes described on the web site, wholesale customers will receive written notification announcing the upcoming change.

If you would like to unsubscribe to mailouts please go to the "Subscribe/Unsubscribe" web site and follow the unsubscribe instructions. The site is located at:

<http://www.qwest.com/wholesale/notices/cnla/maillist.html>

# VNXX SERVICE EXAMPLE

