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**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION**

**In the Matter of the  
CONTINUED COSTING AND PRICING OF  
UNBUNDLED NETWORK ELEMENTS,  
TRANSPORT, TERMINATION, AND RESALE**

**Docket No. UT-003013, Part A  
  
QWEST'S REPLY TO THE JOINT  
CLEC OPPOSITION TO QWEST'S  
PETITION FOR RECONSIDERATION  
OF THE THIRTEENTH  
SUPPLEMENTAL ORDER**

Pursuant to the Fourteenth Supplemental Order, Qwest hereby files this reply to the answer filed by the Joint CLECs. The Joint CLECs oppose Qwest's petition for reconsideration with regard to OSS cost recovery and physical collocation rate elements, and claim that Qwest has improperly attempted to introduce new evidence on reconsideration. Qwest replies to address the claims regarding new evidence, and to respond to the Joint CLECs' arguments regarding the rates for physical collocation.

**OSS Cost Recovery**

The Joint CLECs claim that the Commission should not reconsider its decisions on OSS cost recovery issues, and allege that Qwest attempts to improperly introduce new evidence on reconsideration. Qwest believes that the Commission's conclusions with regard to Qwest's OSS costs are not supported by the record, and has detailed that argument in its

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petition for reconsideration. Specifically, the conclusion that Telcordia expenses unreasonably inflated those expenses is not supported by any record evidence. The Telcordia expenses that are discussed on the record and in the Commission order are expenses that were incurred for line sharing only.

The issue of whether and to what extent Telcordia expenses were included in Qwest’s general OSS costs was not raised in any party’s prefiled testimony, was not discussed during the hearing, and was not raised in any party’s brief. The issue appeared for the first time in the Thirteenth Supplemental Order. Qwest, reasonably under the circumstances, addressed the issue in its petition for reconsideration, and explained that if Qwest had been notified of the concern, Qwest could have addressed it with evidence showing that Telcordia expenses did not contribute a significant amount to the total requested for OSS cost recovery.

The Joint CLECs essentially argue that Qwest should not even be permitted to challenge the Commission’s conclusion if consideration of information outside the record is required. They suggest that this situation is the same as the Joint CLECs raising new issues on brief, which they were precluded from doing. The Joint CLECs are incorrect. The Joint CLECs do not argue that there is record evidence to support the Commission’s conclusion. Rather, they claim that the Commission “reasonably inferred” that Telcordia costs contributed to the “excess” in Qwest’s proposal. However, they cannot point to any evidence upon which such a “reasonable inference” could be based. Qwest has clearly demonstrated that there is no such evidence, and offered additional information only to show what the evidence would have been if the issue had been raised in time for Qwest to address it with evidence. This is a far cry from the Joint CLECs’ attempt to raise new issues on brief, and the Commission should grant Qwest’s petition on the issue of OSS cost recovery.

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**Collocation Issues**

The Joint CLECs support the decision to require Qwest to use Verizon’s rates for physical collocation. However, the Joint CLECs’ discussion of this decision acknowledges the very issue that Qwest raised – that the two companies do not offer collocation services in the same manner, and that costs and rate designs are necessarily different. For example, the Joint CLECs do not dispute that Qwest’s entrance facility product offering is different from Verizon’s in that Qwest offers to provide the fiber, where Verizon does not, and that the Verizon charges for “overhead superstructure” must be somehow attributed to Qwest’s entrance facilities rates. Thus, Qwest continues to advocate that the Commission reconsider its decision to require Qwest to use Verizon’s rates.

Respectfully submitted this 9th day of March, 2001.

Qwest Corporation

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Lisa A. Anderl, WSBA # 13236