QWEST CORPORATION
STATE: Washington
DOCKET NO: UT-090892
CASE DESCRIPTION: QWEST CORPORATION v. MCLEODUSA dba PAETEC
INTERVENOR: Washington Utilities and Transportation Commission
REQUEST NO: WUTC 1-2

REQUEST:

In its Memorandum in Support of its Motion for Summary Determination, Qwest states that Minnesota has found that McLeodUSA's Wholesale Service Order Charge was unreasonably discriminatory and served to impede competition. Qwest Corporation v. McLeodUSA Telecommunications Services, Inc., d/b/a PAETEC Business Service, Qwest's Memorandum in Support of the Motion for Summary Determination, ¶ 29, Docket UT-090892 (October 19, 2009).

Please indicate whether Qwest has filed a formal complaint in any other jurisdiction against McLeodUSA regarding the same issues as the instant case in the state of Washington, and, if so, please indicate the docket numbers for those matters. Please advise whether there have been any decisions, initial or final, in those cases. If decisions have been reached in other jurisdictions, please provide copies of the orders.

RESPONSE:

Qwest filed complaints regarding the same issues as this case in Arizona, Utah, New Mexico, and Iowa. The docket numbers and filing dates are listed below. No decisions have been issued in any of those states. On a related note, Qwest did complain about these same issues in Minnesota and Colorado, though the complaints took the form of opposition to McLeod's tariff filing before it was effective, as opposed to a formal complaint. The outcome of those two proceedings was discussed at paragraphs 17 and 18 of Qwest's complaint, and addressed in the same paragraphs of McLeod's answer. Qwest also attached the Minnesota order to its complaint as Exhibit C.

Arizona – Docket Nos. T-01051B-09-0307 and T-03267A-09-0307; filed June 9, 2009

Utah – Docket No. 09-049-37; filed June 8, 2009

New Mexico 09-00370; filed October 9, 2009

Iowa – Docket No. FCU-2009-0005; filed June 17, 2009

RESPONDENT, Qwest Legal