BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Joint Application of QWEST COMMUNICATIONS INTERNATIONAL, INC. AND CENTURYTEL, INC. For Approval of Indirect Transfer of Control of Qwest Corporation, Qwest Communications Company LLC, and Qwest LD Corp. ……	)))))))))))	Docket No. UT-100820

EXHIBIT BJJ-16

TO THE

RESPONSIVE TESTIMONY

OF

BONNIE JOHNSON

ON BEHALF OF INTEGRA TELECOM

September 27, 2010

Attachment M: Matrix – xDSL Examples

#[1]	DESCRIPTION OF EVENT	DESCRIPTION OF QWEST RESPONSE
A	**QWEST REFUSING DIGITAL LEVEL SIGNALS VIA CONDITIONED COPPER LOOPS**	
1	In 2008, Integra began to experience an increase in the failure rate of recently installed 2-Wire conditioned copper loops (Qwest Product Name 2-Wire Non-Loaded Loops) which were to provide end users with DS1-level service using HDSL2 technology. One particular instance occurred on circuit 3/LXFU/529246/NW. Integra requested a 2-Wire Non-Loaded Loop notifying Qwest that Integra intended to provide HDSL level service on the loop by using the valid Qwest HDSL NCI code (NCI Code: 02QB9.00H). On 4/24/08 Integra opened Qwest trouble ticket OE195797, Integra reported that the circuit was ordered as a 2-Wire Non-Loaded HDSL Loop, but it was outside the acceptable dB limits for HDSL. Integra provided the dB Loss measured at 196kHz. See also: Attachment 3, Attachment 11, Attachment 12	Qwest's response on ticket OE195797 was that this was "just 2-Wire DSL" for Qwest. Qwest communicated that would only complete the "core tests" (i.e. Voice Grade Testing at 1004 kHz and a 40kHz test.) After completing the voice grade testing Qwest closed the trouble ticket to No Trouble Found, applied a maintenance of service charge and noted "Passed all core tests for conditioned line = bouncing circuit. 1 hr. billable. T-1 on a POTS conditioned circuits."
B	**QWEST RESTRICTING TESTING TO VOICE TRANSMISSION (e.g. 1004 Hz)**	
2	On 4/28/09 Integra opened trouble ticket OW107200 on circuit 4/LXFU/919409/PN. Integra reported the circuit was ordered as a 2-Wire Non Loaded HDSL Capable Loop. Integra's tech was measuring a -30 dB Loss at 196 kHz which is above the limits for HDSL See also: Attachment 1, Attachment 6, Attachment 7, Attachment 8, Attachment 9, Attachment 10	Qwest's response on ticket OW107200 was that they would complete the "core test." The Qwest outside technician completed the core voice transmission tests indicating the circuit was good to the demarcation. The Qwest technician noted that the 40 kHz test was -22.1 dB not the -30 dB Loss that Integra reported. The Qwest technician did not test at 196 kHz which is the appropriate test level of HDSL service.

[1] Documentation corresponding to each Row of the Matrix appears at the end of this Attachment, by number.

#[1]	DESCRIPTION OF EVENT	DESCRIPTION OF QWEST RESPONSE
C	**QWEST REFUSING DIGITAL SIGNALS FOR TWO-WIRE LOOPS**	
3	On 11/11/09 Integra reported trouble on ticket OE274542 for Circuit ID 3/LXFU/529091/NW (a 2-Wire conditioned copper loop used to provide DS1-level service via HDSL2 technology). Integra conducted tests and gave the results to Qwest, indicating it believed it had isolated the trouble to the Qwest network. See also: Attachment 1, Attachment 11, Attachment 12	Qwest insisted that Integra authorize the additional cost for Optional Testing. Integra inquired why Optional Testing was needed when Integra provided test results. Qwest responded that "this is an LX-N circuit not an HCFU [DS1 Circuit] and not a Qwest HDSL CKT."
D	**QWEST DENYING ACCESS TO ADSL CAPABLE LOOPS BASED ON ALLEGED GRANDPARENTING OF ADSL**	
4	On 2/5/09 Integra submitted a request (PON SD-2096633-CFA) requesting an ADSL Capable Loop. See also: Attachment A at Row 4 and Attachment J	Qwest's system rejected the request, preventing the order from going through. The Qwest reject notice said: "not contracted" for ADSL compatible loops (even though ADSL is specifically addressed in the ICA, see Comment section (A)(2)(f). Integra escalated the issue on 2/12/09 to Qwest's legal team. Qwest's legal team confirmed that Qwest's position is ADSL was not available per the ICA.
E	**QWEST REFUSING TO REPAIR/RESTORE SERVICE TO DATA/DIGITAL LEVELS, LEAVING CUSTOMER ADVERSELY IMPACTED**	
5	Integra requested a 2-Wire conditioned copper loop (Qwest Product: 2 Wire Non Loaded). Integra provided the NCI code indicating that the loop would provide HDSL level service. Qwest delivered Circuit ID: 5/LXFU/913614/PN on 2/27/08. The end user's DS1-level service delivered via HDSL2 technology was unstable. Integra opened three trouble reports with Qwest. • 6/25/08 Qwest Ticket OW113738 • 11/24/08 Qwest Ticket OW131833 • 7/1/09 Qwest Ticket OW155399 Qwest refused to test and repair the loop to digital levels. Qwest closed all 3 tickets to Customer Premise Equipment (CPE). Integra had no other alternative but to order a new DS1 Capable Loop to resolve the end user's service impacting issues. On 8/18/09 Qwest delivered DS1 Capable Loop 5/HCFU/234625/PN on Qwest order N45028826. Qwest provisioned DS1 Capable Loop using HDSL2 technology. On 9/24/09 Integra opened trouble ticket OW162754 the DS1 Capable Loop.	Qwest refused to test and repair HDSL circuit 5/LXFU/913614/PN to digital levels so that the HDSL service would continue to work. When Integra had no other choice but to order a DS1 Capable Loop to resolve the service impacting issues, Qwest provisioned the DS1 Capable Loops using HDSL2 technology similar to the technology Integra had previously ordered. When the DS1 Capable Loop needed repair so that it would continue to work Qwest repaired it.

#[1]	DESCRIPTION OF EVENT	DESCRIPTION OF QWEST RESPONSE
F	**QWEST REFUSING TO REMOVE CERTAIN DEVICES, INCLUDING BRIDGE TAP**	
6	On 8/31/09 Integra requested a 2-Wire conditioned copper loop (Qwest Product: 2-Wire Non-Loaded Loop) on PON DC-2296640-DSL to provide Integra's end user with xDSL service. Integra authorized conditioning, per Qwest's process, by populating the SCA field with "Yes". In addition Integra placed Remarks on the request indicating "OGT [Integra] will pay for the removal of BT/LC [Bridge Tap/Load Coil]." Qwest delivered Circuit ID: 5.LXFU.968920..PN on 9/3/2009. In early October, Integra's end user customer reported that the circuit was not performing to its expectations. Between 10/3/09 and 10/13/09, Integra opened and escalated multiple Qwest trouble tickets in an attempt improve the performance of the end user's service. 10/3/09 Integra opened Qwest Trouble Ticket OW163402 because Integra saw a fault (a soft short) on the circuit which Integra believed was affecting the performance of the xDSL service. On 10/7/09, after Qwest closed trouble ticket OW163402 to "no trouble found" Integra opened Qwest Trouble Ticket OW163666 indicating Integra was still seeing a fault (low resistant soft short) on the circuit. Integra requested a vendor meet with Qwest and Integra asked Qwest to appropriately test the circuit.	On Qwest ticket OW163402, Qwest completed voice grade (1004 Hz) and 40 kHz testing (Qwest's "Core Test.") Qwest indicated that there was no trouble found and that the circuit tested okay. Qwest charged Integra for the dispatch. On 10/7/09 Integra opened ticket OW163666 indicating Integra was still seeing a possible fault on the circuit which may be diminishing the performance of the xDSL service provided on the Qwest circuit. Integra requested a vendor meet for 10/8/09. On 10/8/09 the Qwest and Integra technicians met at the customer premise. Qwest completed the voice grade and 40 kHz tests and indicated that the circuit passed the "Core Tests." Qwest would not conduct any of the additional testing that would be appropriate for digital service. 10/9/09 Integra denied closure of trouble ticket OW163666 because Integra was escalating the ticket to Qwest Service Management. Integra informed the Qwest Repair organization that Integra detected 800 feet of bridge tap 300 feet away from the customer's premise that Qwest should remove because Integra had reason to believe that the near end Bridge Tap was negatively impacting the xDSL performance. Qwest re-dispatched a technician because the original technician did not indicate there was bridge tap on the facility. The Qwest Design Layout Record showed the bridge tap contrary to this erroneous Qwest note. On 10/9/09 Qwest repair noted in the trouble ticket that "We [Qwest] will not rmv BT on this one, Core Tests are good. Center policy is not to remove the BT unless it is causing the core test [voice grade 1004 kHz and 40 kHz] to be bad." Integra escalated the issue to Qwest service management and Qwest's legal departments. Qwest agreed that Integra had a contractual right to an "unfettered" copper loop with no Bridge Tap. On 10/13/09 Qwest's legal team initiated trouble ticket OW164041 to remove the bridge tap. 10/14/09 Qwest removed 400 feet of

#[1]	DESCRIPTION OF EVENT	DESCRIPTION OF QWEST RESPONSE
		Bridge Tap. Although Qwest finally removed the bridge tap, the customer experienced a delay in the restoration of service due to Qwest's initial refusal.
7	On 11/2/09, after the escalation described in Attachment 6, Integra opened trouble ticket OW165573 for Circuit ID: 5/LXFU/972907/PN, a 2-Wire conditioned copper loop used to provide xDSL service to Integra's end user customer. Integra requested a vendor meet with Qwest because the xDSL service was not performing as expected and Integra had reason to believe that there were Bridge Taps diminishing the ability to provide xDSL service on this circuit.	According to the trouble ticket notes for ticket OW165573, the Qwest technician was advised "Do not rmve [remove] BT [Brigde Tap] if we have good core test on CKT [circuit]." When the Qwest and Integra technicians met at the end user's premises on 11/3/09, the Qwest technician completed voice grade (1004 Hz) and 40 kHz tests "Core Test" and declared that there was no trouble found on the circuit. The Qwest technician determined that the 200 feet of Bridge Tap found within 200 feet of the customer premises was within the specifications so Qwest did not remove it. The Qwest trouble report indicates that Qwest intends to charge Integra for Optional Testing on this circuit.
8	On 10/26/09, after the escalation described in Attachment 6, Integra opened trouble ticket OW165003 for Circuit ID 5/LXFU/973721/PN, a 2-Wire conditioned copper loop used to provide xDSL service. Integra indicated 450 feet of Bridge Tap 680 feet from the customer premise was detected. Integra requested that Qwest remove the Bridge Tap so the xDSL can run appropriately. See also: Attachment 2, Attachment 9	On 10/26/09 Qwest dispatched a technician to the customer premise. The Qwest technician ran the voice grade (1004Hz) and 40 kHz "Core Tests" and determined that the circuit was in specifications without running additional test appropriate for digital service. Because the voice grade and 40 kHz tests were within Qwest's specification Qwest declared that the Bridge Tap was not "excessive" and refused to remove the Bridge Tap. On 10/27/09 Integra escalated the issue with Integra's Qwest service manager and Qwest legal. Qwest's stated it position that Qwest does not have an obligation to remove devices (Bridge Tap in this case) that could diminish the capability of the loop to deliver xDSL.
G	**QWEST CHARGING CLEC FOR REPAIR, EVEN THOUGH THE TROUBLE IS IN QWEST NETWORK (e.g. DUE TO BRIDGE TAP)**	
9	On 10/23/09 Integra opened trouble ticket OW164800 on Circuit ID 5/LXFU/972941/PN, a 2-Wire conditioned cooper loop used to provide xDSL service to Integra's end user customer. Integra reported that the xDSL service would not train at the customer premise and that there was reason to believe that the 440 feet of Bridge Tap 880 feet from the customer's premise may be	On 10/23/09 Qwest dispatched a technician to the customer's end user premise. The Qwest technician ran the voice grade (1004 Hz) and 40 kHz "Core Tests" and determined that the circuit was within specifications without running additional test appropriate for digital service. The Qwest ticket was closed indicating that the issue was in the Integra network and noted that the 150 feet of Bridge Tap within

#[1]	DESCRIPTION OF EVENT	DESCRIPTION OF QWEST RESPONSE
	diminishing Integra's ability to deliver xDSL service to the end user.	800 feet of the demarcation was within Qwest's parameters. The Qwest ticket indicates that Qwest intends to bill Integra for the repair. Ticket OW164800 was part of the escalations mentioned in Attachments 6 and 8. Integra's end user customer cancelled its service, for both voice and data, because the customer was predictably unhappy with the xDSL situation created by Qwest.
10	On 10/16/09 Integra opened trouble ticket OW164257 for Circuit ID 5/LXFU/972243/PN, a 2-Wire conditioned copper loop used to provide xDSL service to Integra's end user customer. Integra had reason to believe that 261 feet of Bridge Tap 575 feet from the customer premise was diminishing the ability to deliver the expected xDSL service. See Also: Attachment 1, Attachment 2, Attachment 5, Attachment 6	On 10/23/09 Qwest dispatched a technician to the customer's end user premise. The Qwest technician ran the voice grade (1004Hz) and 40 kHz "Core Tests" and determined that the circuit was within specifications without running additional test appropriate for digital service. The Qwest ticket was closed indicating that the issue was with the customer premise equipment. The Qwest ticket also stated "If you [Integra] want BT [Bridge Tap] removed you will have to order that type of circuit." and "CLEC did not pay for BT remove." The Qwest ticket indicates that Qwest intends to bill Integra for the repair. It is important to note that, contrary to the Qwest technician's comments, Integra did request a 2-Wire condition copper loop (Qwest Product: 2-Wire Non-Loaded Loop] and authorized the conditioning charges to remove the bridge tap (see: PON CL-2334709-DSL).
H	**QWEST REFUSING TO PROCEED WITH REPAIR, UNLESS CLEC AUTHORIZES CHARGES FOR TESTING THAT IS SUPPOSED TO BE OPTIONAL**	
11	On 10/2/09 Integra's trouble isolation on Circuit ID: 3/LXFU/517831/NW (a 2-Wire conditioned copper loop used to provide DS1 level service via HDSL2 technology) led Integra to believe there was trouble within the Qwest network. Integra opened ticket OE270597 using CEMR the Qwest electronic repair GUI. Integra provided test results indicating that the service was "taking errors to the NIU." Integra also provided a description of "5K CRC errors tested 5 minutes QRSS to NIU."	Qwest placed ticket OE270597 in No Access or stop time (for the purposes of performance measurement) and electronically sent the ticket back to Integra indicating that Integra's test results were not valid. Qwest insisted that Integra provide valid test results or authorize the cost of Optional Testing. Because this was a service impacting issue, Integra had to authorize the additional cost for Optional Testing. Qwest dispatched the trouble ticket and Qwest found that there was a problem within the Qwest network.

#[1]	DESCRIPTION OF EVENT	DESCRIPTION OF QWEST RESPONSE
		On 10/2/09 Integra contacted its Qwest Service Manager inquiring why Qwest's insisted that Integra approve the cost for Optional Testing when Integra provided test results that were valid according to the Qwest Maintenance and Repair PCAT Test Results Information download. Initially, Integra's Qwest Service Manager indicated that Qwest should not have required Integra to approve the Optional Testing. On 10/16/09 Integra encountered a similar issue on Qwest trouble ticket OE270973 (see Attachment 12) and Integra again notified its service manager. Qwest's response to ticket OE270973 was quite different. Qwest indicated that that the test results provided by Integra would be valid test result on a DS1-level service, but Integra has provided these test result on an xDSL circuit. Qwest indicated that on xDSL circuits they would need metallic test results because Qwest treats the circuit as just a copper loop. On 10/7/09 Integra escalated this issue to the Qwest legal team and the issue continues to be an on-going dispute.
12	On 10/6/2009 Integra's trouble isolation on Circuit ID: 3/LXFU/544385/NW (a 2-Wire conditioned copper loop used to provide DS1-level service via HDSL2 technology) led Integra to believe there was trouble within the Qwest network. Integra opened ticket OE270973. Integra provided test results indicating that there was a loss on the circuit. Integra also noted that there was not the appropriate 180 voltage at the customer demarcation. See Also: Attachment 3	Qwest placed ticket OE270973 in No Access or stop time (for the purposes of performance measurement) and electronically sent the ticket back to Integra indicating that the circuit was not a "T1" circuit for Qwest and test results provided by Integra were not valid. Qwest insisted that Integra authorize the cost of Optional Testing before it would proceed with the repair. Because this was a service impacting issue, Integra had to authorize the additional cost for Optional Testing. Qwest dispatched the trouble ticket and Qwest found that there was a problem within the Qwest network. The Qwest ticket indicates that Qwest intends to bill Integra for the Optional Testing.
I	**QWEST NOT ASSIGNING THE BEST AVAILABLE LOOP – ASSIGNING TO VOICE PARAMETERS FOR CLECS**	
	See Attachments N & O	

Attachment 1

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest Ticket OE195797

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
GO TO PAGE        PRINTER                1 N PAGE 0001       04/29/08 11:52 CDT
TRK/TR# OE195797          CKT S 3 /LXFU/529246    /NW

 04/24/08 1806 MED FLE        ------------ ADDITIONAL TROUBLE INFO ------------
                              THIS CKT WAS ORDERED AS A 2-WIRE, NON-LOADED HDSL
                              LOOP, BUT IS OUTSIDE OF ACCEPTABLE DB LIMITS FOR H
                             DSL, INTEGRA TESTED AT -29DB. 3 OTHER LOOPS AT DEM
                             ARC ARE -27 OR LESS. ACCESS & TESTING AFTER 3:00PM
                              M-F. CUST CONTACT IS MIKE.
                             ---------------------------------------------

   04/24/08 1821 CNW RMK    FIX  PER CLEC LESLIE THEY WANT A DSP AND OPT TST OK ON
                                 THIS THEY ARE USEING AS HDSL FYI'D CLEC THIS IS
                                 JUST 2 WIRE DSL FOR US AND WE   WILL CORE TST AND
                                 CLL THEM WITH TEST RES AFTER TECH DSP TO PREM AT
                                 1500

04/24/08 1848 CNW RMK    FIX  PLZ DSP AND TAKE CORE TST AND CALL TO POSS TEST
                              WITH CLEC THEY ARE GETTING BAD LOSS ON THWEIR CKT

 04/25/08 1523 CNW RMK    FIX  STATS LOOKIN GTG CLLIN CLEC TO FYI AND RST WITH
                               THEM
 04/25/08 1523 CNW RMK        COPPER050207- TECH EC# 404
                              1004HZ=3.2       NOISE=2          BALANCE=99
                              RESISTANCE T-R=327 T-G=999 R-G=397 MEGOHMS
                              FOREIGN VOLTAGE T-R=0     T-G=0     R-G=0     VOLTS
                              ANY LOAD COILS (Y/N)=N   ANY BRIDGE TAP (Y/N)=N

                               CKD/TOKNTFIECTRBL/BONDED/RST=04/25/0815:31
  04/25/08 1621 CNW RMK        WAS CUSTOMER INFORMED OF RESTORE TIME? Y
                               OPTIONAL TESTING BILLABLE? Y
                               DID THE CCT OR COT TEST WITH OST? Y
                               BILL FOR DISPATCH? Y
```

Attachment 2

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest Ticket OW107175

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
GO TO PAGE         PRINTER               1 N PAGE 0001      04/30/08 09:45 PDT
TRK/TR# OW107175          CKT S 4 /LXFU/917293    /PN
                          ------------------------------------------
04/28/08 1320 MED FLE     ------------ ADDITIONAL TROUBLE INFO ------------
                          PER INTEGRA TECH,SIGNAL IS DEGRADED. IT APPEARS TO
                           TECH THAT THERE ARE BRIDGE TAPS ON CKT, THOUGH NO
                          NE ARE NOTED IN DESIGN DOCUMENTATION.  OPTIONAL TE
                          STING & DISPATCH OK.
                          ------------------------------------------------
04/28/08 1321 ADN RMK   FIX  4HR TKT/PLZ DO CORE TESTS ON CABLE PAIRS + 1004 &
                          40K TONE/CHECK FOR LOADS & BT/ND ALL RESULTS/
04/28/08 1614 WWI CUS     **********TEST RESULTS**********
                          TECH=
                          LOOP CURRENT=
                          1004=-4.0   40K -20.2
                          C-MSG ( NOISE )=7
                          POWER INFLUENCE=
                          BALANCE=64
                          RINGBACK=
04/28/08 1614 WWI CUS     RESISTANCE: T-R=100
                          RESISTANCE: T-G=56
                          RESISTANCE: R-G=21
 04/28/08 1618 WWI RMK    WAS CUSTOMER INFORMED OF RESTORE TIME? Y
                          OPTIONAL TESTING BILLABLE? Y
                          DID THE CCT OR COT TEST WITH OST? Y
                          BILL FOR DISPATCH? Y
 04/28/08 1618 WWI RMK    RESCON111506
 04/28/08 1617 WWI RMK  FIX  DPO IS BILLABLE
 04/28/08 1617 WWI CUS  FIX  SPEAKING TO LESLEE/INTEGRA ADVISED TOK TO DEMARC,
 04/28/08 1617 WWI CUS  FIX  THIS IS AN LXFU CKT AND IS ALLOWED TO HAVE UP TO
                          2500 OF BRIDGE TAP, CKT PASSED ALL CORE TEST TO
                          LXFU STANDARDS
```

Attachment 3
Qwest CEMR Circuit History for Circuit 3/LXFU/529091/NW

```
COMMAND          D     WFAC: CIRCUIT HISTORY (OSSCHI)              /FOR
 PRINTER LTERM:                          F 1 N    PAGE 0001    11/18/09  14:03 CST
 ********************************************************************************
 CKT S 3 /LXFU/529091    /NW                                ICTR OMAHNENWA09
 CAC SWH3MD9  CKT SOURCE     CKT STAT IE                    MCTR OMAHNENWA09
 ********************************************************************************
 TRK/TR#       ACT ORD#                RC X BI STAT DD/RCV       CD/CAN/RES  S O
 C TYPE COMMENTS
 MNS630701001  A  N10193933                    IE   041708      041708
        OCB=306 HRD11=0
 OE274542                                CR   M  CPE  111109 1725 111209 1040  2
   CKD   TOJ ON SPAN/CPE TRBL.
 OE272027                                CR   M  CPE  101809 1622 101809 1914  2
   CKD   CKT TOK TO DMRK/CPE
 OE269187                                CR   M  IEC  091809 1429 091809 1745  1
   OTH   CKD/IEC TRBL SPAN TOK/RST= 09/18/09 17:45
 OE260145                                CR   M  CPE  070809 0818 070809 1102  1 Y
   CKD   CKD/
 OE255689                                CR   M  CPE  060309 1637 060309 1830  2 Y
   CKD   CKD/TOK TO DMARC - NTF/RST 0603 1830
 OE214573                                CR   M  CPE  080108 1330 080108 1510    Y
   OTH   CORE TEST GOOD TO DMARC
```

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OE274542

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
 GO TO PAGE         PRINTER                1 N PAGE 0001       11/18/09 14:06 CST
 TRK/TR# OE274542          CKT S 3 /LXFU/529091    /NW
11/11/09 1725 MED FLE
 ------------ ADDITIONAL TROUBLE INFO ------------
UNABLE TO LOOP NIU OR ANY LOOPABLE DEVICE ON THIS
**HDSL T1*** CFA SHVWMNRI, PST05/1890.  OK TO TEST
                              AND DISPATCH.
11/11/09 1729 J9H CUS   FIX  PLZ PROVIDE TEST RESULTS OR FIRST & LAST NAME &
                              CLBK # OFPERSON ACCEPTING OPTIONAL TESTING
                              CHARGES.  TICKET IS IN STOP TIME FOR   1HR
                              AWAITING YOUR RESPONSE.
11/11/09 1732 MED FLE        ------------ ADDITIONAL TROUBLE INFO ------------
                              HI QWEST, DO NOT UNDERSTAND WHY YOU NEED AUTHORIZA
                              TION FOR OPTIONAL TESTING WHEN I DID PROVIDE VALID
                               TEST RESULTS, PER YOUR DOCUMENTATION.  THIS IS HD
                              SL T1, CANNOT LUP NIU OR ANY LOOPABLE DEVICE. SEE
                              NO VOLTAGE ON CKT BETWEEN C AND R CARDS IN HDSL.
                              ------------------------------------------------
11/11/09 1740 JZS CUS   FIX  HI INTEGRA, THIS CKT IS AN LX-N NOT AN HCFU AND
                              NOT A QWEST HDSL CKT.| YOU MUST PROVIDE METALLIC
                              TEST RESULTS OR APPROVE OPTIONAL TESTING
                              CHARGE,THANK YOU!
11/11/09 1837 JZS RMK   FIX  4HR TKT/PLZ DO CORE TESTS O
N CABLE PAIRS + 1004 &                              40K TONE/CHECK FOR LOADS &
BT/ND ALL RESULTS/
```

Attachment 4

Qwest IMA Reject for ADSL Capable Loop.

LSR Rejects EC VER 01
CCNA: O03
PON: SD-2096633-CFA
VER: 01
LSR ID: 27115006

Reject Message(s)
1. Invalid entry - FORM/SECTION: LSR-Admin - FIELD: nc

Comments
you are not contracted for lxr-

Qwest Representative: Qwest Rep
Representative Telephone Number: 866-434-2555

ADSL Capable Loop Availability Escalation Emails

From: Butler, Daphne [mailto:daphne.butler@qwest.com]
Sent: Tuesday, February 17, 2009 5:02 PM
To: Clauson, Karen L.; Christensen, Larry; Dea, Steve; Interconnection Agreements; Coffin, Kristi; Urevig, Rita; Marquez, Matthew
Cc: Isaacs, Kimberly D.; Johnson, Bonnie J.; Denney, Douglas K.
Subject: RE: Qwest Invalid Reject for ADLS Loop Order - Oregon - escalation

Integra:

Your Oregon ICA does not give you a right to an Asymmetric Digital Subscriber Line (ADSL) Compatible loop. In your email requesting an ADSL Compatible Loop, you quote from the definition of Special Copper Loop. While there is a reference to ADSL in section 2.1 of Attachment 3 to the ICA, it is simply part of a list of the type of signals that can be placed on two-wire and four-wire loops. The current Exhibit A, updated in August of last year, does not contain a reference to ADSL Compatible Loop.

The ICA in Attachment 3, Section 2.1.3 lists "Available Types and Grades" of unbundled loops. "Special Copper Loop" is among the available types. ADSL Compatible loop is not listed. Section 2.1.1.2 defines the Special Copper Loop as "Copper twisted pair medium, unfettered by any intervening equipment (e.g., filters, load coils, range extenders) and which do not contain any bridged taps, so that CLEC can use these loops for a variety of services by attaching appropriate terminal equipment at the ends."

This is not the same product as the Asymmetric Digital Subscriber Line (ADSL) Compatible Loop, which our website describes as an unbundled 2-wire metallic facility that establishes a transmission path

between a Qwest Central Office (CO) Distribution Frame or equivalent and the loop demarcation point at an end-user premises. ADSL Compatible Loop is provided with the following characteristics:

Metallic, Exchange cable facilities without Qwest active or passive equipment

Facilities without Load Coils or Build out Capacitance

Possibility of mixed gauges of cable

Facilities that may have limited amounts of remaining Bridged Tap"

http://www.qwest.com/wholesale/pcat/unloopadslcompatloop.html

There are differences between the Special Copper Loop and the ADSL Compatible Loop. Note that the Special Copper Loop does not contain any bridged taps, while the ADSL Compatible Loop "may have limited amounts of remaining Bridged Tap." Further, as stated in Attachment 3, in Section 2.1.1.2, and again in section 3.1.4.1 Special Copper Loop can be used "for a variety of services" when the CLEC attaches "appropriate terminal equipment at the ends." We do not claim that every Special Copper Loop is going to be compatible with ADSL.

If Integra changes its order for ADSL Compatible Loop to one for Special Copper Loop, we will provision that order.

Daphne E. Butler
Corporate Counsel
Qwest Corporation
1801 California, 10th Floor
Denver, CO 80202
303-383-6653 (voice)
720-203-0497(mobile)
303-896-1107 (fax)

Attachment 5

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OW155399

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
GO TO PAGE         PRINTER                1 N PAGE 0001       07/15/09 06:24 PDT
TRK/TR# OW155399          CKT S 5 /LXFU/913614     /PN


07/01/09 1640 MED FLE        ------------ ADDITIONAL TROUBLE INFO ------------
                             CKT DOWN ,CANNOT SYNC HDSL. CFA PST0H-4091, AUTH O
                             PT TST
                             ------------------------------------------------
07/01/09 1649 WWI RMK   FIX  PLS PERFORM CORE TESTS THEN PROVE TO DEMARC/ADVISE
 07/02/09 0854 ST5 RMK       WAS CUSTOMER INFORMED OF RESTORE TIME? Y
                             OPTIONAL TESTING BILLABLE? Y
                             DID THE CCT OR COT TEST WITH OST? Y
                             BILL FOR DISPATCH? Y
 07/02/09 0854 ST5 RMK       RESCON111506
 07/02/09 0853 ST5 CUS   FIX CKT RESTORED = 0850
 07/02/09 0853 ST5 CUS       COPPER050207- TECH EC# 527
                             1004HZ=1.6      NOISE=0          BALANCE=100
                             RESISTANCE T-R=999 T-G=999 R-G=999 MEGOHMS
                             FOREIGN VOLTAGE T-R=0    T-G=0    R-G=0    VOLTS
                             ANY LOAD COILS (Y/N)=N   ANY BRIDGE TAP (Y/N)=Y
                             500 FT OF BT
                             40K = 6.8
 07/02/09 0852 ST5 CUS   FIX OST CI & STD THAT CKT IS TESTING PERFECT TO DMARC
```

Selected entries of the CSR Record for replacement DS1 Capable Loop indicating service was provisioned with 2-Wire Technology.

Service and Equipment

```
ENT     0000
        1       XUH1N
                /ZCID   A20
CLS     5.HCFU.234625..PN
        /CKR    LS633781-1
CKL     1-112 E 10TH AVE,
                        EUGENE, OR
        /LSO    541 342
        /TAR    OR6503
        /SN     QWEST
```

```
        /POI    EUGNOR53HGH
        /CFA    PSU0H 22-NL 2 EUGNOR53 EUGNOR53HGH
        /LCON   NR, 000 000-0000
TRM     A
        1       TYLDX
                /NCI    04QB9.11
                /NC     HCE-
                /ZCID   A20
CKL     2-[CUSTOMER IDENTIFYING INFORMATION REDACTED]
        EUGENE, OR
        /LSO    541 342
        /TAR    OR6503
        /SN     [CUSTOMER IDENTIFYING INFORMATION REDACTED]
        /LCON   [CUSTOMER IDENTIFYING INFORMATION REDACTED]
TRM     A
        1       U4D1X
                /NCI    04DU9.1SN
                /NC     HCE-
                /PTW
                /ZCID   A20
```

Note: Per the Qwest Wholesale FID Finder /PTW = Provision Two-Wire
http://www.qwest.com/wholesale/usocfidfind/1,1465,fid,00.html

---

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OW162754 for replacement DS1 Capable Loop Circuit ID: 5/HCFU/234625/PN

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
 GO TO PAGE        PRINTER               1 N PAGE 0001       11/17/09 12:19 PST
 TRK/TR# OW162754          CKT S 5 /HCFU/234625    /PN
 VIEW ALL   DISPLAY G      CTR OMAHNENWA09           ORD

09/24/09 1711 MED FLE        ------------ ADDITIONAL TROUBLE INFO ------------
                              CFA= PSU0HX2  OPTIONAL TEST AND DISP AUTH  UNABLE
                              TO LOOP UP NIU
                              ------------------------------------------------
09/24/09 1718 RM9 RMK   FIX  HTU-C 2W OPEN;TESTED BY 'INTAS', SPARE PAIRS
                              FOUND. SEE OSSLOG FOR PAIRS.
09/24/09 2048 IMW RMK   FIX  ADVISED TECH TA3000 SHELF IS SHOWING LOS AND MAJOR
                               ALARM. HE WAS UNDER THE IMPRESSION THAT CA MAINT
                              HAD REPAIRED A WET LEAD CABLE EARLIER TONIGHT.
09/24/09 2154 DO  SDC   FIX  OMAHNENWA09 EUGNOR53    EUGNOREAA14 Z CMP FAL
                              09/24/09  21:54       09/24/09 21:54
                              RET JOB NARR: SCREEN = DOCOMP
                              TRBL FOUND: DEF F1
                                                ACTN TAKEN: CTC F1
```

Attachment 6

Selected entries from Local Service Request (LSR) PON DC-2296640-DSL confirming Integra requested conditioning (SCA = Y), was willing to pay to have Bridge Tap removed and confirming Integra requested a 2-Wire xDSL compatible Loop.

Administrative Section

CCNA	PON	VER	LSR NO	LOCQTY	HTQTY	LSR REJECT OVERRIDE
O03	**DC-2296640-DSL**	**01**			**0**	

AN (NNN-X99-9999-999)	NAN	DLEC CCNA

Admin

PG_of_	D/T SENT
	200908311416

DSPTCH	DDD	APPTIME	APTCON	DDDO	DFDT
	2009/09/03				

PROJECT	CHC	TEST
		N - No Testing

REQTYPE	ACT	RSTTYP	CIP	CSO1:	CSO2:	PMI
AB	**N**					

CONVIND	MI	SUP	EXP	RTR
				D - Confirmation of LSR & DLR

CC	AENG	ALBR	SCA
7482			**Y - Yes**

AGAUTH	DATED	AUTHNM
Y - Authorization	**2004/06/30**	**SHAN KARIA**

PORTTYP:	ACTL:	AI	APOT:	LST:	LSO:	TOS:	NPDI:	SPEC:
					503231	**1**		

NC:	NCI:	SECNCI:	RPON:	RORD:	DLQTY:
LX-N	**02QC5.OOS**	**02IS5.N**			

Remarks

Remarks
OGT WILL PAY FOR THE REMOVAL OF BT/LC. WE ACCEPT ANYTHING UP TO 26KFT.

Selected sections of the Qwest Completion Notice confirming Qwest delivered services requested on PON DC-296640-DSL

Service Order Processor Completion Notice

Service Order Processor Completion Notice Sent: 09/03/2009 12:36, MDT

```
Completion Notice for LSR_ID:  29031386

######## Administration Section ##############################################

  CCNA  CC--  PON-----------  VER  LSR-NO  C/TSENT--------------
  003   7482  DC-2296640-DSL  01           09/03/2009 12:36:15 PM

######## Order Information Section ###########################################

  ORDER-REF-NUM  ORD------  CD--------  AN--------------
  2     N46574721  09/03/2009  503 T02-4757-721
```

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OW163402

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
 GO TO PAGE        PRINTER                1 N PAGE 0001       11/19/09 06:45 PST
 TRK/TR# OW163402          CKT S 5 /LXFU/968920    /PN
 VIEW ALL   DISPLAY G      CTR OMAHNENWA09           ORD
10/04/09 0920 MED FLE        PLEASE DPO AND TROUBLESHOOT SHORT AND READINGS THA
                              T WERE MENTIONED IN OUR FIRST NOTE TO YOU. THANK Y
                              OU!
10/04/09 1026 MAR RMK   FIX  CKT BOUNCING.INTEGRA SEES SOFT SHORT 700FT FRM
                              DEMARC..PLZ CHK 2 DMARC
                             1004HZ=-2.6DB   NOISE=1DBRNC     BALANCE=76DB
                              RESISTANCE T-R=617 T-G=519 R-G=504 MEGOHMS
                              FOREIGN VOLTAGE T-R=0    T-G=0    R-G=0    VOLTS
                              ANY LOAD COILS (Y/N)=0   ANY BRIDGE TAP (Y/N)=N
                              ****************CORE TEST RESULTS AT DEMARC******
ALL CORE TESTS GOOD NTF ON LOOP.
                              WAS CUSTOMER INFORMED OF RESTORE TIME? Y
 10/04/09 1455 DRR RMK        DID THE CCT OR COT TEST WITH OST? Y
                              DID OST GO TO PREMISE? Y
                              BILL FOR DISPATCH? Y
```

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OW163666

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
 GO TO PAGE        PRINTER                1 N PAGE 0001       11/17/09 14:11 PST
 TRK/TR# OW163666          CKT S 5 /LXFU/968920    /PN
 VIEW ALL   DISPLAY G      CTR OMAHNENWA09           ORD
10/07/09 1745 MED FLE        ------------ ADDITIONAL TROUBLE INFO ------------
                              DPO AUTH. VERY LOW RESISTANCE SHORT 700 FT OUT FRO
                              M DEMARC. DSL ON LINE TEST APPROPRIATELY. REQ VEND
                              OR MEET 14:00 10/8/2009
10/07/09 1801 ST5 RMK   FIX  CLEC REQ VENDOR MEET @ DMAR
C 10-8 1400/GET CORE                                 TESTS
10/08/09 1504 G2K CUS   FIX  OST/JERRY/777 CALLED. MET WITH VENDOR TECH BRIAN
                              AND TESTED CKT. ALL TESTS PASSED. NTF QWEST.
```

```
                              AGREED TO BY BRIAN
 10/08/09 1502 G2K CUS        COPPER050207- TECH EC# 777
1004HZ=2.4      NOISE=0          BALANCE=80DB
                              RESISTANCE T-R=687 T-G=560 R-G=450 MEGOHMS
                              FOREIGN VOLTAGE T-R=0    T-G=0    R-G=0    VOLTS
                              ANY LOAD COILS (Y/N)=N   ANY BRIDGE TAP (Y/N)=N
                              40K=14.1
10/08/09 1506 G2K RMK        WAS CUSTOMER INFORMED OF RESTORE TIME? Y
                              OPTIONAL TESTING BILLABLE? N
                              DID THE CCT OR COT TEST WITH OST? Y
                              BILL FOR DISPATCH? Y
10/09/09 1004 MED RMK        CUSTOMER DENIED REPAIR - MEDIACC CANNOT CLOSE
 10/09/09 1004 MED FLE        ISSUE IS BEING ESCALATED THROUGH THE SERVICE MANAG
                              ER.
10/09/09 1035 MH3 RMK        CLEC SAYS 800' OF BT 300' AWAY FROM THE DEMARC.
10/09/09 1035 MH3 RMK        INTEGRA WOULD LIKE BT REMOVED, OUR CORE TEST
                              RESULTS POSTED AT 10/08/09 1502 SAY NO BT, CALLED
                              MATT/INTEGRA AND HE SAID HIS TECH AND OUR
                              TECH/777 BOTH SEEN THE BT YESTERDAY, NOT SURE WHY
                              OUR TICKET SAYS NO BT.
10/09/09 1121 MH3 RMK   FIX  WE WILL NOT RMV BT ON THIS ONE, CORE TESTS ARE
                              GOOD.
 10/09/09 1038 MH3 RMK   FIX  CENTER POLICY IS NOT TO REMOVE THE BT UNLESS IT IS
                               CAUSING A CORE TEST TO BE BAD.
```

Escalation to Remove Interfering Bridge Tap Emails

From: Butler, Daphne [mailto:daphne.butler@qwest.com]
Sent: Wednesday, October 14, 2009 12:25 PM
To: Clauson, Karen L.; Marquez, Matthew; Urevig, Rita
Cc: Isaacs, Kimberly D.; Johnson, Bonnie J.; Denney, Douglas K.
Subject: RE: Escalation to Remove Interfering Bridge Tap 5/LXFU/968920/PNR174.0 - urgent - customer being affected

Karen

Since the "Special Copper Loop" is not a defined product in our PCAT and does not conform to any specific product in our PCAT, orders for the Special Copper Loop product will not flow though when ordered on IMA. For the order already submitted and delivered on 9/3/09, Qwest will delete the NCI/SecNCI codes from your order, and will insert a remark reading "Special Copper Loop no bridged tap."

Going forward when ordering a Special Copper Loop please use the fax gateway so that the order can be handled manually. Please use the LX-N NC code, leave the NCI/SecNCI codes blank and insert the remark "Special Copper Loop no bridged tap."

Earlier this year, in February, when Qwest and Integra last had an issue regarding the Special Copper Loop we said that you could include the NCI/SecNCI code of your choosing. As we analyze our processes we suggest modifying that order from February to remove the NCI/SecNCI code and include the remark "Special Copper Loop no bridged tap." Our concern is that without these modifications, this order would not stand out from other circuits. In fact, adding any NCI/SecNCI codes could create confusion in that some services, as you know, can perform to acceptable levels with some bridge tap. Our goal in making this suggestion is to prevent a situation where, in the event that Qwest needs to do a network rearrangement, a technician moves the service to a loop that has some limited amount of bridged tap, rather than moving it to a loop with no bridged tap.

Daphne E. Butler
Corporate Counsel
Qwest Corporation
1801 California, 10th Floor
Denver, CO 80202
303-383-6653 (voice)
720-203-0497(mobile)
303-896-1107 (fax)

From: Clauson, Karen L.
Sent: Wednesday, October 14, 2009 1:33 PM
To: 'Butler, Daphne'; Marquez, Matthew; Urevig, Rita
Cc: Isaacs, Kimberly D.; Johnson, Bonnie J.; Denney, Douglas K.
Subject: RE: Escalation to Remove Interfering Bridge Tap 5/LXFU/968920/PNR174.0 - urgent - customer being affected

Daphne:
We are pleased that Qwest has recognized its obligation per the Oregon Integra ICA to remove bridge taps. [The "unfettered" language is in the Integra and ATI Oregon ICAs (Att. 3, §2.1.1.2), as well as the Eschelon Colorado ICA (Att. 3, §6.3).] As you know, we believe Qwest has an obligation to remove interfering devices (including near end/far end bridge tap) for all our entities, all states. See, e.g., C.F.R. §51.319(a)(1)(iii)(A) & TRO ¶ 643.

Regarding the method of ordering special copper loops in Oregon, your email raises concerns. There isn't anything in the ICA that requires those procedures. The problems with ordering by fax are well known. In addition, problems that PAETEC/McLeod experienced which were discussed in CMP seem at least at first glance to stem from similar procedures. We are going to have to review that and consult our business folks and get back to you. We are happy to work out an ordering method, but it has to work for both parties. We'll get back to you,

Karen

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OW164041 -

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
 GO TO PAGE        PRINTER                1 N PAGE 0001       11/17/09 14:18 PST
 TRK/TR# OW164041          CKT S 5 /LXFU/968920    /PN
 VIEW ALL  DISPLAY G    CTR OMAHNENWA09     ORD

10/14/09 1128 DO  SDP   FIX  OMAHNENWA09 PTLDOR13    PTLDOR74A01 Z PLD CF
                              10/14/09  11:27
                                        REF TO  CABLE  = NEED  BT  REMOVED
10/14/09 1544 J4B RMK        OST MIKE CLD TO ? BT REMOVAL PROCESS.  I ADVS PER
                               NOTE ON 10/13 FROM SUPV.  LEGAL IS PUSHING THIS
                                          THRU
10/14/09 1854 BLB CUS   FIX  CALLED 8003604467 TW JAY/INTEGRA..ADVISED REMOVED
                              400FT OF BT..WANTS 24 HR HOLD ON TKT
10/14/09 1913 BLB RMK        WAS CUSTOMER INFORMED OF RESTORE TIME? Y
                              OPTIONAL TESTING BILLABLE? N
                              DID THE CCT OR COT TEST WITH OST? N
                              BILL FOR DISPATCH? N
10/14/09 1950 AA7 RMK   FIX    CLBK 8886787070- NEED TO DO CORE TEST ON THIS
                              CKT. 77S . CUSTOMER SEEING ERRORS STILL. OK FOR
                              9AM DP
```

Attachment 7

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OW165573

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
 GO TO PAGE        PRINTER               1 N PAGE 0001       11/17/09 14:42 PST
 TRK/TR# OW165573          CKT S 5 /LXFU/972907    /PN
 VIEW ALL   DISPLAY G      CTR OMAHNENWA09           ORD
11/02/09 1019 MED FLE        ------------ ADDITIONAL TROUBLE INFO ------------
                              PST04-2958. TN 541-868-2486.  REQUESTING VENDOR ME
                              ET AT DMARC - 11/3 @ 10:00. OPTIONAL TEST & DISP.
                              AUTH. NO INTRUSIVE WORK UNTIL MEET. PLEASE LET US
                              KNOW ASAP IF THIS TIME IS NOT AGREEABLE.  THANK YO
                              U.
11/03/09 1016 TCS RMK   FIX  ADVD JASON OST 830 DO NOT RMVE BT IF WE HAVE GOOD
                              CORE TEST ON CKT. HE WILL TEST AND CLBK.
 11/03/09 1005 TCS CUS   FIX  OST JASON  830 ADVD 200' OF BT.
TRBL FOUND: NTF 200' OF BT 200' FROM TERM
                              ACTN TAKEN: TOK BT WITHIN SPECS
 11/03/09 1055 TCS RMK        200FT BT
 11/03/09 1055 TCS CUS        COPPER050207- TECH EC# 830
                              1004HZ=4.8      NOISE=0          BALANCE=99
                              RESISTANCE T-R=520 T-G=250 R-G=590 MEGOHMS
                              FOREIGN VOLTAGE T-R=0    T-G=0    R-G=0    VOLTS
                              ANY LOAD COILS (Y/N)=N   ANY BRIDGE TAP (Y/N)=Y
                              40K=23.8          .
11/03/09 1202 TCS RMK        WAS CUSTOMER INFORMED OF RESTORE TIME? Y
                              OPTIONAL TESTING BILLABLE? Y
                              DID THE CCT OR COT TEST WITH OST? Y
                              BILL FOR DISPATCH? N
 11/03/09 1202 TCS RMK   FIX  NOACCS020807
                                     TROUBLE ISOLATION WAS DONE BY TECH.
 11/03/09 1202 TCS RMK   FIX  OPTIONAL TESTING WAS AUTHORIZED.  IN STOP TIME
                              UNTIL     TROUBLE ISOLATION WAS DONE BY TECH.
```

Attachment 8

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OW165003

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
 GO TO PAGE        PRINTER               1 N PAGE 0001       11/17/09 14:47 PST
 TRK/TR# OW165003          CKT S 5 /LXFU/973721    /PN
 VIEW ALL   DISPLAY G      CTR OMAHNENWA09           ORD
**************************************************************************
10/26/09 1625 MED FLE        ------------ ADDITIONAL TROUBLE INFO ------------
                              450' OF BRIDGETAP FOUND AT 680' FROM PREM, PLEASE
                              REMOVE SO OUR DATA CAN RUN PROPERLY, OPT TEST & DI
                              SP AUTH, ASSOC TN 503 390-4300, PST02-1850, THANKS
                              .
                              ---------------------------------------------
10/26/09 1629 SKY CUS   FIX  BT REPORTED IS NOT EXCESSIVE, CK IS WITHIN SPECS.
450' OF BT 680' FRM PREM/BT NO EXCESSIVE, MEETS
                              PARAMETER
 10/26/09 1631 SKY RMK        WAS CUSTOMER INFORMED OF RESTORE TIME? Y
                              OPTIONAL TESTING BILLABLE? Y
                              DID THE CCT OR COT TEST WITH OST? N
                              BILL FOR DISPATCH? N
10/26/09 1631 SKY RMK        CORE TST LOGGED   N
                              NO CORE TST BCAUSE NO DISP
```

Bridge Tap Removal Escalation Emails

From: Urevig, Rita [mailto:Rita.Urevig@qwest.com]
Sent: Wednesday, October 28, 2009 8:39 AM
To: Herbold, Matthew
Cc: Clauson, Karen L.; Johnson, Bonnie J.; Isaacs, Kimberly D.; Urevig, Rita
Subject: RE: New circuit requiring BT removal (escalation) - [customer info redacted]

- QwestTT OW165003, TMS TT 1038846

Matt,

I reviewed this loop when it was originally ordered. It was not ordered as a copper loop with no bt. The original PON was **PON:** TB-2349595-DSL N49992889 10/22/2009 Completed

Qwest has tested this loop to the parameters of the loop you have ordered and it meets the requirements.

Please let me know if you have any questions.

Best regards,

Rita M Urevig

Qwest Service Manager
Office 218-723-5801

From: Urevig, Rita [mailto:Rita.Urevig@qwest.com]
Sent: Wednesday, October 28, 2009 7:48 AM
To: Herbold, Matthew
Cc: Clauson, Karen L.; Johnson, Bonnie J.; Isaacs, Kimberly D.
Subject: RE: New circuits requiring BT removal (escalation) [customer info redacted]

Matt,

I will pass this on to the Qwest network department and get back to you.

It appears these loops are in WA and the Special copper loop without BT is only in the state of Oregon.

Best regards,

Rita M Urevig

Qwest Service Manager

From: Butler, Daphne [mailto:daphne.butler@qwest.com]
Sent: Friday, October 30, 2009 10:42 AM
To: Clauson, Karen L.; Urevig, Rita; Anderl, Lisa; Marquez, Matthew; Reynolds, Mark (Legal); Salverda, Kathleen
Cc: Johnson, Bonnie J.; Isaacs, Kimberly D.; Herbold, Matthew; Denney, Douglas K.
Subject: RE: Circuits requiring Bridge Tap removal - escalation

Karen and Integra,

This responds to your email requesting bridge tap removal in Washington and Oregon. We can discuss ordering for Special Copper loops in more detail at another time.

As we have explained before, for example in my email of February 25, 2009, with "the Non-Loaded Loop product, it is Qwest's obligation to only remove excessive bridge tap, but per the terms of the Special Copper Loop described in the relevant interconnection agreement, Qwest will remove all bridged tap if conditioning is requested in this instance."

In Washington, Integra ordered a nonloaded Unbundled Loop under its ICA, which promises that Qwest will remove "excess bridge taps." *See* section 8.2.4.1.2.1 of the Washington ICA. That ICA does not promise that the loop will have no bridge taps. Qwest has removed excess bridge taps as required by the contract. It should be noted that the loops were ordered with NC/NCI/SecNCI codes for ISDN, rather than ADSL. Please correct them if you are indeed putting ADSL on the loops.

In Oregon, Integra's ICA does provide for a special copper loop, without any bridge tap. Qwest and Integra have discussed the best way to order these loops such that Qwest understands that Integra is seeking the removal of all bridged tap. In my email of October 14, 2009, Qwest suggested ordering through the fax gateway with certain notes. Integra rejected that suggestion, but has not made any counter proposal. In any event, nothing in Integra's order alerted Qwest that Integra was ordering a

special copper loop, without any bridge tap. If that is what you are ordering, we request that you modify your order to include the remark “Special Copper Loop no bridge tap."
Daphne E. Butler
Corporate Counsel Qwest Corporation

From: Butler, Daphne [mailto:daphne.butler@qwest.com]
Sent: Monday, November 02, 2009 6:40 PM
To: Clauson, Karen L.; Marquez, Matthew; Urevig, Rita; Anderl, Lisa; Marquez, Matthew; Reynolds, Mark (Legal); Salverda, Kathleen
Cc: Isaacs, Kimberly D.; Johnson, Bonnie J.; Denney, Douglas K.; Herbold, Matthew; Roberson, Laurie
Subject: Response to Clauson email of Nov 2, 2009 8:35am

Karen,

I think you are confusing NC code and NCI code. LX-N and LXR- are NC codes, not NCI codes. As, I have said before, LX-N is the NC code for non-loaded loop. I did not say that it is the code for ADSL. Since LX-N is not an NCI code, I did not indicate that LX-N is the NCI code for anything. Perhaps this confusion about NC codes and NCI codes led to your incorrect assumption that Integra needed to use the NC code LXR-.

In my emails of October 30 I described in detail the change order that we need to see before we will do the bridge tap removal in Oregon. In the interest of brevity I will not repeat that description here. Qwest will, of course, answer any questions that Integra may have as to the content of the change order that we require. To date, you have refused to issue a change order. Instead, you insist that we do the bridge tap removal based upon your email. As I have said before, we will do the work if and when we receive the change order.

As to states, such as Washington, where your ICAs do not provide for a special copper loop, it is my understanding that Qwest has provided Integra with a proposal as to terms and conditions for removal of all bridge tap. I also understand that Qwest is currently waiting for a response to that proposal.

In closing, I will not respond to your accusations that Qwest has “recklessly disregarded” information, or that I have made a “false statement,” other than to say that these accusations are unfounded.

Daphne E. Butler
Corporate Counsel
Qwest Corporation
1801 California, 10th Floor
Denver, CO 80202
303-383-6653 (voice)
720-203-0497(mobile)
303-896-1107 (fax)

From: Clauson, Karen L.
Sent: Monday, November 02, 2009 9:42 PM
To: 'Butler, Daphne'; 'Marquez, Matthew'; 'Urevig, Rita'; 'Anderl, Lisa'; 'Marquez, Matthew'; 'Reynolds, Mark (Legal)'; 'Salverda, Kathleen'
Cc: Isaacs, Kimberly D.; Johnson, Bonnie J.; Denney, Douglas K.; Herbold, Matthew; Roberson, Laurie
Subject: RE: Circuits requiring Bridge Tap removal - escalation - urgent - customers being affected

Daphne/Qwest:

After Qwest referenced the NC/NCI code, I said, in my email below: "It is beyond reason that Qwest is holding up service restoration based on your insistence that it is suddenly critical that a change order be placed to leave the LX-N code on the order but to change the NCI code, when Qwest's position (as stated in CMP, March 13, 2009, Qwest CR response #PC082808-1IGX) is: "For Unbundled Loop LX-N Network Channel (NC) codes, the NCI codes are informational only, as stated in the above mentioned Technical Publication and do not affect transport designs or performance."

You replied: "We have asked that Integra submit a change order using the NC code LX-N, ***the NCI code for ADSL***. . ." Given that Qwest did not respond to my above statement and made no other reference to the NCI code, Qwest certainly appeared to been referring to LXN as "the NCI code for ADSL." Qwest appeared to have changed tack and indicated that LX-N (the NC code, not the NCI code) is the key to obtaining conditioned copper loops, since Qwest said in CMP that "the NCI codes are informational only . . . and do not affect transport designs or performance." This impression was reinforced not only by Qwest's failure to explain how Qwest's position in CMP then and an insistence now on a particular NCI code could possibly be consistent, but also by your following statements: "Why do you refuse to use LX-N now? I do not understand why your ability to commit to sending a change order depends upon whether you are to use LXR- versus LX-N. . . . Your actions suggest that you find the principal of using LXR-, rather than LX-N, more important than your customers' experience." Your focus on LX-N versus LX-R certainly indicated to us that you were asking us to submit a change order to change the NC code from LX-N to LX-R. Only after we reiterated that the LX-N code you requested was actually used on these orders, did you revert to the NCI code. Once again, that leaves the above Qwest quote from CMP unexplained. If Qwest's position is now that it is critical to the removal of bridge tap for us to submit a change order to change the NCI code, please explain what, in Qwest's view, changing the NCI code will accomplish (given that Qwest says the NCI code will not affect design or performance). The fact that, among the mixed messages sent by Qwest, you suggested we could delete the NCI code altogether and fax in these types of orders, also undermines any belated suggested by Qwest that the NCI code is a crucial factor for Qwest. Qwest is erecting unnecessary operational barriers.

Regardless of which NCI code is used, so long as the order is for a digital service, Qwest has an obligation to remove bridge taps that could diminish xDSL capability. Regardless of whether the NCI code (if Qwest were to treat the code as something other than informational only) is ADSL, ISDN, or other xDSL service, Qwest has an obligation to remove bridge tap. That is true of the NCI code currently on the orders.

Even assuming the current code is for ISDN or other "DS1-level signal" (see next paragraph, quoting the ICA), Qwest has an obligation to remove bridge tap. Field personnel may loosely refer to these types of orders as ADSL, as Qwest has told operational personnel said that a non-loaded loop (with no requirement for any particular NCI code) is the replacement product (an "even better" product). In CMP, when indicating it was grandparenting ADSL, Qwest said "there is a similar product, 2-wire non-loaded Unbundled Loop. . . . 2-wire non-loaded loops ***will allow DSL nearly anywhere you want***. The ADSL Compatible UBL was originally created in order for CLECs to use the same stringent algorithm that Qwest uses. . . . On the other hand, the 2-Wire Non-Loaded UBL was originally created in order for CLECs to avoid the stringent algorithm that Qwest uses. This less stringent process allows availability of DSL capability to CLECs all the way up to the ANSI standard limitations without additional limiters. ***This product provides more flexibility for the capability of more current or stronger CLEC equipment capability***. . . . . Therefore, it is proposing that CLECs, who have more current DSL equipment, ***would still have the same (even better) capability to get qualification for DSL via the 2-Wire Non-Loaded UBL***. . . . Qwest will not require you to disconnect any ADSL Compatible UBLs already in effect and will maintain those circuits until you disconnect or convert those services to a different product." See Qwest Initiated CR PC121106-1 at http://www.qwest.com/wholesale/cmp/archive/CR_PC121106-1.html Integra has ordered non-loaded loops (LX-N), and Qwest needs to deliver on its commitments.

You say the our assumption that the NC code for ADSL is LX-R is incorrect. Qwest's own technical publication, however, identifies LX-R as the NCI code for ADSL compatible loops, and Qwest accepts the LX-R NC code for other entities and other states. In other words, for Oregon, Qwest is not only asking us to change completed orders (with a new interval, risk of changes to the loops/customers' services, etc.), but also Qwest is asking us to go to that work, and expose ourselves and our customers to that delay, to end up with NC/NCI codes that are not the codes for an ADSL compatible loop. As you know, the reason the current NC/NCI codes are on these orders is that Qwest rejects Integra's orders in Oregon with LX-R, and Qwest has taken the position over time that the NCI codes do not matter ("are informational only"). Qwest attempts to defend its position with your unsupported statement that an ADSL compatible loop is "not in Integra's Oregon contract." We have again enclosed excerpts from Integra's Oregon contract. Please explain Qwest's position that ADSL compatible loop is not in Integra's OR contract, in light of the following contract language (Att. 3, 2.1), which provides that Integra under the ICA is entitled to: "two-wire loops that are conditioned to transmit the digital signals needed to provide ISDN, ***ADSL***, HDSL, ***and DS1-level signals***." Please address this specific language, as well as the similar language in TRO ¶249 (see ICA Part A, §§ B, C, 18, 35.1, 36).

We have fully explained why we are not submitting a change order, which would not only not result in the LX-R code (per Qwest's position) but would also create a new interval of several days, when these customers have already waited days for service restoration (in addition to the possibility that Qwest might change the loop, disrupting service), when in fact we have a right to Qwest simply removing bridge tap. (There is also the simple fact that we have no legal or contractual obligation to submit a change order, particularly under these circumstances and given that the order would drop to manual handling.) In contrast, Qwest has provided no explanation for its refusal to employ its typical practice of issuing an internal service order (if any is needed) to initiate the repair. Qwest's proposed approach adversely affects the customer, whereas Integra's approach would bring service restoration earlier. In two previous emails, I said: "In the past, Qwest has initiated internal service orders when our order is complete (i.e., with no change order or new order from us), when a service order is required to initiate a repair in this type of situation. Why is Qwest not doing that here?" Please finally respond and explain. If Qwest has any authority at all in support of its position, please cite it.

In Washington, Qwest has made no proposal to which Integra has not responded, either in the context of the these escalations or in the context of the discussions led for Qwest by Ken Beck. Integra has rejected Qwest's proposals and asked Qwest how it would like to proceed. Discussions/escalations have been going on since at least October of 2007, with no resolution to date. Unless and until some other resolution is reached and the ICAs were amended, Qwest needs to comply with the current law and ICAs. In this particular situation, Integra ordered a nonloaded loop and authorized conditioning, which Qwest is required to provide per ICA Section 8.2.4.1.2.1 (ICA excerpts enclosed again). Section 8.2.4.1.2.1 states: "When capable, the loop will support DSL service." DSL is not defined in Section 3. ICA Section 3.45 specifically states that terms not defined here, but are defined in the Act or regulations implementing the Act, shall have the meaning defined there. In the TRO, the FCC referred to "DSL" as "xDSL," stating (on page 14): "We also require incumbent LECs to condition loops for the provision of digital subscriber line (xDSL) services." The FCC said that the term xDSL refers to DSL "as a general technology" that is not limited to, but includes, specific types of DSL such as ADSL and HDSL. TRO footnote 661 to ¶215. In Section 8.2.4.1.2.1, the term "excess bridge taps" is explained as "i.e. . . . condition the Loop". The term "condition" is not defined in Section 3. In the regulations implementing the Act, line conditioning is defined as "the removal from a copper loop of any device that could diminish the capability of the loop to deliver xDSL. Such devices include bridge taps, load coils, low pass filters, and range extenders." 47 C.F.R. §51.319(a)(1)(iii)(A). Qwest has an obligation to remove all such devices.

You also state that my statements that Qwest recklessly disregarded the NC code of LX-N on these orders and that you made a false statement are "unfounded." This appears to be an admission that you did not disregard it but were fully aware that it was on the orders (i.e., Integra was not refusing to use it) when you said: "Why do you refuse to use LX-N now? I do not understand why your ability to commit to sending a change order depends upon whether you are to use LXR- versus LX-N. . . . Your actions suggest that you find the principal of using LXR-, rather than LX-N, more important than your customers' experience." As the LX-N code is clearly on these orders, and you knew that fact when you made these statements (as I had informed you of this fact), your

statement that Integra is refusing to use the LX-N is verifiably false, and the documentation in these emails shows that you knew it was false at the time you made it.

We had expected the bridge taps would be removed long before now. Our request that Qwest remove them is ongoing. Integra is a customer of Qwest's. We are asking you again, as a customer, to remove the bridge taps and restore xDSL service to these customers. If there are other issues to be worked out, we can discuss them, but Qwest should not be holding working customer service hostage in the meantime. Please confirm that Qwest will remove the bridge taps immediately. If Qwest will not do so, please outline (with citations) Qwest's legal and contractual position. We have provided you detailed support for our position, and Qwest owes its customer such a response.

The Action Required Remains --
Promptly restore the customers' service to the data/digital levels needed by Integra.
For Oregon, please explain (with citations) Qwest's delay in removing or refusing bridge tap.
For Washington, please explain (with citations) the basis upon which Qwest is delaying or refusing to remove bridge tap.
Specifically state whether Qwest has a policy or practice, in any state, that Qwest will not remove near-end and/or far-end bridge tap and, if so, state the basis (with citations) for Qwest's position.
State Qwest's position on coding these to No Trouble Found (NTF) and billing for them and, if Qwest intends to so code and bill them, state the basis (with citations) for Qwest's position.

Karen

From: Clauson, Karen L.
Sent: Tuesday, November 03, 2009 2:12 PM
To: 'Butler, Daphne'; 'Marquez, Matthew'; 'Urevig, Rita'; 'Anderl, Lisa'; 'Marquez, Matthew'; 'Reynolds, Mark (Legal)'; 'Salverda, Kathleen'
Cc: Isaacs, Kimberly D.; Johnson, Bonnie J.; Denney, Douglas K.; Herbold, Matthew; Roberson, Laurie
Subject: RE: Circuits requiring Bridge Tap removal - escalation - urgent - customers being affected

Daphne/Qwest:

I have learned that one of these Oregon customers (the pharmacy) has contacted Integra to cancel its service, for voice and data, because the customer is predictably unhappy with the xDSL situation. In other words, the customer is blaming Integra, even though Qwest had a legal obligation to promptly remove the bridge tap and did not do so. We may not have the ability to retain the other customers under these circumstances, and if we have to place any other kind of orders, such as for a new loop, it will not be because our position has changed but only because we are acting over our objection to try to retain these customers. As I said, retention may not even be possible, given Qwest's position, as the pharmacy example shows.

The fact that the time to help these particular customers may elapse or has elapsed does not relieve Qwest of the obligation to respond to our questions and to provide support (including citations to any contractual or legal authority), as we need this information for evaluating the issues on a going forward basis. We look forward to receiving Qwest's responses to the following: (1) For Oregon, please explain (with citations) Qwest's delay in removing or refusing bridge tap; (2) For Washington, please explain (with citations) the basis upon which Qwest is delaying or refusing to remove bridge tap; (3) Specifically state whether Qwest has a policy or practice, in any state, that Qwest will not remove near-end and/or far-end bridge tap and, if so, state the basis (with citations) for Qwest's position. Please indicate, if a CLEC orders a loop with the NC/NCI code of LX-N NCI 02QB9.005 and authorizes conditioning, whether Qwest removes near-end and/or far-end bridge taps (and, if so, whether it removes all of them, those a CLEC requests be removed, or those which interfere with xDSL service and, if the latter, how that is determined). If there are any exceptions (e.g., by entity or state), please identify the exceptions; and (4) State Qwest's position on coding these to No Trouble Found (NTF) and billing for them and, if Qwest intends to so code and bill them, state the basis (with citations) for Qwest's position.

Karen

From: Clauson, Karen L. [mailto:klclauson@integratelecom.com]
Sent: Monday, November 09, 2009 7:43 AM
To: Urevig, Rita; Herbold, Matthew; Butler, Daphne; Marquez, Matthew; Reynolds, Mark (Legal); Anderl, Lisa; Salverda, Kathleen
Cc: Isaacs, Kimberly D.; Johnson, Bonnie J.
Subject: RE: Bridge Tap Removal/line conditioning Request - QW TT OW165775 -TMS TT1045265 - escalation

Please clarify Qwest's position. Are there circumstances when Qwest removes bridge tap, after a CLEC has authorized conditioning, for ISDN? If yes, please describe those circumstances and indicate why Qwest believes they are not met here, if that is Qwest' position. If no, please state Qwest's basis (with citations to the ICA and the law) for refusing to remove bridge tap for ISDN.

There is no mention of ADSL in Matt's email. We have situations in which we order ISDN as well. The NC/NCI code on this order is LX-N 02QC5.OOS. You indicate that you reviewed the LSR, and you indicated this is the NC/NCI code on the order is for ISDN. As indicated in the enclosed document (containing excerpts from the ICA and the law), ISDN is one of the products that is expressly mentioned in the ICA (Section 2.1). Because you have indicated that you have reviewed the LSR, you are aware that we authorized conditioning on the order.

Both paragraph 2.1 of the ICA and paragraph 249 of the TRO provide that Qwest must provide access to an unbundled loop, including two-wire loops "conditioned" to transmit the digital signals needed to provide xDSL service. This includes services "such as ISDN . . . and DS1-level signals." (FCC's First Report & Order, ¶380.) Qwest's tech pub defines ISDN as such an xDSL service (see title of table below). Unlike voice grade loops (which have an NC code of LX--), ISDN – with the NC/NCI code used by Integra here – is one of the services identified as an "xDSL loop" in Qwest's own tech pub. (See title, in excerpt below, and the row for ISDN - DSL compatible loops.) Is it Qwest's policy or practice to nonetheless refuse to remove bridge tap? If not, what is the hold up here?

For the Qwest tech pub, see http://www.qwest.com/techpub/77384/77384.pdf (excerpt copied below).

A customer is being impacted. The vendor meet had a consensus that 800' of BT was present beginning @ 370' from demark. The DLR shows the bridge tap (despite Qwest erroneously indicating on the ticket that there was no bridge tap.) Conditioning was authorized. Please immediately remove any device that could diminish xDSL capability, as required by the ICA and 47 C.F.R. §51.319(a)(1)(iii)(A). Please promptly respond as to Qwest's position on line conditioning for ISDN.

Karen

From: Butler, Daphne [mailto:daphne.butler@qwest.com]
Sent: Thursday, November 12, 2009 2:17 PM
To: Clauson, Karen L.; Urevig, Rita; Herbold, Matthew; Marquez, Matthew; Reynolds, Mark (Legal); Anderl, Lisa; Salverda, Kathleen

Cc: Isaacs, Kimberly D.; Johnson, Bonnie J.
Subject: RE: Bridge Tap Removal/line conditioning Request - QW TT OW165775 -TMS TT1045265 - escalation

Karen,

This is in reply to your emails of November 9 and November 2 at 8:42 pm.

In reply to your email of November 9, Rita Urevig's email of November 6 explained how to order the Special Copper loop, which entitles Integra in Oregon to a loop without bridge tap. Qwest assumed that you were putting ADSL on the loop based upon the mention of xDSL in Integra's email. If you are putting ISDN on the loop, then use the NCI code for ISDN, rather than the NCI code for ADSL. The rest of the instructions remain the same. I also provided the instructions in at least one of my emails of October 30.

You have asked about having Qwest submit an internal service order to initiate a repair. The issue is that your order needs to reflect Special Copper Loop, the service that you are ordering. Integra's order does not reflect an order for Special Copper Loop. We need the order changed to reflect an order for Special Copper Loop. Qwest's internal service orders do not include changing the customer's order.

With regard to removing all bridge tap when Integra does not have Special Copper Loop in its ICA, we have different understandings regarding Qwest's proposals "in the context of the discussions led for Qwest by Ken Beck." In your email of November 2 at 8:42 pm, you stated your understanding that Integra has rejected Qwest's proposals. Our understanding is that Integra has not rejected Qwest's proposals, and that discussions are still ongoing.

At this point, I do not see the utility in getting into further discussion about why Integra assumed that Qwest was seeking a change order using LXR-, or which NC and NCI codes refer to which products. Qwest continues to deny the various baseless accusations in your emails, such as your accusations of reckless behavior and verifiably false statements.

Daphne E. Butler
Corporate Counsel
Qwest Corporation
1801 California, 10th Floor
Denver, CO 80202
303-383-6653 (voice)
720-203-0497(mobile)
303-896-1107 (fax)

Sent: Monday, November 16, 2009 3:46 PM
To: 'Butler, Daphne'; Urevig, Rita; Marquez, Matthew; Reynolds, Mark (Legal); Anderl, Lisa; Salverda, Kathleen
Cc: Isaacs, Kimberly D.; Johnson, Bonnie J.; Denney, Douglas K.; Bjugan, Brianna; Herbold, Matthew
Subject: RE: Bridge Tap Removal/line conditioning Requests - escalation

Daphne/Qwest:

Your email below is unresponsive to our emails of November 2, November 3, and November 9 (copies enclosed). Integra has repeatedly asked Qwest to provide citations to the contract and the law in support of Qwest's position. Your continued failure to do so reinforces Integra's belief that Qwest has no basis in the contract and the law for its position. If Qwest believes that is not the case, please respond to Integra's questions and action items (see enclosed emails) and specifically provide contractual and legal support for Qwest's position. For example (without limiting the questions in the enclosed emails), Qwest has not indicated any legal basis as to why it will not remove bridge tap (including near-end bridge tap) in light of 47 C.F.R. §51.319(a)(1)(iii)(A) and why it limits testing to voice parameters in light of
47 C.F.R. §51.319(a)(1)(iii)(C). Our requests are ongoing.

Regarding Oregon, Qwest continues to focus exclusively on one provision of the ICA (relating to special copper loop) while ignoring both paragraph 2.1 of the ICA and paragraph 249 of the TRO, which provide that Qwest must provide access to an unbundled loop, including two-wire loops "conditioned" to transmit the digital signals needed to provide xDSL service. There is no statement in the ICA or the TRO that this right applies only if we add a specific remark to an order. We have ordered xDSL service pursuant to Section 2.1 of the ICA. Therefore, there is no reason why Qwest cannot issue a service order, because clearly the service available to us per Section 2.1 is the service we are ordering. The internal service order is not changing our order; it is implementing the order we placed per Section 2.1 of the ICA. Qwest has an obligation to remove bridge tap per those orders, the ICA, and 47 C.F.R. §51.319(a)(1)(iii)(A). You continue to reiterate Qwest's unilateral direction requiring Integra to include a remark (referring to special copper loop, without addressing Section 2.1) -- ***which drops the order to manual handling*** -- without citing any provision of the contract or law supporting that unilateral requirement. In contrast, Qwest has admitted that: "Qwest retail does not use a manual process." See CMP Minutes from 1/21/09 CMP Product/Process meeting (Jamal Boudhaouia-Qwest), link at http://wholesalecalendar.qwestapps.com/detail/10/2009-01-21. The law and the contracts prohibit discrimination. Qwest's unilateral decision to require that every one of these CLEC xDSL orders drop to manual handling while its retail orders are processed without manual handling is in violation of those laws and contract provisions requiring nondiscrimination.

Regarding Washington, Qwest has provided no response at all as to the WA ICA provisions that we provided to you. Lisa Anderl represents Qwest in WA and has been included on these emails. Yet, Qwest has not responded to the WA ICA provisions provided by Integra (another copy enclosed). There is no special copper loop issue in WA, but Qwest has still not explained its refusal to remove bridge tap. As discussed in the next paragraph, negotiations of potential changes are no reason for noncompliance. We have provided you detailed support for our position, and Qwest owes its customer such a response.

With respect to the negotiations led for Qwest by Ken Beck, Qwest stated its position regarding removing all bridge tap in its October 2, 2009 written responses to Question Nos. 14(b) and 17. I have sent those responses back to you, Daphne, by separate email today, so that you may review them again. As you can see, I accurately represented Qwest's position on removing all bridge taps. Regarding the status of negotiations, the parties met again on Friday, and the positions of the parties at this time are not close. Even assuming they were close, however, Qwest is not relieved of any of its obligations under the law and the current ICAs simply because talks may be going on. After all, talks at the VP level have been going on between the companies since at least October of 2007 - more than two years. Qwest can hardly expect that Integra would forego its rights for a period of more than two years simply because Qwest was discussing those issues with us (which would create an incentive for Qwest to drag out any such talks). As I indicated previously, unless and until some other resolution were to be reached and the ICAs were amended, Qwest needs to comply with the current law and ICAs. There is no suspension of our rights in the meantime.

We disagree with the statements in your email. We continue to request a response to our questions and action items and, in particular, for Qwest to provide citations to legal support for its position.

Karen

Attachment 9

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OW164800

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
 GO TO PAGE        PRINTER               1 N PAGE 0001       11/18/09 13:44 PST
 TRK/TR# OW164800          CKT S 5 /LXFU/972941    /PN
10/23/09 1527 MED FLE        ------------ ADDITIONAL TROUBLE INFO ------------
                             GOOD AT COLO BUT CAN NOT TRAIN AT DMARC, BRIDGE TA
                              P FOUND AT 880 FOOT MARK FROM PREM LENGTH OF 440FT
                              .  ECCKT: 5LXFU972941PN  CFA: ALT04-291  ASS TN503
                              2490023
10/23/09 1531 ST5 RMK   FIX  4HR TKT/PLZ DO CORE TESTS ON CABLE PAIRS + 1004 &
                              40K TONE/CHECK FOR LOADS & BT/ND ALL RESULTS/ TSTR
10/23/09 1720 TDL RMK        150 FT BT 800' FRM DEMARC WITHIN PARAMETERS
               CKT TSTD GD
10/23/09 1837 JZS RMK        CORE TST LOGGED   Y

                              CUS NAME & COMPANY  BONDED
                              CUS CLBK  5034538400
                              RESTORE DATE & TIME  102309 1720PDT
                              SUM/RMK
                              CKD/TOK TO DMARC PER LX-N/BT WITHIN LIMITS FOR
                              LX-N
 10/23/09 1837 JZS RMK        WAS CUSTOMER INFORMED OF RESTORE TIME? Y
                              OPTIONAL TESTING BILLABLE? Y
                              DID THE CCT OR COT TEST WITH OST? Y
                              BILL FOR DISPATCH?
 10/23/09 1836 JZS RMK        RESCON111506
10/23/09 1836 JZS RMK      RPRNTF040507
11/06/09 1202 S2H RMK        BILLING INFO  >>>DPO CHARGE ONLY<<<
                              -VFYD  RPRT CAT, TRBL TYPE, ACC HRS, EU ADDRESS,
                               CKT TYPE, RST TRBL CD, VALID CLEC TEST, OPT AUTH
                              -REVIEWED  OSSCHI, WORDDOC, OSSLOG, RELATED TKTS

                              1) BILL DPO  OST 481 - 10/23/09 FRM: 1615 TO 1720

                              - OTHER INFO:
 11/06/09 1202 S2H RMK        - TRUCK ROLL(S) BILLED? 1
```

Attachment 10

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OW164257

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
 GO TO PAGE        PRINTER               1 N PAGE 0001       11/18/09 14:23 PST
 TRK/TR# OW164257          CKT S 5 /LXFU/972243    /PN
10/16/09 1533 MED FLE        ------------ ADDITIONAL TROUBLE INFO ------------
                              PLEASE REMOVE BRIDGETAP.    **--->PROBLEM=261 FEET
                               OF BT 575 FEET FROM DMARC.  CFA: PST04-4384/TN 54
                              1-743-0202.
10/16/09 1535 ST5 RMK   FIX  4HR TKT/PLZ DO CORE TESTS ON CABLE PAIRS + 1004 &
                              40K TONE/CHECK FOR LOADS & BT/ND ALL RESULTS
10/16/09 1658 SB7 RMK        TECH CHRIS CALLED IN- CKT TESTING OK UP TO SPECS
FOR LXFU CKT                BALANCE=72DB_ RESISTANCE T-R=999_MEG  T-G=999_MEG
R-G=999_MEG FOREIGN VOLTAGE T-R=0__ T-G =0__ R-G=0__   LOAD
TEST(Y/N)=Y
10/16/09 1659 SB7 CUS   FIX   CKT IS MEETING ALL SPECS FOR THIS TYPE OF CKT, IF
YOU WANT BT REMOVED, YOU WILL HAVE TO ORDER THAT TYPE OF CKT
10/30/09 0706 VM3 RMK        BILLING INFO  >>>DPO CHARGE ONLY<<<
-VFYD  RPRT CAT, TRBL TYPE, ACC HRS, EU ADDRESS,
                               CKT TYPE, RST TRBL CD, VALID CLEC TEST, OPT AUTH
                              -REVIEWED  OSSCHI, WORDDOC, OSSLOG, RELATED TKTS

                              1) BILL DPO  OST 338 - 101609 FRM: 1606 TO 1658

                              - OTHER INFO: CPE
 10/30/09 0706 VM3 RMK        - TRUCK ROLL(S) BILLED? 1
```

Selected entries from Local Service Request (LSR) PON CL-2334709-DSL confirming Integra requested conditioning (SCA = Y) and confirming Integra requested a 2-Wire xDSL compatible Loop.

Local Service Request

Administrative Section

CCNA	PON	VER	LSR NO	LOCQTY	HTQTY	LSR REJECT OVERRIDE
O03	**CL-2334709-DSL**	**01**			**0**	

AN (NNN-X99-9999-999)	NAN	DLEC CCNA

Admin

PG_of_	D/T SENT
	200910051152

DSPTCH	DDD	APPTIME	APTCON	DDDO	DFDT
	2009/10/08				

PROJECT	CHC	TEST
		N - No Testing

REQTYPE	ACT	RSTTYP	CIP	CSO1:	CSO2:	PMI
AB	**N**					

CONVIND	MI	SUP	EXP	RTR
				D - Confirmation of LSR & DLR

CC	AENG	ALBR	SCA
7482			**Y - Yes**

AGAUTH	DATED	AUTHNM
Y - Authorization	**2005/04/18**	

PORTTYP:	ACTL:	AI	APOT:	LST:	LSO:	TOS:	NPDI:	SPEC:
					541342	**1**		

NC:	NCI:	SECNCI:	RPON:	RORD:	DLQTY:
LX-N	**02QC5.OOS**	**02IS5.N**			**0**

Selected Entries from the DLR Report for Circuit ID: 5/LXFU/972243/PN confirming the presence of .3 kft (300 ft) Bridge Tap on the circuit.

DLR REPORT

```
IC X                    PON CL-2334709-DSL      VER      ECIA    PG D001 OF 00
CKR                                                              ISS 10-05-09
CO PNSO                ORD N48961515             DLR 001 OF 001  ISS NO 01
ECCKT 5 /LXFU/972243    /PN                                      REFNUM
NOTES SECTION
1 THIS IS A PRO-CDS DESIGN
```

```
2 /19GA/     /22GA/     /24GA/1.6  /26GA/10.3 /BT/
  393                                    BP-IN
  X 947 COUNTRY CLUB RD EXJ             TERM ADDR
3 /19GA/     /22GA/     /24GA/.1   /26GA/1.0  /BT/.
  3
  19                                     BP-IN
  244                                    BP-OUT
  875-11 COUNTRY CLUB RD PDW            TERM ADDR
4 LOSS= 34.3 DB
5 IMP=135 , FREQ=40000
```

Attachment 11

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OE270597

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
 GO TO PAGE        PRINTER               1 N PAGE 0001       11/18/09 16:45 CST
 TRK/TR# OE270597          CKT S 3 /LXFU/517831    /NW
10/02/09 1342 MED FLE        ------------ ADDITIONAL TROUBLE INFO ------------
                              TAKING ERRORS TO THE NIU; 5K CRC ERRORS TESTED 5 M
                              INUTES QRSS TO NIU; INTEGRA TKT 1010671
                              ------------------------------------------------
10/02/09 1345 S1T CUS   FIX  NEED VALID TEST RESULTS OR AUTHORIZATION FOR
                              OPTIONAL TESTING. ALSO NEED INTRUSIVE TESTING
                              AUTHORIZED. NOT T1 CKT FOR QWEST.
10/02/09 1359 MED FLE        OPTIONAL TESTING IS NOT AUTHORIZED  TEST RESULTS W
                              ERE PROVIDED WHEN THE TICKET WAS OPENED
10/02/09 1403 S1T CUS   FIX  ALEC MEGAN AUTHORIZED OPTIONAL AND INTRUSIVE
10/02/09 1406 S1T RMK   FIX  CLEC SAYS TAKING ERRORS TO NIU. PLEASE GET CORE
                              TESTS
10/02/09 1523 322 RMK        HAD CO PULL COIL ON F1 AND SEEING FRGN VLTG AND
                              4KOHM SHORT T/R. TSTNG SPARES NOW.
10/02/09 2146 DM9 SUB   FIX  MT /000  10/02/09  21:46
                              RPT: ERR ; NAF/TAKING ERRORS TO THE NIU; 5K CRC
                             ERRORS TESTED 5 MINUTES QRSS TO NIU; INTEGRA TKT
                              1010671   OPT=Y INTRSV=Y DPO=Y
 10/02/09 2145 DM9 RMK   FIX  999MGOHMS T-R/T-GR/R-GR
 10/02/09 2145 DM9 RMK        1004= 2.8DB
                              BAL=6100 FT
                              0 BR TAP
                              0 LOADS
 10/02/09 2144 DM9 CUS   FIX  OST REPRD OPN ON THE F1 PR BET XBOX & CO.
```

Escalation on Optional Testing Emails

From: Isaacs, Kimberly D.
Sent: Friday, October 02, 2009 2:23 PM
To: 'Urevig, Rita'
Cc: Johnson, Bonnie J.
Subject: Qwest not moving forward with Ticket when Test Results were Provided R173.0

Hi Rita,

Qwest refused to work ticket OE270597 Circuit ID 3/LXFU/517831/NW until Integra authorized Optional Testing. This is an HDSL circuit and we provided Qwest with the following test results:

```
------------ ADDITIONAL TROUBLE INFO ------------
                              TAKING ERRORS TO THE NIU; 5K CRC ERRORS TESTED 5
MINUTES QRSS TO NIU; INTEGRA TKT 1010671
```

Per the Test Results Information download in the Maintenance and Repair PCAT (http://www.qwest.com/wholesale/downloads/2006/060901/Test_Results_Information_10_04.doc), the above test results are appropriate and Qwest should not have required that Integra authorize Optional Testing. Please address this issue with the centers. Thank you.

From: Urevig, Rita [mailto:Rita.Urevig@qwest.com]
Sent: Tuesday, October 06, 2009 12:23 PM
To: Isaacs, Kimberly D.
Cc: Johnson, Bonnie J.
Subject: RE: Qwest not moving forward with Ticket when Test Results wereProvided R173.0

Kim,
Qwest should not have pushed back for Optional testing, the test results provided look appropriate. We have provided training to the center.

Please let me know if you have any questions.

Thank you,

Rita M Urevig

Qwest Service Manager
Office 218-723-5801

From: Isaacs, Kimberly D.
Sent: Tuesday, October 06, 2009 4:58 PM
To: Isaacs, Kimberly D.; 'Urevig, Rita'
Cc: Johnson, Bonnie J.
Subject: RE: Qwest not moving forward with Ticket when Test Results wereProvided R173.0

Hi Rita,

We ran into another incident where Qwest insisted we authorize optional testing when we provided test results.
Qwest ticket: OE270973 Circuit ID: 3/LXFU/544385/NW

Integra provided the following test results:
HDSL2 CKT. SEEING LOS ON THE SPAN. CANNOT LOOP INTEGRA NIU FROM SPOTBAY. ALSO, TESTING AT DMARC NOT GETTING 180 VDC. TESTS GOOD AT SPOTBAY. DISPATCH AUTHORIZED.

Qwest insisted upon optional testing indicating the test results were not valid. Thank you.

Kim Isaacs | ILEC Relations Process Specialist
NEW ph. 763-745-8463 | fax 763-745-8459
6160 Golden Hills Dr | Golden Valley, MN 55416

From: Urevig, Rita [mailto:Rita.Urevig@qwest.com]
Sent: Tuesday, October 06, 2009 5:36 PM
To: Isaacs, Kimberly D.
Cc: Johnson, Bonnie J.
Subject: RE: Qwest not moving forward with Ticket when Test ResultswereProvided R173.0

Kim,

I will talk with the center manager in the morning about this TT and get back with you.

Thank you,

Rita M Urevig

Qwest Service Manager
Office 218-723-5801

From: Urevig, Rita [mailto:Rita.Urevig@qwest.com]
Sent: Wednesday, October 07, 2009 11:08 AM
To: Isaacs, Kimberly D.
Cc: Johnson, Bonnie J.
Subject: RE: Qwest not moving forward with Ticket when Test ResultswereProvided R173.0

Kim,

Here is what I found out from Network:

This would be a valid test result on a T1 service, but they reported that test result on an LXFU circuit. On LXFU circuits we need metallic test results because it is just a copper loop.

Does this help?

Thank you,

Rita M Urevig

Qwest Service Manager
Office 218-723-5801

From: Clauson, Karen L. [mailto:klclauson@integratelecom.com]
Sent: Wednesday, October 07, 2009 11:24 AM
To: Butler, Daphne; Topp, Jason; Salverda, Kathleen; Coffin, Kristi; Urevig, Rita
Cc: Denney, Douglas K.; Johnson, Bonnie J.; Isaacs, Kimberly D.; Bjugan, Brianna
Subject: Optional testing - xDSL dispute and escalation

Daphne:

Integra reported to its Qwest service manager that Qwest is refusing (as it has in the past over our objection) to proceed with a repair of a copper loop (xDSL) unless and until Integra authorized optional testing, with associated charges, even though Integra had provided test results. There is no valid authorization when Qwest withholds service to obtain alleged consent. Qwest was clearly aware in these situations that the service was xDSL (e.g., not limited to voice grade). In one example provided to Qwest service management, Integra identified the service as “HDSL2” in its remarks, and in another the Qwest tech’s said in remarks: "NOT T1 CKR FOR QWEST." Qwest repaired both tickets only after Integra authorized optional testing at Qwest’s insistence. The tickets were closed to Qwest facility reasons (i.e., Qwest-caused). Integra point out to the Qwest service manager that optional testing does not apply when a CLEC performs testing. In the example (from Minnesota) in the email below, Qwest’s service manager confirmed that Integra provided valid test results, but said that Qwest will not accept broadband test results. In other words, Qwest is also limiting testing to voice transmission only.

Integra disputes these optional testing charges, and all optional testing charges obtained by Qwest under such circumstances. There is no state or entity for which Qwest may charge optional testing charges when the CLEC has performed trouble isolation, and the dispute applies to all states, all entities. Qwest needs to proceed based on Integra’s testing results, Qwest should not limit testing (by Integra or Qwest) to voice grade parameters, and Qwest should not require authorization of optional testing when test results are provided by Integra.

The examples show that there is no technical obstacle to Qwest testing and repairing copper loops to work for xDSL; Qwest is simply refusing to do so until it gets charges to which it is not entitled. The Qwest-Integra Minnesota ICA (which is an opt-in of the Qwest-Eschelon Minnesota ICA) makes clear in Section 12.4.1.6 that optional testing charges apply only "when CLEC elects not to perform trouble isolation." Clearly, that is not the case in the example below, as Qwest acknowledges not only that Integra performed trouble isolation but that the results are valid for loops used to provide broadband service.

Qwest, CLECs, and the Minnesota DOC only very recently spent extensive time and resources on the applicable charges in Minnesota, including optional testing charges. The MN Elements Description Matrix, in Section 9.20.3, also limits applicability of the charge to "when CLEC chooses not to provide trouble isolation results." Training Qwest personnel to refuse to proceed with repairs unless and until a CLEC "authorizes" optional testing, when CLEC has performed trouble isolation, is an end-run around the contract, the MN cost case results, and the law.

Please refer to the FCC’s rules on cooper loops, including in particular the one we have referred you to previously: 47 C.F.R. §51.319(a)(1)(iii)(C). See also TRO ¶¶ 632-637 & 642-643. In the TRO, the FCC said in ¶642 that ILECs "must provide access, on an unbundled basis, to xDSL-capable loops because competitive LECs are impaired without such loops. Such access may require incumbent LECs to condition the local loop for the provision of xDSL-capable services."
Please respond. Qwest should confirm that it will cease this practice and train its personnel accordingly.

Karen L. Clauson
Vice President, Law & Policy
direct 763.745.8461 | fax 763.745.8459 |
6160 Golden Hills Drive
Golden Valley, MN 55416-1020

From: Butler, Daphne [mailto:daphne.butler@qwest.com]
Sent: Friday, October 09, 2009 3:02 PM
To: Clauson, Karen L.; Topp, Jason; Salverda, Kathleen; Coffin, Kristi; Urevig, Rita
Cc: Denney, Douglas K.; Johnson, Bonnie J.; Isaacs, Kimberly D.; Bjugan, Brianna
Subject: RE: Optional testing - xDSL dispute and escalation

Karen,

Qwest's concern is not voice testing versus broadband testing. Qwest is concerned with isolating the trouble.

Qwest has reviewed the Trouble Tickets provided by Integra and reviewed the test requirements and results. Integra has performed service tests using its own equipment. This means that no tests were performed on the copper by itself. Qwest did not accept the test results because the results showed that the service was not working, but the results did not isolate the trouble to Qwest's network. The service test that Integra performed does not exclude the possibility of trouble with the NIU, i.e. Integra's facilities. For instance, Integra indicated that they can not loop the NIU from the SPOTBAY. This test result does not indicate that the copper loop is not performing to any standard. This test may lead a technician to believe that the NIU may be faulty. Integra should perform metallic testing in addition to service testing in order to isolate the problem to the copper loop.

Integra indicated that the test results they have provided are acceptable. That is correct so far as it goes. That is, they are acceptable service test results. But they are not copper, or metallic, test results. Integra needs to perform tests that show that the trouble is in Qwest's copper infrastructure, accordingly Integra should provide metallic test results.

Qwest provides its wholesale customers services as well as unbundled elements. For instance DS-1 service is available to wholesale customers. The tests that Integra performed based on the examples provided apply to DS-1 service and not the copper facilities that underlie the service.

Qwest has advised the CLECs of the Transmission Performance Parameters tests we perform on the Copper Loop as found in Section 6.2 of Qwest's Technical Publication 77384. Integra should provide to us the same test results that we perform as part of the Transmission Performance Parameters test.

Daphne E. Butler
Corporate Counsel
Qwest Corporation
1801 California, 10th Floor
Denver, CO 80202
303-383-6653 (voice)
720-203-0497(mobile)
303-896-1107 (fax)
From: Clauson, Karen L.
Sent: Friday, October 09, 2009 6:20 PM
To: 'Butler, Daphne'; Topp, Jason; Salverda, Kathleen; Coffin, Kristi; Urevig, Rita
Cc: Denney, Douglas K.; Johnson, Bonnie J.; Isaacs, Kimberly D.; Bjugan, Brianna
Subject: RE: Optional testing - xDSL dispute and escalation

Daphne:

In these examples, the test results did isolate the troubles to the Qwest network, and this was confirmed by the fact that Qwest agreed they were in the Qwest network. While you argue that they "could" have been in our network, the fact remains that they were not, consistent with the test results provided by Integra to Qwest. When the trouble is in the Qwest network, Qwest is not supposed to charge us for repairing its own troubles. (See, e.g., ICA Sections 9.2.5.2 & 12.4.3.6.1.)

In the enclosed Word document, I have responded to each of your points in the order they appear below. The dispute and escalation are ongoing.

Recently, Qwest asked Integra in another context to respond item-by-item. Please respond item-by-item to the points in the enclosed document.

Thank you,
Karen

10/0/09 Integra Revised Enclosure to 10/9/09 Qwest Email

Integra responds to each of the points in the order in which they appear in Qwest's email of today, 10/9/09. Qwest, please respond item-by-item.

Qwest: Qwest's concern is not voice testing versus broadband testing. Qwest is concerned with isolating the trouble.

Integra: Please tell us whether, by stating that Qwest's concern is not voice testing versus broadband testing, Qwest is agreeing that it will conduct testing at broadband levels as needed to restore xDSL service so that the loop will continue to work for the xDSL service.

- If metallic or core tests do not result in service that continues to work *for HDSL* (*i.e.*, as needed; not in every case), will Qwest test to digital/xDSL parameters (e.g., 196 kHz)?

Until Integra receives a clear, affirmative response to the above questions, it must assume that Qwest's position has not changed from its previously stated position. Although Qwest may not be concerned about it as Qwest is the beneficiary of Qwest's anticompetitive position on testing (discussed in more detail below), but it is of great concern to your customer, Integra. Integra is concerned with isolating trouble, including trouble that interferes with broadband service provided using a conditioned copper loop. The issue presented by Qwest's position (see, e.g., 6/5/08 Qwest email and your 4/1/09 letter, both quoted below) is whether, when needed, Qwest will test to the parameters appropriate for the

flavor of xDSL (broadband, or advanced, services) requested by Integra. Section 9.2.2.9.6 of the ICA states: "Qwest will perform the performance testing necessary to assure that the facility meets appropriate performance parameters. This includes the following performance tests for various Loop types." Section 4.0 of the ICA defines "includes" to mean "includes but not limited to" and "without limitation." The list of examples of loop types in Section 9.2.2.9.6 is not exhaustive. The appropriate performance parameters for HDSL2, for example, include testing loss, when needed, at a 196 kHz.[2] Qwest is required under the ICA to provide Integra xDSL capable loops.

> Section 9.2.2.1.1 provides: "Use of the word 'capable' to describe Loops in Section 9.2 means that ***Qwest assures*** that the Loop meets the technical standards associated with the specified Network Channel/***Network Channel Interface*** codes, as contained in the relevant technical publications ***and industry standards***." (emphasis added)
>
> Section 9.2.2.1.2 provides: "Use of the word 'compatible' to describe Loops in Section 9.2 means the Unbundled Loop ***complies with*** technical parameters of the specified Network Channel/***Network Channel Interface*** codes as specified in the relevant technical publications ***and industry standards***. Qwest makes no assumptions as to the capabilities of CLEC's Central Office equipment or the Customer Premises Equipment." (emphasis added)

Although Qwest chooses to offer xDSL capable loops over a non-loaded loop (rather than to create a "product" by the name of e.g., HDSL2 capable loop), that choice does not change Integra's legal and contractual rights to obtain xDSL capable loops and for Qwest to conduct testing as needed to restore service to xDSL so that it continues to work for xDSL.

Qwest: Qwest has reviewed the Trouble Tickets provided by Integra and reviewed the test requirements and results. Integra has performed service tests using its own equipment. This means that no tests were performed on the copper by itself. Qwest did not accept the test results because the results showed that the service was not working, but the results did not isolate the trouble to Qwest's network. The service test that Integra performed does not exclude the possibility of trouble with the NIU, i.e. Integra's facilities. For instance, Integra indicated that they can not loop the NIU from the SPOTBAY. This test result does not indicate that the copper loop is not performing to any standard. This test may lead a technician to believe that the NIU may be faulty. Integra should perform metallic testing in addition to service testing in order to isolate the problem to the copper loop.

Integra: See cover email. Regarding metallic testing, see the next response. You refer to metallic testing "in addition to service testing."

- Please define "service testing."
- Is Qwest requiring two sets of tests: (1) metallic testing, and (2) service testing?
- If so, are there circumstances (i.e., exceptions) in these types of situations when both are not required and either one or the other type will be accepted? If so, please describe those circumstance(s).
- If Integra authorizes optional testing, Qwest agrees that Integra is not required to provide any test results, correct? (See ICA Section 12.4.1.6 – "when CLEC elects not to perform trouble isolation").

[2] ICA, Section 4.0 states: "'HDSL2'" or "'High-Data Rate Digital Subscriber Line 2' is a synchronous baseband DSL technology operating over a single pair capable of transporting ***a bit rate of 1.544 Mbps***" (emphasis added).

You indicate that Integra should "isolate the trouble to Qwest's network."

- Please indicate whether Qwest agrees that, once a trouble is isolated to the Qwest network, it is Qwest's job to test and isolate trouble within its network as needed, and to repair to restore service when the trouble is in Qwest's network.
- If Integra-provided test results isolate to Qwest' network, that is sufficient. As to where the trouble is within Qwest's network, that is Qwest's responsibility to identify it.

Qwest: Integra indicated that the test results they have provided are acceptable. That is correct so far as it goes. That is, they are acceptable service test results. But they are not copper, or metallic, test results. Integra needs to perform tests that show that the trouble is in Qwest's copper infrastructure, accordingly Integra should provide metallic test results.

Integra: You state again that Integra "should perform metallic testing."

- Please indicate whether, by "metallic" testing, Qwest is referring to loss at only 1004 Hz and 40 kHz, Loop Noise, Foreign Voltage, Resistance to Ground, Conductor Loop Resistance.
- If not, please provide the parameters which Qwest considers to be "metallic" testing. Please provide the parameters and do not respond to any technical publication (see final response below).
- Please indicate whether Qwest sometimes refers to 1004 Hz and 40 kHz, Loop Noise, Foreign Voltage, Resistance to Ground, Conductor Loop Resistance as "core" tests, and indicate if, by metallic tests, Qwest means "core" tests. If Qwest views "metallic" and "core" tests as different, please describe the differences.
- Please indicate whether, if Integra provides "metallic" testing results to Qwest in these types of situations, Qwest will proceed to test and repair the service.
- If the answer to the immediately preceding question is yes, please indicate whether Qwest will repair it to a standard that xDSL (e.g., HDSL2 in this example) will continue to work.
- If "core" or "metallic" testing does not result in a working loop, will Qwest test for HDSL at 196 kHz? Will Qwest test for HDSL (ordered over a 2-wire non-loaded loop, per Qwest's process) at 196 kHz in any circumstance and, if so, describe the circumstance(s)?
- The above questions assume that Integra has not authorized optional testing. If Integra authorizes optional testing, do any of the above answers change and, if so, how?

Qwest: Qwest provides its wholesale customers services as well as unbundled elements. For instance DS-1 service is available to wholesale customers. The tests that Integra performed based on the examples provided apply to DS-1 service and not the copper facilities that underlie the service.

Integra: See legal citations below. Also, in the TRO ¶23, the FCC confirmed Qwest's obligation to unbundle both "high-capacity lines" and "xDSL-capable loops" for advanced services, so Integra does not have to choose between them.

- Is Qwest indicating that Integra must order Qwest's more expensive DS1 capable loop before Qwest will restore to a standard when the HDSL/xDSL service on a conditioned copper loop will continue to work?

In a Qwest (RVP Ken Beck) June 5, 2008 email to Integra, Qwest said (with emphasis added):

> "The Qwest Tech Pub 77384 and the Unbundled 2 and 4 Wire Non-Loaded PCAT both indicate that the CLEC needs to order the ADSL Capable Loop or a DS1 Capable Loop ***to receive an HDSL Level of Transmission***. If the CLEC requests the LX-N 04QB9.00H 04DU9.00H NC/NCI code combination, Qwest will provision an Unbundled 4 Wire Non-Loaded Loop and ***will test the circuit at 1004 HZ*** as stated in Section 6.2.1 of Tech Pub 77384. ***If Integra wishes to receive a signal that is tested at 196 kHz, you would need to request an ADSL service or a DS1 capable loop***. . . . I still boil it down to ***optional for us*** unless you order 4 wire loop."
>
> I provided this quote, along with associated questions, to you in my letter of March 20, 2009. In your April 1, 2009 letter, you said: "Once an xDSL loop has been provisioned, if Integra has been able to put HDSL on the loop, Qwest has no obligation to repair it to the standard that HDSL will continue to work."

- Do the statements in Qwest's June 5, 2008 email and April 1, 2009 letter still reflect Qwest's position? If not, please explain.
- If so, please explain how these statements comply with TRO ¶23 and 47 C.F.R. §51.319(a)(1)(iii)(C) (copied below).
- If so, please explain how these statements comply with Section 9.1.9 of the Qwest-Integra ICA (which reflects the Minnesota DOC's language for this section, adopted in the Minnesota Qwest-Eschelon arbitration decision, MN Docket No. P-5340421, Issue No. 9-33).

Qwest: Qwest has advised the CLECs of the Transmission Performance Parameters tests we perform on the Copper Loop as found in Section 6.2 of Qwest's Technical Publication 77384. Integra should provide to us the same test results that we perform as part of the Transmission Performance Parameters test.

Integra: As Qwest knows from our many communications on this subject for more than two years, Integra is requesting xDSL, digital loops. (See, e.g., ICA Sections 4.0 and 9.2.2.3). Qwest cannot treat all copper loops as though they were analog, voice grade loops. Qwest must condition copper loops to enable CLECs to offer advanced services.[3]

> ICA Section 9.2.6 states (with emphasis added): "Qwest will provide 2/4 Wire non-loaded Loops, ADSL compatible Loops, ISDN capable Loops, xDSL-I capable Loops, DS1 capable Loops and DS3 capable Loops (collectively referred to in this Section 9.2.6 as "xDSL Loops") in a non-discriminatory manner ***to permit CLEC to provide Advanced Services to its End User Customers***." Qwest is not meeting this requirement when it provides a loop that does not enable CLEC to provide the requested advanced services to its end user customers.

Regarding the technical publication, ICA Sections 2.3 and 12.4.3.5, with emphasis added, state:

> 2.3 Unless otherwise specifically determined by the Commission, in cases of conflict between the SGAT and Qwest's Tariffs, ***PCAT***, methods and procedures, ***technical publications***, policies, ***product notifications*** or other ***Qwest documentation*** relating to Qwest's or CLEC's rights or

[3] *E.g.*, TRO footnote 1925 to ¶ 635 ("Specifically, in the UNE Remand Order, the Commission held that incumbent LECs must remove certain devices, such as bridge taps, low-pass filters, and range extenders, from basic copper loops in order ***to enable*** the requesting carrier to ***offer advanced services***. UNE Remand Order, 15 FCC Rcd at 3775, para. 172.") (emphasis added).

obligations under this SGAT, then the rates, terms and conditions of this SGAT shall prevail. To the extent another document abridges or expands the rights or obligations of either Party under this Agreement, ***the rates, terms and conditions of this Agreement shall prevail***.

12.4.3.5 Qwest Maintenance and Repair and routine test parameters and levels will be in compliance with Qwest's Technical Publications, which will be consistent with Telcordia's General Requirement Standards for Network Elements, Operations, Administration, Maintenance and Reliability and/or the applicable ANSI standard.

See also Integra's March 20, 2009 CMP Escalation of CR #PC082808-1IGX and, in particular, regarding routine test parameters and levels, see the chart on page 4 [from Figure 6 on p. 37 (PDF p. 44) of ***ANSI*** T1E1, Technical Report Number 28 (cited in Qwest's technical publication] and discussion of that chart on pages 4-5 of the Escalation. In addition to submitting that response in CMP, Integra provided a copy of the Escalation to Qwest with its April 9, 2009 notice letter.

Generally, please refer to the following citations:

ILEC must "condition loops to allow requesting carriers to offer advanced services." TRO fn 1946 to ¶642. CLECs are "impaired" without access to xDSL copper loops. TRO ¶¶ 23, 642. Unbundling of the local loop includes "two and four-wire loops conditioned to transmit the digital signals needed to provide xDSL service." TRO ¶ 249; *see also* UNE Remand Order ¶ 166; and First Report and Order, ¶ 380. In the TRO, ¶23, the FCC confirmed Qwest's obligation to unbundle both "high-capacity lines" and "xDSL-capable loops" for advanced services.

If technically feasible, the ILEC "shall test and report troubles for all the features, functions and capabilities of conditioned copper lines, and may not restrict its testing to voice transmission only." 47 C.F.R. §51.319(a)(1)(iii)(C).

Line conditioning is defined as "the removal from a copper loop of any device that could diminish the capability of the loop to deliver xDSL. Such devices include bridge taps, load coils, low pass filters, and range extenders." 47 C.F.R. §51.319(a)(1)(iii)(A). Loops must be "stripped of accretive devices." TRO ¶ 643.

ILEC conditioning obligation applies to "loops of any length." TRO fn 1946 to ¶642. (There is an exception when voice service is degraded.)

TRO ¶¶ 632-637 & 642-643.
From: Butler, Daphne [mailto:daphne.butler@qwest.com]
Sent: Friday, October 16, 2009 11:56 AM
To: Clauson, Karen L.; Topp, Jason; Salverda, Kathleen; Coffin, Kristi; Urevig, Rita
Cc: Denney, Douglas K.; Johnson, Bonnie J.; Isaacs, Kimberly D.; Bjugan, Brianna
Subject: RE: Optional testing

Karen/Integra

This responds to your email dated October 9, 2009, regarding a dispute over Integra Minnesota ICA section 12.4.1.6 and the conditions under which Qwest charges for optional testing. Much of your enclosure to your October 9 email is not relevant to the dispute, and seems targeted to the HDSL issue that is currently under settlement negotiations between Steve Fisher of Integra and Ken Beck of Qwest, rather than the dispute regarding optional testing.

Qwest will provide answers to the seven questions that are pertinent to the dispute at hand, which are:

- Please define "service testing."
- Is Qwest requiring two sets of tests: (1) metallic testing, and (2) service testing?
- If Integra authorizes optional testing, Qwest agrees that Integra is not required to provide any test results, correct? (See ICA Section 12.4.1.6 – "when CLEC elects not to perform trouble isolation").
- Please indicate whether Qwest agrees that, once a trouble is isolated to the Qwest network, it is Qwest's job to test and isolate trouble within its network as needed, and to repair to restore service when the trouble is in Qwest's network
- Please indicate whether, by "metallic" testing, Qwest is referring to loss at only 1004 Hz and 40 kHz, Loop Noise, Foreign Voltage, Resistance to Ground, Conductor Loop Resistance.
- Please indicate whether Qwest sometimes refers to 1004 Hz and 40 kHz, Loop Noise, Foreign Voltage, Resistance to Ground, Conductor Loop Resistance as "core" tests, and indicate if, by metallic tests, Qwest means "core" tests. If Qwest views "metallic" and "core" tests as different, please describe the differences.
- Please indicate whether, if Integra provides "metallic" testing results to Qwest in these types of situations, Qwest will proceed to test and repair the service.

Qwest responds that, by "metallic" testing, Qwest is referring to loss at 1004 Hz and 40 kHz, Loop Noise, Foreign Voltage, Resistance to Ground, Conductor Loop Resistance. Core tests refer to the essential basic tests required to prove trouble on an element. It just so happens that on a copper loop, metallic tests are the core tests. On another element, the core tests may be different. By service testing, we are generally referring to readings from a digital test point. An example of a valid service test for a DS1 service would be "can't loop NIU". More examples of valid test results for copper loops and valid test results for DS1 services can be found online at: http://www.qwest.com/wholesale/downloads/2006/060901/Test_Results_Information_10_04.doc If you order a service from us, such as DS1 service, we require service testing. If you order a metallic loop from us, then we require metallic testing. If Integra has ordered a loop, but does not provide test results that show it has isolated the trouble to Qwest's network, i.e., metallic tests, then Integra must authorize optional testing, and Integra need not provide any test results. Where Integra has ordered an unbundled loop, and metallic test results isolate trouble to the loop, then Qwest will repair the loop.

As you may gather from the foregoing, and from my email of Friday, October 9, Qwest disagrees with your statement that the test results that Integra provided in Minnesota isolated the troubles to the Qwest network, and that this was confirmed by the fact that Qwest agreed that the troubles were in the Qwest network. There is a distinct difference between providing test results that isolate the trouble, and providing test results that show nothing more than there is trouble somewhere. Integra did the latter. It just so happens that the trouble was in Qwest's network, but there is no necessary correlation between the test results that Integra provided and the location of the trouble.

Finally, you state that the dispute and escalation continue. If Integra is initiating a billing dispute, Integra needs to follow the procedures in Section 21 of the ICA.

Daphne E. Butler
Corporate Counsel
Qwest Corporation
1801 California, 10th Floor
Denver, CO 80202
303-383-6653 (voice)
720-203-0497(mobile)
303-896-1107 (fax)

From: Clauson, Karen L. [mailto:klclauson@integratelecom.com]
Sent: Friday, October 16, 2009 11:22 AM
To: Butler, Daphne; Topp, Jason; Salverda, Kathleen; Coffin, Kristi; Urevig, Rita; Beck, Ken
Cc: Johnson, Bonnie J.; Isaacs, Kimberly D.; Bjugan, Brianna; Denney, Douglas K.
Subject: RE: Optional testing

We appreciate the responses you did provide. We will review them.

In the future, we ask that Qwest personnel do not ask Integra (business and legal personnel) to respond item-by-item (such as its recent request), as Qwest refuses to respond in that manner itself.

We disagree with your analysis of these examples, as previously indicated. We have initiated a dispute in writing, consistent with Section 12.8 of the ICA. Qwest is on notice that Integra has an ongoing dispute. Our normal billing procedures will be followed. Again, Qwest is required to test, and it shall not limit its testing to voice grade parameters. See 47 C.F.R. §51.319(a)(1)(iii)(C). Calling voice grade tests "core" tests does not change the fact that Qwest is limiting testing to voice grade parameters. Qwest is on notice of our position (see, e.g., 3/20/09 notice letter), and we continue to expect compliance. We will continue to monitor the situation.

Karen
From: Butler, Daphne [mailto:daphne.butler@qwest.com]
Sent: Friday, October 16, 2009 12:31 PM
To: Clauson, Karen L.; Topp, Jason; Salverda, Kathleen; Coffin, Kristi; Urevig, Rita; Beck, Ken
Cc: Johnson, Bonnie J.; Isaacs, Kimberly D.; Bjugan, Brianna; Denney, Douglas K.
Subject: RE: Optional testing

Karen

Thanks for your quick response. I think there may be a typo. I do not see a section 12.8 in the Integra Minnesota agreement. To what section are you referring?

Daphne E. Butler
Corporate Counsel
Qwest Corporation
1801 California, 10th Floor
Denver, CO 80202
303-383-6653 (voice)
720-203-0497(mobile)
303-896-1107 (fax)

From: Clauson, Karen L.
Sent: Friday, October 16, 2009 12:39 PM
To: 'Butler, Daphne'; Topp, Jason; Salverda, Kathleen; Coffin, Kristi; Urevig, Rita; Beck, Ken
Cc: Johnson, Bonnie J.; Isaacs, Kimberly D.; Bjugan, Brianna; Denney, Douglas K.
Subject: RE: Optional testing

Yes, I transposed the numbers. Section 21.8 ("Billling, Escalations, and Disputes").

Attachment 12

Selected entries from the Qwest CEMR Trouble Ticket Work Log (OSSLOG) for Qwest ticket OE270973

```
COMMAND              D WFAC: WORK LOG (OSSLOG)                    /FOR
 GO TO PAGE         PRINTER               1 N PAGE 0001       11/18/09 16:38 CST
 TRK/TR# OE270973     CKT S 3 /LXFU/544385   /NW
10/06/09 1324 MED FLE        ------------ ADDITIONAL TROUBLE INFO ------------
HDSL2 CKT. SEEING LOS ON TH E SPAN. CANNOT LOOP INTEGRA NIU FROM SPOTBAY. ALSO
, TESTING AT DMARC NOT GETTING 180 VDC. TESTS GOOD  AT SPOTBAY. DISPATCH AUTHORIZED
10/06/09 1329 S1T CUS   FIX  THIS IS NOT A T1 CKT FOR QWEST. NEED VALID TEST
                             RESULTS OR AUTHORIZATION FOR OPTIONAL TESTING.
10/06/09 1339 S1T RMK   FIX  PLEASE GET CORE TESTS AND CALL 888-678-7070 OPT.
10/06/09 1530 S1T CUS   FIX  OST JERRY 411 HAS SHORT ON F1 STRAIGHT FEED.
                             LOOKING FOR A SPARE.
10/06/09 1548 C1G CUS   FIX  WILL SEND RQST TO CLOSE,DEF F1, CTC F1,RST 100609
                             1540
 10/06/09 1547 C1G CUS       COPPER050207- TECH EC# 411
                             1004HZ=-1.1     NOISE=0          BALANCE=99
                             RESISTANCE T-R=100 T-G=100 R-G=100 MEGOHMS
                             FOREIGN VOLTAGE T-R=0    T-G=0    R-G=0    VOLTS
                             ANY LOAD COILS (Y/N)=N   ANY BRIDGE TAP (Y/N)=N
                             OST JERRY 411,FOUND SHORT ON RING SD F1,CTC F1,
                             ISLOLATED =1430,RSTD = 1540, W/W COT =BRIAN, CKT
                             NORMALIZED.
10/06/09 1550 C1G RMK   FIX  NOACCS020807
                            TROUBLE ISOLATION WAS DONE BY TECH.
 10/06/09 1550 C1G RMK   FIX  OPTIONAL TESTING WAS AUTHORIZED.  IN STOP TIME
                         UNTIL TROUBLE ISOLATION WAS DONE BY TECH.
                         CANT LP NIU FRM CFA, BAD F1,CTC RST100609 1540
 10/06/09 1552 C1G RMK       WAS CUSTOMER INFORMED OF RESTORE TIME? Y
                             OPTIONAL TESTING BILLABLE? Y
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