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December 30, 2003

Via UPS Overnight Delivery

Ms. Carole J. Washburn
Executive Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive, SW
P.O. Box 47250
Olympia, WA 98504-7250

Re: WUTC Docket No. UT-033020

Dear Ms. Washburn:

Enclosed please find the original and 12 copies of Covad Communications Company's Response to Comments Submitted by Qwest Corporation in the above docket.

Thank you.

Very truly yours,

Karen S. Frame, Esq.
Senior Counsel

cc: Counsel of Record

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**COVAD COMMUNICATIONS COMPANY'S RESPONSE TO
COMMENTS SUBMITTED BY QWEST CORPORATION
(Due December 29, 2003)**

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COMMISSION

**Re: In the Matter of the Six-Month Review of Qwest Corporation's
Performance Assurance Plan, Docket No. UT-033020**

Covad Communications Company ("Covad") hereby submits its Response to the Comments submitted by Qwest Corporation ("Qwest") on the second six month review of Qwest's performance assurance plan ("QPAP") for the state of Washington.

Qwest gives little credence to Covad's request that line splitting be included in the QPAP, arguing that low volumes and a lack of experience with the retail analog renders it "inadvisable" to add the line splitting PIDs. Qwest's Comments are without merit.

There is no doubt that, at this point, there are sufficient volumes of line splitting orders in the Qwest region that line splitting should be included in the PIDs as a separate product reporting category. Indeed, within the Long Term PID Administration ("LTPA"), Qwest has already agreed to include line splitting in the PIDs as a separate product reporting category because of the volumes to date. Thus, for Qwest to state in its comments that there are insufficient volumes of line splitting orders to warrant inclusion in the CPAP is directly contrary to what Qwest has agreed to elsewhere. Qwest's refusal to include line splitting in the QPAP due to purportedly low volumes should be disregarded.

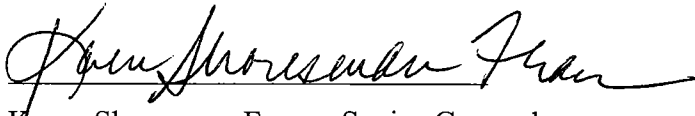
Qwest also claims to have no historical data for any comparative retail service as grounds for its refusal to include line splitting in the QPAP. Just like the volume issue, that argument is without merit. There is no dispute whatsoever that, for purposes of provisioning and repair, line sharing and line splitting are virtually technically identical,

and that line sharing and line splitting have a great deal of technical commonality. Further, there is no disagreement that Qwest's retail DSL product is also a shared loop product, with huge amounts of technical commonality with CLEC line shared product, and that this is the only retail product that Qwest will ever deploy that is similar to line splitting. Finally, there is no question that Qwest has had ample experience in provisioning its own retail DSL service as well as CLEC line shared lines. It is clear, therefore, that Qwest has had ample experience in provisioning and repairing lines and services that are incredibly similar to, and virtually indistinguishable from, line splitting. Thus, as Covad has previously asserted, line splitting should be included as a product category in the PIDs and it should be assigned a standard, for all PIDs, other than OP-3 and OP-4, of parity with Qwest DSL. For PIDs OP-3 and OP-4, the standards should be 95% of line split loops delivered within 3.15 days.

The standards proposed by Covad make sense. First, because of the technical identity of the Qwest DSL and the line splitting product, the same processes apply to both and thus there is nothing new for Qwest technicians to learn in order to properly provision and repair these services. Second, and more importantly, because Qwest has already agreed in the Colorado performance assurance plan to utilize the standards proposed by Covad in Washington for purposes of measuring line splitting, Qwest should be held to the same performance standards in Washington. In summary, line splitting should be included in the QPAP as a separate product reporting category for PIDs PO-5, OP-3, OP-4, OP-5, OP-6, OP-15, MR-3, MR-4, MR-6, MR-7 and MR-8.

Dated: December 29, 2003.

COVAD COMMUNICATIONS COMPANY

By: 

Karen Shoresman Frame, Senior Counsel

Washington State Bar No. 33859

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of December, 2003, a true and correct copy of the foregoing was served via e-mail as follows and sent via United State mail, first class, postage prepaid, on December 30, 2003 as follows:

PARTIES REPRESENTATIVES

DOCKET NO. UT-033020

Updated 10/10/03

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