

HOGAN & HARTSON
L.L.P.

DOCKET FILE COPY ORIGINAL

MACE J. ROSENSTEIN
PARTNER
DIRECT DIAL (202) 637-5877

August 9, 2002

COLUMBIA SQUARE
555 THIRTEENTH STREET, NW
WASHINGTON, DC 20004-1109
TEL (202) 637-5600
FAX (202) 637-5910

REDACTED - FOR PUBLIC INSPECTION

BY HAND DELIVERY

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RECEIVED

AUG - 9 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: **WC Docket No. 02-189
Qwest Communications International Inc.
Errata to Consolidated Application for Authority to
Provide In-Region, InterLATA Services in
Montana, Utah, Washington and Wyoming**

Dear Ms. Dortch:

Submitted herewith on behalf of Qwest Communications International Inc. ("Qwest") are revisions to certain materials submitted in connection with its Reply Comments in the captioned proceeding, filed on July 29, 2002.

1. **Exhibit LBB-2 to be included in Reply Declaration of Larry B. Brotherson**

This Exhibit, which consists of letters from Qwest to the state regulatory authorities in each of the states in Qwest's region, was inadvertently omitted from the Brotherson Reply Declaration submitted in support of Qwest's July 29, 2002 Reply Comments. For convenience, a copy of the complete Brotherson Reply Declaration and exhibits, including Exhibit LBB-2, is attached hereto and should be substituted for the materials at Tab 9 of Qwest's July 29, 2002, filing.

No. of Copies rec'd 0+2
List ABCDE

Marlene H. Dortch, Secretary

August 9, 2002

Page 2

2. Additional pages to be included in Reply Declaration of Michael G. Williams

Pages 32 – 47 were inadvertently omitted during production from the Williams Reply Declaration submitted in support of Qwest's July 29, 2002, filing. For convenience, a copy of the complete Williams Reply Declaration is attached hereto and should be substituted for the materials at Tab 12 of Qwest's July 29, 2002, filing.

3. Corrected pages to be included in Reply Declaration of Jerrold L. Thompson and Exhibit JLT-6 thereto

Page 71 of the Thompson Reply Declaration and page 6 of Exhibit JLT-6 are being replaced to correct typographical errors. The correction to Declaration page 71 corrects the title on the chart to read "DS1" instead of "DS3," and the correction to the exhibit revises the Colorado port rate at line 8a to read \$1.15 instead of \$1.53.

4. Corrections to Reply Declaration of Lynn M. V. Notarianni and Christie Doherty ("OSS Reply Declaration")

a. Paragraph seven of the OSS Reply Declaration discussed Qwest's performance results under PO-2B-2 in Iowa in June. The second sentence in the paragraph mistakenly referred to "Idaho" when it should have referred to "Iowa." A replacement page is attached.

b. Reply Exhibit CLD-8 consisted of a July 12 ex parte letter from Qwest. On the second page of that letter, Qwest provided data on the percentage of manual LSRs rejected in error from April 2001 through May 2002. Qwest has revised its calculation of these percentages based on additional information that it recently received. Although Qwest's revised calculations do not materially affect the results, they do change the percentages slightly. Qwest is submitting these revised figures so the record is clear. An appropriately modified second page of Qwest's July 12 ex parte letter is attached.

c. Paragraph 110 of the OSS Reply Declaration discusses Qwest's commercial performance results under PO-2B in the aggregate. The last sentence in the paragraph mistakenly included a reference to "Colorado." The paragraph

Marlene H. Dortch, Secretary
August 9, 2002
Page 3

should have referred only to misses in Idaho for May and June, and in Iowa for June. A replacement page is attached.

d. Attachment A of Confidential Reply Exhibit LN-18 is a matrix that identifies reject rates for certain CLECs. The third to last category of the matrix was mistakenly labeled "% of Total Reject Messages that were Address Validation Rejects." It should have been labeled "% of Total Reject Messages that were CSR Validation Rejects." A replacement page is attached.

e. Paragraph 155 of the OSS Reply Declaration discusses Eschelon's comments regarding "unannounced dispatches." The third sentence in that paragraph mistakenly stated that "Qwest research indicates no technician was dispatched as a result of UNE-P conversion or Resale order activity." This sentence should not have been included. A replacement page is attached.

f. Footnote 209 and paragraph 240 of the OSS Reply Declaration mistakenly included a reference to "Section IV.D.1." This internal reference should have read "Section IV.C.1." Replacement pages are attached.

g. The last sentence of paragraph 188 of the OSS Reply Declaration should have begun with the word "Qwest" rather than "Qwest's." A replacement page is attached.

h. Paragraph 221 of the OSS Reply Declaration discusses Qwest's bill dispute resolution process. The third sentence in that paragraph mistakenly stated "Qwest's goal is to resolve all disputes within 30 calendar days." It should state "Qwest's goal is to resolve all disputes within 28 calendar days of the dispute acknowledgment date." A replacement page is attached.

i. Paragraph 229 of the OSS Reply Declaration discusses KPMG's evaluation of the DUF. The third sentence of that paragraph erroneously included the words "covering Qwest's." That sentence should read: "Once those test problems were resolved, a total of three region wide DUF tests were conducted." A replacement page is attached.

j. Paragraph 231 of the OSS Reply Declaration discusses KPMG's evaluation of the DUF. The final sentence in that paragraph contained a typographical error. That sentence should read: "For example, operated assisted local measured service records were involved for many of the changes, which only

Marlene H. Dortch, Secretary

August 9, 2002

Page 4

accounts for 0.002% of all calls made on the Qwest network on a typical day.” A replacement page is attached.

k. Paragraph 272 of the OSS Reply Declaration discusses Qwest’s ability to provide test “match” and “near match” responses in SATE. The third sentence of that paragraph contained a typographical error. That sentence should read: “The fact that any particular input by the CLEC of a pre-defined test scenario address may result in a “not match” in SATE but not in production, is not a problem.” A replacement page is attached.

5. Corrected page 18 to be included in Qwest’s July 29, 2002, Reply Comments

A revised page 18 of Qwest’s Reply Comments is included to correct a misstatement of the average interval for issuing auto-rejects over the last six months. Qwest stated the average interval as “less than 10 minutes” when it should have stated “less than 10 seconds.”

6. Corrected page 84 to be included in Qwest’s July 29, 2002, Reply Brief

A revised page 84 of Qwest’s Reply Comments is attached to correct section heading VI.D to read “Checklist Items 9 (Number Administration) and 11 (Local Number Portability.”

* * *

HOGAN & HARTSON L.L.P.

Marlene H. Dortch, Secretary

August 9, 2002

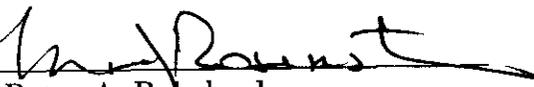
Page 5

We also have enclosed an additional copy of this letter to be stamped as received and returned to *via* our courier.

Please direct questions concerning this submission to the undersigned.

Respectfully submitted,

Hogan & Hartson L.L.P.

By: 
Peter A. Rohrbach
Mace J. Rosenstein
Yaron Dori

Attorneys for Qwest Communications
International Inc.

Enclosures

cc: Attached Service List

SERVICE LIST

Nancy M. Goodman
Katherine E. Brown
Lauren J. Fishbein
Peter A Gray
Joyce B. Hundley
Jodi A. Smith
Telecommunications and Media
Enforcement Section
Antitrust Division
U.S. Department of Justice
1401 H Street, N.W., Suite 8000
Washington, D.C. 20530

Janice Myles
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, S.W.
Room 5-C327
Washington, D.C. 20554

Michael Carowitz
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Chris Post
Nebraska Public Service Commission
301 Centennial Mall South
Post Office Box 94713
Lincoln, NE 68509-4713

Patrick J. Fahn
Chief Engineer
Public Utilities Division
North Dakota Public Service Commission
State Capitol
600 East Boulevard
Dept. 408
Bismarck, ND 58505-0480

Gary Remondino
Wireline Competition Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, S.W.
Room 5-C140
Washington, D.C. 20554

Qualex International
Portals II
445 12th Street, S.W.
Room CY-B402
Washington, D.C. 20554

Bruce Smith
Colorado Public Utilities Commission
Logan Tower Office Level 2
1580 Logan Street
Denver, CO 80203

Jean D. Jewell
Commission Secretary
Idaho Public Utilities Commission
Post Office Box 83720
Boise, IA 83702

Penny Baker
Iowa Utilities Board
350 Maple Street
Des Moines, IA 50319-0069

Andrew D. Lipman
Patrick J. Donovan
Michael W. Fleming
Rogena Harris
Katherine A. Rolph
Harisha J. Bastiampillai
Counsel for Integra, Vanion and
OneEighty
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007

Debbie Goldman
Communications Workers of America
501 Third Street, N.W.
Washington, D.C. 20001

Jonathan D. Lee
Vice President, Regulatory Affairs
Maureen Flood
Director, Regulatory and State Affairs
The Competitive Telecommunications
Association
1900 M Street, N.W., #800
Washington, D.C. 20002

Megan Doberneck
Senior Counsel
Praveen Goyal
Senior Counsel for Government and
Regulatory Affairs
Jason D. Oxman
Assistant General Counsel
Covad Communications Company
600 14th Street, N.W., Suite 750
Washington, D.C. 20005

Karen L. Clauson
Eschelon Telecom, Inc.
730 2nd Avenue South, Suite 1200
Minneapolis, MN 55402-2456
Gregory A. Ludvigsen
Attorney for the Minnesota Independent
Payphone Association
Ludvigsen's Law Office
3801 E. Florida, Suite 400
Denver, CO 80210

Penny Bewick
New Edge Network, Inc.
3000 Columbia House Blvd., Suite 106
Vancouver, WA 98861

John R. Perkins
Consumer Advocate
Iowa Office of Consumer Advocate
310 Maple Street
Des Moines, IA 50319

Raymond S. Heyman
Attorney for the Arizona Payphone
Association
Roshka Heyman & Dewulf, PLC
One Arizona Center
400 East Van Buren Street, Suite 800
Phoenix, AZ 85004

Brooks Harlow
Attorney for the Northwest Public
Communications Council
Miller, Nash LLP
4400 Two Union Square
601 Union Street
Seattle, WA 98101-2352

Craig D. Joyce
Attorney for the Colorado Payphone
Association
Walters & Joyce, P.C.
2015 York Street
Denver, CO 80205

Marybeth M. Banks
H. Richard Juhnke
Spring Communications Company L.P.
401 9th Street, N.W., Suite 400
Washington, D.C. 20004

Mark C. Rosenblum
Lawrence J. Lafaro
Richard A. Rocchini
AT&T Corp.
295 North Maple Avenue
Basking Ridge, NJ 07920

Susan Callaghan
Senior Counsel
Touch America, Inc.
130 North Main Street
Butte, MT 59701

Randall B. Lowe
Davis Wright Tremaine LLP
1500 K Street, N.W.
Washington, D.C. 20005

Becky Watson
Executive Vice President – Operations
Vanion, Inc.
2 N. Cascade
Suite 900
Colorado Springs, CO 80903

Marc A. Goldman
Jenner & Block, LLC
601 13th Street, N.W.
Washington, D.C. 20005

Mary B. Tribby
AT&T Communications of the Mountain
States
1875 Lawrence street, Room 1575
Denver, CO 80202

Lisa B. Smith
Lori E. Wright
WORLD.COM, INC.
1133 19th Street, N.W.
Washington, D.C. 20036

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Qwest Communications)	WC Docket No. 02-148
International Inc.)	
)	
Consolidated Application for Authority)	
to Provide In-Region, InterLATA Services)	
in Colorado, Idaho, Iowa, Nebraska)	
and North Dakota)	

REPLY DECLARATION OF LARRY B. BROTHERRSON

July 29, 2002

TABLE OF CONTENTS

I. BACKGROUND.....4

II. QWEST'S PROCESS FOR DETERMINING WHETHER PARTICULAR AGREEMENTS ARE SUBJECT TO THE FILING REQUIREMENTS OF SECTION 252(A)5

TABLE OF EXHIBITS

Exhibit	Description
LBB-1	Qualifications of Larry B. Brotherson
LBB-2	Letters from Mr. R. Steven Davis to Colorado, Idaho, Nebraska, Iowa and North Dakota State Commissions

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Qwest Communications)	WC Docket No. 02-148
International Inc.)	
)	
Consolidated Application for Authority)	
to Provide In-Region, InterLATA Services)	
in Colorado, Idaho, Iowa, Nebraska)	
and North Dakota)	

REPLY DECLARATION OF LARRY B. BROTHERSON

Pursuant to 47 C.F.R. § 1.16, Larry B. Brotherson declares as follows:

1. My name is Larry Brotherson. I am employed by Qwest Corporation ("Qwest") as a director in the Wholesale Markets organization.¹ My business address is 1801 California Street, Room 2350, Denver, Colorado, 80202.

I. BACKGROUND

2. I have two degrees: a Bachelor of Arts degree from Creighton University in 1970 and a Juris Doctorate degree from Creighton University in 1973. In 1979, I joined Northwestern Bell Telephone Company. I have held several assignments within Northwestern Bell, and later within Qwest, primarily within

¹ Professional experience, education, and other biographical information are set forth in Exhibit LBB-1 of this application.

the Law Department. Over the past 20 years, I have been a state regulatory attorney in Iowa, a general litigation attorney, and a commercial attorney supporting several organizations within Qwest. My responsibilities have included evaluating and advising the company on legal issues, drafting contracts, and addressing legal issues that arise in connection with specific products. With the passage of the Telecommunications Act of 1996 ("the Act"), I was assigned to be the attorney in support of the Interconnection Group. In that role, I was directly involved in working with competitive local exchange carriers ("CLECs") negotiating contract language implementing various sections of the Act, including the Act's reciprocal compensation provisions. In 1999, I assumed my current duties as director of wholesale advocacy.

3. My current responsibilities include coordinating the witnesses for all interconnection arbitrations and for hearings related to disputes over interconnection issues. Additionally, I work with various groups within the Wholesale Markets organization of Qwest in connection with regulatory proceedings associated with interconnection services.

II. QWEST'S PROCESS FOR DETERMINING WHETHER PARTICULAR AGREEMENTS ARE SUBJECT TO THE FILING REQUIREMENTS OF SECTION 252(A)

4. The purpose of this Declaration is to address issues raised regarding Qwest's filing decisions pursuant to 47 U.S.C. § 252(a). Specifically, I would like to describe Qwest's new policy and process for determining whether

particular negotiated contractual arrangements with CLECs are subject to the filing requirements of Section 252(a).

5. Qwest has always acted diligently and in good faith to fulfill its obligations under the Telecommunications Act. Qwest's corporate policy is to ensure full compliance with Section 252(a) and all other provisions of the Act. Recently, however, certain parties have questioned Qwest's decisions regarding the scope of Section 252(a) as it applies to particular contract provisions with CLECs. In general these provisions address such matters as settlement of disputes, implementation details related to provisioning, Qwest-CLEC relationship management issues (such as meeting schedules and dispute resolution processes), or subjects unrelated to Section 251 obligations at all. It is Qwest's position that these matters do not fall within the sphere of agreements that Congress intended be reviewed and approved by state utility commissions prior to their taking effect. In any event, Qwest has operated in good faith in this area, where regulators have not defined the line between those contractual provisions that must go through the prior PUC approval process, and those that do not.

6. Qwest has filed a Petition for Declaratory Ruling with this Commission in Wireline Competition Bureau Docket No. 02-89 asking for clarification of the regulatory reach of the 252(a) filing/prior approval process. We have suggested that certain agreements, such as those noted above, do not fall within Section 252(a)'s scope. We have noted the problems that arise if the filing obligation is overbroad: delays in meeting CLEC needs, interference with dispute

resolution, and other regulatory costs. At the same time, Qwest has emphasized that what it needs most in this area is certainty so that all parties -- ILECs and CLECs alike -- can have a better understanding as to which of their agreements must obtain prior PUC approval before taking effect.

7. Meanwhile, Qwest has developed a formalized business practice for reviewing agreements with CLECs as an additional assurance that it is complying with Section 252. Under the new process, a lead attorney is assigned for each negotiation or agreement involving in-region wholesale services, regardless of whether a CLEC has requested negotiations for interconnection pursuant to Section 252(a). Furthermore, the terms of any subsequent agreements are presented to a new committee comprised of senior managers from Legal Affairs, Public Policy, Wholesale Business Development, Wholesale Service Delivery, and Network as well as a Policy and Law Regulatory Attorney. After selection of the individuals, beginning in June 2002 the committee has met on a weekly basis to review and determine whether Qwest must file particular agreements with state commissions.

8. In addition, pending a decision on the Declaratory Ruling Petition on file at the FCC, the Committee is erring on the side of filing more agreements rather than fewer. Specifically, the Committee is applying the standards as set forth in the letter of Mr. R. Steven Davis sent to each of Qwest's in-region state commissions in May 2002. Copies of Mr. Davis's letters to the regulators in Colorado, Idaho, Nebraska, Iowa and North Dakota are attached here as Exhibit LBB-2. Mr. Davis advises the state commissions that, on a going

forward basis, Qwest would be applying a broad filing standard to all future negotiated CLEC contract provisions pending orders from the FCC in response to Qwest's Petition for a Declaratory Ruling. As stated in Mr. Davis's letter:

Qwest will file all contracts, agreements or letters of understanding between Qwest Corporation and CLECs that create obligations to meet the requirements of Section 251(b) or (c) on a going forward basis. We believe that commitment goes well beyond the requirements of Section 252(a). However, we will follow it until we receive a decision from the FCC on the appropriate line drawing in this area. Unless requested by the Commission, Qwest does not intend to file routine day-to-day paperwork, orders for specific services, or settlements of past disputes that do not otherwise meet the above definition.

The Committee is applying the standards as stated in Mr. Davis's letter to all future CLEC agreements. That standard does not distinguish between those contractual "obligations" that all parties would agree require prior PUC approval under Section 252(a) and "obligations" concerning minor matters that Qwest believes do not require such a regulatory process. The Committee also will be applying any standards that may be ordered by specific state commissions. In all events, Qwest will be applying these broad filing standards pending further definition and interpretation of Section 252(a).

9. In summary, Qwest's corporate policy is to comply fully with Section 252(a) and all other provisions of the Telecommunications Act. Through the new committee process, and the broad standard it applies, Qwest is ensuring that it will file and obtain necessary PUC approval for all future negotiated agreements with CLECs.

10. This concludes my Reply Declaration.

VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct. Executed on _____, 2002.

Larry B. Brotherson

QUALIFICATIONS OF LARRY B. BROTHERSON

Larry B. Brotherson holds a Bachelor of Arts and a Juris Doctorate degree from Creighton University. Mr. Brotherson joined Northwestern Bell Telephone Company in 1979. He has held several assignments within Northwestern Bell, and later within Qwest, primarily within the Law Department. Over the past 20 years, he has been a state regulatory attorney in Iowa, a general litigation attorney, and a commercial attorney supporting several organizations within Qwest. His responsibilities have included evaluating and advising the company on legal issues, drafting contracts, and addressing legal issues that arise in connection with specific products. With the passage of the Telecommunications Act of 1996 ("the Act"), he was assigned to be the attorney in support of the Interconnection Group. In that role, he was directly involved in working with competitive local exchange carriers ("CLECs") negotiating contract language implementing various sections of the Act, including the Act's reciprocal compensation provisions. In 1999, Mr. Brotherson assumed his current duties as director of wholesale advocacy.

Mr. Brotherson's current responsibilities include coordinating the witnesses for all interconnection arbitrations and for hearings related to disputes over interconnection issues. Additionally, he works with various groups within the Wholesale Markets organization of Qwest in connection with regulatory proceedings associated with interconnection services.

R. Steven Davis
Sr. Vice President
Policy and Law

1801 California Street, Suite 4750
Denver, CO 80202
Phone 303 896-4200
Facsimile 303 298-8763



May 28, 2002

Raymond L. Gifford, Chairman
Public Utilities Commission
State of Colorado
1580 Logan Street, Office Level 2
Denver, CO 80203

Polly Page, Commissioner
Public Utilities Commission
State of Colorado
1580 Logan Street, Office Level 2
Denver, CO 80203

Jim Dyer, Commissioner
Public Utilities Commission
State of Colorado
1580 Logan Street, Office Level 2
Denver, CO 80203

Dear Commissioners:

There has been a lot of publicity over the past few weeks related to certain agreements that Qwest has entered into with competitive local exchange carriers. I am writing to advise you of new policies that Qwest is implementing in this area.

As you may know, ILECs routinely enter into agreements of many kinds with CLECs. Some of them may take effect immediately as in the normal business world. Others must be filed with and approved by state commissions before becoming effective. Qwest has filed over 3,200 agreements with CLECs since the passage of the Telecommunications Act, including both initial agreements and amendments. This large number reflects our efforts to work with individual CLECs to meet their specific business needs. However, questions have been raised regarding certain of Qwest's arrangements with CLECs. Some parties allege that under Section 252(a) of the Telecommunications Act such agreements should also have been filed and approved by state commissions.

Qwest disputes these allegations and is defending the legal line it drew between those agreements that did, and those that did not, need to be filed. Qwest also has filed a petition with the FCC asking for guidance on where the filing line is drawn.

Meanwhile, Qwest is implementing two new policies that will eliminate debate regarding whether Qwest is complying fully with applicable law. First, Qwest will provide all contracts, agreements or letters of understanding between Qwest and CLECs that create obligations to meet the requirements of Section 251(b) or (c) on a going forward basis. We believe this commitment goes well beyond the intended purpose of the 90-day approval process and the requirements of Section 252(a), the language of which suggests that agreements that must be filed "shall include a detailed schedule of itemized charges for interconnection and each service or network element included in the agreement." For any agreement for which there is some ambiguity, we will provide those agreements to you to get some guidance whether they should be filed under 252(a) or not. We will follow this policy until we receive a decision from the FCC on the appropriate line drawing in this area. Unless requested by the Commission, Qwest does not intend to file routine day-to-day paperwork, orders for specific services, or settlements of past disputes that do not otherwise meet the above definition.

Second, Qwest has reviewed and is enlarging its internal procedures for evaluating contractual arrangements with CLECs and associated filing requirements. Qwest is forming a committee of senior managers from the corporate organizations involved in wholesale agreements: wholesale business development, wholesale service delivery, network, legal affairs attorneys, and policy and law. This committee will review agreements involving in-region wholesale activities to ensure that the standard described above is applied prior to the issuance of an FCC ruling, and that any later FCC decision also is implemented fully and completely.

Qwest is implementing these policies to eliminate any question about Qwest's compliance with the requirements of Section 252(a) in this state while Qwest's petition to the FCC is pending. We hope to continue to work with CLECs to meet their individual needs, as we have in the past. This is a practice that we are proud of, and we do not want to see it obscured by controversy over the meaning of Section 252(a), or decisions on line drawing in a small number of situations.

To the extent there are questions or concerns associated with the procedure outlined in this letter, please contact me.

Sincerely,



R. Steven Davis

cc: Bruce N. Smith, Director
Gerri Santos-Rach, Chief of Fixed Utilities

R. Steven Davis
Sr. Vice President
Policy and Law

LBB-2

1801 California Street, Suite 4750
Denver, CO 80202
Phone 303 896-4200
Facsimile 303 298-8763

May 9, 2002

Paul Kjellander, President
Commissioner Dennis Hansen
Commissioner Marsha Smith
Idaho Public Utilities Commission
472 W Washington
PO Box 83720
Boise, ID 83720-0074

Dear Commissioners:

There has been a lot of publicity over the past few weeks related to certain agreements that Qwest has entered into with competitive local exchange carriers. I am writing to advise you of new policies that Qwest is implementing in this area.

As you may know, ILECs routinely enter into agreements of many kinds with CLECs. Some of them may take effect immediately as in the normal business world. Others must be filed with and pre-approved by state commissions. Qwest itself has filed over 3,200 agreements with CLECs since the passage of the Telecommunications Act, including both initial agreements and amendments. This large number reflects our efforts to work with individual CLECs to meet their specific business needs. However, questions have been raised regarding a relative handful of our arrangements with CLECs. Some parties allege that under Section 252(a) of the Telecommunications Act such agreements also should have first been filed and approved.

Qwest disputes these allegations and is defending the legal line it drew between those agreements that did, and did not, need to be filed. Qwest also has filed a petition with the FCC asking for guidance on where the filing line is drawn.

Meanwhile, however, Qwest is implementing two new policies that will eliminate debate regarding whether Qwest is complying fully with applicable law. First, Qwest will file all contracts, agreements or letters of understanding between Qwest Corporation and CLECs that create obligations to meet the requirements of Section 251(b) or (c) on a going forward basis. We believe that commitment goes well beyond the requirements of Section 252(a). However, we will follow it until we receive a decision from the FCC on the appropriate line drawing in this area. Unless requested by the Commission, Qwest does not intend to file routine day-to-day paperwork, orders for specific services, or settlements of past disputes that do not otherwise meet the above definition.

Second, Qwest has reviewed and is enlarging its internal procedures for evaluating contractual arrangements with CLECs and making all necessary filings. Qwest is forming a committee of senior managers from the corporate organizations involved in wholesale agreements: wholesale business development, wholesale service delivery, network, legal affairs

attorneys, policy and law attorneys, and public policy. This committee will review agreements involving in-region wholesale activities to ensure that the standard described above is applied prior to the issuance of an FCC ruling, and that any later FCC decision also is implemented fully and completely.

Qwest is implementing these policies to eliminate any question about Qwest' compliance with the requirements of Section 252(a) in this state while Qwest's petition to the FCC is pending. We hope to continue to work with CLECs to meet their individual needs, as we have in the past. This is a practice that we are proud of, and we do not want to see it obscured by controversy over the meaning of Section 252(a), or decisions on line drawing in a small number of situations.

To the extent there are questions or concerns associated with the procedure outlined in this letter, please contact me.

Sincerely,



R. Steven Davis

cc: Joe Cusick, Idaho Public Utilities Commission-Telecommunications Section Supv.

R. Steven Davis
Sr. Vice President
Policy and Law

1801 California Street, Suite 4750
Denver, CO 80202
Phone 303 896-4200
Facsimile 303 298-8763

May 10, 2002

Ms. Diane Munns, Chairman
Mr. Mark Lambert, Board Member
Mr. Elliott Smith, Board Member
Iowa Utilities Board
350 Maple Street
Des Moines, IA 50319-0069

Dear Chairman Munns and Board Members Lambert and Elliott:

There has been a lot of publicity over the past few weeks related to certain agreements that Qwest has entered into with competitive local exchange carriers. I am writing to advise you of new policies that Qwest is implementing in this area.

As you may know, ILECs routinely enter into agreements of many kinds with CLECs. Some of them may take effect immediately as in the normal business world. Others must be filed with and pre-approved by state commissions. Qwest itself has filed over 3,200 agreements with CLECs since the passage of the Telecommunications Act, including both initial agreements and amendments. This large number reflects our efforts to work with individual CLECs to meet their specific business needs. However, questions have been raised regarding a relative handful of our arrangements with CLECs. Some parties allege that under Section 252(a) of the Telecommunications Act such agreements also should have first been filed and approved.

Qwest disputes these allegations and is defending the legal line it drew between those agreements that did, and did not, need to be filed. Qwest also has filed a petition with the FCC asking for guidance on where the filing line is drawn.

Meanwhile, however, Qwest is implementing two new policies that will eliminate debate regarding whether Qwest is complying fully with applicable law. First, Qwest will file all contracts, agreements or letters of understanding between Qwest Corporation and CLECs that create obligations to meet the requirements of Section 251(b) or (c) on a going forward basis. We believe that commitment goes well beyond the requirements of Section 252(a). However, we will follow it until we receive a decision from the FCC on the appropriate line drawing in this area. Unless requested by the Iowa Utilities Board, Qwest does not intend to file routine day-to-day paperwork, orders for specific services, or settlements of past disputes that do not otherwise meet the above definition.

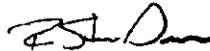
Second, Qwest has reviewed and is enlarging its internal procedures for evaluating contractual arrangements with CLECs and making all necessary filings. Qwest is forming a committee of senior managers from the corporate organizations involved in wholesale

agreements: wholesale business development, wholesale service delivery, network, legal affairs attorneys, policy and law attorneys, and public policy. This committee will review agreements involving in-region wholesale activities to ensure that the standard described above is applied prior to the issuance of an FCC ruling, and that any later FCC decision also is implemented fully and completely.

Qwest is implementing these policies to eliminate any question about Qwest' compliance with the requirements of Section 252(a) in this state while Qwest's petition to the FCC is pending. We hope to continue to work with CLECs to meet their individual needs, as we have in the past. This is a practice that we are proud of, and we do not want to see it obscured by controversy over the meaning of Section 252(a), or decisions on line drawing in a small number of situations.

To the extent there are questions or concerns associated with the procedure outlined in this letter, please contact me.

Sincerely,



R. Steven Davis

CC: John R. Perkins, Consumer Advocate
Gary B. Witt, AT&T Senior Attorney

R. Steven Davis
Qwest
Sr. Vice President
Policy and Law

1801 California Street, Suite 4750
Denver, CO 80202
Phone 303 896-4200
Facsimile 303 296-8763

May 9, 2002

Commission Chair Anne Boyle
Nebraska Public Service Commission
300 The Atrium, 1200 N Street
P.O. Box 94927
Lincoln, NE 68509-4927

Dear Commissioner Boyle:

There has been a lot of publicity over the past few weeks related to certain agreements that Qwest has entered into with competitive local exchange carriers. I am writing to advise you of new policies that Qwest is implementing in this area.

As you may know, ILECs routinely enter into agreements of many kinds with CLECs. Some of them may take effect immediately as in the normal business world. Others must be filed with and pre-approved by state commissions. Qwest itself has filed over 3,200 agreements with CLECs since the passage of the Telecommunications Act, including both initial agreements and amendments. This large number reflects our efforts to work with individual CLECs to meet their specific business needs. However, questions have been raised regarding a relative handful of our arrangements with CLECs. Some parties allege that under Section 252(a) of the Telecommunications Act such agreements also should have first been filed and approved.

Qwest disputes these allegations and is defending the legal line it drew between those agreements that did, and did not, need to be filed. Qwest also has filed a petition with the FCC asking for guidance on where the filing line is drawn.

Meanwhile, however, Qwest is implementing two new policies that will eliminate debate regarding whether Qwest is complying fully with applicable law. First, Qwest will file all contracts, agreements or letters of understanding between Qwest Corporation and CLECs that create obligations to meet the requirements of Section 251(b) or (c) on a going forward basis. We believe that commitment goes well beyond the requirements of Section 252(a). However, we will follow it until we receive a decision from the FCC on the appropriate line drawing in this area. Unless requested by the Commission, Qwest does not intend to file routine day-to-day paperwork, orders for specific services, or settlements of past disputes that do not otherwise meet the above definition.

Second, Qwest has reviewed and is enlarging its internal procedures for evaluating contractual arrangements with CLECs and making all necessary filings. Qwest is forming a committee of senior managers from the corporate organizations involved in wholesale agreements: wholesale business development, wholesale service delivery, network, legal affairs attorneys, policy and law attorneys, and public policy. This committee will review agreements involving in-region wholesale activities to ensure that the standard described above is applied

prior to the issuance of an FCC ruling, and that any later FCC decision also is implemented fully and completely.

Qwest is implementing these policies to eliminate any question about Qwest's compliance with the requirements of Section 252(a) in this state while Qwest's petition to the FCC is pending. We hope to continue to work with CLECs to meet their individual needs, as we have in the past. This is a practice that we are proud of, and we do not want to see it obscured by controversy over the meaning of Section 252(a), or decisions on line drawing in a small number of situations.

To the extent there are questions or concerns associated with the procedure outlined in this letter, please contact me.

Sincerely,



R. Steven Davis

cc: Gene Hand, Director of Communications

R. Steven Davis
Sr. Vice President
Policy and Law

1801 California Street, Suite 4750
Denver, CO 80202
Phone 303 898-4200
Facsimile 303 298-8763



May 9, 2002

Ms. Ilona Jeffcoat-Sacco
North Dakota Public Service Commission
600 E Boulevard Avenue
Bismarck, ND 58505

Dear Ms. Jeffcoat-Sacco:

There has been a lot of publicity over the past few weeks related to certain agreements that Qwest has entered into with competitive local exchange carriers. I am writing to advise you of new policies that Qwest is implementing in this area.

As you may know, ILECs routinely enter into agreements of many kinds with CLECs. Some of them may take effect immediately as in the normal business world. Others must be filed with and pre-approved by state commissions. Qwest itself has filed over 3,200 agreements with CLECs since the passage of the Telecommunications Act, including both initial agreements and amendments. This large number reflects our efforts to work with individual CLECs to meet their specific business needs. However, questions have been raised regarding a relative handful of our arrangements with CLECs. Some parties allege that under Section 252(a) of the Telecommunications Act such agreements also should have first been filed and approved.

Qwest disputes these allegations and is defending the legal line it drew between those agreements that did, and did not, need to be filed. Qwest also has filed a petition with the FCC asking for guidance on where the filing line is drawn.

Meanwhile, however, Qwest is implementing two new policies that will eliminate debate regarding whether Qwest is complying fully with applicable law. First, Qwest will file all contracts, agreements or letters of understanding between Qwest Corporation and CLECs that create obligations to meet the requirements of Section 251(b) or (c) on a going forward basis. We believe that commitment goes well beyond the requirements of Section 252(a). However, we will follow it until we receive a decision from the FCC on the appropriate line drawing in this area. Unless requested by the Commission, Qwest does not intend to file routine day-to-day paperwork, orders for specific services, or settlements of past disputes that do not otherwise meet the above definition.

Second, Qwest has reviewed and is enlarging its internal procedures for evaluating contractual arrangements with CLECs and making all necessary filings. Qwest is forming a committee of senior managers from the corporate organizations involved in wholesale agreements: wholesale

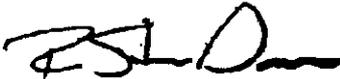
Ms. Illona Jeffcoat-Sacco
May 9, 2002
Page Two

business development, wholesale service delivery, network, legal affairs attorneys, policy and law attorneys, and public policy. This committee will review agreements involving in-region wholesale activities to ensure that the standard described above is applied prior to the issuance of an FCC ruling, and that any later FCC decision also is implemented fully and completely.

Qwest is implementing these policies to eliminate any question about Qwest's compliance with the requirements of Section 252(a) in North Dakota while Qwest's petition to the FCC is pending. We hope to continue to work with CLECs to meet their individual needs, as we have in the past. This is a practice that we are proud of, and we do not want to see it obscured by controversy over the meaning of Section 252(a), or decisions on line drawing in a small number of situations.

To the extent there are questions or concerns associated with the procedure outlined in this letter, please contact me.

Sincerely,



R. Steven Davis