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September 20, 2002

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

Re: Application of Qwest Communications International Inc. for Authorization Under Section 271 of the Communications Act
WC Dockets No. 02-148 and 02-189

Dear Ms. Dortch:

It has come to the attention of Qwest Communications International Inc. ("Qwest") that AT&T has filed in the above-captioned dockets a letter from its counsel to counsel for Qwest dated September 16. Nothing in the letter itself indicated that it had been filed with the Commission. In the interest of a complete record, Qwest hereby submits the letter dated September 18 that Qwest sent to AT&T's counsel in response.

If any questions arise in connection with this matter, please contact the undersigned.

Respectfully submitted,

Qwest Communications International Inc.

By _____
Mace J. Rosenstein
Its Attorney

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September 18, 2002

Mark D. Schneider, Esq.
Sidley Austin Brown & Wood LLP
1501 K Street, N.W.
Washington, D.C. 20005

Re: Applications of Qwest Communications International Inc.
WC Docket Nos. 02-148 and 02-189

Dear Mr. Schneider:

Qwest Communications International Inc. ("Qwest") has received your letter of September 16 and takes strong exception to your accusations and innuendo. It is of a piece with AT&T's continuous practice of distorting the record in an attempt to delay competition and delay lower prices for consumers in our region.

Your letter rests entirely on a twisted reading of a newspaper article last week reporting Qwest's decision to withdraw and refile its Section 271 applications in the above-referenced dockets. That article discusses Qwest's announced plan to create a new affiliate to provide interLATA services in accordance with Section 272. Qwest is taking this action in order to address an accounting issue raised in connection with pending restatements associated with past transactions of Qwest Communications Corporation. You mention the newspaper article's reference to a statement of Mr. Steven Davis of Qwest that the company has discussed "this issue" -- the 272 accounting matter -- with the FCC and believes that the formation of the new affiliate is "an appropriate way to address this issue. You also reference the reporter's own editorial comment that Qwest believes it has "tacit approval" of the FCC for this plan.

First of all, Mr. Davis never stated that the FCC had given "tacit approval" or any approval to Qwest's plan. Mr. Davis was simply referring to the fact that Qwest (like AT&T) has had several meetings with the FCC to discuss the accounting question. Based on those meetings, Qwest believes that it understands the accounting issue that prevented the Commission from being able to grant its first 271 application on September 11, and that it has a solution to that issue. That is all Mr. Davis has said.

Second, given that Mr. Davis never indicated that the Commission has given "tacit approval" to the establishment of a new Section 272 affiliate, it is not surprising that you do not find reference to such a matter in the extensive ex parte record here. I note that this

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record includes numerous ex parte statements filed by Qwest related to meetings on the Section 272 accounting issue, and multiple similar filings by AT&T and other parties reflecting meetings addressing the same subject. Based on those meetings, and the extensive written record, Qwest is confident that it knows what the Commission requires in order for this issue to be resolved, and it is making plans accordingly. AT&T is now continuing to attack Qwest on this subject without even waiting to read the company's forthcoming filings. So be it. The FCC will decide the matter in due course, and we are confident that it will conclude, based on the record before it at the time, that Qwest has adequately addressed the accounting matter, and that its Section 271 applications should be granted.

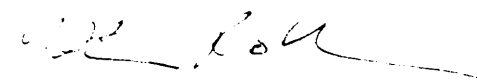
Chairman Ray Gifford of the Colorado Public Utility Commission had a comment on AT&T's behavior in the Section 271 process in that state that seems apropos here:

> AT&T is apparently prone to get a case of the vapors at the beginning of § 271-related dockets, *see* Decision No. R01-222-I, Docket No. 01I-041T. It now appears that this affliction has returned near the end of the § 271 dockets. *See* AT&T Motion to Modify Decision No. R02-318-I. This affliction manifests itself with ill-advised aggressiveness and overwrought pleading. *See Id.*

CPUC Hearing Commissioner Order Denying Motion To Modify Order On Staff Volume VII Report at 2. Chairman Gifford went on to observe that "the stridency of the motion principally serves to devalue the credibility of AT&T's position here, particularly, as I have noted before, because of the hypocrisy it betrays as to the 'public interest' standard." *Id.*

Qwest realizes that AT&T's own self-interest will lead it to continue to challenge every last issue and exaggerate every claim. Nevertheless, out of respect for the FCC and its processes, I hope that you will be able to exercise a moderating influence on your client's "overwrought pleadings" in the proceedings that lie ahead.

Sincerely,



Peter A. Rohrbach