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**John W. Kure**  
Executive Director - Federal Regulatory



## **Ex Parte**

April 9, 2004

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW, Room TW-A325  
Washington, DC 20005

Re: In the Matter of Qwest Petition to Withdraw ONA Services, WC Docket No. 02-355

Dear Ms. Dortch:

In response to questions from the Wireline Competition Bureau regarding the above-referenced proceeding, Qwest provides answers in the attached document.

Pursuant to FCC Rule 1.49(f), this *Ex Parte* is being filed electronically via the Electronic Comment Filing System for inclusion in the public record of the above-referenced docket pursuant to FCC Rule 1.1206(b)(1).

Sincerely,  
/s/ John W. Kure

cc: Ann Stevens (via e-mail at [ann.stevens@fcc.gov](mailto:ann.stevens@fcc.gov))  
Brad Koerner (via e-mail at [brad.koerner@fcc.gov](mailto:brad.koerner@fcc.gov))

Attachment

## QWEST ONA SERVICE WITHDRAWAL PETITION RESPONSE TO FCC QUESTIONS

1. Can Qwest provide any additional information about why the Complimentary Network Service (CNS), ScanAlert, does not need a waiver from the FCC?

*A CNS is only filed in the state tariffs, not in federal tariffs, in accordance with the FCC's BOC ONA Order<sup>1</sup> at paragraph 86 which states, "for federal tariffing purposes, there is no separate service category of CNSs", and footnote 161, "We have decided, however, not to require separate federal tariffing of such services at this time." Since CNSs are only tariffed at the state level, FCC approval is not required. In addition, in the FCC's Orders addressing the withdrawal of services, only BSEs are addressed – there are no requirements for the withdrawal of CNSs. "In the future, once a BSE has been federally tariffed, the BOCs must request and receive advance approval in writing before filing tariff revisions to discontinue offering the service."<sup>2</sup>*

2. Have the ScanAlert customers been notified that their service is being grandfathered and that it will only be available to existing customers?

*The only existing customers are in Washington and Oregon. Qwest will notify customers once the petition process has been granted and Qwest begins to take actions in the state tariffs to grandfather the service.*

3. Are there any alternatives to DDS 2-wire service? If so, how do the prices compare to DDS 2-wire prices?

*Qwest has never had any customers for this service. While there is no alternative 2-wire product, customers are purchasing DDS-4 wire service, which is described in Qwest's federal tariff (Tariff FCC No. 1, Section 7, and in the Qwest September 30, 2003 ONA Users' Guide as a BSA (page 39)). It is a dedicated digital data transport service that provides a four-wire interface to connect one or more end user locations to a point of termination. The monthly rate for DDS 2-wire is \$50.00 per channel termination, the monthly rate for DDS 4-wire is \$68.00 - \$70.00 per channel termination depending on the service speed (2.4 kpbs – 64 kpbs).*

4. For Dataphone Select-A-Station how do the prices of the alternatives compare to the price for Dataphone Select-A-Station?

*The alternatives to Dataphone Select-A-Station are Direct Current Channels and McCulloh Loops. Qwest has no customers for Dataphone Select-A-Station but does have customers for both of the alternative services. The per connection rate for Dataphone Select-A-Station*

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<sup>1</sup> Filing and Review of Open Network Architecture Plans, Memorandum Opinion and Order, CC Docket No. 88-2 (Phase I), 4 FCC Rcd.1, 49 (released Dec. 22, 1988) ("BOC ONA Order").

<sup>2</sup> Filing and Review of Open Network Architecture Plans, Memorandum Opinion and Order, CC Docket No. 88-2, (Phase I), 6 FCC Rcd. 7646, 7653-54 ¶ 10 (released Dec. 19, 1991).

*is \$14.60, the monthly per point of termination rate for Direct Current Channels is \$30.00, and the monthly per point of termination rate for McCulloh Loops ranges from \$40.00 for a two-wire connection to \$80.00 for a four-wire connection.*