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ATTORNEYS FOR QWEST CORPORATION

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Complaint of McLEODUSA TELECOMMUNICATIONS SERVICES, INC., against QWEST CORPORATION for Enforcement of Commission-Approved Interconnection Agreement	Docket No. 06-2249-01 QWEST'S MOTION TO ADMIT LATE FILED EXHIBITS
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Qwest Corporation ("Qwest") hereby moves the Commission to admit the three attached documents as late filed exhibits in this proceeding. The documents consist of McLeod's responses to Qwest's Washington Data Requests 16 and 19, which were admitted as cross examination exhibits in the parallel Washington proceeding, as well as the nine pages of Washington transcript where McLeod witness Tami Spocogee discusses those two data requests with Mr. Goodwin and Mr. Kopta.

Qwest proposes that these three documents be numbered as exhibit number 25 (Data Request 16), number 26 (Data Request 19), and number 27 (pages 29-34 and 69-71 of the Washington transcript). Qwest has consulted with McLeod to attempt to reach a stipulation for admission of these documents, and to Qwest's knowledge

McLeod is still considering this proposal. However, Qwest does not wish to delay the schedule in this proceeding and is therefore filing this motion today.

Relevance. The proposed exhibits should be admitted because they tend to show that McLeod's practices regarding collocation pricing, when McLeod allows collocators into its own facilities, are similar to Qwest's. McLeod contends that the Commission-approved rates for power plant at the level of amps specified in CLECs' power feed or cable orders are improper, but the proposed exhibits show that in order to obtain a power feed or cable of a certain size, McLeod's collocators must report and be billed for "usage" at that level. Thus, McLeod charges for power usage and power plant based on the amount of amps reflected in their own collocators' power feed orders. This in turn is relevant to the discrimination claim that McLeod raises in Section III. of its Opening Brief. If admitted, Qwest would rely on these documents to argue that because McLeod prices power in the same manner that Qwest does, McLeod's discrimination claim should be given little if any credence. Qwest understands that McLeod may have arguments to the contrary, but admission of these documents now will allow each party to take its respective position in the reply briefs, currently due on August 7, 2006.

Previous Unavailability of Documents. The proposed exhibits were not reasonably available to Qwest at the time of the Utah hearing. The Utah hearings were on May 24 and 25. Previously, on May 10-12, this same complaint was heard before the Iowa Board. There, Qwest learned on cross-examination of Mr. Morrison that McLeod allowed collocation in its own offices. Qwest did not believe that there was sufficient time to propound discovery on that issue prior to the Utah hearings, but

followed up with a data request to McLeod in the Washington proceeding (number 16, or proposed exhibit 25) on May 16, 2006. McLeod responded timely on May 31, and Qwest followed up with data request number 19 (proposed exhibit 26) on June 6, 2006. McLeod again responded in a timely manner on June 20, 2006. As such, Qwest had this information available for the Washington hearings on June 29 and 30, but could not have reasonably had it for the Utah proceedings.

No Prejudice or Delay. Admission of these documents will not delay these proceeding and will not prejudice McLeod. Qwest is offering these documents now, along with an explanation of their relevance, in order that both parties may address the issue in the upcoming reply briefs. As such, admission of these exhibits should not delay the schedule or require additional rounds of briefing.

Further, McLeod will not be prejudiced or unduly surprised by these exhibits. As previously explained, the parties have an agreement that discovery in one state may be used in other states without the requirement to re-ask the question in each state. Because the two data request responses were admitted in Washington (without objection), and because the McLeod witness has already been cross examined on them, McLeod has had an opportunity to address and respond to these requests on the record. Qwest has also included in its proposed exhibit number 27 the three pages of transcript reflecting the redirect examination about these exhibits.

For the foregoing reasons, Qwest respectfully asks that the Commission grant this motion and admit the attached documents as Exhibits 25, 26, and 27.

DATED this 26th day of July, 2006.

Respectfully submitted,



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ATTORNEYS FOR QWEST CORPORATION

CERTIFICATE OF SERVICE

I certify that the original and five copies of the foregoing were delivered on July 26, 2006 to:

Julie P. Orchard
Commission Administrator
Utah Public Service Commission
Heber M. Wells Building, 4th Floor
160 East 300 South
Salt Lake City, UT 84111

And a true and correct copy was sent by U.S. mail, postage prepaid, on July 26, 2006, to:

Mark P. Trincherro
Davis Wright Tremaine LLP
1300 SW Fifth Ave., Suite 2300
Portland, OR 97201

and

Gregory J. Kopta
Davis Wright Tremaine LLP
2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101-1688

and by email to: marktrincherro@dwt.com and gregkopta@dwt.com

A handwritten signature in blue ink, appearing to read "Mark P. Trincherro", is written over a horizontal line.