

ISSUES BY SUBJECT MATTER – UTAH
Prepared by Eschelon June 29, 2007

I. OVERVIEW AND INTRODUCTION – Starkey Direct

II. CHRONOLOGIES AND ADDITIONAL FACTUAL SUPPORT – Johnson Direct

III. ISSUES GROUPED BY SUBJECT MATTER:

1. INTERVAL CHANGES AND PLACEMENT¹ – ISSUE 1-1 and (a)-(e) – Starkey Direct

Issue 1-1 (2 options- Two Eschelon Proposals and one Qwest Proposal for same issue): Changes to Intervals -- Section 1.7.2 and Exhibits N and O

Issue 1-1 (a): Interconnection trunks -- Section 7.4.7

Issue 1-1 (b): UDIT Rearrangements -- Exhibit C, Group 2.0

Issue 1-1 (c): LIS Trunking -- Exhibit C, Group 9.0

Issue 1-1 (d): ICB Provisioning Intervals -- Exhibit I, Section 3

Issue 1-1 (e): Intervals for Loop-Mux Combination (LMC) -- Section 9.23.9.4.3 (Eschelon)/Section 24.4.4.3(Qwest), 1st provision/sentence only
The section numbers differ, because Eschelon proposes placement in Section 9 (UNEs) and Qwest proposes placement in Section 24 (Commingling). [Regarding placement of LMC, and for the open issue in the remainder of this paragraph, *see* Issue 9-61.]

2. RATE APPLICATION – ISSUE 2-3 – Denney Direct

Issue 2-3: Application of Rates in Exhibit A -- Section 2.2 (1 of 2 issues); (Two Eschelon Proposals and one Qwest Proposal for same issue) *see also* Section 22.0 (22.4.1.2)

3. EFFECTIVE DATE OF LEGALLY BINDING CHANGES – ISSUE 2-4 – Denney Direct

Issue 2-4: Effective Date of Legally Binding Changes -- Section 2.2 (2 of 2 issues) (Two Eschelon Proposals and one Qwest Proposal for same issue)

¹ *Excludes* Length of Intervals for Commingled Arrangements and Intervals for Loop-Mux combinations. *See* Issue 9-61.

4. DESIGN CHANGES – ISSUE 4-5 and (a)-(c) – Denney Direct

Issue 4-5: Design Changes for Loops – Sections 9.2.3.8 & 9.2.4.4.2

Issue 4-5 (a): CFA Change – Section 9.2.3.9

Issue 4-5(b): Intentionally Left Blank (Design Change rate for UDIT) – CLOSED – 6 states.

Issue 4-5(c): Design Change Charge – Exhibit A, Section 9.20.13

➤ *5-7 COLLECTIVELY: “PAYMENT AND DEPOSIT”*

5. DISCONTINUATION OF ORDER PROCESSING AND DISCONNECTION – ISSUES 5-6 and 5-7 and subpart – Denney Direct

Issue 5-6 (2 options - Two Eschelon Proposals and one Qwest Proposal for same issue): Discontinuation of Order Processing for failure to make payment - Section 5.4.2

Issue 5-7: Commission approval prior to disconnection (cross reference) – Section 5.4.3

Issue 5-7(a): Commission approval prior to disconnection – Section 5.1.13.1

6. DEPOSITS – ISSUES 5-8, 5-9, 5-11 and 5-12 – Denney Direct

Issue 5-8: De Minimus Amount – Section 5.4.5 (1 of 3 sub-issues in 5.4.5; same language for this issue appears in the first two of Eschelon’s proposals for 5.4.5)

Issue 5-9 (2 options - Two Eschelon Proposals and one Qwest Proposal for same issue): Definition of Repeatedly Delinquent – Section 5.4.5 (2 of 3 sub-issues in 5.4.5)

Issue 5-11: Disputes Before Commission – Section 5.4.5 (3 of 3 sub-issues in 5.4.5; same language in first two of Eschelon’s proposals)

Issue 5-12 (Alternative Approach to Deposits): Commission Determines Right to Deposit based on Relevant Circumstances –Section 5.4.5 (all) – **Closed portions of first two sentences by Eschelon accepting part of Qwest’s proposed language for Issue 5-12.**

Eschelon offers the language shown in Issue 5-12 (Eschelon’s Proposal #3) as an alternative to the other two Eschelon versions of 5.4.5. If this provision (Proposal #3) were adopted, there would be no de minimus or repeatedly delinquent language. This entire paragraph, if adopted, would

replace all other Eschelon proposals for all of Section 5.4.5. Qwest's counter is the same for all proposals.

7. REVIEW OF CREDIT STANDING – ISSUE 5-13 – Denney Direct

Issue 5-13 (2 options - Two Eschelon Proposals and one Qwest Proposal for same issue): Review of Credit Standing – Section 5.4.7

8. COPY OF NON-DISCLOSURE AGREEMENT – ISSUE 5-16 – Denney Direct

Issue 5-16: Non-disclosure Agreement -- Section 5.16.9.1

9. TRANSIT RECORD CHARGE AND BILL VALIDATION – ISSUES 7-18 and 7-19 – Denney Direct

Issue 7-18: Application of Transit Record Charge -- Section 7.6.3.1

Issue 7-19: Transit Record Bill Validation Detail -- Section 7.6.4

SUBJECT MATTER NO. 10 through NO 13. INTENTIONALLY LEFT BLANK ²

14. NONDISCRIMINATORY ACCESS TO UNES – ISSUE 9-31 – Starkey Direct

Issue 9-31: Nondiscriminatory Access to UNEs – Section 9.1.2 (Two Eschelon proposals; one Qwest proposal)

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16. NETWORK MAINTENANCE AND MODERNIZATION – ISSUES 9-33 and 9-34 – Starkey Direct

Issue 9-33: Affect on End User Customers (Two Eschelon Proposals and one Qwest Proposal for same issue) -- Section 9.1.9

Issue 9-33(a): Intentionally Left Blank

Issue 9-34: Location at Which Changes Occur -- Sections 9.1.9 (Two Eschelon Proposals and one Qwest proposal for the same issue)

Issue 9-35: (CLOSED - 6 states)

Issue 9-36: (CLOSED - 6 states)

² Subject matter numbers that are shown as “INTENTIONALLY LEFT BLANK” were issues that were closed through negotiations. This list was not renumbered in order to retain consistency from state-to-state.

17. WIRE CENTER – ISSUES 9-37; 9-37(a); 9-37(b); 9-38; 9-39 (except CAPS); 9-40; 9-41 and 9-42 – Denney Direct

Issue 9-37: Wire center List – Section 9.1.13.3 & Section 4.0 Definitions of Commission-Approved Wire Center List and Wire Center Docket.

Issue 9-37(a): WIRE CENTER LIST – ADDITIONAL NON-IMPAIRED WIRE CENTERS – Sections 9.1.14.4 & 9.1.14.4.3 and subparts

Issue 9-37(b): WIRE CENTER LIST – CHANGE IN UNE STATUS – Section 9.1.13.4.1.2

Issue 9-38: PROCESSING OF HIGH CAPACITY LOOP AND TRANSPORT REQUESTS – Section 9.1.13.4

Issue 9-39 (except CAPS): WIRE CENTER LIST – REVIEW OF WIRE CENTER LIST – Sections 9.1.13.4.1.2.1 & 9.1.14.4.2

Issue 9-40: NRCs FOR CONVERSION – Sections 9.1.13.5.2, 9.1.14.6 & 9.1.15.2.1

Issue 9-41: LENGTH OF TIME PERIOD – Sections 9.1.14.4.1 & 9.1.14.4.2

Issue 9-42: RATE DURING TIME PERIOD – Sections 9.1.14.4.1 & 9.1.14.4.2 (Qwest counter in one sentence in 9.1.14.4)

18. CONVERSION – ISSUES 9-43 and 9-44 and (a)-(c) – Starkey Direct

Issue 9-43: Conversions - Circuit ID -- Section 9.1.15.2.3

Issue 9-44: Manner of Conversion -- Section 9.1.15.3 and subparts

Issue 9-44(a): Manner of Conversion – Use of Adder or Surcharge -- Section 9.1.15.3.1

Issue 9-44(b): Manner of Conversion – Use of USOC -- Section 9.1.15.3.1.1

Issue 9-44(c): Manner of Conversion – Same USOC -- Section 9.1.15.3.1.2

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- *Products and Services that Qwest Seeks to Phase Out: Issue 9-53 Unbundled Customer Controlled Rearrangement Element (“UCCRE”) (added two Eschelon phase out language options = three phase out options total, plus original language proposal)*

22. UNBUNDLED CUSTOMER CONTROLLED REARRANGEMENT ELEMENT (UCCRE) – ISSUE 9-53 – Denney Direct

Issue 9-53: Unbundled Customer Controlled Rearrangement Element (UCCRE) (Four Eschelon Proposals and one Qwest Proposal for same issue)
– 9.9.1

22A. INTENTIONALLY LEFT BLANK**23. INTENTIONALLY LEFT BLANK****24. LOOP-TRANSPORT COMBINATIONS – ISSUE 9-55 – Starkey Direct**

Issue 9-55: Combinations of Loops and Transport – Terminology -- Sections 9.23.4, 9.23.4.4; 9.23.4.4.1; 9.23.4.5; 9.23.4.6; 9.23.4.5.4. See subparts to Issue 9-58 for related issues in 9.23.4.5.1

25. SERVICE ELIGIBILITY CRITERIA – AUDITS - ISSUE 9-56 – Denney Direct

Issue 9-56: Audits - Concern -- Sections 9.23.4.3.1.1

Issue 9-56(a): Audits - Notice – Section 9.23.4.3.1.1.1.1

26. COMMINGLED EELS/ARRANGEMENTS – ISSUE 9-58 and (a)-(e) and ISSUE 59 – Denney Direct

Issue 9-58: ORDERING for Commingled Arrangements –Sections 9.23.4.5.1, 9.23.4.5.1.1

Issue 9-58 (a) and Issue 9-59 (Eschelon’s *Alternate* Proposal for same issue): CIRCUIT ID for Commingled Arrangements –Section 9.23.4.5.4 or, in the alternative, Section 9.23.4.7

Issue 9-58 (b) and 9-58(c) (Eschelon’s *Alternate* Proposal for same issue): BILLING for Commingled Arrangements -- Section 9.23.4.6.6 (and subparts)

Issue 9-58 (d): OTHER COMMINGLED ARRANGEMENTS - Ordering, Billing, and Circuit ID – Section 9.1.1.1.1 & 9.1.1.1.2

Issue 9-58(e): INTERVAL for Commingled Arrangements -- Sections 9.23.4.4.3.1 & 24.3.2; 9.1.1.1.1 & 9.1.1.1.1.1

Issue 9-59 (Eschelon alternate proposal): See 9-58(a) above, Section 9.23.4.7

27. MULTIPLEXING (LOOP-MUX COMBINATIONS) – ISSUE 9-61 and (a)-(c) – Starkey Direct

Issue 9-61: Loop-Mux Combination (LMC) – Placement [Section 9 (UNEs) or Section 24 (Commingling) of the ICA] -- Sections 9.23.9 and sub-parts; 24.4 and sub-parts; 9.23.2 (2 of 2 issues; For 1st issue, see Section 9.23.2); 9.23.4.4.3; 9.23.6.2

Issue 9-61 (a): Loop-Mux Combination (LMC) – LMC Loop versus LMC -- Sections 9.23.9 and sub-parts; 24.4 and sub-parts; 9.23.2 (2 of 2 issues; For 1st issue, see Section 9.23.2); 9.23.4.4.3; 9.23.6.2

Issue 9-61(b): LMC Multiplexing –Intervals – Section 9.23.9.4.3, 9.23.4.4.3, 9.23.6.2, Exhibit C; 24.4.4.3

Issue 9-61(c): LMC Multiplexing -- Exhibit A, Section 9.23.6.6 and subparts

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29. ROOT CAUSE ANALYSIS AND ACKNOWLEDGEMENT OF MISTAKES – ISSUE 12-64 and (a)–(b) – Johnson Direct

Issue 12-64: Root Cause & Acknowledgement of Mistakes -- Section 12.1.4 and subparts (all) (Two Eschelon proposals and one Qwest proposals for the same issue.)

Issue 12-64(a): Acknowledgement of Mistakes – Qwest identification -- Section 12.1.4.2.3

Issue 12-64(b): Acknowledgement of Mistakes – Non-Confidentiality - Section 12.1.4.2.5, 12.1.4.2.6

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31. EXPEDITED ORDERS – ISSUE 12-67 and (a)-(g) – Denney Direct

Eschelon proposes addressing expediting the due date when ordering centrally in Section 12.2 (“Pre-Ordering, Ordering, and Provisioning”). Qwest proposes addressing this subject in Section 7 (“Interconnection”) and Section 9 (UNEs). Therefore, Eschelon’s language and Qwest’s counter language do not appear in the same sections of the ICA.

Issue 12-67: Expedited Orders -- Section 12.2.1.2

**Issue 12-67(a): Expedited Orders – Emergencies --
Section 12.2.1.2.1 (Two Eschelon Proposals and one
Qwest Proposal for the same issue)**

**Issue 12-67(b): Expedited Orders – Charges in Exhibit A -- Section 12.2.1.2.2
& Exhibit A**

Issue 12-67(c): Expedited Orders – NRC -- Section 12.2.1.2.3

Issue 12-67 (d): Expedited Orders – UNEs -- Section 9.1.12.1 and subparts

Issue 12-67 (e): Expedited Orders – Combinations -- Section 9.23.4.5.6

**Issue 12-67 (f): Expedited Orders – Trunk orders -- Section 7.3.5.2 and
subparts**

Issue 12-67(g): Expedite Charge -- Exhibit A, Section 9.20.14

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33. JEOPARDIES – ISSUES 12-71, 12-72, 12-73 – Johnson Direct

**Issue 12-71 – Jeopardy -- Section 12.2.7.2.4.4 (Two Eschelon Proposals and
one Qwest Proposal for the same issue)**

**Issue 12-72: Jeopardy Classification (Two Eschelon Proposals and one
Qwest Proposal for the same issue)-- Section 12.2.7.2.4.4.1**

Issue 12-73: Jeopardy Correction -- Section 12.2.7.2.4.4.2

**SUBJECT MATTERS NO. 34 through NO. 42 are now INTENTIONALLY LEFT
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43. CONTROLLED PRODUCTION – ISSUE 12-87 – Johnson Direct

Issue 12-87: Controlled Production (Two Eschelon Proposals – One Qwest Proposal for the same issue) - Section 12.6.9.4

44. RATES FOR SERVICES – ISSUE 22-88 and (a) and 22-89 – Denney Direct

Issue 22-88: Rates in Exhibit A -- Section 22.1.1

Issue 22-88(a): IntraLATA Toll Traffic -- Exhibit A Section 7.11

Issue 22-89: Request for Cost Proceeding – Section 22.4.1.3

45. UNAPPROVED RATES – ISSUE 22-90 and (a)-(e) – Denney Direct

Issue 22-90: Unapproved Rates - Notice and Cost Support (Two Eschelon Proposals - One Qwest Proposal for this issue) -- Section 22.6.1; 22.6.1.1

Issue 22-90(a): Adjustments for prior Commission decision – Sections 8.1.1.2; 8.3.2.7.5; 8.3.2.7.6; 8.3.2.7.7; 8.3.2.7.8 and 8.8.1.

Issue 22-90(b): Collocation Cost Study Adjustments – Sections 8.1.14; 8.6.1.1; 8.6.1.2; 8.6.2.2.1; 8.7.1.2 and 8.7.2.4.

Issue 22-90(c): ICDF Collocation and Special Sites – Sections 8.8.4 (Nonrecurring); 8.15.2.1; 8.15.2.2.

Issue 22-90(d): DC Power Reduction – Sections 8.13.1.1; 8.13.1.2 and subparts; 8.13.1.3; 8.13.1.4; 8.13.1.5 and 8.13.2 and subparts.

Issue 22-90(e): NRC Cost Study Adjustments – Sections 9.6.12; 9.7.6; 9.23.6.2.1.1; 9.23.6.2.1.2; 9.23.6.3.1.1; 9.23.6.3.1.2; 9.23.6.4.1.1; 9.23.6.4.1.2; 9.23.6.8.1; 9.23.6.8.2; 9.23.7.7.1; 9.23.7.7.2 and 10.7.10.

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