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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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In the Matter of the of QWEST  
CORPORATION'S Land Development  
Agreements (LDA) Tariff Provisions

Docket No. 03-049-62

AFFIDAVIT OF STEPHAN G.  
ALLEN

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STEPHAN G. ALLEN, being first duly sworn upon his oath, deposes and states as follows:

1. I am a resident of Davis County, State of Utah; I am over 21 years of age and have personal knowledge of the statements contained herein.
2. I am a Project Management Consultant engaged by Clear Wave Communications. L.C. ("Clear Wave"), East Wind Enterprises, LLC, ("East Wind"), and Prohill, Inc. doing business as Meridian Communications of Utah (Meridian") (collectively hereinafter "Clear Wave").
3. The above named companies are Option 2 contractors and have engaged me to run their telecommunications projects.
4. I have worked as an Outside Plant Engineer and Project Manager in the telecommunications industry since August 1964. As a Project Management Consultant for the above named companies, I am familiar with the Option 2 procedure regarding the provisioning of telecommunication distribution facilities for Qwest Corporation ("Qwest").
5. I was in attendance at, and participated in, the hearings conducted in this Docket on April 14, May 23 and May 24, 2005, the purpose of which was to determine whether Option 2 should be retained in some form or if Option 2 should be abolished completely.

6. I am aware of and familiar with Qwest's Price List filing dated May, 2005, which sets forth that all Option 2 work being performed for Qwest must be completed by July 31, 2005.

7. In my capacity as an Option 2 contractor, I have consistently interfaced with Builders and Developers who are engaged in the business of developing single family dwellings in areas of new residential development.

8. In my capacity as an Option 2 contractor, together with my interaction with developers, I have provided telecommunication distribution facilities for numerous builders and developers on their respective projects.

9. The following is a list of projects that I am involved in as an Option 2 contractor, together with the corresponding date that telecommunication provisioning for the respective project was acquired; as well as an indication as to whether or not the respective projects were approved and issued by Qwest. The last column identifies the date upon which Clear Wave anticipates completing the provisioning of telecommunications network distribution facilities for each of the identified projects.

NAME	DATE ACQUIRED	JOB ISSUED BY QWEST	CONSTRUCTION
Quail Crossing	8/03	Yes	Under Construction
The Benches 7	9/04	No	October
The Benches 8	9/04	No	October
The Benches 9	9/04	No	October
The Maples E	11/04	Yes	Under Construction
Beacon Hill	1/05	Yes	August
Olsen Farms	1/05	Yes	August
Vista 1A	2/05	Yes	July/ August
Vista 2	2/05	Yes	August
Vista 3	2/05	No	September
McMillan Farms	2/05	Yes	August
Oquirrh Park 3C	4/05	Yes	August
Ford Canyon 4	4/05	Yes	August
Western Springs	5/05	No	October
Eaglepointe 10	5/05	No	October
Eaglepointe 11	5/05	No	October

10. The majority of the projects were contracted prior to the date upon which Qwest made it known that its desire was to abolish Option 2 entirely.
11. As an Option 2 contractor consistently interfacing with developers and builders who construct single family dwelling in areas of new development, I am familiar with the construction schedules of the respective projects.
12. Being familiar with the construction process, and the work that is necessary to be performed prior to the above named entities performing the job of providing telecommunication network services, I am aware of the delays that have been encountered on those projects as a result of the unusual and inordinate wet and rainy construction season experienced in the Intermountain Area of Utah.
13. As a result the unusually and inordinate wet construction season experienced in the State of Utah, the above referenced projects have been delayed, some of them between three and four months.
14. Because of the unusual and inordinate wet and rainy construction season experienced in the State of Utah this year, developers have been forced to wait for roads and other parcels of development projects to dry out prior to the Option 2 contractor being able to appropriately perform its function of the provisioning of telecommunication network facilities.
15. I am aware that ostensibly consistent with Senate Bill 108 and Qwest's Price List presently on file with the Public Service Commission, a deadline of July 31, 2005 has been implemented whereby all Option 2 contractors are to cease and desist from further provisioning of telecommunications network facilities for Qwest, even if the same are presently under contract.
16. It would be an extreme hardship and financial burden upon the above named companies if the July 31, 2005 cessation date is enforced.
17. Consistent with the information contained in the graph at paragraph 9 above, Qwest has approved 9 of the 16 identified projects.

18. As can also be seen from the statements contained in paragraph 9, it is anticipated that all of the provisioning of telecommunication network facilities will be completed by no later than October, 2005.

19. In the absence of being granted an extended and enlarged period of time by which to complete the provisioning of telecommunication network facilities in the above referenced projects, the above named will suffer irreparable harm, including monetary repercussions.

20. It is my intention to complete the provisioning of telecommunication network facilities in the above referenced projects as expeditiously as possible and without delay.

21. Based upon the foregoing, I am desirous of having the July 31, 2005 deadline extended such that I am able to complete the provisioning of telecommunication network facilities.

FURTHER, AFFIANT SAYETH NAUGHT.

DATED this \_\_\_\_\_ day of July, 2005.

\_\_\_\_\_  
Stephan G. Allen

STATE OF UTAH            )  
  ):ss  
COUNTY OF \_\_\_\_\_)

Stephan G. Allen, having made himself known to me, appeared before me this \_\_\_\_\_day of July, 2005, and having been first duly sworn to me, did execute the foregoing of his own free will in my presence.

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NOTARY PUBLIC