

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of :
BROADWEAVE NETWORKS OF UTAH, :
LLC for a Certificate of Public Convenience :
and Necessity to Provide Local Exchange : Docket No. 03-2410-01
and Facilities-Based Interexchange Services :
within the State of Utah :
: :
:

AFFIDAVIT
OF
LYNN DAVIS

FOR
QWEST CORPORATION

October 20, 2003

AFFIDAVIT OF LYNN DAVIS

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

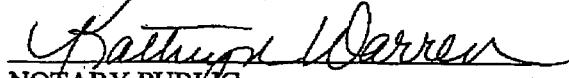
Lynn Davis, having been duly sworn upon his oath and being over the age of 18 years, personally appeared before me and testified as follows:

1. I have personal knowledge of the facts presented in this Affidavit.
2. I am employed by Qwest Corporation ("Qwest") as a Senior Design Engineer. I have worked for Qwest and its predecessors for 32 years.
3. Between August 27, 2003 and September 30, 2003 I made approximately seven telephone attempts to contact personnel from the developer of Traverse Mountain, in order to secure a right of way for Qwest to complete the placement of its facilities at Traverse Mountain. In that time, I left voice-mail messages for both James Christensen and Richard Rozier of Traverse Mountain, at (801) 766-3699, explaining the purpose of my calls.
4. On or about September 15, 2003, I also sent to Mr. Christensen, at 1520 W. 3600 N., Lehi, Utah 84043, a Certified Letter explaining Qwest's intent to provide telecommunications services at Traverse Mountain and the need to secure a right of way. On or about September 19, 2003, I received the return receipt for my Certified Letter, signed by Stacie Christensen on September 17, 2003.
5. To this date, I have not received any substantive response from Traverse Mountain to my inquiries.
6. On or about October 14, 2003, I heard for the first of several times a radio advertisement for Traverse Mountain on FM 98.7, touting the provision of telephone,

Internet and cable television service at Traverse Mountain for one rate, as part of a homeowners' association fee. As a result of hearing this ad, on or about October 15, 2003, I went with Randall Christensen of Qwest to two residences within the Traverse Mountain development and spoke to their occupants. Upon the Commission's request, I can provide the names and addresses of the people to whom I spoke. In these conversations, I was informed that at closing the residents of Traverse Mountain are charged a \$130 homeowners' association fee to cover upkeep of common areas, telephone, Internet and cable television service. After closing, this same fee is due monthly.


Lynn Davis

SUBSCRIBED AND SWORN to before me on October 20, 2003.


NOTARY PUBLIC

