

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of Qwest Corporation's)
Petition for Commission Approval of 2007) DOCKET NO. 07-049-30
Additions to Non-Impaired Wire Center List) ORDER REQUIRING COMPETITIVE
and Motion for Expedited Issuance of) LOCAL EXCHANGE CARRIERS TO
Protective Order) RESPOND TO DIVISION OF PUBLIC
) UTILITIES DATA REQUESTS

ISSUED: September 28, 2007

By The Commission:

I. PROCEDURAL HISTORY

On June 22, 2007, Qwest Corporation ("Qwest") filed a Petition for Commission Approval of 2007 Additions to Non-Impaired Wire Center List and Motion for Expedited Issuance of Protective Order seeking the opening of a Commission docket for approval of Qwest's 2007 additions to its non-impaired wire center list and issuance of a protective order to govern disclosure of information relevant to Qwest's intended filing on June 29, 2007, of data supporting its list of additional non-impaired wire centers.

On June 29, 2007, Qwest submitted its Filing for Commission Approval of 2007 Additions to Non-Impaired Wire Center Designations, with Supporting Data ("2007 Wire Center Update"), seeking Commission approval of the Tier 2 non-impairment designation for its Midvale Main ("Midvale") and Orem Main ("Orem") wire centers. In support of its request, Qwest filed the sworn affidavits of two witnesses along with several Highly Confidential exhibits, including data indicating Qwest's business line count for the Midvale and Orem wire centers.

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Also on June 29, 2007, the Commission issued a Protective Order as requested by Qwest on June 22, 2007.

On July 10, 2007, the Commission issued a Revised Protective Order, in lieu of that issued June 29, 2007, which included procedures governing the disclosure and handling of “Highly Confidential” information.

On July 12, 2007, Eschelon Telecom of Utah, Inc. (“Eschelon”) filed a Petition to Intervene in this matter.

On July 30, 2007, Eschelon filed an Objection to Qwest’s Petition for Approval of 2007 Additions to Non-Impaired Wire Center List stating the procedural deadlines relating to approval of additions to the non-impaired wire center list contained in the Settlement Agreement filed for Commission approval in Docket No. 06-049-40 should not begin to run with respect to Qwest’s filing for approval of additional non-impaired wire centers in this docket until the Commission has approved said Settlement Agreement.

On July 31, 2007, in Docket No. 06-049-40, the Commission issued its Report and Order Approving Settlement Agreement. The Settlement Agreement approved therein contains procedures and time lines intended to govern requests for Commission approval of additions to the non-impaired wire center list like those at issue in this docket.

On August 1, 2007, the Commission issued its Order Granting Intervention to Eschelon.

On August 6, 2007, DIECA Communications, Inc., d/b/a Covad Communications Company (“Covad”), Integra Telecom of Utah, Inc. (“Integra”), McLeodUSA

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Telecommunications Services, Inc. (“McLeodUSA”), and XO Communications Services, Inc. (“XO”) (hereinafter together with Eschelon jointly referred to as the “Joint CLECs”) each filed a Petition to Intervene in this docket.

Also on August 6, 2007, Qwest filed a memorandum stating that, in light of the Commission’s approval of the Settlement Agreement in Docket No. 06-049-40, Qwest did not object to the competitive local exchange carriers (“CLECs”) in Docket No. 07-049-30 having until August 30, 2007, to object to Qwest’s 2007 Wire Center Update.

On August 23, 2007, following a duly-noticed procedural conference, the Commission issued a Procedural Order extending to September 7, 2007, the deadline for parties to file objections to, and for the Division of Public Utilities (“Division”) to file comments regarding, Qwest’s 2007 Wire Center Update.

On August 28, 2007, the Commission issued an Order Granting Intervention to Covad, Integra, McLeodUSA, and XO.

On September 6, 2007, Qwest filed a memorandum stating that while Qwest had initially sought Tier 2 designation for its Midvale wire center based upon both business line counts and the number of fiber-based collocations at that wire center, Qwest now seeks said designation based solely on business line counts. Qwest’s request for Tier 2 designation of the Orem wire center, based only on business line counts, did not change.

On September 7, 2007, the Joint CLECs filed an Objection to Qwest Wire Center Designation (“Joint CLEC Objection”) in which the Joint CLECs objected to Qwest’s

designation of its Orem central office as a Tier 2 wire center but did not dispute the designation of the Midvale central office as a Tier 2 wire center based solely on the number of business lines.

Also on September 7, 2007, the Division filed a memorandum stating the Commission should grant Tier 2 status to the Midvale wire center based on the number of business lines while recommending that a detailed investigation be conducted to review and analyze the data relating to the Orem wire center.

On September 25, 2007, at a duly-noticed procedural conference, the parties agreed to a procedural schedule to govern investigation of the requested Tier 2 designation of the Orem wire center, including the issuance of this Commission Order seeking CLEC responses not later than October 10, 2007, to the attached Division data request in order to verify Qwest's business line data for the Orem wire center.

Wherefore, based upon the foregoing information, and for good cause appearing, the Administrative Law Judge enters the following proposed

II. ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

- Each of the Joint CLECs identified *supra*, specifically Eschelon, Covad, Integra, McLeodUSA, and XO, is directed to:
 - i. Not later than October 10, 2007, respond to the Division data requests, attached hereto as Exhibit A, regarding its Unbundled Loops, Enhanced Extended Loops ("EELs"), and Qwest Platform Plus ("QPP") lines purchased from Qwest at the Orem, Utah Wire Center as of December 31, 2006, by

providing a copy of said response to both the Division and to Qwest. In its response, each CLEC must either: (1) state that the CLEC does not dispute Qwest's data for that particular CLEC; or (2) if the CLEC does not respond as stated in (1) above, provide its wire center data for such services as defined in the data request and the spreadsheet attached hereto as Attachment A to Exhibit A.

- ii. If any of the Joint CLECs has not previously requested and obtained Qwest's wire center data in the form described in section VI(E)(2) of the Settlement Agreement approved by the Commission on July 31, 2007, in Docket 06-049-40 and wishes to receive said data in order to compare Qwest's data with its own, said CLEC must execute the Protective Order in this docket. Upon Qwest's receipt of said Protective Order, Qwest is directed to provide the CLEC with the requested data within two (2) business days.
- For each CLEC not a Party to this docket ("Non-Party CLEC"):
 - i. Qwest is directed to provide each Non-Party CLEC with that Non-Party CLEC's own company-specific data regarding its Unbundled Loops, EELs, and QPP lines at the Orem, Utah Wire Center within two (2) business days of this Order.
 - ii. Not later than October 10, 2007, each Non-Party CLEC must respond to the Division data requests, attached hereto as Exhibit A, regarding its Unbundled Loops, EELs, and QPP lines purchased from Qwest at the Orem, Utah Wire

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Center as of December 31, 2006, by providing a copy of said data request responses to both the Division and to Qwest. In its response, each Non-Party CLEC must either: (1) state that the Non-Party CLEC does not dispute Qwest's data for that particular Non-Party CLEC; or, (2) if the Non-Party CLEC does not respond as stated in (1) above, provide its wire center data for such services as defined in the data request and the spreadsheet attached hereto as Attachment A to Exhibit A.

Dated at Salt Lake City, Utah, this 28th day of September, 2007.

/s/ Steven F. Goodwill
Administrative Law Judge

Approved and Confirmed this 28th day of September, 2007, as the Report and Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#54870

EXHIBIT A

UT TRRO- CLEC Data Request

Part A

1. Do you agree with the total numbers of Unbundled Loops (“UNE-L”), Enhanced Extended Loops (“EEL”), and Qwest Platform Plus (“QPP”) circuits that your company purchased from Qwest in the **Orem, UT wire center** as of **December 31, 2006 that has been provided to you by Qwest.**?

Response:

2. If you dispute the numbers provided to you by Qwest, please provide a detailed explanation about the reason that you dispute the numbers.

Response:

Part B (Only requires a response if your company disputes the numbers that Qwest provided to you regarding Part A above.)

This data request seeks information regarding the Unbundled Loop (“UNE-L”), Enhanced Extended Loop (“EEL”), and Qwest Platform Plus (“QPP”) circuits that your company purchased from Qwest in the **Orem, UT wire center** as of **December 31, 2006**. Please provide as much of the following information as is reasonably available:

1. Enhanced Extended Loops (EEL)
 - a. Please provide, based on your records, the total number of EEL loops purchased from Qwest at the DS0 level and at the DS1 level as of December 31, 2006. The EEL quantities should reflect the office where the end user is located.
 - b. For each EEL circuit identified in (a), please provide the following information:
 - (1) CLEC Name
 - (2) Service (EEL)
 - (3) Bandwidth (e.g., DS0, DS1, DS3)
 - (4) Service Street Address
 - (5) Circuit ID
 - (6) Billed Telephone Number (BTN)

Please provide this data in the spreadsheet format provided as Attachment A.

2. Unbundled Loops (UNE-L)
 - a. Please provide, based on your records, the total number of unbundled loops (UNE-L) purchased from Qwest at the DS0 level and at the DS1 level as of December 31, 2006.
 - b. For each UNE-L circuit identified in (a), please provide the following information:
 - (1) CLEC Name
 - (2) Service (UNE-L)
 - (3) Bandwidth (e.g., DS0, DS1, DS3)
 - (4) Service Street Address
 - (5) Circuit ID
 - (6) Billed Telephone Number (BTN)

Please provide this data in the spreadsheet format provided as Attachment A.

3. Qwest Platform Plus (QPP)
 - a. Please provide, based on your records, the total number of QPP lines purchased from Qwest as of December 31, 2006.
 - b. For each QPP line identified in (a), please provide the following information:
 - (1) CLEC Name
 - (2) Service (EEL)
 - (3) Bandwidth (e.g., DS0, DS3)
 - (4) Service Street Address
 - (5) Working Telephone Number (WTN)
 - (6) Billed Telephone Number (BTN)

Please provide this data in the spreadsheet format provided as Attachment A.

Please provide the contact name, email address and telephone number of a person that Qwest may call if there are questions regarding any information provided on the spreadsheet.

Contact Information:

Attachment A

Enhanced Extended Loop (“EEL”) Circuit Data

CLEC Name	Service	Bandwidth	Service Street Address	Circuit ID	BTN

Unbundled Loop (“UNE-L”) Circuit Data

CLEC Name	Service	Bandwidth	Service Street Address	Circuit ID	BTN

Qwest Platform Plus (“QPP”) Circuit Data

CLEC Name	Service	Bandwidth	Service Street Address	WTN