

OBJECTION

Qwest has designated two wire centers as Tier 2 Wire Centers under the Federal Communications Commission's Triennial Review Remand Order: (1) Orem and (2) Midvale. As support for its proposed designations Qwest provided business line count data for both Midvale and Orem and fiber-based collocation information for Midvale. For the reasons stated below, the Joint CLECs object to the designation of the Orem wire center as a Tier 2 Wire Center.¹

Qwest provided information in ostensible support of its wire center designations, including the Highly Confidential Attachment A to the Affidavit of Robert Brigham. The information in this document included unbundled loop, enhanced extended loop ("EEL"), and Qwest Performance Plus ("QPP") line counts for individual competitive local exchange companies ("CLECs"), all of whose identities are masked. Qwest made available to each CLEC the information Qwest included for that CLEC, but Qwest has refused to disclose the identities of the other CLECs. The Joint CLECs agree that Qwest has properly withheld the identity of CLECs associated with specific line counts, but the Joint CLECs need, and should be entitled to, a list of the CLECs on whose data Qwest relies to enable them to contact those companies and ask them to verify Qwest's information. In addition, the Division should have access to the unmasked data to enable

¹ One of the CLECs that Qwest has identified as a fiber-based collocator in the Midvale wire center disputes that it is a fiber-based collocator, and thus the number of fiber-based collocators does not support a Tier 2 Wire Center designation. The Joint CLECs, however, do not dispute the designation of that wire center as a Tier 2 Wire Center based solely on the number of business lines.

it to conduct its own investigation of the accuracy of that data.

Eschelon nevertheless reviewed the information on its line counts on which Qwest relied and found discrepancies between that information and the data contained in Eschelon's records. Eschelon requested additional data on the lines Qwest has attributed to Eschelon, but Qwest has refused to provide the requested information.

Some of the masked data, on its face, is also questionable. For example, the data shows carriers purchasing QPP, loops, and EELs in the same wire center, even though a carrier that is collocated in a wire center would not normally purchase EELs and QPP lines in that same wire center. Eschelon requested additional information on this data, and Qwest refused to provide all of the information Eschelon requested and needs to verify the accuracy of Qwest's data.

If this data is inaccurate and the line count information Qwest has used for other CLECs has the same discrepancies as Eschelon has discovered with its data, the business line count in the Orem wire center may fall below the 24,000 lines required for designation as a Tier 2 Wire Center. The Commission, therefore, needs to investigate the accuracy of the line count data on which Qwest relies before approving Qwest's proposed Tier 2 Wire Center designation of its Orem central office.

WHEREFORE, the Joint CLECs request that the Commission schedule a procedural conference to establish a schedule for examining the data underlying Qwest's designation of the Orem central office as a Tier 2 Wire Center, including but not limited

to establishing procedures to provide full review of the line count data Qwest uses to verify the data's accuracy.

RESPECTFULLY SUBMITTED this 7th day of September, 2007.

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