

Open Product/Process CR PC102704-1ES2 Detail

Title: CR 2: New Revised title effective 1/11/05: Certain Unbundled Network Elements (UNE) Product Discontinuance (see Description of Change for previous title) CR 1 = PC102704-1ES

CR Number	Current Status Date	Area Impacted	Products Impacted
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PC102704-1ES2	Completed 3/23/2007		See Description of Change
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Originator: Whitt, Michael

Originator Company Name: Qwest Corporation

Owner: Buckmaster, Cindy

Director: Campbell, Bill

CR PM: Esquibel-Reed, Peggy

Description Of Change

THIS DOCUMENTATION IS CONTINUED FROM PC102704-1ES

Revised Description of Change effective 3/23/07:

The following products, from the original CR, are removed from this Change Request and were not completed with this CR. The effort for these products may occur via separate CRs.

Unbundled Local Loop-General Information

Unbundled Local Loop-Digital Signal Level 1 (DS1) Capable Loop

Unbundled Local Loop-Digital Signal Level 3 (DS3) Capable Loop

Enhanced Extended Loop (EEL)

Loop MUX Combination (LMC)

Unbundled Dark Fiber (UDF)

Unbundled Dedicated Interoffice Transport (UDIT)

Unbundled Customer Controlled Rearrangement Element (UCCRE)

Revised Description of Change effective 3/1/05:

This CR will be implemented as a product/process CR as there are no CLEC facing system changes.

This CR details changes to availability of certain Unbundled Network Elements (UNE) products.

The following UNE products are no longer available to CLECs unless the most current effective version of the CLEC's Interconnection

Agreement (ICA) of Amendment includes terms, conditions, and pricing for the products before 6/14/04.

Unbundled Network Element (UNE)- Switching (UBS)
<http://www.qwest.com/wholesale/pcat/unswitch.html>

Unbundled Network Elements- Platform (UNE-P)-General Information
<http://www.qwest.com/wholesale/pcat/unep.html>

Unbundled Network Elements - Platform (UNE-P) - Integrated Services Digital Network (ISDN) Basic Rate Interface (BRI)

<http://www.qwest.com/wholesale/pcat/unepisdnbri.html>

Unbundled Network Elements-Platform (UNE-P)-Centrex
<http://www.qwest.com/wholesale/pcat/unepcentrex.html>

Unbundled Network Elements-Platform (UNE-P)-Public Access Lines (PAL)
<http://www.qwest.com/wholesale/pcat/uneppal.html>

Unbundled Network Elements- Platform (UNE-P)- Private Branch Exchange (PBX) Trunks
<http://www.qwest.com/wholesale/pcat/uneppbx.html>

Unbundled Network Elements - Platform (UNE-P)-Plain Old Telephone Service (POTS)
<http://www.qwest.com/wholesale/pcat/unep pots.html>

Unbundled Network Elements - Platform (UNE-P) - Digital Switched Service (DSS)
<http://www.qwest.com/wholesale/pcat/unepdss.html>

Unbundled Network Elements -Platform (UNE-P) - Integrated Services Digital Network (ISDN) Primary Rate Interface (PRI)

<http://www.qwest.com/wholesale/pcat/unepisdnpri.html>

The remaining products on this CR are being revised due to changes based on the FCC Order received 2/4/05. The following products will be revised and will be noticed on a future date associated with this change request.

Unbundled Local Loop-General Information

Unbundled Local Loop-Digital Signal Level 1 (DS1) Capable Loop

Unbundled Local Loop-Digital Signal Level 3 (DS3) Capable Loop

Enhanced Extended Loop (EEL)

Loop MUX Combination (LMC)

Unbundled Dark Fiber (UDF)

Unbundled Dedicated Interoffice Transport (UDIT)

Unbundled Customer Controlled Rearrangement Element (UCCRE)

As always, any future changes of law may impact this notification and will be supported by the applicable notification.

Expected Deliverables/Proposed Implementation Date (if applicable):

Implement PCAT changes retroactive to 6-15-04 subject to CMP Guidelines

Revised Description of Change effective 1/11/05:

This CR will be implemented as a product/process CR as there are no CLEC facing system changes.

This CR details changes to availability of certain Unbundled Network Elements (UNE) products.

The following UNE products are no longer available to CLECs unless the most current effective version of the CLEC's Interconnection Agreement (ICA) of Amendment includes terms, conditions, and pricing for the products before 6/14/04.

-All Enterprise and Mass Market Unbundled Network Elements Switching (UBS) products, detailed in the following Product Catalog

(PCAT): <http://www.qwest.com/wholesale/pcat/unswitch.html>

-All Enterprise and Mass Market Unbundled Network Elements-Platform (UNE-P) products, detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/unep.html>

-DS1 Unbundled Loop detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/unloops1caploop.html>

-DS3 Unbundled Loop detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/unloops3caploop.html>

-Unbundled Dark Fiber (UDF), including E-UDF and Meet-Point UDF, detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/darkfiber.html>

-DS1 and DS3 Unbundled Dedicated Interoffice Transport (UDIT), including E-UDIT and M-UDIT, detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/udit.html>

-DS1 and DS3 Enhanced Extended Loop (EEL) detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/eel.html>

-Unbundled Customer Controlled Rearrangement Element (UCCRE) detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/uccre.html>

-DS1 and DS3 Loop Mux Combo detailed in the following PCAT:

<http://www.qwest.com/wholesale/pcat/lmc.html>

As always, any future changes of law may impact this notification and will be supported by the applicable notification.

Expected Deliverables/Proposed Implementation Date (if applicable):

Implement PCAT changes retroactive to 6-15-04 subject to CMP Guidelines

Previous Title and CR Description of Change - see below for information prior to 1/10/05. This CR was Revised on 1/11/05

Previous Title:

U.S. Court of Appeals for the DC Circuit decision (USTA II) Decision No. 00-1012, and FCC Interim Rules Compliance: Certain Unbundled Network Elements (UNE) Product Discontinuance

Previous Description of Change:

This CR will be implemented as a product/process CR as there are no CLEC facing system changes.

This CR details changes to availability of certain Unbundled Network Elements (UNE) products pursuant to the U.S. Court of Appeals for the DC Circuit decision 00-1012 ('USTA II') which vacated some of the FCC's unbundling rules, and the subsequent FCC Interim Rules which preserved some of the unbundling rules vacated in USTA II.

In accordance with these orders and findings, the following UNE products are no longer available to CLECs unless the most current, effective version of the CLEC's Interconnection Agreement (ICA) or Amendment includes terms, conditions, and pricing for the products before 6/15/04:

-All Enterprise and Mass Market Unbundled Network Elements Switching (UBS) products, detailed in the following Product Catalog (PCAT):
<http://www.qwest.com/wholesale/pcat/unswitch.html>

-All Enterprise and Mass Market Unbundled Network Elements-Platform (UNE-P) products, detailed in the following PCAT:
<http://www.qwest.com/wholesale/pcat/unep.html>

-DS1 Unbundled Loop detailed in the following PCAT:
<http://www.qwest.com/wholesale/pcat/unloopds1caploop.html>

-DS3 Unbundled Loop detailed in the following PCAT:
<http://www.qwest.com/wholesale/pcat/unloopds3caploop.html>

-Unbundled Dark Fiber (UDF), including E-UDF and Meet-Point UDF, detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/darkfiber.html>

-DS1 and DS3 Unbundled Dedicated Interoffice Transport (UDIT), including E-UDIT and M-UDIT, detailed in the following PCAT:
<http://www.qwest.com/wholesale/pcat/udit.html>

-DS1 and DS3 Enhanced Extended Loop (EEL) detailed in the following PCAT:
<http://www.qwest.com/wholesale/pcat/eel.html>

-Unbundled Customer Controlled Rearrangement Element (UCCRE) detailed in the following PCAT: <http://www.qwest.com/wholesale/pcat/uccre.html>

-DS1 and DS3 Loop Mux Combo detailed in the following PCAT:
<http://www.qwest.com/wholesale/pcat/lmc.html>

Expected Deliverables/Proposed Implementation Date (if applicable):

Retroactive to 6/15/04 pursuant to FCC Interim Rules, subject to CMP Guidelines.

Status History

Date	Action	Description
1/30/2007	Related Change Request	PC102704-1ES
1/30/2007	Record Update	THIS STATUS HISTORY IS CONTINUED FROM PC102704-1ES
1/17/2007	Discussed at Monthly CMP Meeting	Discussed in the January Monthly Product Process CMP Meeting.
3/23/2007	Record Update	CR Revised to remove Products from this CR
3/28/2007	Related Change Request	PC032707-1, PC032807-1, PC032807-2
2/6/2007	General Meeting Held	Ad Hoc with CLEC Community Held
2/21/2007	Discussed at Monthly CMP Meeting	Discussed in the February Monthly Product Process CMP Meeting
3/5/2007	Related Change Request	PC013007-1
3/5/2007	Related Change Request	PC013007-2
4/20/2007	Related Change Request	PC041907-1
3/21/2007	Discussed at Monthly CMP Meeting	Discussed in the March Monthly Product Process CMP Meeting

Project Meetings

DOCUMENTATION FOR THIS CR IS CONTINUED FROM PC102704-1ES.
PLEASE SEE PC102704-1ES FOR PRIOR PROJECT MEETINGS INFORMATION FOR THIS CHANGE REQUEST.

March 29, 2007 Email Sent to Eschelon: Bonnie, Qwest is not treating all of

the CR as completed. As stated in the email below, dated March 26th, The CR was revised in order to remove the products that were not completed. The Completed Status of the CR is valid due to the completion of the

products that remain on that CR. Perhaps the confusion is because you have not seen the revised CR. I have attached a copy. Peggy Esquibel-Reed Qwest Wholesale CMP

March 28, 2007 Email Received from Eschelon: Eschelon continues to believe Qwest is not in compliance with CMP closing codes. Not all of the Change Request was completed, but Qwest appears to be treating it all as completed. More importantly, as Eschelon has said before, changes regarding TRRO are considered change in law and should be handled via negotiations and perhaps also in some type of forum, such as changes to the SGAT, where there is also Commission oversight. Bonnie Johnson Director Carrier Relations Eschelon Telecom Inc.

March 26, 2007 Email Sent to Eschelon: Bonnie, The CRs (PC102704-1ES and PC102704-1ES2) have been revised to indicate that some products were removed from the original CRs and that the effort for some of those products would occur via separate CRs. The products that were not removed from the CRs were the products that were completed, therefore the status of Completed would be appropriate. Withdrawal is not appropriate, as some of the products were completed and Defer would also not be appropriate as there is no more action for these specific Change Requests. The history continues to be retained on PC102704-1ES and PC102704-1ES2 and those CRs continue to be available via the Interactive Reports on the Qwest Wholesale web site. None of the documentation has been or will be lost. The email below has been added to PC102704-1ES2, as requested. Peggy Esquibel-Reed Qwest Wholesale CMP

March 23, 2007 Email Received from Eschelon: Eschelon's position has not changed regarding PC102704-1ES and 1ES-2. Changes regarding TRRO are considered change in law and should be handled via negotiations or in some type of forum, such as changes to the SGAT, where there is Commission oversight. In addition, the CR is not completed so a status of complete is not appropriate. Will Qwest be withdrawing or deferring this CR? Please add this comment to the CR before changing the status. Thanks, Bonnie Johnson Director Carrier Relations Eschelon Telecom Inc.

March 21, 2007 Product Process CMP Meeting: Mark Coyne-Qwest stated that these are the two TRRO CRs that were opened a few years ago. Mark then stated that based on the discussion at the February CMP Meeting, where Qwest acknowledged that the effort was moving forward with individual CRs, Qwest is moving to close these two CRs. Mark stated that all the history and notes will be retained and are available via the interactive reports on the web site. Mark stated that none of the information would be lost and asked if there was any objection to the

closure of PC102704-1ES and PC102704-1ES2. There were no objections to the closure of the two CRs. 3/27/07 - Comments to minutes received from Eschelon Mark Coyne-Qwest stated that these are the two TRRO CRs that were opened a few years ago. Mark then stated that based on a number of meetings and discussions, including a discussion at the February

CMP Meeting, where Qwest acknowledged that the effort was moving forward with Qwest submitting individual CRs, Qwest is closing these two CRs. Mark stated that all the history and notes will be retained and are available via the interactive reports on the web site. Mark stated that none of the information would be lost

- February 21, 2007 Product Process CMP Meeting: Mark Coyne-Qwest stated that at the end of the last ad hoc call it was mentioned that Qwest would schedule additional calls in order to continue the discussions on this CR to categorize products on the TRRO Product matrix and try to move forward with a prioritization of products. The original Qwest plan to gain CLEC input on the priority of the various products has not been as successful as we planned or hoped. We heard all the comments on that call and considered all the feedback that another call would just be rehashing the same things again. We then took all that feedback and gave it some additional thought in order to determine what the most logical next step would be, to allow Qwest and the CLEC community to continue to move forward on this issue. What makes sense at this point, to Qwest, is that we issue individual CMP CRs for the products that need to be addressed in CMP and hold discussions for specific CRs or product groupings. That would allow those CLECs with impact on those specific products to have a CMP forum for input on the process related changes associated with these products. It should provide a more meaningful and valuable method for proceeding with this effort for Qwest and for those CLECs who are impacted by these changes. Some, if not all, of those CRs will be submitted for the March 21st CMP Meeting. Bonnie Johnson-Eschelon stated that on the last call, Cindy Buckmaster (Qwest) committed to taking one of her products, due to Integra's concerns regarding the PCATs, and to re-do the PCAT and meet on those changes. Bonnie asked if Qwest is now not going to do that. [Comment Received from Eschelon: Bonnie Johnson-Eschelon stated that on the last call, Cindy Buckmaster (Qwest) committed to taking one of her products, due to Integra's concerns regarding Qwest cut an pasting information from the ICA into the PCATs, and to re-do the PCAT and meet on those changes. Bonnie asked if Qwest is now not going follow through with that commitment.] Mark Coyne-Qwest stated that we internally evaluated what would work best and determined that the next step should be to issue the CRs. Bonnie Johnson-Eschelon stated that she had no comment at this time.

February 6, 2007 Qwest/CLEC Ad Hoc Meeting: ATTENDEES: Mary Roberts-Unicon, Sue Yoder-Iowa Telecom, Pam Trickel-TDS MetroCom, Julie Redmond Carter-McLeodUSA, Kathy Lee-AT&T, Peter Huley-TDS

MetroCom, Lynn Oliver-Covad, Ken Black-McLeodUSA, Sheila Harris-Integra, Steve Fisher-Integra, Jay Newsbom-Integra, Nancy Thompson-Wisor, Joyce Bilow-McLeodUSA, Karen Clausen-Eschelon, Doug Denney-

Eschelon, Bonnie Johnson-Eschelon, Colette Davis-Covad, Rod Cox-TDS MetroCom, Cindy Buckmaster-Qwest, Susan Lorence-Qwest, Candace Mowers-Qwest, Vicki Dryden-Qwest, Lynn Stecklein-Qwest, Peggy Esquibel Reed-Qwest, Karen Chandler Ferguson-Qwest, Mark Coyne-Qwest

DISCUSSION: Peggy Esquibel Reed-Qwest stated that the purpose of this meeting was to continue with the open dialogue for the TRO/TRRO CMP CR. The documents for this meeting can be accessed from the Wholesale calendar out on the CMP web site, by clicking on the entry for this call. Those documents are the PCAT Impacts Matrix and 2 other documents which are the CRs for this effort. PC102704-1ES which is the original CR and contains the history thru January 10th. It references PC102704-1ES2 for the continuation of the history for this effort. The creation of PC102704-1ES2 was necessary due to the character limitation being reached for the original CR, in our data base that houses the CR information. This means that that the PC102704-1ES record/CR could not house any more data or content. PC102704-1ES2 was then created in order to continue with the documentation of this effort. The 2 CRs (-1ES and -1ES2) have a complete accounting of all that has transpired, all the history, regarding the calls and communications that have been held and documented. There was a concern, received in an email, that 2 CRs creates the impression that there is no earlier status history. That should not be the case because the 2 CRs are VERY clearly marked and cross referenced in 6 different places: 1) The numbering of the CRs carries the same number with the 2 added to the end of the continuation CR. 2) The CR Titles are the same and make reference to the other CR 3) The first statement in the CR descriptions note that 'Documentation for this CR is continued on/from the other CR number' 4) There is a Status History Line that indicates that there is a Related CR and notes the CR that is continued to/from 5) There is a second Status History Line of a Record Update stating that documentation is continued to/from the other CR 6) The Project Meetings portion of the CRs each contains a statement AT THE TOP that documentation is continued to/from the other CR. Again, there has been no loss of any history for this CR, the history is complete. Both CRs are active and are available via the Interactive Reports out on the web site. The call today as well as future communications will be documented on the continuation CR PC102704-1ES2. There were no comments or questions. Peggy Esquibel Reed-Qwest then noted that the last call was held on January 11th and its purpose was to start the discussions regarding the PCAT Impacts Matrix and getting items in the appropriate buckets in order to proceed and move forward. There were some CLECs on that call who were not comfortable discussing the Matrix without obtaining input from their regulatory folks so that discussion had to be rescheduled and that is why we are meeting today. Details of that January 11 call are in the

meeting minutes of the CR, in case you have not yet had the opportunity to read them. Peggy then stated that this brings us all up to date and that today's discussion would be started by Cindy Buckmaster (Qwest). Doug Denney-Eschelon asked for the meaning of the terms going forward and proceeding. Peggy Esquibel Reed-Qwest stated that we would like to move

forward with the open dialogue and the discussion on the moving of the bucketed items in the appropriate place on the PCAT Impacts Matrix. Cindy Buckmaster-Qwest stated that our intent is to identify all product documentation associated with TRO TRRO that are impacted by law. Cindy stated that a list was compiled and that it is separated into sections, the first section identified items that were already introduced, in 2005. Cindy stated that the 2nd list is the products with changes that were postponed and removed from the initial effort of PC102704-1ES. Cindy noted that those products were moved to Category 2. Cindy stated that the 3rd set is yet to be introduced and that no discussions have yet taken place for them. Cindy then stated that the last set is those products that are currently in litigation. Cindy noted that the 4th set is a subset of the 2nd bucket. In the last meeting there was a concern regarding litigation and a desire to have identified where changes have been made in the catalogues. Qwest's intent is not to usurp litigation and noted that these discussions are so all know what to expect if have signed TRRO agreement. Cindy then noted that at the last call, the CLECs said that they wanted to bring their regulatory/legal people on the call in order to help identify the items, in the buckets, that should be moved to bucket 4. Cindy stated that the intent is then to discuss items that are not in bucket 4, or are in bucket 4, with the CLECs that want to discuss them. Doug Denney-Eschelon stated that there are a lot of assumptions on how processes apply to each CLECs ICAs. Doug noted that the wire center litigation is one example. Cindy Buckmaster-Qwest stated that these discussions have been for the entire CLEC Community and Qwest is happy to let the CLECs structure the calls. Cindy stated that Qwest has no pre-conceived notion of what will or will not be discussed. Cindy stated that Qwest would discuss what the CLECs want to discuss. Cindy then stated that Qwest would take feedback as to what additional items need to be moved into Bucket 4, if the CLECs want to share that information. Karen Clausen-Eschelon stated that an assumption, in the Matrix, is that if you want to talk about it, the discussion starts with the non-TRRO PCATs. Karen stated that was her observation. Karen then noted that Eschelon had provided the list of items that are in litigation to Qwest and stated that Qwest needs to tell them what is in litigation. Cindy Buckmaster-Qwest stated that she is neither in legal nor in the regulatory group. Cindy then stated that she would not force discussions and would discuss what the CLECs want to discuss. Cindy stated that the starting place could be the PCATs Impact Matrix and the documents on the main web site, www.qwest.com. Cindy stated that we could also discuss the changes that were made for the TRRO web site. Steve Fisher-Integra stated that every PCAT that is related to TRRO is far reaching. Steve then asked that if a PCAT is related to TRRO and there are ICA negotiations

occurring, why the PCATs had so much relationship to the ICAs. Cindy Buckmaster-Qwest stated that the PCATs contain a general description and the flow of a product. Cindy stated that this is how to do business to business. The contracts are not intended to carry the detail of business to

business relationships. Steve Fisher-Integra stated that the new PCATs are far reaching into TRRO and are not product specific. Steve stated that we are blurring the distinction between the ICA and the PCAT and there needs to be discussion. Karen Clausen-Eschelon stated that she disagrees with what was just said and stated that it was asked that issues be brought into negotiations. Karen stated that Qwest is trying to draw a distinct line and that some issues do belong in contracts. Karen then stated that in the CMP Document, the scope will sometimes overlap with an ICA and states that the ICA will have control. Karen then stated that she agreed with Integra and that Qwest should negotiate that. Karen Clausen-Eschelon then noted that Cindy (Buckmaster-Qwest) was not regulatory and that Cindy had asked CLEC regulatory personnel to be present on this call. Karen then asked if there was Qwest legal representation on the call. Cindy Buckmaster-Qwest stated that she did not request that CLEC regulatory or legal personnel be on the call, the CLECs said that they wanted regulatory and/or legal folks on the call. Karen Clausen-Eschelon stated that they had already identified that all products are in litigation. Cindy Buckmaster-Qwest asked that for bucket 1, which includes UBS and UNE-P, if anybody believes that these products are in litigation. Cindy then stated that Qwest believes that these have been completed. Cindy asked if anyone disagreed that they have been completed. Doug Denney-Eschelon stated that Qwest has filed a tariff, in Colorado, to amend SGATs and noted that this is part of that filing and that investigation is suspended. Cindy Buckmaster-Qwest stated that if we were to take that approach then we could never have a CMP call due to changes to the tariff and/or SGAT. Cindy stated that could be pushing the envelope and that this call was for discussion of PC102704-1ES/-1ES2 ONLY. Karen Clausen-Eschelon stated that if Qwest had read what they submitted the day before, that PC102704-1ES/-1ES2 should be left in bucket A. Cindy Buckmaster-Qwest stated that the matrix is to identify all products that are impacted by TRRO. Cindy then noted that she saw, in the email, that Eschelon agrees that those items are closed. Cindy then stated that we have not heard from the other CLECs as to the completion on March 18, 2005, for the items in bucket A. Cindy asked if all on the call agree that all items in bucket a are closed. Steve Fisher-Integra stated that if you go into UBS PCAT, there are links that are in the PCATs that link to other documents that might not yet be closed. Steve stated that he would be hesitant to agree that bucket A is closed due to those links to the other documents. Cindy Buckmaster-Qwest stated that was a very good point and noted that the PCAT, as it specifically relates to UBS is closed. Cindy asked if all were in agreement that UBS is not offered by Qwest and asked if all agreed that UNE-P as identified on the matrix is not offered by Qwest. Karen Clausen-Eschelon asked Cindy (Buckmaster-

Qwest) if she was asking the CLECs to agree and comment. Cindy Buckmaster-Qwest said that she was only saying that the CR was closed in March 2005 and at that time CLECs had no issue with those items. Karen Clausen-Eschelon stated that Cindy was then asking two questions. Karen Clausen-Eschelon stated that yes, the CR was closed in March 2005 and agreed that all are not subject to TRRO. Karen stated that no items are

open and noted that there is a fuzzy line. Karen stated that the question is if Qwest intend to make similar filings (tariffs in lieu of SGATs) in other states. She stated that she has asked that question a number of times, specifically asked it in a pre-meeting e-mail and expected it to be answered on this call. Cindy Buckmaster-Qwest stated that did not fall into her area of responsibility and noted that the question is not for this call. Cindy stated that this call is for the discussion of TRRO PCATs ONLY. Karen Clausen-Eschelon asked if Cindy (Buckmaster-Qwest) was going to find out who would answer her question. Cindy Buckmaster-Qwest said no and advised Karen (Clausen-Eschelon) that she would trust that Karen would obtain that information from one of the other avenues, within Qwest, that she has probably already asked. Karen Clausen-Eschelon stated that if Qwest's intent was to insult Eschelon that they had. Cindy Buckmaster-Qwest stated that it was not her intent to insult Eschelon and apologized. Cindy stated that she was not sure if there were filings in other states as that is not her decision or area of responsibility. Karen Clausen-Eschelon stated that she understood that Cindy (Buckmaster-Qwest) does not know the answer. Cindy Buckmaster-Qwest asked if there were any items in the third bucket, such as 800 data base query, that were involved in litigation. Karen Chandler Ferguson-Qwest stated that Qwest is not aware of any current arbitration or litigation that was occurring for items in that third bucket. Karen Clausen-Eschelon stated that Qwest had Eschelons written response and stated that she would not go thru the matrix again. Cindy Buckmaster-Qwest asked if there were any CLECs on the call that believed that items in that third bucket were in litigation or arbitration. Karen Clausen-Eschelon stated yes, for all items. Cindy Buckmaster-Qwest asked for input from other CLECs. McLeod agreed with Eschelon and stated that they were not in a position to discuss, due to negotiations. Integra stated that they echo McLeods comment. Karen Chandler Ferguson-Qwest stated that 800 data base is offered via the tariff and asked if it was in arbitration. McLeod said no and stated that they are moving from negotiations to arbitration. McLeod then stated that Qwest needs to give them the next steps. McLeod then stated that they have a confidentiality agreement. McLeod then stated that all products on the matrix fall under TRRO and that they need to protect McLeod. McLeod stated that they were not in a position to discuss this now. Cindy Buckmaster-Qwest stated that the discussion has made it clearer and thanked the CLECs for their input. Karen Clausen-Eschelon stated that Eschelon has taken time to respond and noted that they have been more clear than Qwest. Karen Chandler Ferguson-Qwest apologized and stated that Eschelon did not want to

respond further on this call and stated that McLeod's explanation did make it clearer. Karen Clausen-Eschelon stated that the law is taking something away and stated that all is subject to arbitration and litigation as to how and when this will be handled. Karen stated that all read an order that something has gone away and Qwest is now asking broad statements as to what is in arbitration and litigation. Cindy Buckmaster-Qwest asked if there

was any CLEC on this call that is interested in discussing the changes for 800 database service. Karen Clausen-Eschelon asked what those changes were. Cindy Buckmaster-Qwest stated that she does not yet have the proposed changes and stated that what those changes will be is what needs to be discussed. Cindy stated that for bucket 2, the PCATs may be a starting place for the discussion and the same could be true for bucket 3. Karen Clausen-Eschelon stated that Eschelon will discuss in the ICA negotiations. Cindy Buckmaster-Qwest stated that she is hearing Eschelon saying that Eschelon does not want to discuss 800 data base. Karen Clause-Eschelon asked Cindy (Buckmaster-Qwest) to not recap what she said because she will disagree with Cindy's recap. Cindy Buckmaster-Qwest asked if there was any CLEC on the call that is interested in discussing 800 data base. Integra said no. Karen Clausen-Eschelon stated that it might be better to ask if any one was interested in discussing by bucket instead of by product. Cindy Buckmaster-Qwest asked if there was any CLEC that is interested in discussing bucket B. Karen Clausen-Eschelon asked if the discussion would be in the context of CMP. Cindy Buckmaster-Qwest said yes. Steve Fisher-Integra said no because TRRO is far reaching and he needs to know what the PCAT changes are. Steve stated that the PCATs needed to be slimmed down. Cindy Buckmaster-Qwest stated that the matrix identifies by product and has a link to the PCAT in column C. Cindy asked the CLECs to help her understand how they want the PCATs slimmed down. Steve Fisher-Integra stated that the product descriptions are too far reaching and stated that the content copied from the Contract should not be in a PCAT, it should be in the ICAs. Karen Chandler Ferguson-Qwest stated that everyone's PCAT could then be different and stated that the CLECs contracts do govern how Qwest does business with your business. Karen stated that the PCATs could be general and that each individual contract would govern. Steve Fischer-Integra stated that it would need to be negotiated between two parties and stated that the CLECs would not have to agree on them. Steve stated that the PCAT dictates how Qwest deals with a CLEC and stated that is what they are disagreeing with. Cindy Buckmaster-Qwest asked if that is different then how they deal with Verizon, BellSouth, or AT&T, for example. CLEC said yes and noted that if they do not agree, they file changes and/or disputes. McLeod stated that they did not like the idea of committing now and discussing generically. McLeod noted that they may not have any issues now but that they might have issues later and does not want to have to go through CMP later because of TRO/TRRO arbitration. Cindy Buckmaster-Qwest thanked McLeod for the input and then asked if there was any CLEC under a TRRO

amendment, not in litigation, that is interested in discussing in CMP, these items. No response. Cindy Buckmaster-Qwest asked if the silence meant no. Colette Davis-Covad stated that Covad has signed TRRO agreements with Qwest and stated that any changes that Qwest is proposing, with Covad, needs to be in CMP. Colette noted that she also handles BellSouth and Sprint in the same manner. Colette stated that if an ILEC wants to

make changes to a process, it is evaluated. Colette stated that if something is in arbitration, it is then between that CLEC and Qwest. Colette stated that proceeding forward is also important. Colette stated that, from one side, she can see what everyone on the call is saying and on the other side, we need to move forward and see what Qwest recommends and challenge via CMP if need to. Colette stated that if there is a disagreement related to changes in requirements, CLECs can then file a complaint or go into mediation or arbitration for an issue. Colette stated that we need to collaboratively move forward and stated that the CLECs need to arbitrate independently of CMP and that mixing the two together is a problem and why we come to a crossroad. Colette stated that not all CLECs are arbitrating the same thing and noted that Covad's position is a collaborative position. TRRO or CMP will go through proper channels and if the CLECs need to challenge Qwest's position, they can go to the FCC or the PUC. Colette stated that she is trying to get a better sense of what the CLECs want out of this call. Karen Clausen-Eschelon stated that Qwest asked Regulatory and Legal reps to come to the call. Karen stated that the CMP document says that there could be overlap with CMP and the contracts and that the ICAs would have control. The problem is when things are in an ICA when discussing TRRO and Qwest is trying to move forward in CMP and negotiations for ICAs could be an issue. Karen stated that if Qwest's purpose is to remove products from the PCATs, it clearly belongs in an ICA and the ICA does control. Karen stated that they were asked what was in litigation and Qwest doesn't have their people on the call. Karen stated that they are being asked to agree and commit and she is asking agree to what. Colette Davis-Covad stated that with CMP, it gets down to a granular change and that is where it needs to be evaluated. Colette stated that if there is a process that needs to be changed, generally an ICA does not rule, where there is a contract change, the ICA does rule. Steve Fisher-Integra stated that the issue is that a process is in a PCAT. Cindy Buckmaster-Qwest stated that the intent of the PCAT is to contain general information about the product and further define the how-to (for process purposes). Steve Fisher-Integra stated that if he needs to find out if he can have Inter Office Transport, he would go to his ICA to see if he can have it and that the PCAT would tell him how. Cindy Buckmaster-Qwest said Yes! That is the intent of the PCAT. The PCAT structure is such that it begins with a general description of the product and then identifies more of the 'how to' about a product request. Cindy stated that Qwest wants the PCATs to be of value to the CLECs. Cindy noted that the ICAs do govern but that the PCATs should tell the CLECs how to submit an LSR. Steve Fisher-Integra asked Cindy to show him a PCAT that is showing him

that. Cindy Buckmaster-Qwest stated that she would but that is not the purpose of this particular call. Colette Davis-Covad stated that is the gap, CMP addresses processes and procedures. Product availability is generally controlled via an ICA. Colette stated that the PCAT is redundant with the ICA and asked why ICA language is in a PCAT. Colette stated that CMP

should be focused on giving the CLECs ordering instructions. The FCC & PUC issue orders on what Qwest can and cannot provide to the CLECs. CMP should be focused on giving CLECs information on how to order products and services. The issue is that Qwest is putting ICA language in the PCATs and Qwest needs to stick to publishing how to order products. Jay Newsbom-Integra stated that they would not write the PCATs for Qwest and stated that Qwest is putting the cart before the horse in trying to write processes before the ICAs are done. Cindy Buckmaster-Qwest stated that she does not want to discuss processes with those CLECs who do not want to discuss. Cindy asked that in the next meeting, if we can get those who have already signed or who are about to sign, interested in discussing. Colette Davis-Covad stated that this should not impede the process on how to order out of a non-impaired wire center. Cindy Buckmaster-Qwest stated that Utah has already reviewed the wire center list and decided what is and what is not impaired. Cindy noted that they need that avenue to tell the CLECs how to order that product. Colette Davis-Covad stated that she does not see a problem. Karen Clausen-Eschelon stated that the PCATs on the matrix may be different than those telling me how to order. Karen stated that she believes that these conversations should occur in negotiations and stated that she will not be told to talk about it in CMP. Karen stated that the discussions need to be in negotiations. Karen stated that they were asked about legal issues that Qwest wants to remove from PCATs and that those are in arbitration and/or negotiations. Cindy Buckmaster-Qwest stated that there is no underlying intent, then asked if there were any CLECs who have signed or are about to sign, that want to discuss any item on the matrix, in CMP. Steve Fisher-Integra said not the way that they are currently structured. Cindy Buckmaster-Qwest stated that we can discuss and change the template, if this one is not of value, but proposed we get through the discussion of topics before PCAT format is discussed. Karen Clausen-Eschelon asked if Cindy (Buckmaster-Qwest) was offering to update the template in CMP. Cindy Buckmaster-Qwest said No, she is offering to update the matrix in CMP. She further stated that if any 'template' is to change via CMP it would be the PCAT template and not the Negotiations Template. Steve Fisher-Integra stated that he was not sure that it needed to be updated. Cindy Buckmaster-Qwest asked the CLECs to look at item #3 Line Sharing. Cindy stated that this was removed as a result of TRRO, is available in a Commercial Agreement, and proposed changes have been made in the PCAT that have not yet been shared. Karen Clausen-Eschelon stated that was Qwest's legal view and stated that Qwest could voluntarily offer it, under 251. Karen stated that Qwest needs to get their ducks in order before the PCATs can be updated. Cindy

Buckmaster-Qwest stated that if we are talking to those who have signed, the horse is where it belongs, before the cart. Colette Davis-Covad stated that the operational details are not yet in the contract. Karen Clausen-Eschelon asked if it is Qwest's position that the Commercial Agreement processes go through CMP. Cindy Buckmaster-Qwest stated that Line Sharing has not yet been addressed in any CMP CR and noted that changes that affect how to order it would be communicated via CMP (for example

that you first have to have a Commercial Agreement). Steve Fisher-Integra stated that the Commercial Agreements are separate from this process. Karen Clausen-Eschelon asked if we had gone beyond the scope of this call. Cindy Buckmaster-Qwest said no, that the scope of this call is to determine if there is any CLEC interested in discussing items on a matrix. Cindy then noted that this call started with no structure in mind and stated that everything now seems to be in bucket 4. Cindy stated that process changes, the operational way we do work applies to all CLECs. The TRRO, and how it applies to CLECs, is what we want to discuss. Jay Newsbom-Integra asked why Qwest doesn't just send out the changes. Cindy Buckmaster-Qwest stated that the changes that have been made are already in bucket 2, such as EEL and LMC. Steve Fisher-Integra asked that everything that is in the ICA be taken out of the PCAT and for Qwest send the changes out to the CLECs. Cindy Buckmaster-Qwest asked that we discuss product related items. Colette Davis-Covad stated that this could interfere or compromise where Covad is, in their negotiations. Colette stated that process can be discussed; and legal positions are not to be discussed. Cindy Buckmaster-Qwest stated that process is what Qwest wants to discuss. Karen Clausen-Eschelon stated that the term 'process' is also in litigation. Karen then stated that she does not agree that process belongs in the PCAT, as opposed to a Commercial Agreement. Karen stated that she opposes using TRRO PCATs as a starting place, for discussions. Karen stated that Qwest is claiming that existing processes are to be discussed and that they need to edit PCATs before Qwest can send them out for review. Cindy Buckmaster-Qwest stated that Qwest is not attempting to force anything down anyone's throat. Cindy stated that she wants to talk to CLECs who want to discuss the items. Cindy asked if there would be value if we had another call. Steve Fisher-Integra stated that they want a call and don't want it to be structured. Cindy Buckmaster-Qwest stated that she was fine with that and asked the CLECs what the next call length should be. Karen Clausen-Eschelon stated that she only wanted to discuss the ICA negotiations. Susan Lorence-Qwest recommended that the next call be 2 hours because there are CLECs who do want to discuss. Susan then suggested that a PCAT be reviewed on that next call. Karen Clausen-Eschelon stated that Eschelon will not discuss issues that are in litigation. Cindy Buckmaster-Qwest stated that if a CLEC does want to discuss an item that is on the matrix, that is fine...they don't need to come to the call. She stated she wants to have that discussion with CLECs who do want to discuss. Karen Clausen-Eschelon stated that she wanted a document that contains only the processes. Cindy Buckmaster-

Qwest stated that she would not edit a PCAT without knowing what the CLECs want and what would be of value to them. Cindy noted that she did not want a separate copy, for Eschelon. Jay Newsbom-Integra stated that if Qwest does not provide a document, the next discussion will be the same as today's discussion. Cindy Buckmaster-Qwest stated that she does not know what the CLECs want in the PCATs or want to discuss. Jay Newsbom-

Integra stated that Qwest heard their concerns; the ICA language in the PCATs, and he wants the PCATs edited down to processes and procedures. Cindy Buckmaster-Qwest stated that she would research the difference between other ILEC PCATs and Qwest's PCATs for one of her products if that would help the discussion move back to TRRO changes and doesn't plan to allow the discussion to be derailed by discussion about format of the PCAT. If that proves to be do-able before the next call, she will complete a re-write of that one PCAT. Jay Newsbom-Integra stated that they need to see how to do things. Cindy Buckmaster-Qwest stated that is how we will proceed. Cindy stated that proposed PCAT language would be provided at least 3 days prior to the next call. Cindy then noted that the next call would be scheduled for 2 hours. There were no additional comments or questions. The call was concluded. -- February 5, 2007 Email Received From Eschelon: Peggy, Thank you for the response. We have asked specific questions and will look forward to Qwest's responses on the call. Bonnie Johnson Director Carrier Relations Eschelon Telecom Inc. -- February 5, 2007 Email Sent to Cbeyond: Tom, Your email below was received. The Ad Hoc call scheduled for tomorrow will continue to take place in order for the open dialog to continue and for Qwest to address CLEC concerns. If Cbeyond cannot attend the call, the meeting minutes will be posted to the CMP CR, for your future reference. Peggy Esquibel-Reed Qwest Wholesale CMP -- February 5, 2007 Email Sent to Eschelon: Bonnie, Your email below was received. The Ad Hoc call scheduled for tomorrow will continue to take place in order for the open dialog to continue and for Qwest to address CLEC concerns. Peggy Esquibel-Reed Qwest Wholesale CMP -- Email Received From Tom Hyde, Cbeyond: Cbeyond objects to the Ad-Hoc Meeting scheduled for 2/6/2007 as premature. Qwest has not yet furnished sufficient information to make the call meaningful. If Qwest decides to continue requesting a call on this issue with CLEC legal and regulatory personnel, Qwest should provide the necessary information, as well as Qwest's proposal(s), sufficiently in advance of any call so that CLECs and their attorneys and regulatory personnel may review the information and proposal and be prepared to respond. A call, if it is to be held, should be rescheduled until Qwest provides this information. Cbeyond may not be able to participate on tomorrow's call. Cbeyond reserves all of its rights -- February 5, 2007 Email Received From Bonnie Johnson, Eschelon SUBJECT: Information for tentative call tomorrow - CMPR.01.30.07.F.04487.TRROAdHocMeeting Qwest asked CLEC regulatory/legal personnel to answer questions regarding the status of litigation for each item on Qwest's matrix of the "buckets" in which Qwest placed certain products. Enclosed is Eschelon's response to Qwest's

questions. Also enclosed is a copy of Qwest's matrix, with letters and row numbers added in the margin for ease of reference. (This numbering had to be added manually, as Qwest provided the document only in PDF format.) Please explain Qwest's reason and agenda for a call given that: (1) except for items that are completed (Bucket A), the items are in litigation (a fact known to Qwest, as Qwest is a party to each litigation), and Qwest's position is that "Disputed items will not immediately be

processed through CMP," (2) Qwest has provided no proposal (see 12/14/06 minutes); and (3) Qwest needs to provide additional information (see Eschelon's Response to Bucket C) on the items that Qwest identifies as "Not Yet Covered in any CR." If Qwest continues to request a call on this issue and/or with CLEC legal/regulatory personnel, Qwest should provide the requested information, as well as Qwest's proposal, sufficiently in advance of any call so that CLECs and their attorneys/regulatory personnel may review the information and proposal and be prepared to respond. A call, if it is to be held, should be rescheduled until Qwest provides this information. Also, please indicate whether Qwest will initiate any proceeding/make any filing similar to its filing in Colorado Commission Docket No. 07S-028T (with respect to a tariff, SGAT, Qwest's template, etc.) in any other state. (Please either provide this information before any call or, if a call is held tomorrow and Qwest has not responded, please respond on the call.) If a call is held, Karen Clauson, an attorney and Sr. Director of Interconnection, will represent Eschelon on the call, per Qwest's request that CLECs bring legal representation to the call. In addition, Doug Denney, a witness familiar with issues in litigation, will participate as well. Eschelon reserves all of its rights. ATTACHMENT included with this Email: ESCHELON RESPONSE TO QWEST'S QUESTION AS TO WHICH ITEMS ON QWEST'S CHART ARE SUBJECT TO LITIGATION/ARBITRATION February 5, 2007 If a call is held, please add these comments to the meeting minutes for the call. If not, please add these minutes to the status history for the CR. (Please note that Qwest has inappropriately separated out the CR into two numbers, with one being followed by '-2', which creates the impression that there is no earlier status history, when there is additional information that is part of the history of events. Qwest needs to put them back together, so the single status history is complete.) Qwest CMP Minutes of 1/11/07 Ad Hoc Call: "Cindy Buckmaster-Qwest confirmed that the CLECs will take this information back. She said that she would still like to go through the matrix line-by-line in the next adhoc meeting. Cindy states that we need to ask two questions: 1) Is this in litigation and why, and 2) Can we get consensus if something is in litigation where we can move it on the list." -- See Eschelon responses below to each of these questions for each Qwest Bucket on Qwest's matrix. Qwest CMP Minutes of 11/15/06 Monthly Call: "Cindy said Qwest is asking to release the undisputed items, those not in arbitration or items being challenged under law. Disputed items will not immediately be processed through CMP." Qwest CMP Minutes of 12/14/06 Monthly Call: "Bonnie J-Eschelon stated that in regard to Qwest's proposal, she is hearing that Qwest does not really have one.

Cindy B-Qwest stated that was correct." Minnesota Arbitrators' Report, Qwest-Eschelon ICA MN Arbitration, ¶¶21-22: "The CMP document itself provides that in cases of conflict between changes implemented through the CMP and any CLEC ICA, the rates, terms and conditions of the ICA shall prevail. In addition, if changes implemented through CMP do not necessarily present a direct conflict with an ICA but would abridge or expand the rights of a party, the rates, terms, and conditions of the ICA shall prevail. Clearly, the CMP process would permit the provisions of an

ICA and the CMP to coexist, conflict, or potentially overlap. The Administrative Law Judges agree with the Department's analysis that any negotiated issue that relates to a term and condition of interconnection may properly be included in an ICA, subject to a balancing of the parties' interests and a determination of what is reasonable, non-discriminatory, and in the public interest. Eschelon has provided convincing evidence that the CMP process does not always provide CLECs with adequate protection from Qwest making important unilateral changes in the terms and conditions of interconnection." QWEST BUCKETS FROM QWEST'S CHART (enclosed) A = "Products/Processes Introduced on PC102704-1ES" B = "Products/Processes Postponed on PC102704-1ES" C = "Products/Processes Not Yet Covered on any CR" D = "Products Known to be in Arbitration/Litigation" NOTE: Eschelon disagrees with Qwest's characterizations, as further described in Eschelon's testimony in the Qwest-Eschelon ICA arbitrations. QWEST BUCKET A All nine of the items listed in Qwest Bucket A (A1-A9) deal with UNE-P. Qwest has indicated that items A1-A9 were completed in CMP. In addition, CLECs have signed amendments regarding elimination of UNE-P (at least some in conjunction with QPP), and the terms of those agreements control. Eschelon is not aware of pending litigation regarding UNE-P. As Qwest has said it intends to discuss which products or terms relating to its identified items are subject to litigation, if Qwest is a party to, or aware of, any pending litigation, Qwest should provide this information to CLECs (before a call, if any call is held). RESPONSE TO QWEST #1: Not in litigation to Eschelon's knowledge. RESPONSE TO QWEST #2: Leave in Bucket A and note in final column ("Notes"): "Completed in CMP." There is no need to "release the undisputed items" because they are completed. QWEST BUCKET B All eleven of the items in Qwest Bucket B (B10 - B20) are subject to litigation. Qwest repeats B(10), B(15), B(17), and B(18) in Qwest's Bucket D (which identifies these items as known to be in litigation). Qwest does not explain why it does not also include the other items, which are also in litigation (often in the same cases). See Colorado Commission Docket No. 07S-028T, The Investigation and Suspension of Tariff Sheets Filed by Qwest Corporation with Advice Letter No. 3058. See also Wire Center Dockets: AZ Docket Nos. T-03632A-06-0091; T-03267A-06-0091; T-04302A-06-0091; T-03406A-06-0091; T-03432A-06-0091; and T-01051B-06-0091; CO Docket No. 06M-080T; MN Docket Nos. P-5692, 5340, 5643, 5323, 465, 6422/M-06-211 and P-5692, 5340, 5643, 5323, 465, 6422/M-06-685; OR Docket No. UM 1251; UT Docket No. 06-049-40. See also Qwest-Eschelon

ICA arbitrations: AZ T-03406A-06-0572, T-01051B-06-0572 CO 06B-497T MN P5340, 421/IC-06-768 OR ARB 775 UT petition not yet filed WA UT-063061 As Qwest has said it intends to discuss which products or terms relating to its identified items are subject to litigation, if Qwest is a party to, or aware of, any additional pending litigation, Qwest should provide this information to CLECs (before a call, if any call is held). RESPONSE TO QWEST #1: In litigation. RESPONSE TO QWEST #2: Move to Bucket D. QWEST BUCKET C All thirteen of the items in Qwest Bucket C (C21-C33) have related terms that is subject to approval before becoming effective in

the Qwest-Eschelon ICA arbitrations and/or Colorado Docket No. 07S-028T. In addition, C31 (Reclassification of Terminations for UNE Conversions, APOTs) relates to open disputed language in the Qwest-Eschelon ICA arbitrations. For all thirteen of the items in Qwest Bucket C (C21-C32), Qwest identifies them as "not yet covered." Depending on what these items entail, additional issues could be subject to litigation. See Colorado Commission Docket No. 07S-028T, The Investigation and Suspension of Tariff Sheets Filed by Qwest Corporation with Advice Letter No. 3058. See also Qwest-Eschelon ICA arbitrations: AZ T-03406A-06-0572, T-01051B-06-0572 CO 06B-497T MN P5340, 421/IC-06-768 OR ARB 775 UT petition not yet filed WA UT-063061 As Qwest has said it intends to discuss which products or terms relating to its identified items are subject to litigation, if Qwest is a party to, or aware of, any additional pending litigation, Qwest should provide this information to CLECs (before a call, if any call is held). FOR C(21)-C(30) & C(32)-C(33): RESPONSE TO QWEST #1: In litigation. RESPONSE TO QWEST #2: As "not yet covered" by Qwest, Qwest to provide (before a call, if any call is held) a written proposal identifying the changes it wants to make to the existing PCAT and indicating, for each change, whether all ICAs have been amended accordingly. FOR C(31): RESPONSE TO QWEST #1: In litigation. RESPONSE TO QWEST #2: Move to Bucket D. QWEST BUCKET D All four of the items in Qwest Bucket D (D34 – D37) are subject to litigation, per Qwest's own inclusion of them in the bucket for "Products Known to be in Arbitration/Litigation." (Qwest provided no docket numbers. Eschelon has provided docket numbers below.) Qwest's list is incomplete (see above). For example, Qwest omits Commingled EELs (B19), Reclassification of Terminations for UNE Conversions (APOTs) (B19), Loop Mux Combination (B11), UCCRE (B13), TRRO compliance and transition procedures (B20) from its Bucket D, even those issues are clearly subject to litigation in the Qwest-Eschelon ICA arbitrations and wire center proceedings and are subject to change of law provisions requiring ICA terms (see, e.g., TRRO ¶196). See Colorado Commission Docket No. 07S-028T, The Investigation and Suspension of Tariff Sheets Filed by Qwest Corporation with Advice Letter No. 3058. See also Wire Center Dockets: AZ Docket Nos. T-03632A-06-0091; T-03267A-06-0091; T-04302A-06-0091; T-03406A-06-0091; T-03432A-06-0091; and T-01051B-06-0091; CO Docket No. 06M-080T; MN Docket Nos. P-5692, 5340, 5643, 5323, 465, 6422/M-06-211 and P-5692, 5340, 5643, 5323, 465, 6422/M-06-685; OR Docket No. UM 1251; UT

Docket No. 06-049-40. See also Qwest-Eschelon ICA arbitrations: AZ T-03406A-06-0572, T-01051B-06-0572 CO 06B-497T MN P5340, 421/IC-06-768 OR ARB 775 UT petition not yet filed WA UT-063061 As Qwest has said it intends to discuss which products or terms relating to its identified items are subject to litigation, if Qwest is a party to, or aware of, any additional pending litigation, Qwest should provide this information to CLECs (before a call, if any call is held). RESPONSE TO QWEST #1: In litigation. RESPONSE TO QWEST #2: Remain in Bucket D (Bucket D should also be expanded to include the items identified above as in litigation and belonging in Bucket D). Bonnie Johnson Director Carrier Relations Eschelon

Telecom Inc. -- January 17, 2007 Monthly CMP Meeting Discussion: Mark Coyne-Qwest stated that this CR is currently in Development Status. Cindy Buckmaster-Qwest stated that the meetings for this effort are being held outside of the monthly CMP Meeting and are ongoing. Jeff Sonnier-Sprint asked if the next meeting has been scheduled. Cindy Buckmaster-Qwest stated that it had not yet been scheduled. This CR remains in Development Status. -- January 11, 2007 Ad Hoc Meeting: Jeff Sonnier-Sprint Nextel, Paulette Davis-Covad, Lynn Hankins-Covad, Tom Hyde-Cbeyond, Bonnie Johnson-Eschelon, Kim Isaacs-Eschelon, Nancy Thompson-Wisor Telecom, Sue Wright-XO Communications, Ken Black-McLeod, Pam Trickel-TDS, Cindy Buckmaster-Qwest, Susan Lorence-Qwest, Candice Mowers-Qwest, Vicki Dryden-Qwest, Lynn Stecklein-Qwest Lynn Stecklein-Qwest stated that the matrix to be discussed in this meeting could be located on the Wholesale Resource Website (<http://www.qwest.com/wholesale/calendar/>) and by clicking on the calendar entry for today's meeting. Cindy Buckmaster-Qwest stated that this matrix was provided to the CLECs for their review from the last Ad Hoc meeting. She reviewed the 4 categories on the matrix – the 1st category introduced on CR PC102704-1ES 3/18/05, the 2nd category for Product/Processes postponed on PC102704-1ES, the 3rd category for Product/Processes not yet introduced, and the 4th category for Products known to be in arbitration or litigation. Bonnie Johnson-Eschelon stated that she mentioned in the last CMP Meeting that Eschelon does not agree that this is the case. She said that Eschelon believes that everything with the exception of Dark Fiber is in litigation or arbitration. Cindy Buckmaster-Qwest stated that Qwest would like to review the matrix line-by-line and come to an agreement where each Product/Process belongs. Bonnie Johnson-Eschelon stated that the CLECs on this call are operations people. She said that she is not in a position to discuss Products that may be a legal issue or in a legal arena and does not know what is being discussed in the Wire Center hearings. Cindy Buckmaster-Qwest said what she is hearing is that the CLECs on this call are not prepared to discuss legal issues. Tom Hyde-Cbeyond stated that they need their Regulatory people involved in these discussions. Jeff Sonnier-Sprint Nextel stated that he agreed with Eschelon and that their Regulatory people need to be involved. Cindy Buckmaster-Qwest said that

we could arrange a call with their Regulatory people or the CLECs could take this information to their Regulatory Teams for review and bring back to discuss in an adhoc meeting. Bonnie Johnson-Eschelon stated that Eschelon's position when Qwest introduced this CR and looking at the escalation from Covad that the introduction of TRO is considered a change of law and that some are done in Commission Oversight or in negotiations. She said that CMP is not the appropriate area to discuss because this is a change of law. Bonnie said that in June of 2005, Qwest said that they were updating SGATs and that the PCATs should be updated appropriately. Cindy Buckmaster-Qwest stated that we are in between two different circumstances. She said that the CR was introduced to make a process

change to align with the law and that there is no other way to do this except in CMP. Bonnie Johnson-Eschelon said that the operations people don't take part in the Wire Center hearings and the discussion in those hearings are done at a high level with little detail. She said that they have been clear that they are trying to negotiate in the Interconnect Agreement. Bonnie reiterated that she is on the operations side and not an attorney. Cindy Buckmaster-Qwest stated that the Interconnect Agreement does not cover process and process was never part of the Commission Oversight. Bonnie Johnson-Eschelon stated that if you read their proposal, that we are back to square one and that we are talking about an interpretation of orders. Bonnie said that she does not believe that CMP is appropriate arena to discuss Cindy Buckmaster-Qwest stated that she was very clear when we talked in the Monthly CMP Meeting that this was our intent. She said that she would like to take a vote from the CLECs on the call to determine if everyone agrees that these items can be discussed today. Bonnie Johnson-Eschelon stated that Qwest did not want to talk about items in litigation. Cindy Buckmaster-Qwest said that we are not here to override the FCC or State level. She said that we want to communicate processes associated with TRO. Cindy said that 8 items were implemented on March 18, 2004 Bonnie Johnson-Eschelon said that those associated with UNE-P were completed with the Commission Oversight. Tom Hyde-Cbeyond stated that the effective dates are confusing on the matrix. Cindy Buckmaster-Qwest stated that the algorithm was adding a 1 to the date and that we will get that corrected. Bonnie Johnson-Eschelon stated that she thought they made it clear in the CMP meeting and in the minutes and that Qwest agreed that these items were in litigation and would not be discussed. Cindy Buckmaster-Qwest stated that we are not here to override any topics outside of litigation. She said that there is no hidden agenda and that she thought we made our intent very clear. Cindy stated that there are more CLECs that have signed up to do business with Qwest under the TRRO. She said that the reason we delayed was because TRO was in an appeal status. She said we want to provide the process for those CLECs doing business with us or for those who will be. She also said that she would challenge that there are items on the list that nobody cares about. She stated that all we want to do is put a note in the column for example that this item is in litigation. Bonnie Johnson-Eschelon stated once

again that the people on the phone don't know that answer. Cindy Buckmaster-Qwest asked if there was consensus that we can't discuss this topic. Sue Wright-XO Communications stated that they do not have the answers and can't discuss. Tom Hyde-Cbeyond stated that if something is in litigation they can't discuss the process on items not yet decided on. Bonnie Johnson-Eschelon stated that was her concern at CMP and should have made her concern clearer. Sue Wright-XO Communications stated that they might not be in litigation but someone else may be. Tom Hyde-Cbeyond stated that he is not tapped to testify. Lynn Hankins-Covad said that Covad is not prepared to discuss this either and that she reviewed the CR and is not completely sure of what Qwest is trying to do. Ken Black-McLeod stated that McLeod is not up to speed either. Cindy Buckmaster-

Qwest stated that we have consensus and that the CLECs will take this item to their Regulatory Teams for discussion. She said that it may be easier to have their Regulatory people attend the meetings. Jeff Sonnier-Sprint Nextel stated that the Regulatory people should sort this out. Sue Wright-XO Communications agreed. Bonnie Johnson-Eschelon also agreed and that they need to get their Regulatory Teams engaged. She said that she is not in a position to make that decision. Sue Wright-XO Communications said that they might find that they don't want to discuss in CMP. Cindy Buckmaster-Qwest confirmed that the CLECs will take this information back. She said that she would still like to go through the matrix line-by-line in the next adhoc meeting. Cindy stated that we need to ask two questions – 1) Is this in litigation and why, and 2) Can we get consensus if something is in litigation where can we move it on the list. Bonnie Johnson-Eschelon said that she thought we were going to discuss processes and that the TRO PCATs exist and that without CLEC input and that Qwest just changed unilaterally. Cindy Buckmaster-Qwest asked what processes Eschelon was referring to and that we have been discussing this topic for over a month. Bonnie Johnson-Eschelon asked what was being done with the PCATs and that Qwest has not been clear on what they are trying to do. Cindy Buckmaster-Qwest stated that this is not any different than any other CLEC CMP change. She said that we need to look at the number of CLECs operating under the new process, look at recommendations. She said that we need to determine if there are any questions and go through step by step to make sure everyone understands. Cindy said that we need to set up a hierarchy of what to go through 1st Sue Wright-XO Communications asked if there was a Regulatory review prior to implementation. Cindy Buckmaster-Qwest stated that Regulatory always looks at the process changes if necessary. She said that regardless of the operating environment we try to implement with as little risk as possible. Tom Hyde-Cbeyond stated that he was looking at the PCATs on the website and does not see the proposed changes. Cindy Buckmaster-Qwest stated that is what we want to discuss. She said that EEL, for example, if you click on the link, you will see the TRRO version of the EEL PCAT. Tom Hyde-Cbeyond said that he missed the TRO PCAT on the website but he will review. Cindy Buckmaster-Qwest

stated that it could be a matter of interpretation but that we just want to get the process communicated. Cindy Buckmaster-Qwest stated that the CLECs will bring information from their Regulatory Teams to the next adhoc meeting and that we will prioritize the list and discuss with those CLECs who are interested. Lynn Stecklein-Qwest asked for input on when the next meeting should be scheduled. Sue Wright-XO Communications asked if 2 weeks was enough time for the CLECs to contact their Regulatory people. Ken Black-McLeod stated that his contacts are out of the office until February. Bonnie Johnson-Eschelon stated that the week of February 5th looked good with the exception of the afternoons of February 6th and 7th. Lynn Stecklein-Qwest stated that a meeting would be scheduled sometime during that week.



Information Current as of 6/18/2007