

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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In the Matter of  QWEST CORPORATION  Petition for Commission Approval of 2008 Additions to Non-Impaired Wire Center List	Docket No. 08-049-29  QWEST CORPORATION'S FILING FOR COMMISSION APPROVAL OF 2008 ADDITIONS TO NON-IMPAIRED WIRE CENTER DESIGNATIONS, WITH SUPPORTING DATA
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**INTRODUCTION**

On Friday, June 20, 2008, Qwest Corporation (“Qwest”) petitioned the Commission to open a docket for approval of Qwest’s 2008 additions to its non-impaired wire center list in Utah. The Commission docketed this petition as Docket No. 08-049-29.

The Commission had previously opened a docket in 2006 (Docket No. 06-049-40) related to its initial determination of non-impaired wire centers. In Docket No. 06-049-40, Qwest and a coalition of CLECs (“the Joint CLECs”) reached a joint settlement agreement that the Commission approved on July 31 2007. Under that settlement agreement that the Commission approved, Qwest may request the addition of non-impaired wire centers based in whole or in part upon business line counts at any time up to July 1st of each year, based on prior year line count data, and using an agreed-upon methodology.<sup>1</sup> Through this filing, Qwest asks that the Commission designate the Draper wire center identified herein as non-impaired.

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<sup>1</sup> With respect to fiber-based collocators, Qwest may request the addition of non-impaired wire centers to the Commission-approved wire center list at any time based on the number of fiber-based collocators.

## DISCUSSION

### **I. Support For the Non-Impairment Designation of the Draper Wire Center**

In support of Qwest's request is the affidavit and attachments of Mr. Robert Brigham. Mr. Brigham's affidavit and attachments provide the December 2007 *TRRO* business line counts, the UNE-L and EEL data by type of circuit (voice grade, DS1, DS3), and the UNE-L and EEL data by type of circuit (voice grade, DS1, DS3), and by Competitive Local Exchange Carrier (CLEC). The data are provided for the one additional non-impaired Utah wire center (Draper) that is classified as non-impaired based on the number of business lines. Mr. Brigham's affidavit and attachments can be found at Appendix 1.

### **II. Highly-Confidential Trade Secret Data**

Qwest's request requires the provision of data that include highly-confidential trade secret CLEC data. In order to protect these data from inappropriate disclosure, Qwest asked the Commission to issue a protective order that would provide for the appropriate handling of these confidential data. Because the Commission has not yet issued the protective order in this docket, Qwest provides the highly-confidential data supporting its list of non-impaired wire centers under seal only to the Commission and will provide any intervenors such data only after the Commission issues its protective order. Qwest will also provide the data to all CLECs that provide Qwest with an executed copy of the protective order.

In addition to any formal notice that the CLECs may have received as a part of this proceeding, Qwest also provided a general notice to all CLECs on June 12, 2008 indicating which wire centers might be included in Qwest's filing. A copy of that notice is attached to this pleading as Appendix 2.

In order to expedite provision of data to CLECs, each CLEC requesting the data should provide to Qwest a PDF copy of its signed protective order once the Commission has issued the protective order. That signed agreement should be provided to Stacy Hanson of Qwest at [stacy.hanson@qwest.com](mailto:stacy.hanson@qwest.com). The CLEC should also specify the person's name, street address and telephone number to whom the data should be provided by overnight mail.

As stated, the one Utah wire center for which Qwest seeks a non-impairment designation is the Draper wire center, as follows:

STATE	WIRE CENTER	CLLI	TIER	NON-IMPAIRMENT FOR
UT	Draper	DRPRUTMA	Tier 2	DS3 Transport and Dark Fiber

**CONCLUSION**

Accordingly, Qwest respectfully requests the Commission approve Qwest's 2008 addition of the Draper wire center to its non-impaired wire center list in Utah as specified herein.

Dated: June 27, 2008

Respectfully submitted,

QWEST CORPORATION

By \_\_\_\_\_  
 Alex M. Duarte  
 QWEST  
 421 SW Oak Street, Room 810  
 Portland, OR 97204  
 (503) 242-5623  
 (503) 242-8589 (facsimile)  
[Alex.Duarte@qwest.com](mailto:Alex.Duarte@qwest.com)

Attorney for Qwest Corporation