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**LEWIS
AND
ROCA
LLP**
LAWYERS

BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
Chairman

JAMES M. IRVIN
Commissioner

MARC SPITZER
Commissioner

Arizona Corporation Commission

DOCKETED

AUG 27 2001

DOCKETED BY	<i>[Signature]</i>
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**IN THE MATTER OF U S WEST
COMMUNICATIONS, INC.'S
COMPLIANCE WITH § 271 OF THE
TELECOMMUNICATIONS ACT OF
1996**

Docket No. T-00000A-97-0238

**WORLDCOM'S COMMENTS ON STAFF'S REPORT
ON QWEST'S COMPLIANCE WITH CHECKLIST ITEM NO. 5 -
UNBUNDLED LOCAL TRANSPORT**

WorldCom, Inc., on behalf of its regulated subsidiaries, ("WorldCom") submits these comments in response to Staff's Report to the Commission on Qwest's Compliance with Checklist Item 5 addressing Unbundled Local Transport issued August 16, 2001. WorldCom concurs with Staff's recommendations in this report; however,

1 WorldCom notes one inconsistency in that report based upon Staff's resolution of
2 Disputed Issue No 2 and how that resolution may affect Disputed Issues Nos. 3 and 4.

3 **DISPUTED ISSUE NO. 2:**

4 **Whether there should be a distinction between UDIT and EUDIT? (TR-12);**

5 **DISPUTED ISSUE NO. 3:**

6 **Applicability of the local use restriction to EUDIT (may CLECs use EUDIT as a**
7 **substitute for special access services?) (TR-13), and**

8 **DISPUTED ISSUE NO. 4:**

9 **Whether it is appropriate for EUDIT to be used exclusively to carry internet traffic?**
10 **Also, does the local use restriction apply to EUDIT?**

11 In Paragraphs 87 and 88 addressing Disputed Issue No. 2, Staff agreed with AT&T,
12 MCIW and Covad finding that the relevant FCC Orders do not make a distinction between
13 dedicated transport between ILEC wire centers and dedicated transport between an ILEC
14 wire center and a CLEC wire center. Staff also agreed with AT&T, MCIW and Covad
15 that through this differentiation, Qwest introduced an unwarranted distinction that created
16 inherent disadvantages for the CLECs and their ability to effectively compete with Qwest
17 in the future. Staff also noted that the problems arising from this separate classification
18 included what on its face appeared to be discriminatory treatment of CLECs by charging
19 them a different rate structure for dedicated transport, potential problems in ordering and
20 provisioning resulting from the distinction, and failure to include the necessary electronics
21 to provide CLECs with full functionality as required under the FCC Orders. Staff,
22 therefore, recommended that Qwest be required to modify its SGAT to eliminate the
23 EUDIT product altogether. (Emphasis supplied.)
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COPY of the foregoing hand-delivered this 27th day of August, 2001, to:

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