

ORIGINAL



0000022936

BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

WILLIAM A. MUNDELL
COMMISSIONER
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

Arizona Corporation Commission
DOCKETED

2001 AUG 27 P 4: 00

AZ CORP COMMISSION
DOCUMENT CONTROL

AUG 27 2001

DOCKETED BY	<i>mac</i>
-------------	------------

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

**QWEST CORPORATION'S COMMENTS TO STAFF'S RECOMMENDED REPORT
ON CHECKLIST ITEM NO. 5: UNBUNDLED LOCAL TRANSPORT**

Qwest Corporation ("Qwest") hereby provides its comments on the Arizona Corporation Commission Staff's (Staff's) Draft Report ("Transport Report") issued on August 16, 2001, concerning Unbundled Local Transport. Qwest commends the Staff for its hard work in generating and issuing the Report. Qwest files these comments in order to clarify, and make consistent, the resolution of the regeneration issue with the Collocation and Interconnection Recommended Report issued by Staff on August 14, 2001 ("Collocation Report").

The Transport Report addresses the regeneration issue at pages 13-15. The issue is designated as Disputed Issue No. 1, and is specifically, "Whether the CLEC should be required to pay a separate regeneration charge to receive dedicated transport at its collocation?" This is the same issue as Disputed Issue No. 5 from the Collocation Report.

Channel regeneration is required when the collocation is greater than a certain distance from its power source. Qwest requests that the Transport Report should be modified to resolve this issue in the same manner that it is resolved in the Collocation Report. Qwest seeks

clarification of words in the Transport Report which held that Qwest cannot recover for channel regeneration because "Qwest has the sole ability to determine the location of the CLECs collocation arrangements." Transport Report at ¶¶ 73-76. This is not true. As the Staff recognized in the Collocation Report, the central office itself might preclude collocation sufficiently close to the power source thereby necessitating regeneration. The Collocation Report found that "Staff recommends that the SGAT be modified to remove the power to charge where there exists another available collocation location where regeneration would not be required, or where there would have been such a location, had Qwest not reserved space for its future use in the affected premises." Collocation Report at ¶ 418. The 7-State Facilitator recommended likewise. Qwest agrees with the Staff's resolution of this issue in the Collocation Report.

Qwest assumes that this is what the Staff intended to do in the Transport Report as well due to the reference to the Arizona cost docket. In the cost docket, Qwest conceded that it cannot recover for channel regeneration when alternative locations exist that would not require channel regeneration. In other words, Qwest has conceded how the Staff has decided this issue in the Collocation Report, not the transport report. Qwest recommends that Staff modify the Transport Report and conform the resolution of the issue and recommended SGAT changes in the Transport Report to the resolution of the issue and recommended SGAT changes in the Collocation Report.

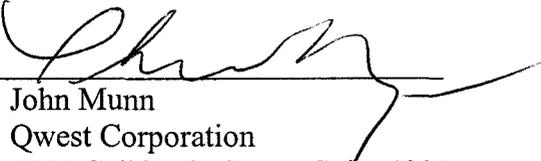
///

///

///

Respectfully submitted this 27th day of August 2001.

By: _____


John Munn
Qwest Corporation
1801 California Street, Suite 4900
Denver, Colorado 80202
Telephone: (303) 672-5823

Timothy Berg
Theresa Dwyer
FENNEMORE CRAIG, P.C.
3003 North Central Ave., Suite 2600
Phoenix, Arizona 85012-2913
(602) 916-5421
(602) 916-5999 (fax)

Attorneys for Qwest Corporation

ORIGINAL and 10 Copies filed this
27th day of August, 2001, with:

Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona

COPY of the foregoing hand-delivered
this 27th day of August, 2001, to:

Maureen A. Scott
Legal Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington St.
Phoenix, AZ 85007

Steve Olea, Acting Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington St.
Phoenix, AZ 85007

Lyn Farmer, Chief Administrative Law Judge
Hearing Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington
Phoenix, AZ 85007

Caroline Butler
Legal Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington St.
Phoenix, AZ 85007

COPY of the foregoing mailed/e-mailed
this 27th day of August, 2001, to:

Steven H. Kukta
Eric S. Heath
Sprint Communications Company, LP
1850 Gateway Drive, 7th floor
San Mateo, CA 94404-2567

Thomas Campbell
Lewis & Roca
40 N. Central Ave.
Phoenix, AZ 85004

Joan S. Burke
Osborn Maledon, P.A.
2929 N. Central Ave., 21st Floor
PO Box 36379
Phoenix, AZ 85067-6379

Thomas F. Dixon
Karen L. Clausen
Worldcom, Inc.
707 17th Street # 3900
Denver, CO 80202

Scott S. Wakefield
Residential Utility Consumer Office
2828 North Central Ave., Suite 1200
Phoenix, AZ 85004

Michael M. Grant
Todd C. Wiley
Gallagher & Kennedy
2575 E. Camelback Rd.
Phoenix, AZ 85016-9225

Michael Patten
Roshka Heyman & DeWulf
400 North Fifth St., Ste. 1000
Phoenix, AZ 85004-3906

Bradley Carroll, Esq.
Cox Arizona Telcom, LLC
1550 West Deer Valley Rd.
Phoenix, AZ 85027

Daniel Waggoner
Davis, Wright & Tremaine
2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101-1688

Traci Grundon
Davis Wright & Tremaine
1300 S.W. Fifth Avenue
Portland, OR 97201

Richard S. Wolters
Maria Arias-Chapleau
AT&T Law Department
1875 Lawrence Street # 1575
Denver, CO 80202

David Kaufman
e.spire Communications, Inc.
343 W. Manhattan Street
Santa Fe, NM 87501

Alaine Miller
XO Communications, Inc.
500 108th Ave. NE, Suite 2200
Bellevue, WA 98004

Diane Bacon, Legislative Director
Communications Workers of America
5818 N. 7th St., Suite 206
Phoenix, Arizona 85014-5811

Philip A. Doherty
545 South Prospect Street, Suite 22
Burlington, VT 05401

W. Hagood Bellinger
5312 Trowbridge Drive
Dunwoody, GA 30338

Joyce Hundley
U.S. Dept. of Justice
Antitrust Division
1401 H Street, NW, # 8000
Washington, DC 20530

Andrew O. Isar
Telecommunications Resellers Association
4312 92nd Ave., NW
Gig Harbor, WA 98335

Raymond S. Heyman
Randall H. Warner
Two Arizona Center
400 North 5th Street, Suite 1000
Phoenix, AZ 85004-3906

Douglas Hsiao
Rhythms Links, Inc.
6933 Revere Parkway
Englewood, CO 80112

Mark Dioguardi
Tiffany and Bosco, PA
500 Dial Tower
1850 N. Central Avenue
Phoenix, AZ 85004

Thomas L. Mumaw
Snell & Wilmer
One Arizona Center
Phoenix, AZ 85004-0001

Charles Kallenbach
American Communications Services, Inc.
131 National Business Parkway
Annapolis Junction, MD 20701

Patricia Van Midde
Assistant Vice President
AT&T
111 West Monroe
Suite 1201
Phoenix, AZ 85003

Gena Doyscher
Global Crossing Services, Inc.
1221 Nicollet Mall
Minneapolis, MN 55403-2420

Andrea Harris, Senior Manager
Allegiance Telecom, Inc. of Arizona
2101 Webster, Ste. 1580
Oakland, CA 94612

Gary L. Lane, Esq.
6902 East 1st Street, Suite 201
Scottsdale, AZ 85251

J. David Tate
Senior Counsel
SBC Telecom, Inc.
5800 Northeast Parkway, Suite 125
San Antonio, Texas 78249

M. Andrew Andrade
Tess Communications, Inc.
5261 S. Quebec Street Ste. 150
Greenwood Village, CO 80111

K. Megan Doberneck, Esq.
Covad Communications
4250 Burton Street
Santa Clara, CA 95054

Richard Sampson
Z-Tel Communications, Inc.
601 S. Harbour Island, Ste. 220
Tampa, Florida 33602

A handwritten signature in cursive script, appearing to read "Alan S. Yeff", written over a horizontal line.

1218467/67817.150