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1 > 720.208.1000  
F > 720.208.1001



7901 Lowry Boulevard Denver, CO 80230  
W > www.covad.com

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2001 OCT 23 P 1: 22

Arizona Corporation Commission  
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AZ CORP COMMISSION  
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October 22, 2001

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**VIA FEDERAL EXPRESS**

Arizona Corporation Commission  
Utilities Division  
1200 West Washington  
Phoenix, Arizona 85007-2996

ARIZONA CORPORATION  
COMMISSION  
**RECEIVED**  
OCT 28 2001  
Director of Utilities

T-00000A-97-0258

Dear Sir or Madam:

Enclosed for filing please find the original and ten (10) copies of *Covad Communications Company's Comments on Staff's Final Report on Checklist Item 1.*

If you have any questions concerning this filing, please contact me at 720-208-3354.

Very truly yours,

*Adrienne M. Anderson*  
Adrienne M. Anderson  
Paralegal

Enclosures

Arizona Corporation Commission  
**DOCKETED**

OCT 23 2001

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2001 OCT 23 P 1:22  
BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

1  
2 WILLIAM A. MUNDELL  
CHAIRMAN  
3 JIM IRVIN  
COMMISSIONER  
4 MARC SPITZER  
COMMISSIONER  
5

AZ CORP COMMISSION  
DOCUMENT CONTROL

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OCT 23 2001

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6 IN THE MATTER OF THE INVESTIGATION INTO  
7 US WEST COMMUNICATION, INC.'S  
8 COMPLIANCE WITH THE § 271 OF THE  
TELECOMMUNICATIONS ACT OF 1996

DOCKET NO. T-00000A-97-0238

9 **COVAD COMMUNICATIONS COMPANY'S COMMENTS ON STAFF'S FINAL  
10 REPORT ON CHECKLIST ITEM 1**

11 Covad Communications Company ("Covad") respectfully submits these  
12 Comments on Staff's Final Report on Checklist Item 1:

13 **I. INTRODUCTION**

14 Covad commends Staff for their hard work in generating and issuing the Report. Covad  
15 accepts virtually every conclusion in the Report. Covad does, however, requests that Staff  
16 incorporate Covad's arguments on one deferred collocation issue into its review when it  
addresses that issue in connection with the general terms and conditions impasse issues.

17 **II. COMMENTS**

18 Qwest and a number of CLECs participated in interconnection and collocation workshops  
19 in Arizona. While substantial progress was made resolving a number of key issues,  
20 several impasse issues remained. For purposes of these Comments, the issue of concern  
21 to Covad is Qwest's pattern and practice of unilaterally altering its interconnection  
22 agreements through the development and application of written collocation policies,  
23 methods of procedure and/or performance/workplace requirements that are inconsistent  
24

1 with its interconnection agreements and the SGAT. (Collocation Impasse Issue # 3—  
2 Creation of New Products and Policies).

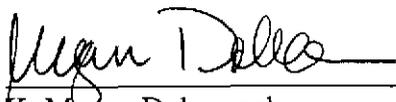
3 Rather than resolve the “conflicting external document” issue in connection with  
4 the resolution of the interconnection and collocation impasse issues, Staff deferred  
5 resolution of the issue, “believ[ing] this is more a specific SGAT General Terms and  
6 Conditions workshop issue than it is a collocation issue. While the CLECs concerns are  
7 legitimate and must be resolved, Staff believes those concerns could be better addressed  
8 in continuing G&T workshops rather than at this juncture.” (Report, para. 386).

9 While Covad does not object to the deferral to, and resolution of, Collocation  
10 Impasse Issue #3 to the general terms and conditions workshops and impasse briefs,  
11 Covad points out that it did not brief any of the GT&C issues, and thus did not brief this  
12 issue following the close of the GT&C workshops. Accordingly, Covad requests that  
13 Staff incorporate the arguments Covad advanced on Collocation Impasse Issue #3 (as set  
14 forth in Covad’s Brief on Interconnection and Collocation Impasse Issues) into its report  
15 and recommendation on the general terms and conditions impasse issues.

16 DATED this 22nd day of October, 2001.

17 RESPECTFULLY SUBMITTED,

18 COVAD COMMUNICATIONS COMPANY

19  
20 By:   
21 K. Megan Doberneck  
22 Senior Counsel  
23 7901 Lowry Boulevard  
24 Denver, Colorado 80230  
720-208-3636  
720-208-3256 (facsimile)  
[mdoberne@covad.com](mailto:mdoberne@covad.com)

1 **CERTIFICATE OF SERVICE**

2 I, Adrienne M. Anderson hereby certify that an original and ten (10) copies of the Covad  
3 Communications Company's Comments on Staff's Final Report on Checklist Item 1, Docket No.  
4 T-00000A-97-0238, were filed on this 22<sup>nd</sup> day of October, 2001, to the following:

4 Arizona Corporation Commission  
5 Docket Control-Utilities Division  
6 1200 West Washington Street  
7 Phoenix, AZ 85007-2996

6 and a true and correct copy of Covad Communications Company's Comments on Staff's Final  
7 Report on Checklist Item 1 was served via U.S. Mail this 22<sup>nd</sup> day of October, 2001, on the  
8 following:

8 Hearing Division  
9 Arizona Corporation Commission  
10 1200 West Washington Street  
11 Phoenix, AZ 85007

Maureen Scott  
Legal Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

11 Matt Rowell  
12 Utilities Division  
13 1200 West Washington Street  
14 Phoenix, AZ 85007

Phil Doherty  
545 South Prospect Street, Suite 22  
Burlington, VT 05401

14 W. Hagood Bellinger  
15 5312 Trowbridge Drive  
16 Dunwoody, GA 30338

Charles Steese  
Andrew Crain  
Qwest Corporation  
1801 California Street, Suite 5100  
Denver, CO 80202

17 and a true and correct copy of Covad Communications Company's Comments on Staff's Final  
18 Report on Checklist Item 1 was sent via electronic mail; on this 22<sup>nd</sup> day of October, 2001, to the  
19 following:

19 Mark Dioguardi TIFFANY AND BOSCO PA 500 Dial Tower 20 1850 N. Central Avenue Phoenix, Arizona 85004	Nigel Bates ELECTRIC LIGHTWAVE, INC. 4400 NE 77 <sup>th</sup> Avenue Vancouver, Washington 98662	Thomas L. Mumaw Jeffrey W. Crockett SNELL & WILMER One Arizona Center Phoenix, Arizona 85004-0001
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1	Darren S. Weingard Stephen H. Kukta SPRINT COMMUNICATIONS CO 1850 Gateway Dr., 7 <sup>th</sup> Floor San Mateo, CA 94404-2467	Thomas H. Campbell LEWIS & ROCA 40 N. Central Avenue Phoenix, Arizona 85007	Andrew O. Isar TRI 4312 92 <sup>nd</sup> Avenue, N.W. Gig Harbor, Washington 98335
2	Michael W. Patten Roshka Heyman & Dewulf 400 N. 5th St., Ste. 1000 Phoenix, AZ 85004	Richard M. Rindler Morton J. Posner SWIDER & BERLIN 3000 K Street, N.W. Suite 300 Washington, DC 20007	Charles Kallenbach AMERICAN COMMUNICATIONS SERVICES I 131 National Business Parkway Annapolis Junction, MD 20701
3	Thomas F. Dixon MCI TELECOMMUNICATIONS CORP 707 17th Street, #3900 Denver, Colorado 80202	Jon Loehman, Managing Director SBC Telecom, Inc. 5800 Northwest Parkway Suite 135, Room 1.S.40 San Antonio, TX 78249	Richard S. Wolters AT&T & TCG 1875 Lawrence Street, Room 1575 Denver, Colorado 80202
4	Joyce Hundley UNITED STATES DEPARTMENT OF JUSTICE Antitrust Division 1401 H Street NW, Suite 8000 Washington, DC 20530	Joan Burke OSBORN MALEDON 2929 N. Central Avenue, 21st Floor P.O. Box 36379 Phoenix, Arizona 85067-6379	Scott S. Wakefield, Chief Counsel RUCO 2828 N. Central Avenue, Suite 1200 Phoenix, Arizona 85004
5	Mark J. Trierweiler Vice President Government Affairs AT&T 111 West Monroe St., Suite 1201 Phoenix, Arizona 85004	Daniel Waggoner DAVIS WRIGHT TREMAINE 2600 Century Square 1501 Fourth Avenue Seattle, WA 98101-1688	Alaine Miller NEXTLINK Communications, Inc. 500 108 <sup>th</sup> Avenue NE, Suite 2200 Bellevue, WA 98004
6	Douglas Hsiao RHYTHM LINKS, INC. 6933 S. Revere Parkway Englewood, CO 80112	Raymond S. Heyman Randall H. Warner ROSHKA HEYMAN & DeWULF Two Arizona Center 400 N. Fifth Street, Suite 1000 Phoenix, Arizona 85004	Diane Bacon, Legislative Director COMMUNICATIONS WORKERS OF AMERICA 5818 North 7 <sup>th</sup> Street, Suite 206 Phoenix, Arizona 85014-5811
7	Gena Doyscher GLOBAL CROSSING LOCAL SERVICES, INC. 1221 Nicollet Mall Minneapolis, MN 55403-2420	Karen L. Clauson ESCHELON TELECOM, INC. 730 Second Avenue South, Suite 1200 Minneapolis, MN 55402	Mark P. Trnichero Davis, Wright Tremaine 1300 SW Fifth Avenue, Suite 2300 Portland, OR 97201
8	Robert S. Tanner Davis, Wright Tremaine 17203 N. 42 <sup>nd</sup> Street Phoenix, AZ 85032	Bradley Carroll, Esq. COX ARIZONA TELCOM, L.L.C. 1550 W. Deer Valley Rd. Phoenix, AZ 85027	Mark N. Rogers EXCELL AGENT SERVICES, L.L.C. 2175 W. 14 <sup>th</sup> Street Tempe, AZ 85281
9	Janet Livengood Regional Vice President Z-Tel Communications, Inc. 601 S. Harbour Island Blvd. Tampa, FL 33602	Jonathan E. Canis Michael B. Hazzard Kelly Drye & Warren L.L.P. 1200 19 <sup>th</sup> Street, NW; 5 <sup>TH</sup> Floor Washington, D.C. 20036	Andrea P. Harris Senior Manager, Regulatory Allegiance Telecom, Inc of Colorado 2101 Webster, Suite 1580 Oakland, CA 94612
10	Timothy Berg FENNEMORE CRAIG 3003 N. Central Ave., Suite 2600 Phoenix, Arizona 85016	M. Andrew Andrade, Esq. TESS Communications, Inc. 5261 S. Quebec St. Ste 150 Greenwood Village, CO 80111	Maureen Arnold Qwest Communications, Inc. 3033 N. Third Street, Room 1010 Phoenix, Arizona 85012

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Dennis D. Ahlers, Sr. Attorney Eschelon Telecom, Inc. 730 Second Ave. South, Ste. 1200 Minneapolis, MN 55402		
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*Juvenile Anderson*