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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

IN THE MATTER OF THE PETITION
OF DIECA COMMUNICATIONS, INC.,
D/B/A COVAD COMMUNICATIONS
COMPANY, FOR ARBITRATION TO
RESOLVE ISSUES RELATING TO AN
INTERCONNECTION AGREEMENT
WITH QWEST CORPORATION

DOCKET NO. T-03632A-04-0425
T-01051B-04-0425

**RESPONSE OF STAFF TO QWEST'S
MOTION TO MODIFY THE TIME FOR
THE PARTIES TO SUBMIT A FINAL
INTERCONNECTION AGREEMENT**

On February 2, 2006, the Commission through the authority given it under § 252 of the Telecommunications Act of 1996 ("Federal Act"), issued Decision No. 68440 which ruled on the remaining issues in dispute between Qwest Corporation ("Qwest") and Covad Communications Company ("Covad") involving their Interconnection Agreement. The parties were ordered to prepare, sign and file an Interconnection Agreement incorporating the terms of the Commission's Decision within 30 days of the effective date of the Commission's Order.

In its February 22, 2006 Motion, Qwest seeks to postpone filing the Interconnection Agreement with Covad until a subsequent proceeding ordered by the Commission to set just and reasonable rates for certain network elements under the Federal Act is concluded. Qwest argues that such a delay is necessary because: (1) otherwise the parties would have to submit an agreement twice for the Commission's review, once prior to the start of the rate proceeding and again after the conclusion of that proceeding when final rates are set; and (2) if the agreement is filed now, it will include rates that will soon change.

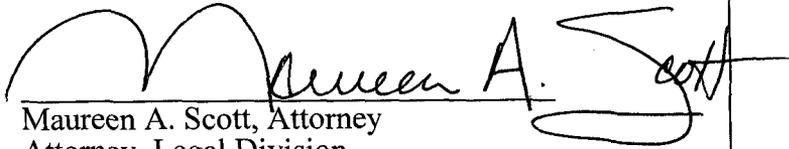
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1 Staff opposes Qwest's Motion for the following reasons. First, the Order requires Qwest to
2 use, on an interim basis, the TELRIC rates previously found to be reasonable by the Commission and
3 FCC. The Interconnection Agreement required to be filed by Qwest should incorporate these interim
4 rates until the Commission concludes the subsequent proceeding which examines these rates.
5 Second, granting Qwest's Motion would mean that the parties would necessarily have to operate
6 under the old Agreement for several months, which Agreement does not reflect the Commission's
7 most recent rulings. Third, there is no reason the parties cannot agree upon and file an amendment to
8 their Interconnection Agreement once the subsequent proceeding has concluded. Finally, Qwest's
9 arguments to postpone filing the Agreement simply have no merit.

10 For these reasons, Staff respectfully requests that the Commission deny Qwest's Motion.

11 RESPECTFULLY SUBMITTED this 2nd day of March 2006.

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