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8 **IN THE MATTER OF QWEST**
9 **CORPORATION'S APPLICATION FOR**
10 **ARBITRATION PROCEDURE AND**
11 **APPROVAL OF INTERCONNECTION**
12 **AGREEMENTS WITH AZCOM PAGING**
13 **INC., HANDY PAGE, ANSWERPHONE INC.,**
14 **GLEN CANYON COMMUNICATIONS, INC.,**
15 **NEXTEL WEST CORP., AND TELE-PAGE,**
16 **INC., PURSUANT TO SECTION 252(B) OF**
17 **THE COMMUNICATIONS ACT OF 1932, AS**
18 **AMENDED BY THE**
19 **TELECOMMUNICATIONS ACT OF 1996,**
20 **AND THE APPLICABLE STATE LAWS**

DOCKET NOS. T-01051B-06-0175
T-02556A-06-0175
T-03693A-06-0175

QWEST CORPORATION'S
RESPONSE TO THE MEMORANDUM
OF CURRENT STATUS OF
NEGOTIATIONS FILED BY HANDY
PAGE

21 On June 6, 2006, Handy Page filed in this docket a "Memorandum of Current Status of
22 Negotiations with Qwest Corporation For Interconnection Agreement" (the "Memorandum").
23 Qwest Corporation ("Qwest") hereby responds to the statements made in the Memorandum.

24 **I. The Memorandum Demonstrates the Wisdom of Splitting the Handy Page**
25 **Arbitration into A Separate Proceeding, Because Only Handy Page Raises the Issue**
26 **of Wide Area Calling.**

As a preliminary matter, the Memorandum demonstrates the wisdom of splitting the
Handy Page proceeding into a separate procedure from other named carriers. The
Administrative Law Judge has already issued orders that put the Handy Page matter on a

1 separate track. (Procedural Order issue May 9, 2006). Qwest understands that with respect to the
2 arbitration of a type 1 and type 2 paging interconnection agreement between Qwest and Handy
3 Page the parties are on a separate procedural track from the other named carriers in this docket.
4 In the Procedural Order issued May 9, 2006, the ALJ extended the applicable timeclock under
5 the Act and the Commission's rules with regard to Handy Page to September 15, 2006. That
6 same Procedural Order also stated, "The matter should proceed with regard to the non-
7 petitioning parties that have failed to participate and the record should be supplemented with pre-
8 filed statements of position and testimony prior to hearing." (Procedural Order at p. 3, emphasis
9 added). Therefore, Qwest believes that Handy Page, which has appeared at every procedural
10 conference, and which has twice filed status reports in this proceeding, is not included among
11 those parties who "have failed to participate," and that the matters raised by Handy Page will be
12 taken up by the Commission separately, and not at the hearing currently set for June 19, 2006.

13 With respect to the non-responding carriers and Qwest's request for an order imposing an
14 arbitrated and binding agreement on such carriers, the Arizona Corporation Commission Utilities
15 Division Staff (the "Staff") filed its report on June 6, 2006. No other parties filed. Because of
16 the lack of opposition to Qwest's request for relief with respect to the non-responding carriers,
17 Qwest has elected to not file responsive testimony.

18
19 **II. "Wide Area Calling" Is Not Required to be Provided by Qwest to Paging Carriers.**

20
21 Contrary to the interpretations of Handy-Page, the FCC made clear in the TSR Wireless
22 Order that the wide area calling ("WAC") arrangement is not necessary for interconnection or for
23 the provision of a paging carriers' service to its customers. Qwest is not obligated under the
24 FCC rules to provide the WAC arrangement at all. Therefore, the request by Handy Page for the
25 Commission to hear its request for inclusion of WAC, and to approve the rate for WAC, is
26 wholly inappropriate for arbitration of an interconnection agreement.

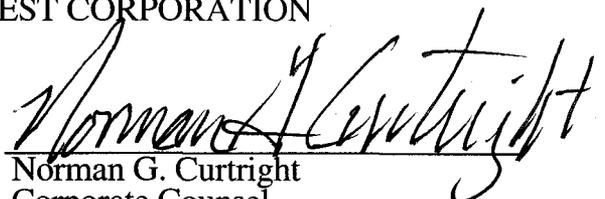
1 Handy Page represents that WAC is the stumbling block to its willingness to agree to the
2 interconnection agreement template that has been proffered by Qwest. Because the question of
3 whether WAC must be included in an interconnection arbitration is, in the first instance, a legal
4 issue, Qwest believes that the threshold issue concerning whether WAC must be included in an
5 arbitration for an interconnection agreement can best be dealt with by legal briefing, and Qwest
6 proposes that the parties discuss this option at the next procedural conference.

7 Qwest will mail a courtesy copy of this filing to Handy Page's legal counsel identified in
8 the Memorandum.

9 DATED this 13th day of June, 2006.

10 QWEST CORPORATION

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13 By:


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16 ORIGINAL and 13 copies hand-delivered
17 for filing this 13th day of June, 2006, to:

18 Docket Control
19 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
20 Phoenix, AZ 85007

21 COPY of the foregoing hand delivered
22 This 13th day of June, 2006, to:

23 Lyn Farmer, Chief Administrative Law Judge
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25 Phoenix, AZ 85007
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10 Copy of the foregoing mailed and emailed
this 13th day of June, 2006, to:

11

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