



0000110645

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

WILLIAM A. MUNDELL
COMMISSIONER
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

2002 AUG 27 P 4:40

AZ CORP COMMISSION
DOCUMENT CONTROL

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'S NOTICE OF FILING
LATE-FILED EXHIBITS FOR ESCHELON WORKSHOP**

Qwest Corporation ("Qwest") hereby provides the attached Exhibits E and F as late-filed exhibits to the Eschelon workshop held July 30 and 31, 2002. Exhibit E, which has three attachments, and Exhibit F contain supplemental information relating to the information contained in Qwest's late-filed Exhibit A.

RESPECTFULLY SUBMITTED this 27th day of August, 2002.

FENNEMORE CRAIG, P.C.

Arizona Corporation Commission
DOCKETED

AUG 27 2002

DOCKETED BY	
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By:

Timothy Berg
Theresa Dwyer
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 of the
foregoing hand-delivered for
filing this 27th day of August 2002 to:

Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, Arizona 85007

COPY of the foregoing hand-delivered
this 27th day of August, 2002 to:

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

Ernest G. Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington St.
Phoenix, AZ 85007

Lyn Farmer, Chief Administrative Law Judge
Jane Rodda, 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
this 27th day of August, 2002 to:

Eric S. Heath
SPRINT COMMUNICATIONS CO.
100 Spear Street, Suite 930
San Francisco, CA 94105

Thomas Campbell
LEWIS & ROCA
40 N. Central Avenue
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
WORLD.COM, INC.
707 N. 17th Street #3900
Denver, CO 80202

Scott S. Wakefield
RUCO
1110 West Washington, Suite 220
Phoenix, AZ 85007

Michael M. Grant
Todd C. Wiley
GALLAGHER & KENNEDY
2575 E. Camelback Road
Phoenix, AZ 85016-9225

Michael Patten
ROSHKA, HEYMAN & DEWULF
400 E. Van Buren, Ste. 900
Phoenix, AZ 85004-3906

Bradley S. Carroll
COX COMMUNICATIONS
20402 North 29th Avenue
Phoenix, AZ 85027-3148

Daniel Waggoner
DAVIS, WRIGHT & TREMAINE
2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101

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

Gregory Hoffman
AT&T
795 Folsom Street, Room 2159
San Francisco, CA 94107-1243

David Kaufman
E.SPIRE COMMUNICATIONS, INC.
343 W. Manhattan Street
Santa Fe, NM 87501

Diane Bacon, Legislative Director
COMMUNICATIONS WORKERS OF AMERICA
5818 N. 7th St., Ste. 206
Phoenix, AZ 85014-5811

Philip A. Doherty
545 S. Prospect Street, Ste. 22
Burlington, VT 05401

W. Hagood Bellinger
5312 Trowbridge Drive
Dunwoody, GA 30338

Joyce Hundley
U.S. DEPARTMENT OF JUSTICE
Antitrust Division
1401 H Street N.W. #8000
Washington, DC 20530

Andrew O. Isar
TELECOMMUNICATIONS RESELLERS ASSOC.
4312 92nd Avenue, NW
Gig Harbor, WA 98335

Raymond S. Heyman
ROSHKA, HEYMAN & DEWULF
400 N. Van Buren, Ste. 800
Phoenix, AZ 85004-3906

Thomas L. Mumaw
SNELL & WILMER
One Arizona Center
Phoenix, AZ 85004-0001

Charles Kallenbach
AMERICAN COMMUNICATIONS SVCS, INC.
131 National Business Parkway
Annapolis Junction, MD 20701

Mike Allentoff
GLOBAL CROSSING SERVICES, INC.
1080 Pittsford Victor Road
Pittsford, NY 14534

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

Kevin Chapman
SBC TELECOM, INC.
300 Convent Street, Room 13-Q-40
San Antonio, TX 78205

M. Andrew Andrade
TESS COMMUNICATIONS, INC.
5261 S. Quebec Street, Ste. 150
Greenwood Village, CO 80111

Richard Sampson
Z-TEL COMMUNICATIONS, INC.
601 S. Harbour Island, Ste. 220
Tampa, FL 33602

Megan Doberneck
COVAD COMMUNICATIONS COMPANY
7901 Lowry Boulevard
Denver, CO 80230

Richard P. Kolb
Vice President of Regulatory Affairs
ONE POINT COMMUNICATIONS
Two Conway Park
150 Field Drive, Ste. 300
Lake Forest, IL 60045


Janet Napolitano, Attorney General
OFFICE OF THE ATTORNEY GENERAL
1275 West Washington
Phoenix, AZ 85007

Steven J. Duffy
RIDGE & ISAACSON, P.C.
3101 North Central Ave., Ste. 1090
Phoenix, AZ 85012

Teresa Tan
WorldCom, Inc.
201 Spear Street, 9th Floor
San Francisco, CA 94105

Karen Clauson
ESCHELON TELECOM
730 Second Avenue South, Ste. 1200
Minneapolis, MN 55402

Curt Huttzell
State Government Affairs
Electric Lightwave, Inc.
4 Triad Center, Suite 200
Salt Lake City, UT 84180



DSCHNEID/1335044/67817.150

EXHIBIT E

Qwest is submitting this document to address Eschelon's additional questions arising from Qwest's responses to workshop action items submitted on August 8, 2002. The information provided below explains terms, provides process descriptions, or provides more detail on selected responses.

1. **Network outage process – Abnormal Network Condition Report (ANCR)**
Eschelon requested a written description of the ANCR system and how a CLEC may request non-confidential outage information from Qwest.

The written description regarding the ANCR system was filed with the Commission and distributed to the TAG on Friday, August 16, 2002.

2. **Outage Process**

Eschelon requested that Qwest provide in writing the process that responds to network outages and its linkages to the status information that is sent out via ANCR.

The Qwest Network Reliability and Operations Center (NROC) surveys network performance. In the case of an outage, the NROC's surveillance teams receive an alarm indicator, respond to the alarm and investigate the extent of the failure. Critical failures, as defined in each surveillance team's methods and procedures, are immediately reported to the Network Management Center (NMC).

The NMC manager takes the event information from the NROC technician (reporting technician), and while the NROC technician continues to work with the necessary field forces to isolate and repair the trouble, the NMC manager opens an Abnormal Network Condition Report (ANCR) system. Once the NMC manager has

EXHIBIT E

completed the report, the tracking system programmatically saves the report, applies formats including the confidentiality footer and sends the electronically-prepared notification to a distribution list of companies that requested receipt of initial reports.

The reporting technician updates the NMC every 30 minutes until the event is cleared. As the NROC provides updates, the NMC updates the report previously created in the ANCR system. As described above, the tracking system automatically sends notifications of the updated information to the same distribution list as the initial report.

Once the event has been cleared and all repair work is completed, the reporting technician closes the event with the NMC. The NMC finalizes the information on the ANCR, and the tracking system automatically sends a final notification with the cause of the event and the time the event cleared to the same distribution list as the initial and updated reports.

3. **Conflict Resolution Process**

Eschelon specifically wants to know what is Qwest's process when Qwest and the CLECs disagree on an issue.

Today, if a CLEC believes Qwest has violated the CMP, a call is placed or an e-mail is sent to Qwest and someone on the process team investigates the alleged violation and addresses the CLEC's concern. Eschelon has requested that we formalize this process. Qwest is prepared to do so and proposed a process in the CMP Redesign session on August 20; the proposal is on the agenda for discussion during the next session scheduled for August 29.

4. **Unannounced Dispatches**

What change was made and when to help alleviate unannounced dispatches?

On July 23, 2001, Qwest modified the service order formatting so that the reassignment of facilities stops, which was the root cause of the dispatches. This was accomplished by altering the sequence of the order entries to change "line USOC to line USOC" driving a reuse of existing facilities. This facilitates mechanized provisioning and stops the dispatch.

5. **Rate Mapping**

Qwest provides the following in response to Eschelons questions regarding rate mapping.

Rate mapping is an exercise that maps rates to specific USOCs. This exercise began for the wholesale rates, including collocation rates, the ACC approved, on June 12, 2002. Qwest is targeting the implementation of these new rates by year-end. When implemented, Qwest will true-up rates back to the effective date: June 12, 2002.

6. **Remote Access to Call Forwarding**

Eschelon requested assistance from Qwest to work through the process to initiate a SRP request.

EXHIBIT E

Qwest has contacted Eschelon to assist Eschelon in using the special request process to request remote access call forwarding functionality.

7. Raw data results

Eschelon requested that Qwest send April and May 2002 raw data and continue with its standing request.

All outstanding raw data was sent to Eschelon on 8-14-02, a follow-up call was also placed to Eschelon to make sure data was received. Qwest will continue to send data Eschelon has requested on an on-going basis.

8. Collocation Dust Contamination

In the workshop on July 30th and 31st, 2002, Eschelon described dust problems it had encountered in Qwest central offices. In response to these incidents, Qwest had addressed the dust situation in May 2002. Eschelon believes it encountered a dust problem after Qwest conducted retraining in the Thunderbird/Scottsdale central office in June of this year; therefore, Eschelon questions the effectiveness of Qwest's actions in May.

Eschelon first raised the issue of dust contamination to collocations through CMP. Eschelon requested that Qwest develop a documented process for proper procedures when Qwest and/or its contractors perform construction activities in buildings that house CLEC collocations. Qwest documented its process for project management of building

EXHIBIT E

construction activities and additional measures Qwest was taking. This process was reviewed and approved by the CMP community and implemented by Qwest in May 2002.

The approved process regarding dust contamination prevention during central office construction projects has been covered with all of the Qwest State Interconnection Managers (“SICMs”), the Qwest Real Estate Field Operations Managers, and Central Office Operations Managers. In addition, John V. McGuire, Qwest Vice President Real Estate, sent a letter to all Qwest suppliers/contractors approved to perform construction work in Qwest central offices. Attachment 1 is a copy of that letter, which states that Qwest has instituted a “one strike rule” with the contractors and suppliers such that not following Qwest’s methods of operations will not be tolerated. Contractors and suppliers will be retained and released based on their adherence to the Qwest’s methods and procedures for construction activities to protect the environment for all equipment -- CLECs' and Qwest's -- in the central offices. Thus, Qwest has documented and implemented the processes.

The Thunderbird central office issue does not raise any question about the effectiveness of these processes.

The Thunderbird CO Issue was Resolved the Same Day it was Raised

Qwest’s State Interconnection Manager (“SICM”) for Arizona, Mr. John Larance, investigated the alleged dust contamination problem at the Scottsdale – Thunderbird central office the same day it was raised. On July 11, 2002, Mr. Larance received a call from Qwest’s Project Manager, Mr. William Fellman, advising that Eschelon’s

EXHIBIT E

Collocation Interface Manager in Minnesota had expressed concern that there “may be” a dust contamination problem at the Scottsdale – Thunderbird central office. Mr. Larance immediately made arrangements with Mr. Bruce Florek, Eschelon’s Operations Director in Arizona, to meet that same day at the Thunderbird central office to investigate the situation.

After inspecting the central office with Mr. Florek, both Mr. Florek and Mr. Larance agreed that there was no abnormal dust problem at the office and no additional clean-up was required for the Thunderbird office. Eschelon's collocation space in Qwest’s Scottsdale, Arizona – Thunderbird central office is located in a thirty frame bay line-up occupied by other CLECs’ equipment and Qwest’s equipment. Qwest’s equipment is not isolated from Eschelon’s and other CLECs’ equipment by any walls or partitions. As a result, any dust contamination would affect Eschelon’s equipment and Qwest’s equipment equally.

The construction that is taking place at the Thunderbird central office is not taking place inside the building that houses Eschelon’s, Qwest’s, and other collocators’ equipment. The building modification involves excavating beneath the present one story building to add a basement to allow for additional floor space for equipment and some work being done on the roof for the heat, ventilation, and air conditioning units. The work is being done outside the existing central office building and through separate entrances from the entrance to the existing central office space. In addition, there is remodel work being done to the exterior of the building.

Qwest confirmed with the Qwest Real Estate Project Manager and the contractor that all appropriate methods for prevention of dust contamination in the office were being

EXHIBIT E

performed satisfactorily. Jokake Construction Company is the General Contractor for the building remodel at the Thunderbird central office. Mr. Larance asked Michael Thompson, Assistant Superintendent of Jokake, to provide the details regarding the additional measures Jokake took to control dust outside of the building and prevent dust contamination inside the central office building. These actions include installation of high-tack dust collecting floor mats at all exterior doors, increased frequency for changing of air conditioning filters, restricted use of dust generating power tools, daily cleaning of any work area via wet/dry mop and hepa filtration, sealing of a removed wall that is in a separate room from the electronic equipment, and exterior road surface treatment to keep down the dust outside of the building. Mr. Thompson provided these details on July 11, 2002 in an email and Mr. Larance forwarded that email to Mr. Florek that same day. Both emails are attached as Attachment 2.

Mr. Rene Lerma, Eschelon's Collocation Interface Manager, sent an email to Qwest's Project Manager, Mr. William Fellman, confirming that "The dust accumulation is not affecting, nor will it affect the operation of our equipment." The email is attached as Attachment 3.

Thus, there was no dust contamination problem in the Thunderbird central office as alleged in Eschelon's comments. Qwest has implemented all of the agreed upon processes developed through the CMP.

9. Preliminary APOT

Qwest responded to Eschelon's request for language change in the late filed exhibits sent August 8.

EXHIBIT E

Qwest and Eschelon disagree on this issue. It remains at impasse.

10. CCMS USOCs Availability and Flow-through

Eschelon requested clarification on whether the USOC MVP11 and MVP14 were orderable with CCMS and what is and is not designed to flow through.

The USOC MVP11 and MVP14 are CCMS; they are the USOCs used to order the basic CCMS package.

A table showing CCMS USOCs and features and when they do and do not flow through was filed with the Commission and distributed to the TAG on Friday, August 16, 2002.

11. Rate Elements Associated with Cageless Collocation that are not in Eschelon's ICA.

Based on Qwest's response to item g "*it appears that there were some rate elements associated with the cageless collocation that were not in Eschelon's interconnection agreement*" Eschelon requested that Qwest identify the specific elements that it claims were not in Eschelon's ICA.

Qwest's full response in item g reads, *In researching the issue, it appears that there were some rate elements associated with the cageless collocation that were not in*

EXHIBIT E

Eschelon's interconnection agreement. Qwest provided a quote for this cageless collocation based on the approved Arizona SGAT for those rate elements.

Two years have gone by since the first quote BAN# C01LC01 was prepared. In that time Qwest has conducted various cost studies for Wholesale Services offered to the CLEC community. At the time the quote for the second request BAN# C21LC20 was prepared the customer's Interconnection Agreement (ICA) did not include pricing for all of the collocation services being ordered, so the pricing strategy in the SGAT was used. The specific elements not included in the ICA are (C1FYA) two bays and one 40 amp A&B power feed and (C1FYC) each additional bay.

EXHIBIT E

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John V. McGuire
Vice President
Real Estate

March 5, 2001

XXXXXXXXXXXXX
XXXXXXXXXXXXX
XXXXXXXXXXXXX

To XXXXXXXX,

As we move into 2001, I want to take a moment and thank you, your employees, and your company for the support and service you have provided the Qwest Real Estate department in 2000. We had a very busy year during which we relied on your company to assist us in successfully meeting our stated goals and objectives.

The work we have scheduled for 2001 may require your continued support and participation for Qwest to be successful. Your company's continued participation will be predicated on your organization's ability to execute your services in a cost-effective, timely, and operationally-excellent manner.

To allow you to be successful and to continue the relationship we have mutually enjoyed; I would ask you to pay very close attention to the fashion in which you deliver your services. In 2000 the Real Estate department tracked "outages." Outages are defined as an interruption in the service Qwest provides to its' customers. Many of your employees are Qwest customers, as is, possibly, your actual business. Outages affect our ability to provide the services Qwest is privileged to provide to our customers. In reviewing the number of incidents that affected our clients and ultimately our customers, we determined that in excess of 30% of those outages is directly attributable to our contractors' negligence. Negligence being defined as either not adhering or understanding our project methods of procedures, or not following proper fire alarm impairment procedures. This percentage needs to dramatically decline.

We need our projects completed on time and we need quality work delivered in a cost-effective fashion, with the understanding that service-affecting outages are an unacceptable cost for the delivery of these services. It is with that concept in mind that I have directed my management team to take a "one strike" approach with our contractors

and suppliers. Negligence in not following our methods of operations cannot and will not be tolerated. Contractors and suppliers will be retained and released based on their ability to help us maintain a consistent environment for our clients and customers. Attention to detail and operational excellence are your responsibility. I would ask you to pay particular attention to these tenets when conducting work within a Qwest facility.

I also want to request that you focus on the timely and accurate submission of bills for your company and any of your subcontractors. Financial management is key to Qwest, and we need your attention on this matter too.

I would ask that you communicate these messages throughout your company so we can mitigate the number of contractor related incidents, manage our financials, and continue to enjoy the mutual success our relationship has provided in the past.

John McGuire
Vice President – Real Estate
Qwest
DSCHNEID/1335048/67817.150

EXHIBIT E, ATTACHMENT 2

Return-Path: <jlaranc@qwest.com>
Received: from egate-ne3.uswc.uswest.com ([151.117.64.202]) by netmail6.uswc.uswest.com (Netscape Messaging Server 3.61) with ESMTTP id AAA4783 for <jlaranc@nmal-ut6.uswc.uswest.com>; Thu, 11 Jul 2002 14:38:41 -0600
Received: from qwest.com (localhost [127.0.0.1]) by egate-ne3.uswc.uswest.com (8.10.0/8.10.0) with ESMTTP id g6BKcOc08160; Thu, 11 Jul 2002 15:38:29 -0500 (CDT)
Message-ID: <3D2DECBE.89551D1D@qwest.com>
Date: Thu, 11 Jul 2002 13:38:22 -0700
From: "John Larance" <jlaranc@qwest.com>
Organization: U S WEST Communications, Inc
X-Mailer: Mozilla 4.51 [en] (WinNT; U)
X-Accept-Language: en
MIME-Version: 1.0
To: "Florek, Bruce M." <bmflorek@eschelon.com>
CC: John Larance <jlaranc@uswest.com> , "jdefore@uswest.com" <jdefore@uswest.com>
Subject: [Fwd: Increased Dust Control Efforts]
Content-Type: multipart/mixed; boundary="-----"
C0A8877E3A502E790EB4C710"
X-Mozilla-Status2: 00000000

Bruce,

I am forwarding an email received today. Mr. Thompson is managing the Central Office remodel at Scottsdale Thunderbird. Your group indicated concern for dust and dust management at the site. You and I visited and assessed the situation. I then spoke to the Qwest Real Estate manager who requested the attached.

I believe you will see we are focussed on dust management and working to maintain an appropriate Central Office environment. Please contact me on 602-630-7775 with any questions.

Thanks,

John Larance
SICM AZ/NM

Return-Path: <mthompson@jokake.com>
Received: from egate-ne4.uswc.uswest.com ([151.117.64.218]) by netmail6.uswc.uswest.com (Netscape Messaging Server 3.61) with ESMTTP id AAA9BE; Thu, 11 Jul 2002 13:55:23 -0600
Received: from uswgne23.uswest.com (localhost [127.0.0.1]) by egate-ne4.uswc.uswest.com (8.10.0/8.10.0) with ESMTTP id g6BJtJ507979; Thu, 11 Jul 2002 14:55:19 -0500 (CDT)
Received: from exchange_jsc.JSC.com (airband-216-138-121-147.airband.net [216.138.121.147] (may be forged)) by uswgne23.uswest.com (8.10.0/8.10.0) with ESMTTP id g6BJtGV29238; Thu, 11 Jul 2002 14:55:17 -0500 (CDT)
Received: from MTHOMPSON (phnxds1gw23poolC201.phnx.uswest.net [65.103.198.201]) by exchange_jsc.JSC.com with SMTP (Microsoft Exchange Internet Mail Service Version 5.5.2653.13) id NW11A4FL; Thu, 11 Jul 2002 12:54:08 -0700
From: "Mike" <mthompson@jokake.com>
To: <jlaranc@qwest.com>

Cc: <bnuss@qwest.com>, "'Jeff Plowman'" <JPlowman@jokake.com>, "'Joseph Zapustas'" <JZapustas@jokake.com>
Subject: Increased Dust Control Efforts
Date: Thu, 11 Jul 2002 12:53:23 -0700
Message-ID: <000001c22914\$9f9d5c10\$0400000a@MTHOMPSON>
MIME-Version: 1.0
Content-Type: multipart/alternative; boundary="----
=_NextPart_000_0001_01C228D9.F3462530"
X-Priority: 3 (Normal)
X-MSMail-Priority: Normal
X-Mailer: Microsoft Outlook, Build 10.0.2627
Importance: Normal
X-MimeOLE: Produced By Microsoft MimeOLE V5.50.4133.2400
X-Mozilla-Status2: 00000000



- C.htm

Good afternoon Mr. Larance,

Barb Nuss has requested that we provide you with a list of measures Jokake Construction Co. has taken to maintain the cleanliness of the Qwest Thunderbird Central Office (C.O.) during the construction period. They are as follows:

- High-Tack floor mats have been placed at each building exit. These mats remove the majority of shoe-sole dirt and dust. The mats are changed out one to five times a day depending on the amount of foot traffic.
- We physically check and/or change each air handler unit's air filters at least once a month or more frequently depending on the type of construction taking place at the time (i.e., excavation).
- Only Qwest approved power tools (dustless drills, HEPA-filter vacuums, etc.) are used inside the C.O. facility.
- Construction personnel working inside the C.O. clean their work areas daily using one or all of the following: dry mop, wet mop, HEPA-filter vacuum.
- Where existing building walls had to be removed, sealed and insulated temporary walls were installed.
- Access roads outside the building are treated with a water-based polymer to control dust caused by vehicle traffic. In addition, these roads are sprayed with water at least twice daily or more frequently if needed.

It is my understanding that the C.O. manager has increased the frequency of their contracted cleaning service from once to twice a week during the construction process.

We hope this gives you a better idea of the steps Jokake Construction Co. has taken to maintain a clean environment in and around the Qwest Thunderbird C.O. while the building addition is taking place. If you have any questions or suggestions regarding this matter, please feel free to contact Jeff Plowman at (602)723-8758 or myself at (602)723-8756.

Sincerely,
Michael Thompson
Asst. Superintendent
Jokake Construction Co.

DSCHNEID/1335050/67817.150

EXHIBIT E, ATTACHMENT 3

Return-Path: <wfellma@qwest.com>
Received: from egate-ne2.uswc.uswest.com ([151.117.64.200]) by
netmail9.uswc.uswest.com (Netscape Messaging Server 3.61) with ESMTTP
id AAA16A5 for <mdaugaa@nmal-co4.uswc.uswest.com>; Mon, 22 Jul 2002
08:58:34 -0600
Received: from notes.uswc.uswest.com (localhost [127.0.0.1]) by egate-
ne2.uswc.uswest.com (8.10.0/8.10.0) with ESMTTP id g6MEwXo29660 for
<mdaugaa@uswest.com>; Mon, 22 Jul 2002 09:58:33 -0500 (CDT)
Subject: RE: [Fwd: [Fwd: Increased Dust Control Efforts]]
Sensitivity:
To: "Kay Daugaard" <mdaugaa@uswest.com> , "Jean Novak"
<jlnovak@notes.uswc.uswest.com>
From: "William Fellman" <wfellma@qwest.com>
Date: Mon, 22 Jul 2002 08:58:30 -0600
Message-ID: <OF57573F1E.A5788C38-ON87256BFE.00523425@uswc.uswest.com>
MIME-Version: 1.0
Content-type: text/plain; charset=us-ascii
X-Mozilla-Status2: 00000000
FYI

----- Forwarded by William Fellman/GROUPWARE/USWEST/US on
07/22/2002 09:57 AM -----

"Lerma, Rene J." <rjlerma@eschelon.com> on 07/22/2002 10:03:32 AM
To: "'William Fellman'" <wfellma@qwest.com>
cc: "Hanser, Paul H." <phhanser@eschelon.com>, "Kent, Bill D."
<bdkent@eschelon.com>

Subject: RE: [Fwd: [Fwd: Increased Dust Control Efforts]]

Hello Bill, per our discussion, The Scottsdale Thunderbird issue is no longer an issue. The dust accumulation is not affecting, nor will it affect the operation of our equipment.

Please let me know if you require any other information.

Rene

> -----Original Message-----
> From: William Fellman [SMTP:wfellma@qwest.com]
> Sent: Friday, July 12, 2002 9:45 AM
> To: rjlerma@eschelon.com
> Subject: [Fwd: [Fwd: Increased Dust Control Efforts]]
>
> Hi Rene,
> I'm forwarding an email John Larance sent to Bruce Florek yesterday.
As
> you can see, John believes the issue at Scottsdale Thunderbird is
> resolved.
> Would you please respond and let me know if you concur.
> Thanks Bill

> ----- Forwarded by William Fellman/GROUPWARE/USWEST/US
on > 07/12/2002 09:43 AM -----

DSCHNEID/1335051/67817.150

Eschelon Interconnection Issues

1. Issues #1 & 2 of Eschelon exhibit 18, page 7, Jointly-provided intraLATA toll

Eschelon made clear in the workshop that it was concerned about intraLATA toll calls for which Qwest was providing the majority of the transport, but was not the originating or terminating carrier. No interexchange (interLATA) carrier is involved in the intercarrier collaboration to complete this type of call. If an interexchange carrier were involved, the local carriers would assume that the retail subscriber would be billed by the interexchange carrier, and the local carriers would bill the interexchange carrier (per tariffs and MECAB/MECOD guidelines) for the origination or termination of the call.

When a retail subscriber elects to become the local exchange service customer of a CLEC, Qwest ceases billing the retail customer for *all* services, including intraLATA toll. If Qwest carries an intraLATA toll call that is originated by the retail customer of a CLEC, Qwest bills the CLEC. Qwest expects that the CLEC will bill its retail customer for the call. Assuming Qwest only carries the call from its interface with the originating carrier to its interface with the terminating carrier, the terminating carrier makes the same assumption . . . that it should bill the originating carrier . . . and not the retail subscriber or Qwest. Since Qwest neither originated nor terminated the call, a review of the originating and terminating telephone numbers on the call detail record would not lead to Qwest as the carrier to be billed.

Because these conventions are part of a national understanding with regard to intraLATA toll traffic as it pertains to collaboration between carriers, this issue has not previously been controversial in 271 workshops and no double billing exists. As discussed during the recent Arizona workshop, the Parties wondered if Eschelon's recommended changes to the SGAT were not a fundamental disagreement, but rather a debate over how to best describe in the SGAT the conventions of the previous few paragraphs. Qwest does not

EXHIBIT F

agree that deletion of 7.3.7.2 helps clarify the understanding. Section 7.3 is used to define how both Parties compensate each other for traffic originated on, terminated on, or transiting its network. Neither does Eschelon's proposed new sentence at 7.2.2.3.1 help clarify. In fact, Qwest is an intraLATA toll carrier who also carries transit traffic (that Qwest and Eschelon agree is clearly local). Qwest would seem to be disqualified as a transit carrier if it were to agree to Eschelon's language. The suggested change introduces misunderstanding rather than resolving it.

I now believe that Eschelon and Qwest have a fundamental disagreement. It seems likely that each is billing the other and neither is billing the end user for these intraLATA toll calls. I am not aware of disputes between Qwest and other CLECs on this issue. This disagreement is not about calls that originate and terminate within the same local calling area. Calls that originate and terminate within the same local calling area are the subject of reciprocal compensation, a checklist item. The intraLATA toll market is already competitive and is not relevant to checklist satisfaction.

2. *Issue #5 of exhibit –18, page 7, Tandem Transmission assumed mileage*

Eschelon has characterized its transit traffic as atypical when it is not. In Eschelon's August 7 response to Maureen Scott's recent workshop request for more information, Eschelon only restated what it said in the earlier workshop and the requested data was not presented. Eschelon knows where it's traffic is destined and the traffic is not atypical compared to other carriers.

Typically a carrier faces a Qwest tandem transmission charge only when its subscriber dials a call that is actually switched at Qwest's tandem. The terminating carrier could be another CLEC, a wireless carrier or a non-Qwest incumbent local exchange carrier. A transited call may stay within one local calling area, or it may be carried from one local calling area to another, exchanged between the carriers on a relatively short trunk group to Qwest's tandem, but then carried back to the origination local calling area for completion via a third carrier. This is part of Qwest's obligation to provide single point of interconnection per LATA. For the following reasons, the nine-mile tandem transmission assumption is not improper.

First, even when the call and all of the trunking stays within a local calling area, Eschelon's calls could terminate to exchanges (Qwest and non-Qwest) that are located in the extremities of the local calling area. In fact, these are the most typical of tandem-switched calls, since direct trunk groups are often not in place to these offices. Carriers located near each other are more likely to have direct trunk groups.

Second, the nine mile distance is not excessive. For example, a call from downtown Phoenix to Tempe in the east, to Shea Boulevard on the north, 83rd Street West, or to Pecos Road on the south is approximately nine miles. The Phoenix local calling area is much larger than a nine mile radius of downtown

EXHIBIT F

Phoenix. A call that an Eschelon customer originates in downtown Phoenix and that Qwest carries via its tandem on the way to a third carrier in Mesa, for example, would be longer than nine miles. Single point per LATA interconnection, which Eschelon may not now use, but that Qwest must provide, would create the possibility of much longer call paths.

Third, I disagree with Eschelon's suggestion that the tandem transmission mileage assumption critically disadvantages some carriers. I think that many CLECs appreciate the fact that Qwest's provision of transit service allows that the CLEC need not enter into interconnection agreements or create a direct trunk group to each and every ILEC in the local calling area it wishes to serve. Qwest does not always have an interconnection agreement with every other ILEC and since CLECs and wireless providers have not yet been required to file vertical and horizontal coordinates of meet points in the NECA 4 tariff, Qwest simply does not always have measurable points of interface with all carriers who might terminate a call via Qwest's tandem. Contrary to Eschelon's statements, Qwest does not have the measurement ability that is assumed.

Finally, Eschelon has not shown that its traffic is atypical and until all carriers are required to file the vertical and horizontal coordinates of all points-of-interface in the NECA 4 tariff, a change from assumed to actual mileage is not imperative.