

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Docket No. 03M-078T

IN THE MATTER OF QWEST CORPORATION'S STATEMENT OF GENERALLY AVAILABLE TERMS AND CONDITIONS

Docket No. 02M-259T

IN THE MATTER OF QWEST CORPORATION'S COLORADO PERFORMANCE ASSURANCE PLAN

QWEST CORPORATION'S NOTICE OF MODIFICATION TO EXHIBIT B AND EXHIBIT K OF THE NINTH REVISED STGATEMENT OF GENERALLY AVAILABLE TERMS AND CONDITIONS AND MOTION FOR APPROVAL

Qwest Corporation ("Qwest") through undersigned counsel, submits for approval its updated Exhibit B, Performance Indicator Definitions Version 8.1 ("PIDs") and updated Exhibit K, Colorado Performance Assurance Plan ("CPAP") to the Statement of Generally Available Terms and Conditions ("SGAT"). Clean and redlined versions of the updated PIDs and CPAP are attached and labeled Exhibits 1 through 4, respectively.

I. INTRODUCTION

This filing is prompted by the settlement of certain matters that were at issue in the first six-month review of the Qwest Performance Assurance Plan ("QPAP") in the state of Arizona. See Stipulation of the Parties filed in Arizona Docket No. T-01051B-03-0859 ("Arizona Stipulation") attached as Exhibit 5. Matters settled in the Arizona Stipulation are: application of a 96.5% benchmark standard to all but three products reported in OP-5B; and, low volume treatment

for calculation of the OP-5B standard in the CPAP. Qwest has agreed to make the terms of the Arizona Stipulation available to CLECs that opt into the Performance Assurance Plan in its 14-state local service region, and accordingly, makes this filing to incorporate and implement the Arizona Stipulation in Colorado.

Qwest is also making two other changes to the CPAP in this filing that are unrelated to the Arizona Stipulation. First, Qwest is adding to the CPAP the language the Commission ordered to be inserted concerning line sharing and line splitting:

For line splitting, performance is reported as a separate product category. (i.e., there are no associated payments for line splitting as a separate product category; payments for missed measures are based on aggregated line sharing and line splitting volumes.)

See Decision No. R04-1011. Second, Qwest had failed to delete several explanatory footnotes when converting from the “red-lined” version of the CPAP to the “clean” version of the CPAP in the August 2004 filing. Qwest has now deleted these footnotes.

On November 12, 2004, in accordance with Commission Decision No. C04-1220, Qwest filed a Colorado Stipulation resulting from the settlement of certain matters in Washington state’s second six-month review along with the revised CPAP incorporating the terms and provisions of the Colorado Stipulation (“November 12, 2004 Filing”). That filing is pending approval by the Commission; however, for clarity and administrative ease, Qwest has made the changes to the CPAP in this filing as if the Commission had approved the changes to the CPAP set forth in Qwest’s November 12, 2004 Filing. Should the Commission reject the November 12, 2004 Filing of the revised CPAP, Qwest will conform this filing consistent to the Commission’s decision.

II. DESCRIPTION OF AGREED UPON ISSUES OF THE ARIZONA STIPULATION

A. Standards for OP-5B

The Parties stipulated to apply a 96.5% benchmark standard to all products reported in OP-5B except for three product disaggregations which are to remain diagnostic: frame relay, sub-loop unbundling and dark fiber.¹ The attached red-lined Exhibit B PIDS and Exhibit K CPAP reflect the terms of the Arizona Stipulation.

B. Low Volume Treatment for OP-5B

Additionally, the Parties stipulated to low volume treatment for calculation of the OP-5B standard in the CPAP. Low volume treatment for OP-5B will apply if both (1) the CLEC volume of orders is less than or equal to 29 (the denominator of OP-5T), and (2) the number of orders with trouble in OP-5A is no more than one. When these two conditions are met, a standard of no more than one order with new service trouble applies. The attached red-lined CPAP reflects the terms of the Arizona Stipulation.

III. MOTION FOR APPROVAL

Qwest respectfully requests that the Commission approve the updated Exhibit B, PIDS Version 8.1, and the revised CPAP. Qwest makes this filing in both dockets captioned above so that the revised exhibits may become effective as expeditiously as possible.

Qwest further requests that the Commission deem all existing interconnection agreements that currently contain Exhibit B and the CPAP to be modified in accordance with the updated Exhibit B and CPAP, without the need for further filings.

¹ On September 20, 2004, Qwest filed changes to Exhibit B in order to give effect to the agreement that Qwest and CLECs reached in the Washington Second Six Month Review. One change was to add a disaggregation for loop splitting on a diagnostic basis in the event the volume criteria, specified in the Washington Stipulation, were met; accordingly, loop splitting disaggregation remains diagnostic and is to remain diagnostic even if volumes are eventually reported.

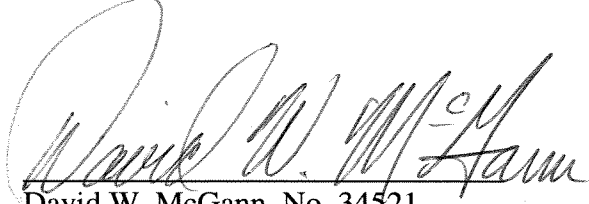
Qwest will provide notice to CLECs of this filing through its wholesale notification process within five days of the file date.

WHEREFORE, Qwest respectfully requests that the Commission approve the proposed revisions to Exhibit B PIDs and the CPAP and to further deem all existing interconnection agreements that currently contain Exhibit B and the CPAP to be modified in accordance with the updated Exhibit B and CPAP without need for further filings.

Respectfully submitted this 24th day of November, 2004.

QWEST CORPORATION

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