

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Docket No. 03M-078T

**IN THE MATTER OF THE FILING 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 COMPLIANCE FILING

Qwest Corporation ("Qwest") through undersigned counsel, submits its updated Exhibit K ("Colorado Performance Assurance Plan" or "CPAP")¹ to the Statement of Generally Available Terms and Conditions ("SGAT") pursuant to orders on the third and fourth six month reviews² as follows:

1. In Decision No. C04-0931, the Commission ordered that the disputed issues in the third six month review of the CPAP be set for hearing before an administrative law judge ("ALJ") and opened Docket No. 04M-424T for that express purpose³. Qwest, MCI, Eschelon, Covad and AT&T settled a number of the matters at issue through stipulations entered into in the states of Arizona ("Arizona Stipulation") and Washington. As suggested by the Commission, the parties entered into a separate agreement in Colorado to clarify the Washington agreement

¹ Clean and red-lined versions of the revised CPAP are attached.

² See Decision No. R05-0103-I, Interim Order of Administrative Law Judge Mana L. Jennings-Fader, issued January 25, 2005, in Docket No. 04M-424T; see also Decision No. C05-0106, Order on the Fourth Six-Month Review issued January 27, 2005, in Docket No. 02M-259T.

³ See Decision No. C04-0932, Order Granting Application for Rehearing, Reargument, or Reconsideration

("Colorado Stipulation") which was then filed in Docket No. 04M-424T as ordered by the Commission in Decision No. C04-1482.⁴

2. On November 24, 2004 Qwest filed a revised CPAP incorporating the Arizona Stipulation. The Commission approved the revisions to the CPAP pursuant to the Arizona Stipulation in Decision No. C04-1546 issued January 4, 2005, in Docket Nos. 03M-078T and 02M-259T.

3. In Decision No. R05-0103-I issued January 25, 2005, the ALJ approved the Colorado Stipulation and deemed all existing interconnection agreements containing a CPAP in Colorado to be modified to include the revisions of the Colorado Stipulation without need for further amendment. The ALJ further ordered Qwest to give notice to all CLECs to this effect and to make compliance filings in Docket Nos. 03M-078T and 02M-259T within 45 days of the decision to reflect the revised CPAP incorporating the Colorado Stipulation. *See* red-lined CPAP reflecting approved revisions pursuant to the Colorado Stipulation. The ALJ also stated at paragraph 14 of the decision that Qwest need not seek approvals of the compliance filings "as this Order approves the Stipulation."

4. Subsequently on January 27, 2005, the Commission issued Decision No. C05-0106 on the fourth six month review of the CPAP. Accordingly, the CPAP has also been revised to eliminate PO-18 and to incorporate PO-19B as ordered in the decision⁵. *See* red-lined CPAP reflecting these ordered revisions.

5. Therefore, this filing of the CPAP reflects the revisions incorporating the Colorado Stipulation pursuant to the ALJ's interim order in the third six month review and

⁴ The remaining issues in the third six month review are pending before the ALJ for determination.

⁵ Subsequently, at the Commission's open meeting on March 2, 2005, the Commission conducted oral deliberations on the payment structure for PO-19 and determined that the payment structure for PO-19 should be suspended and the standard should become diagnostic. Qwest is awaiting the written decision and will make a compliance filing to reflect the change in standard of PO-19 to diagnostic in a future filing.

reflects the elimination of PO-18 and incorporation of PO-19B pursuant to the order on the fourth six month review of the CPAP. Qwest requests that the Commission approve the CPAP in Docket No. 02M-259 as revised so that it may become effective as expeditiously as possible in Docket No. 03M-078T as part of Qwest's Ninth Revised SGAT. Qwest further requests that the Commission deem all existing interconnection agreements that currently contain the CPAP to be modified to incorporate the revisions pursuant to the order on the fourth six month review without further filings.⁶

6. Qwest will provide notice of this filing to Colorado CLECs through its wholesale notification process within one day of this filing. This filing will also serve as notice to CLECs that have interconnections agreements that contain the CPAP, that the CPAP is modified to incorporate the revisions pursuant to the Colorado Stipulation without need for further amendment.

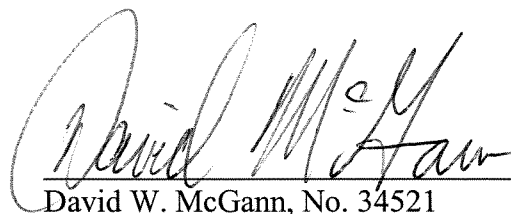
WHEREFORE, Qwest respectfully requests that the Commission approve the CPAP to make it effective as expeditiously as possible as part of Qwest's Ninth Revised SGAT and further requests that the Commission deem all existing interconnection agreements that currently contain the CPAP to be modified in accordance with the updated CPAP, without need for further filings.⁷

⁶ The CPAPs were already deemed modified with respect to the Colorado Stipulation in Decision No. R05-0103-I.

⁷ See footnote 5.

Dated this 9th day of March, 2005.

By:



David W. McGann, No. 34521

Qwest Services Corporation
1005 17th Street, Suite #200
Denver, CO 80202
(303) 896-3982
(303) 896-6095 (fax)
david.mcgann@qwest.com
Attorney for Qwest Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of March, 2005, the original and 15 copies of the foregoing **QWEST CORPORATION'S NOTICE OF COMPLIANCE FILING** was hand-delivered to:

Doug Dean, Director
Colorado Public Utilities Commission
1580 Logan Street, Office Level 2
Denver, CO 80203

and a copy was placed in the United States mail, postage prepaid, addressed to the following:

Karen L. Clauson
Eschelon Telecom, Inc.
730 Second Ave. South, Suite 1200
Minneapolis, MN 55402-2456

Geri Santos-Rach
Public Utilities Commission
1580 Logan Street, OL-2
Denver, CO 80203

Letty S.D. Friesen
AT&T Communications
1875 Lawrence Street, Suite 1575
Denver, CO 80202

Anthony Marquez
Paul C. Gomez
Jennifer F. Warnken
1525 Sherman Street, 5th Floor
Denver, CO 80203

Thomas F. Dixon
WorldCom, Inc.
707 17th Street, Suite #3900
Denver, CO 80202

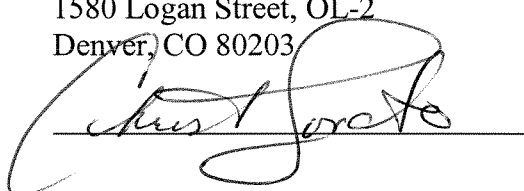
David M. Nocera
Assistant Attorney General
Business and Licensing Section
1525 Sherman Street, 5th Floor
Denver, CO 80203

Rebecca Quintana
Public Utilities Commission
1580 Logan Street, OL-2
Denver, CO 80203

Gary Klug
Public Utilities Commission
1580 Logan Street, OL-2
Denver, CO 80203

John Epley
Public Utilities Commission
1580 Logan Street, OL-2
Denver, CO 80203

Roxi Nielsen
Public Utilities Commission
1580 Logan Street, OL-2
Denver, CO 80203

A handwritten signature in black ink, appearing to read "Roxi Nielsen", is written over a horizontal line. The signature is cursive and somewhat stylized.

and a true and correct copy has been served electronically to the parties.