

INTERROGATORIES

REDACTED

Birch Interrogatory No. 1

Describe each and every instance since 2001 where QCC offered to, or discussed with, a CLEC operating in Florida an agreement of any kind, including but not limited to a wholesale service agreement, in which the CLEC would waive or reduce any of its intrastate switched access rates as part of the agreement.

INITIAL RESPONSE

QCC objects to this Request on the basis that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. QCC's provision of wholesale long distance services has little (if any) relevance to this proceeding. The purpose of this proceeding is to examine whether Birch abided by its statutory obligations in connection with its provision of intrastate switched access services to QCC. The manner in which QCC has provided wholesale long distance services is not relevant to determining the lawfulness of Birch's conduct.

Furthermore, whether or not QCC, as a *customer* of switched access, has discussed or entered into any ICBs with the CLEC providers of switched access is not relevant to this case. As the customer, QCC does not have an obligation to police the CLEC's adherence to its price list or to its obligation to avoid rate discrimination. At issue in this case is whether each individual CLEC respondent, as to *its* provision of intrastate switched access, abided by its statutory and price list obligations.

Respondent: QCC Legal

SUPPLEMENTAL RESPONSE

Without waiver of its objections, QCC supplements its response as follows. The response is confidential and is provided subject to the parties' non-disclosure arrangements.

[REDACTED]

[REDACTED]

[REDACTED]

- COM _____
- APA _____
- ECR _____
- GCL _____
- ~~QAD~~ _____
- SRC _____
- ADM _____
- OPC _____
- CLK _____

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Aside from the referenced subsets of traffic, QCC is unaware of having ever requested negotiation of an agreement similar to those entered into between Birch/Access Integrated and AT&T. However, as the provider subject to a statutory non-discrimination obligation, Birch had the obligation to provide identical rate treatment to QCC for the identical service given that QCC is similarly situated to the preferred IXCs in the context of this service. As an IXC, QCC is provided switched access by over 700 CLECs nationwide. Even accepting the extremely unfounded assumption that the subset of CLECs which had entered secret, off-price list agreements would have (a) identified the terms of such agreements to QCC, and/or (b) offered QCC the same rate in response to an inquiry, it was not QCC's responsibility to police the conduct of 700+ different CLECs or to commence negotiations in order to obtain non-discriminatory treatment.

Respondents: QCC Legal

William Easton, QCC Wholesale Advocacy
1600 7th Avenue, Room 1505
Seattle, WA 98191

Birch Interrogatory No. 4

For each Qwest billing dispute submitted to BCI/A1N for switched access services (whether for intrastate or interstate) over the period of time Qwest seeks "reparations, with applicable interest," describe the difference between the amount paid by Qwest and the amount billed by BCI/A1N, the basis for the dispute, and how the dispute was resolved or whether the dispute remains pending.

INITIAL RESPONSE

QCC objects on the basis that this Request is overly broad, unduly burdensome, vague, ambiguous and seeks information already in Birch's possession or custody. QCC further objects on the basis that the Request is not reasonably calculated to lead to the discovery of admissible evidence.

Respondent: QCC Legal

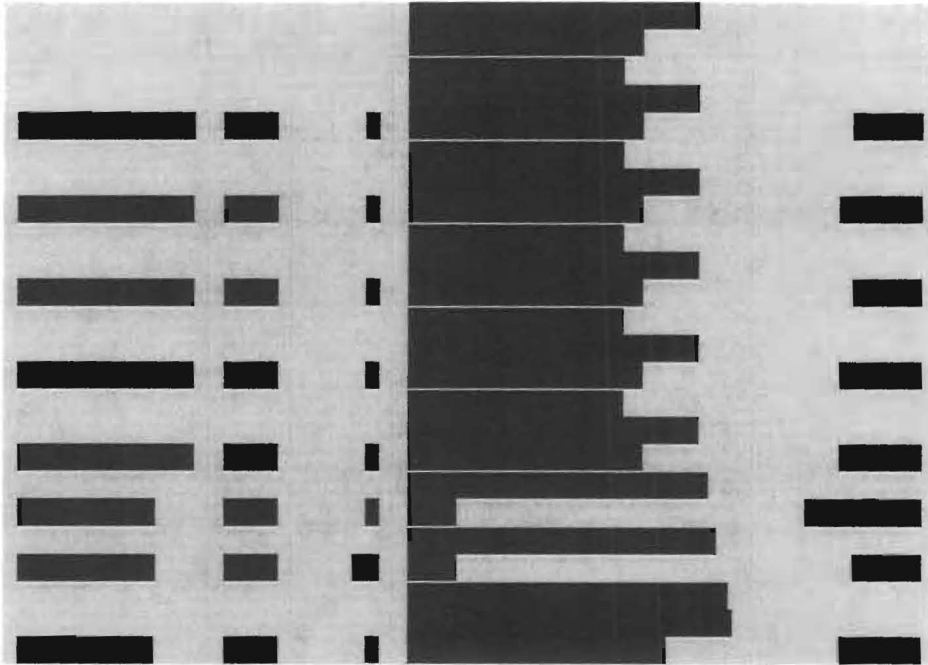
SUPPLEMENTAL RESPONSE

Without wavier of its objections, QCC responds as follows. The response is confidential and will be provided subject to the parties' non-disclosure arrangements.

[REDACTED]

[REDACTED]

[REDACTED]



Respondent: Patrick J. Welch, Manager of Finance-Facility Cost
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