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Subject: FW: Escalation of CR#PC032801-4 (Advance Notice of Profile and Rate Changes)/Qwest's Response to Eschelon's 1-31 reply regarding Qwest's proposed process for rate and profile changes

Sue:

The advance notice of rate and profile change CR escalation is disputed and unresolved. There are issues outstanding as to both this particular escalation and as to the process (for redesign).

We disagree that you have incorporated advance notice of rate/profile changes into your processes. As our red-line of your proposed processes show (see below), there are many areas where your processes do not incorporate our escalated issues. In particular, the main point of the CR and escalation was to get "advance" notice with an opportunity to affect The result before the changes are made. (Our CR said: "A process should be Put in place to handle objections to changes before the changes are made.") Your proposed process doesn't accomplish this in all cases and, even When the notice is in advance of the change, your process and the proposed Notice are unclear that there is an opportunity to object and does not state That the rate will not be implemented if valid objection is received.

It is clear that Qwest has NOT incorporated our feedback into your processes, because the type of problem prompting Eschelon's CRs has occurred again. AFTER Qwest provided its revised process to CLECs, Qwest again sent notification of a rate "validation" process. But, Qwest did not include any of the detail that Qwest said it would provide from now on. Our carrier relations person has had to request the detail from our service manager. Here is the new "notice" and Eschelon's note to our service manager:

<<FW: Process Updates: Billing: RN: Rate Validation, Effective March/April Bills>>

Ten days is entirely too short of notice, particularly because we have Not been given any of the detail that Qwest said it would provide with any future validations. Qwest said, in its written response to our escalation:

"Qwest has implemented a process for future validation efforts. Qwest will provide notification to a CLEC of any correction of the billed rate at the time Qwest determines that a correction is necessary. The correction of the billed rate will occur 10 days after the CLEC has received notification of the rate correction. Notification will include the UNE or resale product affected, the current billed rates, the corrected rate in the billing system, the effective date of the correction, the approximate month during which the correction will appear on the bill, and the authority by which the rate is being corrected."

Qwest did not adhere to its own process. We are in the same position of having no notice or opportunity to affect the result before rates are changed. We are also in no better position to verify the bills afterward. **WE HAVE OBJECTED, AND THESE RATE CHANGES SHOULD NOT GO INTO EFFECT, PARTICULARLY UNTIL WE KNOW WHAT CHANGES QWEST IS PROPOSING.** Qwest did NOT provide advance notice of the rate changes. We don't know what they are. Qwest provided notice of a "validation" in theory, but we have no notice of the changes themselves.

With respect to the process used for this escalation, we have Raised some of the outstanding issues in our gap analysis. For example, it is unclear what the next steps are. Is it Qwest's position that the CLECs who joined in the escalation, or any of them, should now bring this issue to the state commissions? Are there any other processes available? In addition to those in the gap analyses, this escalation has raised additional issues that should be addressed in re-design. The documentation should address joint escalations. We had anticipated that the CLECs who joined the escalation would be contacted together. Because Qwest approached them separately, we did not have the benefit of their comments. We would like to see a more open and collaborative process that is documented for these types of escalations.

Please confirm that the rates mentioned in the attached notice, and any further notice, will not be changed without proper notice and opportunity to object before implementation. Please also let us know what QWest believes is the next step for this escalation.