

Qwest Corporation

WN U-40
EXCHANGE AND
NETWORK SERVICES
WASHINGTON

SECTION 4
2nd Revised Index Sheet 1
Cancels 1st Revised Index Sheet 1

4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

SUBJECT	SHEET	
Construction Charges.....	5	(T)
Extension of Service Charges.....	6	(T)
Temporary Service.....	13	(N)

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1st Revised Sheet 1
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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.1 RESERVED FOR FUTURE USE[1]

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(D)

[1] Material moved to Section 4.1 of the Exchange and Network Services Catalog.

(N)

By Authority of Order of the W.U.T.C., Order No. 6 dated 07/24/2007 and Order No. 14 dated 11/30/07 -
Advice No. 3639T
Issued by Qwest Corporation
By K. R. Nelson, Vice President

Docket No. UT-061625
Effective: February 1, 2008

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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.1 RESERVED FOR FUTURE USE[1] (CONT'D)

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[1] Material moved to Section 4.1 of the Exchange and Network Services Catalog.

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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.1 RESERVED FOR FUTURE USE[1] (CONT'D)

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[1] Material moved to Section 4.1 of the Exchange and Network Services Catalog.

(N)

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**SECTION 4
2nd Revised Sheet 4
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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.1 CONSTRUCTION WITHIN THE BASE RATE AREA (BRA)

(D)

[1] Material moved to Section 4.1 of the Exchange and Network Services Catalog.

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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.2 CONSTRUCTION CHARGES

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4.2.1 GENERAL

1. The Company will furnish, install and maintain all facilities necessary to serve applicant(s) or in accordance with its lawful rates, terms and conditions, and with its established construction standards.
2. The type of construction (buried or aerial) is the prerogative of the Company, except where designated by law. If applicant(s) chooses a different type of construction than that specified by the Company, the applicant(s) will be responsible for any additional cost.
3. The route will be determined by the Company. If applicant(s) chooses a different route than that specified by the Company, the applicant(s) will be responsible for any additional cost.
4. Bills for construction charges are not to be construed as being bills for exchange or interexchange service.
5. The estimated cost of construction for a specific job will be provided to the applicant(s) requesting the construction. The estimated cost of construction will be in writing and will be good for thirty days after the Company provides a bill to the applicant(s).
6. Pursuant to WAC 480-120-061, where applicant(s) is so located that it is necessary or desirable to use private and/or government rights-of-way to furnish service, such applicant(s) is responsible for securing all necessary rights-of-way or easements, or pay the cost of providing such rights-of-way in addition to any applicable charges.
7. Any force majeure event, or other condition which prevents the provision and performance of service, may delay the timeframes or construction intervals referred to within this tariff. This includes, but is not limited to: delays caused by the applicant, including failure to provide access to the customer's premises; delays caused by local, state, federal, or tribal government authorities, including failing to provide easement or access to rights-of-way; delays caused by vendors or other third parties, or; uncontrollable events, such as frozen ground, tornadoes, severe weather, lightning, injunctions, strikes or work stoppages, and negligent or willful misconduct by customers or third parties, including but not limited to, outages originating from introduction of a virus onto the provider's network.
8. Specific provisions governing construction charges can be found in Section 4 of the Washington Exchange and Network Services Catalog No. 2.

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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.2 CONSTRUCTION CHARGES (CONT'D)

4.2.2 EXTENSION OF SERVICE CHARGES

A. Description

1. Extension of Service

Extension of service means an extension of Company distribution plant for new tariffed residential basic local exchange service to a location where no distribution plant of the extending company exists at the time an extension of service is requested. An extension is constructed at the request of one or more applicants for service. An applicant is any person applying for new tariffed residential basic local exchange service. Extensions of service do not include trenches, conduits, or other support structure for placement of company-provided facilities from the applicant's property line to the premises to be served.

2. Application of Tariff

- a. Extension of service does not apply to extensions to developments applied for by a developer. A developer is any owner of a development who offers it for disposition, or an agent of such an owner, and a development is defined as land which is divided or is proposed to be divided for the purpose of disposition into four or more lots parcels, or units. The terms and conditions associated with requests for facilities to serve residential developments can be found in Section 4.4 of the Company's Exchange and Network Services Catalog No. 2.
- b. Extension of service does not apply to applications for extension of service for business classes of service and applications for extension of service by residential customers for service other than basic local exchange service. The terms and conditions associated with requests for extension of service for business services and for residential services other than residential basic local exchange services can be found in Section 4 of the Washington Exchange and Network Services Catalog No. 2.
- c. The prior WAC 480-120-071, as it was in effect on June 1, 2008, will continue to apply to applications for extension of service that the Company has completed or accepted before October 4, 2008. This section applies to all other requests for service before and after October 4, 2008.

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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.2 CONSTRUCTION CHARGES 4.2.2 EXTENSION OF SERVICE CHARGES

A. Description (Cont'd)

3. Definition of Terms

As used in this Tariff, the following terms shall have the definitions ascribed to them in WAC 480-120-071(1): applicant, cost of service extension, developer, development, distribution plant, drop wire, extension of service, extraordinary cost, order date, premises, tariffed, temporary occupancy, and temporary service. A copy of WAC 480-120-071(1) is available upon request.

B. Terms and Conditions

1. Allowance

The Company provides a one thousand foot allowance for an extension of service at no charge to the applicant, subject to the conditions set forth in this Tariff. Multiple applications for a single extension of service or multiple applicants on a single application for an extension of service are permitted when the extension of service follows a single construction path. When there are multiple applicants for an extension of service or multiple applications received at the same time for an extension of service that follow a single construction path, the one thousand foot allowance may be aggregated by the number of applicants. For example, if there are two applicants, the allowance becomes two thousand feet.

2. Application Process

- a. The applicant must complete the application form provided by the Company and submit it to the Company. The application form will be provided to the applicant within seven business days of the applicant's initial request for service. In the case of multiple applicants, each applicant must either file a separate application form or be separately identified on and sign a single form. Each applicant will be billed an equal portion of the applicable charges. Multiple applicants may agree to divide the bill among themselves in a ratio different from that billed so long as the Company receives full payment. Under normal circumstances, the Company will construct the extension of service and provide residential basic local exchange service within thirteen months from the order date. There are three exceptions:

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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.2 CONSTRUCTION CHARGES 4.2.2 EXTENSION OF SERVICE CHARGES

B.2.a. (Cont'd)

- (1) When an extension of service exceeds the one thousand foot allowance, in which case the Company will provide the applicant(s) a bill for the estimated cost of construction within one hundred and twenty days of the order date; and
- (2) When there are extraordinary costs for construction within the one thousand foot allowance, and the Commission grants the Company's request to charge the applicant for the extraordinary extension of service cost, the Company shall provide the applicant(s) a bill for the estimated cost of construction as soon as practicable after receiving permission to recover the extraordinary costs.
- (3) If the applicant is a subsequent applicant and required to pay any charges associated with a previous extension of service as provided for in 4., following, the Company will provide the applicant a bill for the estimated cost of construction within one hundred and twenty days of the order date.

In (1), (2), and/or (3), the extension of service will be completed within twelve months after the applicant(s) returns the application and meets the payment terms established by the Company at the time the bill for the estimated cost of construction is presented to the applicant.

- b. For line extensions within the 1000' allowance, and the applicant is not a subsequent applicant required to pay any charges associated with a previous extension of service as provided for in 4., following, and there are no extraordinary costs, the applicant's request for service will serve as their completed application for extension of service. The date the applicant(s) requests service will be the order date. If the Company determines there is a requirement for supporting structure and trench from the applicant(s)' property line to the applicant(s)' premises, a representative of the Company will notify the applicant of all requirements and Company construction specifications.

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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.2 CONSTRUCTION CHARGES 4.2.2 EXTENSION OF SERVICE CHARGES B.2. (Cont'd)

- c. When the applicant(s) completes and delivers the application for extension of service to the Company, the date it is received by the Company shall be considered the order date. The order date may be extended if, as required in 5. following, all necessary support structures, trenches, or both, have not been completed by the time the Company is ready to begin construction. The Company may delay the construction of the extension of service until such time that all the applicant(s) have completed construction of support structures, trenches, or both, as determined by the Company.

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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.2 CONSTRUCTION CHARGES 4.2.2 EXTENSION OF SERVICE CHARGES B. Terms and Conditions (Cont'd)

3. Extension of Service Charge True-Up

- a. At the completion of the construction of the extension of service, the Company will determine the difference between the estimated cost that was billed to the applicant(s) and the actual cost of construction. If the actual cost of construction of the extension of service is less than the estimated cost that was billed to the applicant(s), the Company will refund any overpayment. In the case of multiple applicants on an extension of service that follows a single construction path, the Company will divide the difference by the number of applicants and refund an equal amount to each of the applicants. If the applicants have divided the bill among themselves in amounts different from the amounts billed, it is up to the applicants to reconcile any difference in refund. If the cost of construction of the extension of service exceeds the estimated cost that was billed to the applicant or applicants, the Company may bill, and the applicant(s) shall pay, the reasonable additional costs up to ten percent of the estimate. In the case of multiple applicants, the amounts shall be billed to the applicants on a prorata basis.
- b. In every case of a refund or additional charges, the Company shall provide the applicant(s) detailed construction costs showing any difference (whether in excess of the estimated cost of construction or below the estimated cost of construction).

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4.2 CONSTRUCTION CHARGES 4.2.2 EXTENSION OF SERVICE CHARGES

B. Terms and Conditions (Cont'd)

4. Subsequent Applicant(s)

- a. If, within five years of the order date for an extension of service, a subsequent applicant(s) seeks service which would be provided by means of the previous extension of service where the original applicant or applicants paid construction charges under this Tariff, then the subsequent applicant(s) will pay a proportionate share of the original extension of service charges before the Company will provide service. The amount paid by the subsequent applicant(s) will be refunded proportionately to the original applicant(s) who paid the extension charges.
- b. In addition to a. above, where a subsequent application involves an additional extension of service from the previous extension of service, this will be treated as an application for a new extension of service and additional extension of service charges may apply if this extension of service exceeds the one thousand foot allowance as provided for in B.1. preceding, or if the Commission grant's the Company's request to charge for any extraordinary extension of service costs.
- c. The Company will provide notice of the availability of a refund to the last known address of the original applicant or applicants. The notice will state the amount of refund available. To receive the refund, the prior applicant or applicants must request the refund within sixty days of the date of the notice. If a refund is not requested in a timely manner, then the amounts paid by the subsequent applicant(s) shall be refunded to the payor(s).

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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

4.2 CONSTRUCTION CHARGES

4.2.2 EXTENSION OF SERVICE CHARGES

B. Terms and Conditions (Cont'd)

5. Support Structures and Trenches

- a. Construction of an extension of service is expressly conditioned upon the applicant(s) completing construction of support structures, trenches, or both, on the applicant(s)' property as determined by the Company. The applicant's responsibility extends from the applicant's property line to the applicant's premises. In the case of multiple applicants for an extension of service, each applicant is responsible for construction of support structures, trenches, or both, on that applicant's property. All such supporting structures must be placed in accordance with Company construction specifications provided to the applicant by the Company.
- b. The applicant(s) has the option of providing the trench and support structure as determined by the Company, or may choose the Company, or a different company for the construction of the trench and structure. If the applicant(s) chooses the Company to dig the trench and provide the supporting structure, the applicant agrees to pay the Company all costs associated with the trench and supporting structure. Once support structures, trenches, or both have been constructed, the Company will provide drop wire to the applicant(s) at no charge.
- c. Once constructed and in place, all supporting structures and drop wire will be maintained by the Company so long as service is provided by the Company to the applicant. If the Company stops providing service to the applicant, the Company will have no responsibility for maintenance of supporting structures and drop wire. To the extent that the Company provides support structures and trenches, such material shall be owned by the Company.
- d. In arranging for service, the applicant(s) shall be deemed to have granted the Company and its employees, agents and contractors an easement for ingress and egress to and from the drop wire, supporting structures, trench and protector or NID for purposes of repair, maintenance, operation, replacement of said drop wire, support structures and trenches, along with the protector or NID.
- e. Any cost incurred because of sharing an open trench or aerial structure on the applicant(s) private property with another utility, will be the responsibility of the applicant(s).

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4.2 CONSTRUCTION CHARGES

4.2.2 EXTENSION OF SERVICE CHARGES

B. Terms and Conditions (Continued)

6. Customer Information

- a. When the application form is provided to the applicant, the Company shall also provide a brief explanation of the extension of service rules. The explanation will include the possibility that the applicant will be required to contribute to the cost of a previously built extension that is less than five years old if a previously built extension is involved in providing service to the applicant.
- b. When a bill for construction costs is delivered to an applicant, the Company shall also provide a notice of the right to be reimbursed for a portion of the cost of the extension of service by a subsequent applicant and the duty to keep the Company apprised of the applicant's current address.

7. Refusal of Service

The Company may refuse to process an application for Extension of Service if the application or any of the Applicants is not in compliance with Commission rules, the terms and conditions of the Company's tariff, or both. In addition, the Company may decide not to process an application for Extension of Service if the Company determines that it is going to refuse service in accordance with WAC 480-120-061.

4.4 RESERVED FOR FUTURE USE [1]

4.6 TEMPORARY SERVICE [2]

Where an applicant(s) requests a line extension for temporary service, or the service request is deemed to be temporary by the Company, the provisions of 4.2.2 apply, except the one thousand foot allowance as set forth in 4.2.2.B.1., preceding does not apply and the applicant shall be billed the full cost of the extension of service.

[1] Material moved to Section 4.4 of the Exchange and Network Services Catalog By Authority of Order of the W.U.T.C., Order No. 6 dated 07/27/2007 and Order No. 14 dated 11/30/07 – Docket No. UT.-061625.

[2] Material previously in this Section moved to Section 4.6 of the Exchange and Network Services Catalog By Authority of Order of the W.U.T.C., Order No. 6 dated 07/27/2007 and Order No. 14 dated 11/30/07 – Docket No. UT.-061625.

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RESERVED FOR FUTURE USE

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4. CONSTRUCTION CHARGES AND OTHER SPECIAL CHARGES

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