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November 26, 2003

VIA HAND DELIVERY

Jean D. Jewell, Secretary
Idaho Public Utilities Commission
472 West Washington
Boise, ID 83702-5983

RE: Docket No. GNR-T-03-23

Dear Ms. Jewell:

Enclosed for filing with this Commission is an original and seven (7) copies of **Qwest's Motion for Order Relating to Disclosure of Third Party Information.**

If you have any questions, please contact me. Thank you for your cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Mary S. Hobson".

Mary S. Hobson

:blg

Enclosures

cc: Service List
Tina Colvin

ORIGINAL

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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

Case No. GNR-T-03-23

**Qwest's Motion for Order Relating to
Disclosure of Third Party Information**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

Qwest Corporation ("Qwest"), through its attorneys, hereby moves the Commission to enter an order directing Qwest to produce information in its possession that could reveal a CLEC-specific or carrier-specific confidential information when provided in response to discovery requests in this proceeding or when offered into

evidence by Qwest. Because of its status as wholesale provider of network services and elements to carriers and CLECs, Qwest possesses information that is both proprietary and confidential to its carrier/CLEC customers. Other participants in this docket are, for the most part, only called on to provide their individual information. While the protective order¹ addresses the protection of a company's individual information, the requested order is necessary to protect the party that discloses third party information in its possession. As further grounds for this Motion, Qwest states as follows:

Qwest has received numerous data and information requests in this docket including but not necessarily limited to Requests 2, 3, 6, 7, 9, 11, 19, 26, 27, 32, 34, 44 and 46 in the *First Production Request of the Commission Staff to Qwest Corporation*, served November 7, 2003. These Requests include demands for information in Qwest's possession regarding its provisioning and billing activities. In several instances, producing such information will reveal the identity of particular CLECs or carriers, the services they purchase from Qwest, and details of their businesses such as CLEC-specific numbers of access lines served through UNE-P and UNE-L, and switch and collocation information. This information may be protected from disclosure under 47 U.S.C. § 222 and other federal privacy laws.²

Qwest seeks an express Commission directive requiring Qwest to identify and distribute information that may reveal a CLEC's or carrier's identity and other confidential CLEC/carrier data under the "Highly Confidential" designation of the

¹ Order No. 29384 entered November 21, 2003.

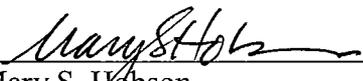
² Qwest notes that while the Commission its Order No. 29384, controlling how confidential information will be protected when disclosed, that order does not specifically require a party who possesses the confidential information of another to disclose that information, even under the conditions provided in the Order.

Commission's protective order during the course of this proceeding. The requested order is for the purpose of providing all necessary protection to Qwest³ when it discloses confidential CLEC/carrier information. Qwest also seeks protection where the response to a discovery Request contains no specific carrier information but the small volumes of CLEC/carrier activity may allow associations to be made that result in identification of a specific CLEC or carrier.

The order sought by this Motion will not adversely affect the right of any party, including Qwest, to raise appropriate objections to discovery requests.

Respectfully submitted this 26th day of November, 2003.

Qwest Corporation



Mary S. Hobson
Stoel Rives LLP

Adam L. Sherr
Qwest

Attorneys for Qwest Corporation

³ Qwest's status is relatively unique in that as a wholesale provider of network services and elements to carriers and CLECs, Qwest not only possesses information about its operations, it also possesses information that is confidential and proprietary to its customers. It is this latter category of information that is the focus of this Motion.

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of November, 2003, I served **Qwest's Motion for Order Relating to Disclosure of Third Party Information** as follows:

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