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VIA FACSIMILE

Tamara Preiss
Chief, Pricing Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Qwest Tariff F.C.C. No. 1, Transmittal No. 186
EarthLink Petition to Reject, or to Suspend and Investigate of February 20, 2004

Dear Ms. Preiss:

In response to the February 24, 2004 Reply of Qwest Corporation, EarthLink wishes to reiterate that it *does not assert* that a volume plan discount must apply to the purchase of Qwest Stand Alone DSL service. Therefore, Qwest is erroneous when it contends EarthLink's position is "that QC has an obligation to include Stand Alone DSL Service in its volume discount program" Qwest Reply, 2. As stated in the Petition, the issue is the legality of excluding a class of customers from purchase of the Stand Alone DSL service, as the Tariff would mandate: "The Stand Alone *Qwest DSL* Service is . . . not available to *Qwest DSL* Volume Plan customers." Transmittal, § 8.4.1.A (emphasis in original). Thus, the proposed tariff should be rejected as discriminatory. If Qwest means to permit Volume Plan customers to purchase the Stand Alone DSL service but at no discount, then the tariff must nevertheless be rejected as ambiguous. 47 C.F.R. § 61.2.

Sincerely,

/s/

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