

LONG TERM PID ADMINISTRATION

May 14, 2003

Introduction

This document does not give specific deadlines. Instead, it is anticipated that the Facilitator will set the deadlines based on the specifics of the impasse issue, such that the impasse issue is resolved within 10 business days as described below. The state staffs expect that, at the conclusion of the first six-month review, participants in the collaborative project will evaluate the operation and effectiveness of the process and will have the opportunity to propose changes.

I. Objectives

At this time, the focus of this collaborative is on the long-term administration of the PIDs. It is anticipated that this collaborative will formally occur during the six-month review process. However, for the six-month reviews to be as efficient and effective as possible, this process will necessarily be ongoing.

It is possible that additional collaborative functions may be considered in the future including, but not limited to, audits and overall performance assurance plan reviews.

II. Governance

Participating state commission staffs have agreed to hire a Facilitator to facilitate the process on behalf of the states during the first six-month review period.¹

III. Issue Resolution

Once a cumulative set of issues has been established, all collaborative participants will discuss the issues to work toward a consensus resolution. After full discussion by the collaborative, the issues will fall into one of two categories.

- A. Agreed upon issues – Qwest will bring the agreed to changes to the individual state commissions participating in LTPA for modification of Exhibit B of the SGAT. At that time, Qwest will request that the agreed to changes will apply to any existing interconnection agreements that contain Exhibit B without any further Commission approval. For PIDs that are included in the state's PAP, agreed to changes will be submitted pursuant to the terms of each state PAP.

¹ A companion Request for Proposal (RFP) document has been distributed with this document.

B. Impasse issues – Any issue where the collaborative group fails to reach consensus will be evaluated as follows:

1. General impasse guidelines

a. Prior to any determination that an issue is "at impasse" a discussion will be held via conference call or face-to-face, as necessary, to fully explore the collaborative participants' various positions.

b. Once an issue is determined to be at impasse, the Facilitator will set a deadline for written positions² to be prepared by those collaborative participants at impasse.

c. The Facilitator will review the written positions of the collaborative participants and prepare a written recommendation. The recommendation may be different from the recommendations of any of the participants preparing written positions.

d. If the Facilitator recommends something other than the written positions, all collaborative participants will be permitted time to review the recommendation and determine if further impasse exists.

e. If it is determined that impasse continues to exist, the Facilitator will distribute materials (as described below) for voting.³ Following discussion by the state staff members and where a quorum of state staff members is available, a vote will be taken.⁴ One vote will be counted for each participating state commission.

f. Following each vote of the state staff members, the Facilitator will post on the LTPA website: the written impasse positions of the LTPA participants, the Facilitator's recommendation, and the results of the state staff vote, including the rationale and the individual votes of each staff member.

2. Impasse process with a single CLEC position

² Multiple parties may sponsor one position.

³ All documents and voting results relative to this collaborative process will be distributed by promptly posting the documents to the LTPA website and promptly noticing the LT271 E-mail list that documents are available. The list is hosted by Idaho Public Utilities Commission at LT271@puclist.state.id.us. To subscribe or unsubscribe send a message to whart@puc.state.id.us.

⁴ A quorum is made up of two-thirds of the state commissions formally participating in the LTPA process. If a state abstains from the vote, that should also be noted in the result of the vote.

When there are only two positions submitted by the participants, the state staff members will review and consider both positions as well as the Facilitator's recommendation.

3. Impasse process with multiple CLEC positions

a. When there are multiple positions submitted for consideration, the state staff members' first vote (with one vote allowed for each participating state commission) will be limited to affirming or rejecting the written recommendation of the Facilitator. If the vote of the state staff shows a clear consensus affirming the recommendation, the results of the vote will be posted on the LTPA website.⁷

b. If there is no clear consensus affirming the written recommendation of the Facilitator following a discussion by the state staff members, a vote will be conducted (with one vote allowed for each participating state commission) offering a choice among the initial written positions of the participants. The state staff members may either conduct the vote immediately after that determination or they may choose to return the issue to the Collaborative for further consideration. In addition, the state staff members may conclude that an alternative recommendation is advisable.

c. If the state staff members recommend something other than one of the initial positions of the collaborative participants, all collaborative participants will be permitted to review the recommendation to determine if consensus is possible.

d. If it is determined that the recommendation of the state staff members will not further the goal of consensus, the state staff members may vote again, choosing among the initial written positions of the collaborative participants.
