

**BEFORE THE WASHINGTON UTILITIES
AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation Into)
U S WEST Communications, Inc.'s) Docket No. UT-003022
Compliance With Section 271 of the)
Telecommunications Act of 1996)
_____)

In the Matter of U S WEST Communications,) Docket No. UT-003040
Inc.'s Statement of Generally Available)
Terms Pursuant to Section 252(f) of the)
Telecommunications Act of 1996)
_____)

**AT&T'S MOTION FOR RECONSIDERATION AND FOR
CLARIFICATION OF THE 18TH SUPPLEMENTAL ORDER**

AT&T Communications of the Pacific Northwest, Inc. and AT&T Local Services on behalf of TCG Seattle and TCG Oregon (collectively "AT&T"), hereby move the Washington Utilities and Transportation Commission ("Commission") for reconsideration and for clarification of five items contained in the Commission's 18th Supplemental Order. In support thereof, AT&T states as follows.

First, the Commission has scheduled a pre-hearing conference for October 17, 2001 to discuss the hearing to be held in December regarding the QPAP, Qwest's compliance with orders in this proceeding and Qwest's performance data. Since the pre-hearing was held in this case on July 31, 2001, and prior to receipt of this Order, the Colorado Commission scheduled a one day technical conference to discuss Qwest's Performance Indicator Definitions through which it reports its performance results. The same attorneys and witnesses that would likely be involved in discussing performance data in the Washington pre-hearing conference on October 17 will be involved in the Colorado technical conference that same day. AT&T therefore requests that the

prehearing conference either be rescheduled for another day or be held during the lunch hour mountain time so that AT&T personnel can participate by phone during a break in the Colorado technical conference.

Second, there is a conflicting workshop scheduled for December 4 to 7 in Arizona on the draft final OSS report. AT&T's witness, John Finnegan, will be involved in both the Arizona workshop on the draft final OSS report, and the Washington hearing on Qwest's Performance Assurance Plan and verification of Qwest's performance data.

In addition, a Continuing Legal Education Seminar on Telecommunications Law has been scheduled in Denver for December 6 & 7. Because attorneys licensed to practice in Colorado are required to obtain CLE credits to retain their legal license, many of the industry attorneys are involved in this seminar. All of the AT&T attorneys who would be involved in the hearing in Washington on December 5-7 are either speaking at, or scheduled to attend, this pertinent seminar. Several Qwest attorneys and a Covad attorney involved in this docket are also scheduled to participate. Because of the inability to duplicate this opportunity to gain CLE credits in our own area of practice at a local seminar not involving costly and time-consuming travel, AT&T respectfully requests that the hearing scheduled for December 5-7 be rescheduled.

Third, the order provides that comments should be filed by interested parties within seven days after the release of the OSS test. AT&T requests clarification that this means seven days after the "final" OSS report is issued, and the ROC has already undergone its comment period and workshop process. Qwest has encouraged states to hold their comment periods simultaneously with ROC, and before the "final" report is

issued by ROC¹. What this would mean however, is that states would be receiving comments on a report still subject to modification by the vendor. This would be inefficient and lead to a confused and potentially unreliable record. Further, AT&T would be of the opinion that seven days to issue comments would be too short if the parties had not already had eight business days prior to review at least the draft report and comment on it. In other words, seven days running concurrently with the eight business days in ROC would not allow meaningful comments to be submitted in Washington.

Fourth, the Procedural Order provides that a workshop will be held on the OSS test results no later than 3 weeks following the release of the report. Assuming that this means following the release of the “final” report as AT&T urges, AT&T requests that it not be held sooner than three weeks. This would allow two weeks after the Commission receives parties’ comments for the parties to prepare for this final hearing and conduct any necessary discovery or perform other preparation and investigatory work.

Finally, the Order notes that the parties pointed out that the Commission previously determined, on at least one occasion, that Qwest must still file an application with the Commission ninety days before going to the FCC.² AT&T requests clarification regarding whether this is still required, or whether the Commission is amending its previous orders.

¹ ROC has recently released a process whereby KPMG will issue a “draft final report” at the end of the test. Parties will then have eight business days to file comments on the draft, and KPMG will then issue a final report within eight business days of receiving the parties’ comments. A 2-3 day workshop will then be held for the purpose of questioning the vendors within 8-10 days of receipt of this final report.

² Order Adopting Supplemental Interpretive and Policy Statement on Process and Evidentiary Requirements, Docket No. UT-970300, March 15, 2000.

Respectfully submitted this 1st day of October, 2001.

**AT&T COMMUNICATIONS OF THE
PACIFIC NORTHWEST, INC. AND
AT&T LOCAL SERVICES ON
BEHALF OF TCG SEATTLE AND TCG
OREGON**

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