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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

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In the Matter of the Investigation into)
U S WEST COMMUNICATIONS, INC.'S¹)
Compliance with Section 271 of the)
Telecommunications Act of 1996)
.....)
In the Matter of)
U S WEST COMMUNICATIONS INC.'S)
Statement of Generally Available)
Terms Pursuant to Section 252(f) of the)
Telecommunications Act of 1996)
.....)

DOCKET NO. UT-003022 QWEST
POLICY AND LAW DEPT.

DOCKET NO. UT-003040
27TH SUPPLEMENTAL
ORDER; PREHEARING
CONFERENCE ORDER;
NOTICE OF PREHEARING
CONFERENCE; NOTICES
OF HEARING
(April 18, 2002)
(April 22-26, 29-30, 2002)
(May 13-17, 2002)

1 **Proceeding:** Dockets No. UT-003022 and UT-003040 are consolidated in a proceeding to review Qwest Corporation's (Qwest) compliance with the requirements of Section 271 of the Telecommunications Act of 1996 (the Act) and the terms of the Statement of Generally Available Terms (SGAT) Qwest has filed with the Commission.

2 **Conference:** The Commission convened a prehearing conference in this proceeding at Olympia, Washington on February 6, 2002, before Administrative Law Judge Ann E. Rendahl, to identify the remaining issues in this proceeding, the process the Commission should adopt to evaluate these remaining issues, and the schedule for accomplishing the process.

3 **Appearances.** The following parties and their representatives were present at the prehearing conference either in the hearing room or via the Commission's teleconference bridge line: Qwest, by Lisa Anderl, attorney, Seattle, WA; AT&T

¹ Since the inception of this proceeding, U S WEST has merged and become known as Qwest Corporation. For consistency and ease of reference we will use the name Qwest in this order.

Communications of the Pacific Northwest, Inc. and TCG Seattle (collectively AT&T) by Mary Tribby, attorney, Denver, CO; WorldCom, Inc. (WorldCom), by Michel Singer-Nelson, attorney, Denver, CO; Covad Communication Company, by Megan Doberneck, Attorney, Denver, CO; and Public Counsel, by Robert Cromwell, Assistant Attorney General, Seattle, WA.

4 **Identification of the Issues.** By notice issued on January 22, 2002, the Commission identified the following remaining issues in this proceeding: Performance Data, Data Reconciliation, Change Management, the Final OSS Test Report, and any remaining compliance issues. During the conference, the administrative law judge advised the parties that the Commission had determined, following the January 10, 2002 presentation of issues from the fourth workshop, that it was premature to resolve the issue of public interest until later in the proceeding. The Commission does not wish to rehear the testimony and public interest issues presented during the fourth workshop, but to hear discussion of any remaining public interest issues the parties may wish to present.

5 **Status of the Issues.** This prehearing conference order addresses topics previously discussed in the 18th and 21st Supplemental Orders following prehearing conferences on these same issues. This Order builds upon the Commission's understanding of the status of the issues and does not repeat the more detailed discussion of the issues in those orders.

6 **Performance Data and Data Reconciliation Report.** Qwest reported that it issues new performance data during the last week of every month for the prior month's data, e.g., in late February for the month of January. The parties reported that The Liberty Consulting Group (Liberty) has not set a date for filing its report on data reconciliation for Washington data, but that a report is likely to be issued in mid-February. The parties also reported that Liberty intends its state specific reports to be cumulative, such that the data reconciliation effort will not be completed until Liberty issues its last state-specific report. The parties report that Liberty will issue a data reconciliation report concerning Minnesota and Utah data after issuing the reports on Washington and Oregon data.

7 **Change Management.** Qwest reports that it is ready to present to the Commission the company's change management process, noting that there may still be issues that will need to be resolved. WorldCom asserts that change management meetings are scheduled with Qwest and CLECs through the end of April. WorldCom also asserts that KPMG, the OSS test vendor, has been attending these meetings and testing the evolving change management process in the OSS testing process, and that the change management process and OSS test process are operating in tandem.

8 **OSS Test Process and Final Report.** The parties agree that KPMG has indicated that it will issue a draft final report on March 28, 2002, and a final report on April 19,

2002. KPMG has scheduled two technical workshops, the first on March 4 and 5, 2002, in Denver, Colorado, and the second on April 10-12, 2002, in Santa Fe, New Mexico. These technical workshops will apparently be transcribed. The parties also recognize that these dates may be changed depending on the progress of the test.

9 Public Interest. Public Counsel and other parties assert that the Commission should not review the issue of public interest until Qwest can demonstrate that there is a fully functioning OSS, i.e., after a final OSS test report is issued.

10 Compliance Issues. The parties agreed that they could address issues of compliance with Commission orders once orders are issued, and Qwest files an updated SGAT conforming to the orders.

11 Schedule and Process. The Commission has reserved April 22-26, 2002, April 29-30, 2002, and May 13-17, 2002 to address the remaining issues in this proceeding. During the prehearing conference, the parties established a schedule for the April hearings dates to discuss performance data, data verification, compliance, and change management issues.

12 The Commission will hear testimony and cross examination concerning the issues of Qwest's performance data and Liberty's data reconciliation report on Monday, April 22 and Tuesday, April 23. The parties will present oral argument on the issue of Qwest's compliance with Commission orders arising from Workshops One through Four and Qwest's Performance Assurance Plan, or QPAP on the afternoon of Wednesday, April 24, and all day on Thursday, April 25. Should the Commission need additional time to review these issues, it will use Friday, April 26 for such review. On Monday morning, April 29, and on Tuesday, April 30, the parties will present testimony or comments on the issue of Qwest's change management process. The parties requested time to determine whether an evidentiary or oral argument format is more appropriate to review Qwest's change management process.

13 The parties also determined that, to the extent that KPMG has issued a final OSS test report by the end of April, that the Commission will review the final OSS test report, the issue of public interest, and any remaining issues during the week of May 13-17, 2002. A prehearing conference will be scheduled in early April, by separate notice, to review the status of the final OSS test report.

14 The parties agreed to the following schedule for pre-filing testimony and comments and for post-hearing briefs for the April hearings:

15 Performance Results/Data Reconciliation.

**Qwest Performance Results (October 2001 - January 2002),
Initial Testimony, Washington Data Reconciliation Report and
any other completed state reports:** March 8, 2002

**Responsive Testimony and Redlined Data Reconciliation
Reports:** March 22, 2002

Qwest Rebuttal Testimony and February 2002 Data April 5, 2002

Post-Hearing Briefs May 6, 2002

16 In the 21st Supplemental Order, the Commission requested that Qwest provide the following information:

Beginning with September 2001 performance results, and for each month thereafter, please identify each instance where Qwest has failed to meet the parity or benchmark standard. Also provide a narrative as to why the company failed to meet the measure and identify the steps being taken to ensure future compliance.

17 The Commission requests that Qwest provide this information in its March 8 and April 5 filings with the Commission.

18 Compliance with Commission Orders.

Compliance SGAT/Qwest Initial Comments: April 5, 2002
Responsive Comments: April 16, 2002

19 With its Initial Comments, Qwest must file an SGAT that complies with all Commission orders arising from Workshops One through Four, and Qwest's Performance Assurance Plan, if entered by the Commission, as well as any comments concerning its compliance. At the same time, Qwest must file with the Commission a document that lists, for each ordering paragraph in the Commission's orders that required Qwest to either change its SGAT or its behavior to comply with its obligations for a checklist item, the SGAT section or other documentation that demonstrates Qwest's compliance with the orders.

20 Qwest will have an opportunity to make rebuttal comments during the April hearings.

21 Change Management.

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| Qwest's Initial Testimony/Comments: | March 15, 2002 |
| Responsive Testimony/Comments: | March 29, 2002 |
| Qwest Rebuttal Testimony/Comments: | April 12, 2002 |
| Post-Hearing Briefs (If necessary) | May 6, 2002 |

22 **Notice of Prehearing Conference.** The Commission will convene a prehearing conference on **April 18, 2002** to identify and mark pre-filed testimony and exhibits to be used during the April hearings and to address any procedural issues that must be resolved prior to the hearing. The conference will be held in Room 206 of the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S. W., Olympia, Washington, on **April 18, 2002 at 9:30 a.m.** Persons who cannot attend in person may participate via the Commission's teleconference bridge line **360-664-3846**. Persons desiring to participate via the bridge line must make advance reservations, by calling Kippi Walker at 360-664-1139, no later than 5:00 p.m., April 17, 2002.

23 **Notice of Hearing.** The Commission will hold evidentiary hearings on **Monday, April 22 through Friday, April 26, 2002, and Monday and Tuesday, April 29 and 30, 2002, beginning at 9:30 a.m. on Monday, April 22 in the Commission's Hearing Room, Room 206, Chandler Plaza Building, 1300 S. Evergreen Park Drive SW, Olympia Washington.** The Commission holds these hearings for the purpose of addressing Qwest's performance data, the reconciliation of data used to measure Qwest's performance, Qwest's compliance with Commission orders entered in this proceeding concerning Workshops One through Four and the QPAP, and Qwest's change management process.

24 **Notice of Hearing.** The Commission will hold evidentiary hearings on **Monday, May 13 through Friday, May 17, 2002, beginning at 9:30 a.m. in the Commission's Hearing Room, Room 206, Chandler Plaza Building, 1300 S. Evergreen park Drive SW, Olympia, Washington.** The Commission holds these hearings for the purpose of addressing KPMG's final report on the third party OSS testing process, the public interest requirement of section 271(d)(3)(C), and any remaining issues for Commission review.

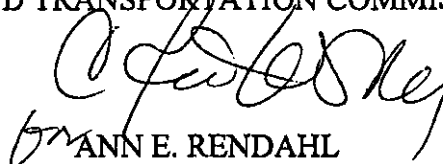
25 Given the expedited schedule in this case, and that parties are involved in similar proceedings in other states at the same time, the Commission will allow parties to file with the Commission electronic copies of pre-filed testimony, exhibits, comments and briefs. Parties must mail the original and 19 copies to the Commission the same day to ensure proper filing with the Commission.

26

Pursuant to WAC 480-09-120(2)(d), parties may elect to receive service from other parties by electronic mail. However, parties must provide a record of their consent to electronic service and waiver of rights to other forms of service in writing to the Commission by **February 15, 2002**.

Dated at Olympia, Washington, and effective this 8th day of February, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION


ANN E. RENDAHL
Administrative Law Judge

NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this statement, pursuant to WAC 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.