



Electric Lightwave, and Time Warner Telecom of Washington, LLC (collectively “Joint CLECs”) filed timely responses with the Commission.

### Issues

- 3 **Qwest Request for Modification/Clarification.** Qwest requests that the Commission modify the schedule for reviewing results from the Regional Oversight Committee’s (ROC) third party tests of Qwest’s Operational Support Systems (OSS). The Eighteenth Supplemental Order stated that comments on the test report should be filed with the Commission no later than 7 days after the release of the report. The Commission also stated that evidentiary hearings would be held no later than 3 weeks after release of the report. Qwest requests the Commission require comments within 8 business days after the release of a draft final report by the vendor, KPMG, rather than the final report. Qwest further requests the Commission hold evidentiary hearings within one week after KPMG releases its final report, or four weeks after the draft final report.
- 4 **AT&T Motion for Reconsideration and Clarification.** AT&T requests the Commission reschedule the prehearing conference scheduled for October 17, 2001, and the hearings scheduled for December 4-7, 2001, due to conflicts with similar proceedings scheduled in other states. Concerning the ROC OSS third party test results, AT&T requests that the Commission require that comments be filed within seven days after the release of KPMG’s final report, and that a hearing be held no earlier than 3 weeks after the release of the final report. Finally, AT&T requests clarification whether Qwest must file an application with the Commission ninety days prior to filing with the FCC, as the Commission required in its March 15, 2000 Order Adopting Supplemental Interpretive and Policy Statement on Process and Evidentiary Requirements in Docket No. UT-970300.

### Discussion and Decision

- 5 **Scheduling.** AT&T’s request to reschedule the October 17 prehearing conference and the hearings scheduled to begin December 5, 2001, is granted. No party objects to AT&T’s requests, and all parties concur that rescheduling is appropriate given that the facilitator’s final report from the multi-state proceeding on Qwest’s Performance Assurance Plan is now scheduled to be issued on October 22, 2001. Based on the responses filed with the Commission, the prehearing conference will be rescheduled to **Tuesday, October 30, 2001**, and the hearing will be rescheduled to begin **Tuesday, December 18, 2001**.
- 6 **OSS Test Results.** The December hearings will not address the results of the ROC OSS third party tests or the CICMP process. The parties report that KPMG will issue a draft final report concerning the OSS test results in January and a final report in early February 2002. Qwest’s request to require parties to respond to KPMG’s draft

final report is denied. The Commission understands Qwest's desire to complete this proceeding as soon as possible. However, reviewing the results of the ROC OSS testing process will be less confusing and more efficient if the Commission and the parties are addressing only one version of the report.

7 All filing dates for issues concerning the OSS test results established in the Eighteenth Supplemental Order are based upon the release of KPMG's final report. As noted in the Eighteenth Supplemental Order, the Commission will issue further notice of hearings and process for review of the results of the ROC OSS third party tests after KPMG issues its final report.

8 **Requirement to File With Commission Prior to Filing with FCC.** In the March 15, 2000 Order Adopting Supplemental Interpretive and Policy Statement on Process and Evidentiary Requirements in Docket No. UT-970300, the Commission required Qwest to "file its 'final' Section 271 Application to the FCC in Washington State at least 90 days before [Qwest] plans to file it with the FCC, unless the Commission sets a shorter time based on the extent of remaining issues and the Commission's perceptions of remaining evidentiary and process needs." The Commission noted that:

This final stage will enable a review of the actual information and the actual documents that [Qwest] files with the FCC and will ensure that the application is consistent with the parties' agreements and commitments made during the workshop process. The concluding adjudicative process will also permit the resolution of any items that have not been resolved to that point.

9 As noted in the March 15, 2000 order, the Commission may establish a shorter time based on the extent of remaining issues and remaining evidentiary and process needs. However, at this time, the Commission continues to require that Qwest file its complete application with the Commission ninety days before filing its application with the FCC.

10 **Notice of Prehearing Conference.** The prehearing conference scheduled for October 17, 2001 will be rescheduled to October 30, 2001. In the prehearing conference, the Commission will determine the scope of the hearing scheduled to begin on December 18, 2001 and establish the schedule for filing comments or testimony in preparation for the hearing. The conference will be held in Room 206, the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S. W., Olympia, Washington, **on October 30, 2001 beginning 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., October 29, 2001.

11

**Notice of Hearing.** In order to thoroughly evaluate the remaining issues in this proceeding, the Commission will hold evidentiary hearings beginning on **December 18, 2001, at 9:00 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 Qwest's PAP and the facilitator's report from the multistate proceeding concerning the PAP, verification of Qwest's performance data, and whether Qwest is in compliance with orders entered in this proceeding.

Dated at Olympia, Washington, and effective this \_\_\_th day of October, 2001.

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.