REDACTED CONFIDENTIAL EXHIBIT NO. _____ (DP/LN-1TC)

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of Qwest Corporation to Initiate a Mass-Market Switching and Dedicated Transport Case Pursuant to the Triennial Review Order	Docket No. UT-033044

DIRECT TESTIMONY OF

DENNIS PAPPAS AND LYNN NOTARIANNI

ON BEHALF OF

QWEST CORPORATION

REPLACED FEBRUARY 17, 2004
~~**JANUARY 23, 2004**~~

CONFIDENTIAL PURSUANT TO THE
PROTECTIVE ORDER IN DOCKET NO. UT-033044
REDACTED

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I. IDENTIFICATION OF WITNESSES

Q. WHO IS SPONSORING THIS TESTIMONY?

A. This testimony is sponsored by two witnesses, Dennis Pappas and Lynn Notarianni.~~.~~

Q. WHICH PORTIONS OF THIS TESTIMONY IS EACH WITNESS RESPONSIBLE FOR?

A. Mr. Pappas is responsible for the portions of this testimony addressing the requirements of the *Triennial Review Order* (or "*TRO*"), Qwest's existing processes for migrating loops from Qwest's switches to a CLEC's switch, the overall design of a new batch hot cut process ("BHCP") that Qwest is proposing as an additional provisioning option for CLECs, and the particular operational and network questions that CLECs have raised with respect to this new process. Mr. Pappas will also describe how the BHCP was designed with considerable input and assistance from CLECs (including AT&T, Covad, Eschelon, MCI, and McLeod) and commission staffers from across Qwest's region. Finally, Mr. Pappas will explain how the new BHCP alleviates any concern that Qwest's procedures for and performance in provisioning stand-alone unbundled loops would make it uneconomic for CLECs to serve mass-market customers without unbundled ILEC switching — the *Triennial Review Order*'s definition of "impairment."

Ms. Notarianni is responsible for the portions of this testimony describing Qwest's existing and planned operational support systems ("OSS"), that support the batch hot cut processes, including the CLEC pre-ordering and ordering systems. Ms. Notarianni will explain the OSS modifications Qwest is proposing as part of the BHCP to enable CLECs to order larger quantities of stand-alone unbundled loops more efficiently and to keep track of the status of those orders and Qwest's progress in cutting the ordered loops over to the CLEC's switches. Ms. Notarianni will also describe the Change Management Process ("CMP") this Commission approved as part of its review of Qwest's section 271 application and explain how these OSS changes will be implemented in conjunction with the CMP.

Q. MR. PAPPAS, PLEASE STATE YOUR NAME, EMPLOYER, AND BUSINESS ADDRESS.

A. My name is Dennis Pappas. I am employed by Qwest Corporation as a Director in the Technical-Regulatory Group of the Local Network Organization. My business address is 700 W. Mineral Avenue, Room MNH19.15, Littleton, Colorado 80120.

Q. MR. PAPPAS, PLEASE DESCRIBE YOUR WORK EXPERIENCE, TECHNICAL TRAINING, AND PRESENT RESPONSIBILITIES.

A. I have worked in the telecommunications industry for 25 years. Between 1996 and 2001, I was directly associated with Interconnection and Wholesale Product Marketing. My first responsibilities in this area were as State Interconnection

Manager for Colorado and Wyoming, a position that involved project management of all collocation activity. I later became a team leader for the Unbundled Loop and Collocation product teams. Subsequently, I became the Director of the Wholesale Product Marketing team and, during that time, led multiple groups in developing new products and processes for provisioning interconnection products and services for competitive local exchange carriers ("CLECs"). Subsequent to that assignment, I was the General Manager for Qwest Wholesale Emerging Diversified Markets and had responsibility for approximately 75 CLEC accounts. In late 2000, I left Qwest to accept a position as Vice President of Services at TESS Communications, which was a facilities-based CLEC in Colorado and Arizona that provided a suite of services, including telecommunications, data, long distance and CATV, to approximately 1,200 end users. In early 2001, I assumed the role of President of TESS with responsibility for the day-to-day operations of the company. I left TESS in that same year and returned to Qwest, where I again worked on the unbundled loop product team and began participating as a witness in a number of section 271 workshops. In December 2001, I accepted my current position as Director in the Technical Regulatory Group, Local Network Organization.

Prior to the years I worked in the area of interconnection, I held multiple titles and positions requiring expertise in network operations, including, for example, Staff Manager and Regional Service Manager in the Local Networks Organization. In the 14 years prior to those assignments, I worked in Network as an Installation and Maintenance Technician (I&M Technician) and an Outside Plant Technician. I

have my Bachelor's degree in Business Administration and a Masters in Telecommunications from the University of Denver.

Q. MS. NOTARIANNI, PLEASE STATE YOUR NAME, EMPLOYER AND BUSINESS ADDRESS.

A. My name is Lynn M~~.~~V~~.~~ Notarianni. I am a Director for Qwest Global Wholesale Markets at Qwest Services Corporation, a unit of Qwest. My business address is 930 15th Street, Denver, Colorado 80202.

Q. MS. NOTARIANNI, PLEASE REVIEW YOUR WORK EXPERIENCE AND PRESENT RESPONSIBILITIES.

A. My 19-year telecommunications career began in 1984 when I was hired by U S WEST Communications, Inc. Throughout the course of my career, I have gained extensive experience by working in several U S WEST and Qwest organizations, including Information Technologies, Network, Mass Markets, and Advanced Technologies. Within each organization, I held management positions and often had major responsibility for managing persons involved in the development and/or implementation of Operations Support Systems ("OSS"). I recently oversaw Qwest's 271 third-party OSS test. Currently I deliver departmental testimony on OSS-related matters and act as a liaison to other Qwest organizations that deal with IT solutions to regulatory issues. I also represent Qwest at state commission and FCC-sponsored workshops and other forums.

I am responsible for testifying before federal and state regulatory agencies in arbitration cases, rulemakings, and complaint proceedings concerning Qwest's conformance with state and federal telecommunications laws and regulations. In such capacity, I have testified in 14 state-level arbitration hearings on OSS access, performance measures, cost recovery, and CLEC motions. At the beginning of my tenure in this position, I evaluated the initial OSS impact and the feasibility of technical solutions to IT challenges posed by the passage of the 1996 Act. I also have extensive experience transacting business with CLECs, including issues relating to Qwest Wholesale products and interconnection services, which CLECs sell and utilize. Examples of this experience include: leading multiple OSS negotiations with CLECs, which resulted in draft contractual agreements; impacting interconnection product definition through system and process analysis support for Resale, Unbundled Loops, Poles, Ducts, ROW, and Collocation; and, driving the initial strategy behind the implementation of OSS gateway access for interconnection.

Q. MS. NOTARIANNI, PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND.

A. My academic credentials include a Bachelor of Science degree in Business Administration (BSBA) from Creighton University. I have also completed all coursework toward a Master of Science degree in Telecommunications at the University of Colorado.

II. EXECUTIVE SUMMARY AND ORGANIZATION OF TESTIMONY

Q. PLEASE SUMMARIZE THIS TESTIMONY.

A. The Federal Communications Commission ("FCC") directed state commissions to complete two tasks within nine months of the *Triennial Review Order*'s August 21, 2003 effective date. *First*, state commissions must approve an incumbent LEC process for migrating batches of stand-alone unbundled loops from the ILEC's switch to CLECs' switches or explain why such a process is unnecessary. The new process should be capable of migrating larger quantities of CLEC UNE-P lines to stand-alone unbundled loops within acceptable timeframes and at an acceptable level of quality, and should enable CLECs to realize any cost savings and operational efficiencies that may result from pre-wiring and cutting over many loops at a time in the same central office location, instead of one or two at a time. *Second*, state commissions must determine whether the improvements in loop provisioning yielded by this new process would make it economic for CLECs to serve mass-market customers in various markets without access to unbundled ILEC switching. This testimony describes the new region-wide batch hot cut process ("BHCP") that Qwest developed in conjunction with the CLECs in its region, and describes how that process eliminates any concern that Qwest's unbundled loop provisioning practices might "impair" CLECs from serving the mass market without unbundled ILEC switching.

Earlier in this docket, the parties "agree[d] that a single, uniform batch hot cut process for all states within the Qwest region provides the most efficient and effective operating environment for both Qwest and CLECs," and that it was "appropriate for the industry participants . . . to attempt to reach agreement on a

batch hot cut process" to the extent possible.[1] Accordingly, all fourteen state commissions in Qwest's region agreed to participate in a consolidated forum to develop a region-wide batch hot cut process and to build the record for the states' individual *TRO* dockets. There is no doubt that the Forum was worthwhile. The new BHCP proposed here reflects the hard work of Qwest and the participating CLECs over the last two months and is the product of substantial give and take among the parties. Qwest and the CLECs were able to reach agreement on the broad outlines of a new BHCP and most of the operational details, and they were able to close the vast majority of the issues and questions that the CLECs had put on the table for resolution. A smaller number of operational issues went to impasse, along with (not surprisingly) the ultimate *TRO* question whether the process has improved sufficiently to permit the withdrawal of unbundled ILEC switching in certain markets in this state. (A copy of the issues matrix from the Forum showing resolved and impasse issues is attached as Exhibit DP/LN-2. An additional document, Exhibit DP/LN-3 is a summary of only those issues which went to impasse during the Forum.)

The BHCP proposed in this testimony will enable CLECs to order much larger quantities of standalone unbundled loops than they can today, at a lower TELRIC price,[2] and with predictable delivery intervals. CLECs (at their option) will be able to use the BCHP to convert both their existing base of UNE-P lines and

[1] See Joint Motion of Qwest, AT&T and MCI regarding adoption of a multistate Batch Hot Cut Forum. No CLEC in this state objected to this motion.

[2] In those states where Commissions have set the NRC for the basic installation well below the cost of providing it, the NRC price may not be lower.

batches of newly-acquired customers. The BHCP will be available as an additional option to the basic, coordinated, and project-managed hot cuts that Qwest offers today and that this Commission and the FCC reviewed in connection with Qwest's section 271 Application. CLECs desiring more coordination for the cutover of particular customers, or who wish to migrate loops with particular configurations preventing them from being batched for conversion on a consolidated and expedited basis, will continue to be able to use existing migration options.

The BHCP is premised on the fact that for the vast majority of hot cuts that CLECs request today and would require going forward, the conversion entails the simple reuse of facilities already being used (and thus known to be working), does not require the dispatch of a technician to the field, and requires only minimal coordination between the ILEC and the CLEC *as long as* the CLEC actually delivers working dial tone to the ILEC's frame before the conversion ~~is to~~ takes place. The central office ("CO") tasks for these simpler migrations — the pre-wiring of the CLEC's connecting facility assignment ("CFA") to the ILEC's frame, and the actual "lift and lay" of the end user's loop from the frame termination of the ILEC's switch to the CLEC's CFA — can be performed on a consolidated basis. When a sufficient number of these conversions (at least 25) are performed at the same time in the same central office location, the ILEC (and hence the CLEC) can achieve significant time and cost savings by performing these tasks in efficient batches and moving through the central office in a logically-planned sequence.

At the same time, the CLECs at the multi-state forum forthrightly acknowledged that the widespread (in AT&T's word, "epidemic"[3]) failure of *CLECs* to have working dial tone ready on their CFA today requires Qwest to engage in redundant testing and back-and-forth communication with the CLECs that interrupts the process flow and adds additional steps and costs.[4] AT&T, Covad, McLeod, and MCI all agreed that in the context of these large-scale, expedited migrations, it is a "reasonable compromise"[5] to require CLECs to commit to providing working dial tone by the cut-over date, and to remove unready lines from the conversion process.[6] The BHCP proposed in this testimony reflects this consensus and achieves additional efficiencies by removing redundant testing steps and greatly streamlining the process on the day of cut.

Qwest's proposed region-wide BHCP does the following:

- It enables multiple CLECs at a time to convert significantly larger volumes of UNE-P lines to stand-alone unbundled loops

[3] 1/8/04 Tr. at 144:5 (John Finnegan, AT&T) (describing "alleged epidemic of no dial tone situations"); *id*. at 144:27-145-8 (Dennis Pappas, Qwest) (noting that today CLECs fail to provide working dial tone on the pre-wire date 50 percent of the time, and agreeing with AT&T's characterization of this as an "epidemic").

[4] *See, e.g*., 1/8/04 Tr. at 146:9-22 (John Finnegan, AT&T) (acknowledging that Qwest must perform extra unnecessary work when "CLECs are systematically failing to have dial tone" ready, and describing this as "a waste of time"); 1/7/04 Tr. at 22:24-23:3 (Michael Zulevic, Covad) ("I understand the frustration with CLECs who procrastinate on doing their translations, and on cut date they are not ready, and that is something that should be dealt with . . . .").

[5] 1/7/04 Tr. at 36:23 (John Finnegan, AT&T).

[6] *See, e.g*., 1/7/04 Tr. at 36:21-37:5 (John Finnegan, AT&T) ("I think that is a reasonable, compromise, where Qwest does the dial tone check, perhaps the ANI check, two days [in advance] or on DVA. If there's a problem, you notify us. It gives us two days to try and diagnose where the problem exists and try and take corrective action. If on the day of the cut you find there is still no dial tone, then pull it from the batch, no exceptions."); *id*. at 173:14-174:2 (John Finnegan, AT&T) (endorsing Qwest proposal to perform early dial-tone check but eliminate same-day CFA changes); *id*. at 172:20-23 (Patty Lynott, McLeod) (same; "[T]his process works well . . . and we appreciate that Qwest is checking for dial tone ahead of time."); *id*. at 174:9:19 (Sherry Lichtenberg, MCI) (same; "We are very pleased Qwest has met us halfway on this, and we accept the proposal."); *id*. at 174:24-175:2 (Michael Zulevic, Covad) (same).

simultaneously, and to do so quickly enough to meet the *Triennial Review Order*'s transition timetable.

- It provides CLECs with a fixed, seven business day provisioning interval for batches of 25 to 100 lines in a single central office, as compared to the SGAT's current individual-case-basis ("ICB") negotiated interval for LSRs containing 25 lines or more. This proposed seven-day interval is much shorter than any other RBOC has offered to date.

- As the testimony of Million demonstrates, in virtually every state, the per-line non-recurring costs of an eligible hot cut is significantly reduced from the basic hot cut rate.

- It takes advantage of the ability to streamline and consolidate conversions involving the reuse of in-service facilities, while preserving all existing (Washington Commission-approved) hot cut options for other kinds of conversions and for CLECs that prefer a greater degree of coordination.

- It dedicates teams of central office technicians exclusively to performing these batch conversions outside normal business hours, thereby avoiding any interference with any other network provisioning activities.

- It minimizes customer disruption by scheduling lifts and lays during a time when business and residential customers are least likely to be receiving calls, and by giving CLECs the option of receiving *instantaneous* notification of both when the cutover of a batch is beginning and when the cutover of a given line is complete, signaling the CLEC to port the customer's number.

- It eliminates all need for up-front coordination between Qwest and the CLEC (except for the transition planning that the *Triennial Review Order* requires following a "no impairment" finding) by offering CLECs an electronic tool for scheduling their own cutover days.

- At the CLECs' request, it provides a web-based status tool that CLECs may use to review the results of their dial-tone checks and the progress of their cutovers, thus avoiding much of the need for e-mails and telephone calls.

- It gives CLECs early warning (at the time of prewiring) of potential problems with their facilities and gives them two to

three days to fix any problems, thus greatly streamlining work on the day of cut.

- It gives CLECs an ample margin of error so that CLEC mistakes on a single line within the batch will not jeopardize an entire batch.

- As Hitachi Consulting has independently verified, it presents a process that works, and provides CLECs with the necessary assurances that Qwest will continue to provision unbundled analog loops using this new process at an acceptable level of quality.

- Finally, as Hitachi Consulting has also verified, it will be able to handle current and expected volumes of UNE-L orders and conversion of the embedded base of UNE-P lines over the course of the TRO's transition period, even assuming the worst case scenario that all existing UNE-P lines in affected areas would transition to UNE-L using the batch hot cut process.

These improvements make Qwest's already strong loop provisioning process even stronger, and eliminate any possible concern that Qwest's ability to provision stand-alone unbundled loops would prevent an efficient CLEC from being able to serve mass-market customers economically in the absence of unbundled ILEC switching. The Commission should approve Qwest's proposed batch hot cut process, find that Qwest's process can manage anticipated volumes, and find that Qwest's batch hot cut process eliminates any arguable operational impairment with respect to analog loop provisioning.

Q. HOW IS THIS TESTIMONY ORGANIZED?

A. The testimony is broken into nine sections: Section I provides background on the witnesses. Section II provides an executive summary. Section III discusses the

TRO requirements for a batch hot cut process. Section IV summarizes Qwest's existing hot cut process and current performance. Section V explains Qwest's current Operations Support Systems ("OSS") and the Change Management Process ("CMP") for implementing OSS changes. Section VI describes the region-wide Batch Hot Cut Forum ("BHCF"). Section VII details Qwest's proposed batch hot cut process and describes the efficiencies achieved by the process. Section VIII discusses each impasse issue remaining after the Forum and recommends solutions. Finally, Section IX addresses the question of impairment and loop provisioning issues outside the BHCP.

III. REQUIREMENTS OF THE *TRIENNIAL REVIEW ORDER*

Q. WHAT DID THE *TRIENNIAL REVIEW ORDER* SAY ABOUT INCUMBENT LECS' EXISTING LOOP MIGRATION PROCESSES GENERALLY?

A. In the *Triennial Review Order*, the FCC determined that "in the large majority of locations" (though not all),[7] incumbent LECs' existing processes for migrating in-service loops one at a time from their own switches to their competitors' could "serve as barriers to competitive entry in the absence of unbundled switching" for mass-market customers.[8] The FCC expressed concern that some ILECs' non-recurring charges were too high, and it questioned whether these current processes

[7] *TRO* ¶ 473.
[8] *TRO* ¶ 460.

would be able "to handle the necessary volume of migrations" if mass-market switching is taken off the unbundling list.[9]

Q. DID THE FCC BELIEVE THAT THIS IMPAIRMENT COULD BE OVERCOME?

A. Yes. The FCC recognized that in many situations, it is possible to pre-wire and cut over several loops in a central office at the same time rather than converting each loop one-by-one, and that this consolidation may give rise to economic and operational efficiencies that can be passed through to the CLEC. The FCC held that a new batch hot cut process ("BHCP") may improve loop provisioning to such an extent as to overcome the *Triennial Review Order*'s finding of "impairment" with respect to mass-market switching: "We conclude that the loop access barriers contained in the record may be mitigated through the creation of a batch cut process by spreading loop migration costs over a large number of lines, decreasing per-line cut over costs."[10]

Q. WHAT DID THE *TRIENNIAL REVIEW ORDER* ASK STATE COMMISSIONS TO DO?

A. The *Triennial Review Order* directs state commissions to "approve, within nine months of the effective date of this Order, a batch cut migration process . . . that will address the costs and timeliness of the hot cut process," unless they determine

[9] *TRO* ¶ 459.

that no such process is necessary in their markets.[11] The FCC specifically asks the states to decide four things with respect to a new batch hot cut process:

> (1) A state commission shall first determine the appropriate volume of loops that should be included in the "batch."
>
> (2) A state commission shall adopt specific processes to be employed when performing a batch cut, taking into account the incumbent LEC's particular network design and cut over practices.
>
> (3) A state commission shall evaluate whether the incumbent LEC is capable of migrating multiple lines served using unbundled local circuit switching to switches operated by a carrier other than the incumbent LEC for any requesting telecommunications carrier in a timely manner, and may require that incumbent LECs comply with an average completion interval metric for provision of high volumes of loops.
>
> (4) A state commission shall adopt rates for the batch cut activities it approves in accordance with the Commission's pricing rules for unbundled network elements. These rates shall reflect the efficiencies associated with batched migration of loops to a requesting telecommunications carrier's switch, either through a reduced per-line rate or through volume discounts as appropriate.[12]

Q. WHAT ELSE DOES THE FCC SAY WITH RESPECT TO LOOP PROVISIONING?

A. While the FCC expects the adoption of a BHCP to reduce the costs and improve the timeliness of provisioning stand-alone unbundled loops, it also recognized that

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10 *TRO* ¶ 487.
11 *TRO* ¶ 488.
12 47 C.F.R. § 51.319(d)(ii)(A)(1)-(4). *See also TRO* ¶ 489.

"even after such processes are implemented, competitive carriers may face barriers associated with loop provisioning . . . which may continue to impair a requesting carrier's entry into the mass market."[13] If a state commission finds that the competitive triggers in a given market are not met and must go on to consider operational impairment, the *Triennial Review Order* directs the commission "to consider more granular evidence concerning the incumbent LEC's ability to transfer loops in a timely and reliable manner."[14] We discuss this requirement in greater detail in Section IX, below.

IV. QWEST'S CURRENT HOT CUT PROCESSES AND PERFORMANCE

Q. WHAT IS A HOT CUT?

A. When Qwest provisions a stand-alone analog unbundled loop to a CLEC, the loop's termination on Qwest's frame must be disconnected from the frame termination of Qwest's switch and rewired to a new terminating point on the frame that is connected to the CLEC's switch. This rewiring involves two steps that can be performed separately: the wiring of the CLEC's collocation, via the Interconnection Distribution Frame ("ICDF"), to a termination on the Qwest frame, and the replacement of the jumper connecting the customer's loop to Qwest's switch with one that connects to the new CLEC terminating point. When this transfer is performed on a loop that is currently in service, the transfer is known as a

[13] *TRO* ¶ 512.
[14] *Id.*

hot cut. To help the Commission understand what tasks are involved, we have produced a short video of some actual hot cuts. The video is available at **http://www.qwest.com/wholesale/training/tradeshow/batchhotcutarchive.html**. A CD is also attached for the Commission's convenience as Exhibit DP/LN-4, and a transcript of the CD is attached as Exhibit DP/LN-5.

Q. WHAT UNBUNDLED ANALOG LOOP PROVISIONING OPTIONS DOES QWEST OFFER TODAY?

A. As part of the Section 271 process, Qwest memorialized a number of different provisioning options in section 9.2.2.9 of its Commission approved Statement of Generally Available Terms ("SGAT"). Generally, these options include Basic Installation, Coordinated Installation, and Project Coordinated Installation. The process for each varies according to the degree of scheduling and other coordination the CLEC desires, as well as by the number of loops involved in the installation. Basic Installation is the most streamlined process that Qwest offers today, and Project Coordinated Installation the most complex. Exhibit DP/LN-6 generally depicts the installation options as they exist today. Importantly, the BHCP being proposed in this testimony would be added on as a new option for CLECs; all of these existing installation options would still be available going forward.

Q. WHAT IS THE QWEST CLEC COORDINATION CENTER ("QCCC")?

A. The QCCC manages the provisioning of unbundled analog loops. The QCCC was formed as part of Qwest's 271 process to improve Qwest's loop provisioning performance. The QCCC is involved in the provision of every unbundled analog loop today irrespective of the provisioning option involved.

Q. WHEN AND WHY WAS THE QCCC ~~COORDINATION CENTER~~ CREATED?

A. The QCCC was created in April 2001 specifically to improve Qwest's performance of *coordinated* unbundled loop installations. Prior to April 2001, Qwest was handling CLEC orders for the coordinated installation across multiple geographic centers. Prior to the QCCC's opening, Qwest had approximately 84,000 unbundled loops in service, but only approximately 88% of the loops requesting a basic installation options were being completed on time, while less than 40% of coordinated installations were performed on time (as that term is defined in PID OP-13). This does not mean that these loops were not installed on the correct day, but only that Qwest did not contact the CLEC within the 30 minute window established for a coordinated installation. The QCCC was created to improve this performance, and by any objective measure it has succeeded. By September 30, 2003, for example, Qwest had provisioned and installed 564,028 unbundled stand-alone loops, and over 98% were provisioned on time, as discussed below.

Q. WAS THE FUNCTION OF THE QCCC EXPANDED?

A. Originally, the QCCC was staffed by approximately 90 employees and focused exclusively on coordinated installations. Due to the success of the QCCC and its dramatic impact on performance results, the QCCC's role was expanded about nine months later to include oversight of the provision of all unbundled loops.

Q. WHAT PERFORMANCE DATA SHOW THE SUCCESS OF THE QCCC?

A. From its inception, the QCCC has been focused on improving the provisioning performance captured in the following PID measurements:

1) OP-3 – Installation Commitments Met; and

2) OP-7 – Interval to perform the hot cut; and

3) OP-13 – Percent of coordinated installations completed on time.

Exhibit DP/LN-7 compromises the regional PID results for 2001 for analog loops and shows the improvements in these PID measurements in the 3 months prior and subsequent to the QCCC's creation in April 2001. In summary:

	Jan 2001	Feb 2001	Mar 2001	April 2001 (QCCC Created)	May 2001	June 2001	July 2001
OP-3[15]	92.52%	94.11%	95.56%	95.24%	93.14%	96.52%	98.64%
OP-7	0:08	0:08	0:08	0:07	0:05	0:04	0:04
OP-13	71.06%	74.77%	82.19%	87.9%	93.89%	98.07%	99.03%

[15] The OP-3 data is from Zone 1, more densely populated areas.

Q. WHAT STEPS DID THE QCCC TAKE TO IMPROVE THE QUALITY AND TIMELINESS OF LOOP PROVISIONING?

A. The QCCC achieved these improvements by focusing on three aspects of the job. The first was to issue detailed job descriptions in order to attract the most highly trained employees in order to limit ramp up time. Second, internal processes were refined with specific tasks and work steps to ensure a high level of performance on the loops requiring coordination. Third, the QCCC instituted a standing daily status meeting to review each order on an individual basis that was not provisioned on time or any other order related issue that affected or impacted the installation quality of the CLECs' service.

Q. PLEASE GIVE MORE DETAIL ABOUT THE QCCC'S ORIGINAL FUNCTIONS.

A. The QCCC served as the Network Overall Control Office ("OCO") for the provisioning of unbundled loop orders. This included the coordination of installation activities with the CLEC and the Qwest departments such as the CO, Outside Field forces (if needed), the Central Office Resource Allocation Center ("CORAC"), Field Load and Resource Allocation Center ("LRAC"), and Design Services. The orders were loaded to a designated Service Representative Coordinator who was responsible for the end-to-end installation of unbundled loops that were provisioned using the coordinated installation option. Additionally, the Service Representative Coordinator in the QCCC was responsible for coordinating

the actual order installation, at a CLEC-designated time, between the Qwest Central Office Technician ("COT") and the CLEC representative.[16] Eventually, the QCCC was also identified as the Maintenance Control Office ("MCO") with responsibilities for maintenance on all the embedded unbundled loops today and also the responsibility for any loops installed within the last 30 days via the 30 day warranty process. Exhibit DP/LN-8 is a copy of the QCCC warranty process. Once again, by allowing this dedicated pool of resources to focus on the maintenance issues associated with an unbundled loop, certain efficiencies are realized and result in a greater customer (i.e., CLEC) experience.

Q. WHEN DID THE QCCC'S ROLE EXPAND TO INCLUDE BASIC UNBUNDLED LOOP INSTALLATIONS AS WELL AS COORDINATED ONES?

A. By early 2002, the QCCC had been processing all the coordinated unbundled loops across the region, and the loop performance measurements for these cuts had stabilized at around 97.5% of all commitments. Given this success, the QCCC's responsibilities were expanded in February 2002 to include basic loop installation. Staffing levels increased to a total of 102 employees. Basic installation performance in early 2002 was running an average of 90% commitments met. Once this work migrated to the QCCC, the performance improved to an average of 98% commitments met across the region. See Exhibit DP/LN-9. In Washington

[16] UBL provisioning options are found at URL: http://www.qwest.com/wholesale/pcat/unloop.html

the results are consistent with the region-wide performance. Exhibit DP/LN-10 is the state specific results for analog loops. On a regional level, Qwest's performance has far exceeded the agreed upon benchmark of 90% commitments met in each month since mid-2001 when the QCCC first opened. This success is directly attributable to the dedicated employees in the QCCC and the daily review meetings and analysis of~~on~~ missed commitments and "I-Reports."

Q. WHAT STEPS ARE TAKEN BY THE QCCC TODAY TO ENSURE A HIGH PERFORMANCE LEVEL IS ACHIEVED FOR THE PROVISION OF UNBUNDLED ANALOG LOOPS?

A. The QCCC performs many quality checks throughout the day-to-day operations of the installation process to ensure sustained high performance. These checks include:

- QCCC supervisors perform four quality reviews of random orders per month per employee.
- QCCC management performs internal weekly audits for process compliance. These include audits on 48 hour no-dial tone ("NDT") checks and notification via Provider Test Access ("PTA"), which is an e-mail tool utilized for CLEC notification of NDT on the day pre-wiring is performed.
- Daily reviews and conference calls on every missed commitment and "I-Report" (repair report within 30 days of installation completion). This includes root cause investigation with the field, central office and QCCC and a feedback loop to all internal stakeholders.

If non-compliance as a result of human error is detected in any of these quality checks, the QCCC manages the performance of the responsible employee. This

management includes re-training and/or development of a performance plan. The performance plan includes action steps that are based on the number of non-compliance reoccurrences. Continued non-compliance may result in termination of the employee. It is important to note that within the nearly three years the QCCC has existed, only one employee has been terminated for non-compliance. These process steps have led the QCCC to operate an extremely high level of quality as the performance data shows.

Q. PLEASE DESCRIBE THE DAILY REVIEW MEETINGS.

A. The QCCC implemented a high standard performance management process. This includes daily reviews of every missed commitment and I-Report. A readout conference call takes place where the root cause of the miss or I-Report is discussed and, if possible, resolved. This provides an immediate feedback loop for human error performance management and/or process gaps which are, in turn, addressed with either the employee body or the individual employee as a training opportunity.

Q. WHAT IMPACTS DO THESE MEETING HAVE ON PERFORMANCE OF QCCC PERSONNEL?

A. The QCCC philosophy of high performance management standards, disciplined approach to the work task and the focus on compliance to process has directly resulted in a sustainable high level of performance as demonstrated in Qwest's PID results across the region for all types of unbundled loops processed through this

Center. As noted earlier in this testimony, Exhibit DP/LN-9 is the December 31, 2003 Regional PID results for analog loops.

Q. WHAT IS THE CURRENT WORK LOAD AND STAFFING LEVEL OF THE QCCC?

A. The daily provisioning volumes completed in the QCCC average at 1000 orders per day. Due to additional efficiencies implemented in the QCCC, staffing levels have actually decreased from a peak staffing level of 102 in February 2002 to an average of 78 today. The primary driver of these efficiencies has been the internal mechanization of repetitive tasks that the Service Representative Coordinator performs. Despite the decreased staffing, performance results have stayed consistently high.

Q. DOES THE QCCC HAVE ANY EXPERIENCE MANAGING LARGE HOT CUT PROJECTS?

A. Yes. The QCCC has successfully handled large projects by designating dedicated Service Representative Coordinators to the project and negotiating submittal volumes with the CLEC. Peak volumes are handled by moving skilled QCCC Service Representative Coordinators that may temporarily be assigned to another position.

Q. CAN YOU GIVE AN EXAMPLE OF A LARGE-SCALE PROJECT THAT QCCC HAS SUCCESSFULLY HANDLED?

A. Yes. During the past 24 months, Qwest has been working with one CLEC as it has continued to convert its embedded base of UNE-P customers over to its own switching platform. This conversion activity alone added an average of <REDACTED> conversions per day to the QCCC's typical daily volumes, and these extra volumes have been handled successfully. During 2002, this single CLEC submitted <REDACTED> conversion orders with approximately <REDACTED.> This conversion activity continued into 2003 as this CLEC submitted another <REDACTED> conversion orders, with about <REDACTED>.

Q. HAS THE FCC DETERMINED WHAT LEVEL OF HOT CUT PROVISIONING PERFORMANCE GIVES CLECS A MEANINGFUL OPPORTUNITY TO COMPETE?

A. Yes. To have a section 271 application granted, a BOC must provision network elements at a level that gives CLECs a "meaningful opportunity to compete."[17] In the context of Bell Atlantic's section 271 application for New York, the FCC held that standard was met with respect to hot cuts at the following levels of performance:

[17] Memorandum Opinion and Order, *In the Matter of Application by Bell Atlantic New York for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLATA Services in the State of New York*, CC Docket No. 99-295 ¶44 (Rel. Dec. 22, 1999).

> We consider Bell Atlantic's demonstrated on-time hot cut performance at rates at or above 90 percent, in combination with the evidence indicating that fewer than 5 percent of hot cuts resulted in service outages and that fewer than two percent of hot cut lines had reported installation troubles to establish compliance with the competitive checklist.[18]

Q. HOW DOES QWEST'S CURRENT HOT CUT PERFORMANCE COMPARE TO THE FCC'S BENCHMARK?

A. Qwest's unbundled analog loop provisioning consistently exceeds these benchmarks at both the region-wide and individual state levels. The regional results are very representative of the state specific performance levels. Exhibit DP/LN-10 contains the latest 12 months of loop performance data for Washington. Region-wide, Qwest is meeting in excess of 97% of commitments on time (far above the 90% threshold set by the FCC), migrating CLEC end users in an average of 3 minutes, and experiencing trouble on only approximately 0.7% of unbundled loops (far less than the 2% threshold set by the FCC and well below what Qwest end users are experiencing):

[18] *Id*. at ¶ 309.

PID	Benchmark	September 2003	October 2003	November 2003
OP-3D	90%	97.23%	97.41%	97.23%
OP-5	Parity	97.91%	98.04%	Results one month in arrears
MR-8	Parity	.72%	.65%	.66%

Thus, Qwest's current unbundled analog loop provisioning and hot cut performance is far better than that which the FCC found gives CLECs a meaningful opportunity to compete in the marketplace.

Q. WHAT SHOULD THE COMMISSIONS CONCLUDE REGARDING THE QCCC'S PAST PERFORMANCE?

A. Based on the past performance and commitment by those staffing the QCCC, the ability to handle increased volumes should not be an impairment issue as Qwest seeks a finding of no impairment within certain MSAs. Since its inception in April 2001, the QCCC has continually demonstrated its ability to adapt to changes, take on additional unbundled loop volumes, and maintain a high level of performance, thereby giving CLECs a meaningful opportunity to compete. In addition, operational sessions such as the daily status meeting have allowed the QCCC to build into its process a daily monitoring function directed toward improving the CLEC's experience not only today but into the future. During the BHC Forum, the CLECs requested that the new process be monitored on a regular basis. The monitoring currently performed by the QCCC already provides that function. Since

April of 2001, the QCCC has expanded it scope of responsibilities to accommodate basic installations along with a multitude of other loop types while the overall performance on each of these loop types and provisioning options has continued to improve. The efficiencies and experience of the QCCC staff, along with its long record of accomplishments, provide an excellent backdrop for reassuring the CLECs that orders utilizing the BHCP (both embedded and new) should expect the same level of professionalism and performance.

V. QWEST'S EXISTING OPERATIONS SUPPORT SYSTEMS ("OSS") AND THE CHANGE MANAGEMENT PROCESS ("CMP")

Q. PLEASE PROVIDE A BRIEF DESCRIPTION OF QWEST'S PRE-ORDER AND ORDERING SYSTEMS.

A. Qwest provides pre-ordering and ordering functionality through various electronic interfaces that enable CLECs to carry out real-time processing and allow CLECs to integrate pre-ordering and ordering functions, including submitting Local Service Requests ("LSRs"). CLECs can perform the following pre-ordering functions though Qwest's interfaces: Address Validation; Customer Service Records; Service Availability; Reserve and Cancel Telephone Numbers; Facility Availability; Loop Qualification (for qualifying Qwest DSL for Resale and Unbundled Loop); Raw Loop Data; Connecting Facility Assignment; Meet Point Query; Schedule and Cancel Appointments; and Access to Directory Listings. The FCC has found in connection with each of Qwest's section 271 applications that Qwest's interfaces

are available in a manner that affords an efficient competitor a meaningful opportunity to compete.[19] Each of Qwest's electronic interfaces is described below.

IMA-EDI: Qwest's IMA-EDI is a real-time, computer-to-computer, electronic interface that allows CLECs access to pre-ordering, ordering and provisioning OSS functions. It enables the electronic submission and processing of pre-ordering inquiries and Local Service Requests ("LSRs"). IMA EDI provides CLECs with uniform access to the same Qwest OSS across Qwest's 14 state region. IMA-EDI provides electronic access directly from CLEC systems to Qwest's interfaces, and thus enables CLECs to integrate their own OSS with the Qwest electronic interface (in addition to integrating IMA-EDI's pre-ordering functions with IMA-EDI's ordering functions).

A CLEC representative using the IMA-EDI interface interacts directly with CLEC-developed software and screens. A CLEC can connect to Qwest's OSS using IMA-EDI through a direct connection such as a dedicated T-1 line. CLECs develop their own IMA-EDI translation environments to interface with Qwest's IMA-EDI gateway. These environments may be either purchased commercially or developed by the CLEC. In either case, Qwest and the CLEC test the environments to ensure that they comply with Qwest's published IMA-EDI business rules. Generally, CLEC pre-ordering transactions submitted through the IMA-EDI interface rely on the same internal systems that process Qwest Retail transactions.

[19] *See Qwest 271 9-State Order* at ¶ 44; *Qwest 3-State 271 Order* at ¶ 35; *Qwest Minnesota 271 Order* at ¶ 15; *Qwest Arizona 271 Order* at ¶ 13.

The same IMA-EDI gateway that is used by CLECs for pre-ordering functions can be used to perform ordering transactions. As with pre-ordering, CLECs submit LSRs directly with their own software through the IMA-EDI interface, which, in turn, relays the LSR to Qwest's OSS for processing. Service orders are created as a result of CLEC LSRs submitted through the IMA-EDI interface. These service orders are processed by the same SOP that processes Qwest Retail transactions.

IMA-GUI: Qwest's IMA-GUI is a real time, human-to-computer, electronic interface that allows CLECs to access Qwest's OSS to perform a variety of pre-ordering, ordering and provisioning functions. The IMA-GUI facilitates electronic submission and processing of pre-ordering inquiries and LSRs. A CLEC can connect to Qwest's OSS using the IMA-GUI in three ways: (1) through a dial-up modem; (2) through a dedicated connection such as a T-1 line; or (3) through the Internet with digital certificate access. In effect, then, the only tools' a CLEC needs to access Qwest's OSS through the IMA-GUI is a personal computer and connectivity.

The IMA-GUI provides CLECs with uniform access to the same Qwest OSS across the 14-state region. Unlike IMA-EDI, the IMA-GUI allows a CLEC to obtain electronic access to various Qwest OSS pre-ordering, ordering and provisioning functionality without having to develop its own software. The use of the IMA-GUI therefore involves little to no development time and low start-up costs. The IMA-GUI is easy to use and, like IMA-EDI, provides integrated access

to pre-ordering and ordering functionality. Generally CLEC pre-order transactions submitted through the IMA-GUI interface are processed by the same back-end systems that process Qwest Retail transactions.

The same IMA-GUI gateway that is used by CLECs for pre-ordering functions can be used to perform ordering transactions. CLECs can submit LSRs through Qwest's IMA GUI interface and interact directly with Qwest's OSS. Service orders are created as a result of CLEC LSRs submitted through the IMA-GUI interface. These service orders are processed by the same SOP that processes Qwest Retail transactions.

Q. WERE THESE SYSTEMS TESTED DURING THE 271 PROCEEDINGS?

A. Qwest's OSS interfaces were thoroughly tested during the various state 271 proceedings for functionality, volumes/scalability, and development/documentation across a complete set of product/activity types including, but not limited to, UNE-P, UNE-Loop ("UNE-L") and UNE-P to UNE-L conversions. State commissions retained a number of independent parties (KPMG, MTG, CGE&Y, and HP) to assist in assessing the commercial readiness of Qwest's OSS. Thirteen state regulatory agencies in Qwest's local region worked together through a multi-agency organization known as the Regional Oversight Committee ("ROC")to endorse a test, and the Arizona Corporation Commission endorsed a similar, but separate, third-party test. These tests, the commissions that sponsored them, and the FCC all concluded that Qwest provides sufficient electronic functions and manual interfaces

to allow CLECs access to all of the necessary pre-ordering and ordering OSS functions.[20]

Q. PLEASE DESCRIBE HOW CHANGES TO THESE SYSTEMS ARE MADE.

A. Since 1999, Qwest and CLECs have jointly participated in a forum for managing changes related to Qwest's products, processes, and systems that support the five categories of OSS functionality (pre-ordering, ordering, provisioning, maintenance and repair, and billing).[21] The Change Management Process ("CMP") is used to process and communicate to CLECs any changes to Qwest's OSS interfaces and to products and processes that are within the scope of CMP.[22] The CMP also provides CLECs the opportunity to have input into Qwest-proposed changes and to propose their own. CLECs and Qwest meet collaboratively at least two days per month to consider such change requests ("CRs"), which may include CLEC Originated CRs, Qwest Originated CRs, Industry Guideline CRs, and Regulatory CRs.[23] Minutes

[20] *Id*.

[21] This Qwest-CLEC forum was previously known as the "Co-Provider Industry Change Management Process" or "CICMP" and is now known as the Change Management Process or "CMP." At the August 15, 2001, CMP meeting, CLECs voted to change the name of the CICMP to CMP. This declaration discusses the redesigned change management plan (the CMP), not the prior plan (CICMP).

[22] The CMP Redesign core team agreed to define the term 'OSS Interfaces' as "existing or new gateways (including application-to-application interfaces and Graphical User Interfaces), connectivity and system functions that support or affect the pre-order, order, provisioning, maintenance and repair, and billing capabilities for local services (local exchange services) provided by CLECs to their end users." *See* CMP Document (n. 1 of every page).

[23] These categories of change requests are defined in the CMP Document, § 4.

from these meetings are posted on Qwest's CMP website[24] and distributed to participating CLECs regularly.[25]

The CLECs and Qwest jointly prioritize, as needed, CLEC Originated CRs, Industry Guideline CRs, and Qwest Originated CRs for OSS Interfaces and test environments. In addition, CLECs have the ability to prioritize certain Regulatory CRs, if Qwest determines that the changes can be implemented in more than one release and still meet the date required for implementation.[26]

Changes to Qwest OSS interfaces, products, or processes must be communicated to CLECs according to agreed-upon timeframes contained in the CMP. Qwest provides to CLECs, on a quarterly basis, its 12-month systems development view (known as the Qwest OSS Release Calendar), which shows, at a high level, the development plans for all OSS interfaces that Qwest offers to CLECs.[27] This information helps CLECs plan for upcoming OSS changes. Qwest regularly updates the 12-month view as more information becomes available or conditions change.

Q. HOW WAS THE CMP ~~PROCESS~~ DEVELOPED?

A. In June 2001, Qwest entered into a collaborative effort with the CLEC community to redesign its CMP, which applies in all fourteen states where Qwest is the

[24] Qwest's CMP website can be found at http://www.qwest.com/wholesale/cmp. Minutes of CMP team meetings are available at http://www.qwest.com/wholesale/cmp/teammeetings.html.

[25] Prior to October 2001, these meetings were held one day a month. At the request of CLECs, Qwest began holding CMP meetings two full days a month, with one day devoted to systems issues and one day devoted to products and process issues.

[26] The prioritization process is set forth in the CMP Document, § 10.

incumbent local exchange carrier.[28] This effort was undertaken in part in response to issues that arose in the 271 workshops and in the third-party tests.

The core team that met to redesign the CMP was composed of representatives from several CLECs and Qwest.[29] Participation in the redesign process was open to all CLECs, and meetings were open to the CLEC community and interested parties. In addition, members of the Colorado Public Utilities Commission and (more recently) the Idaho Commission staff attended some of the sessions, as did representatives of CGE&Y (the third-party test consultant in Arizona) and KPMG Consulting (the third party test consultant in the 13 ROC states).

The redesign team met, roughly, four days a month between July 2001 and October 2002 in separate, dedicated sessions. The final Qwest CMP Document was issued on October 15, 2002.[30] Additionally, members of the Redesign team presented the final CMP Document on November 22, 2002, in a meeting that was open to all CLECs. Participants agreed that the redesign effort was complete and that future changes would be made pursuant to Section 2.1 of the CMP Document.

Qwest has fully implemented the new processes that resulted from those negotiations. The FCC concluded that Qwest's change management plan satisfied each of the FCC's criteria for such activity: "(1) that information relating to the

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[27] The OSS Release Calendar is available at http://www.qwest.com/wholesale/cmp/osscalendar.html.

[28] Information about the CMP redesign process can be found at http://www.qwest.com/wholesale/cmp/redesign.html.

[29] Generally, about six CLECs were active participants at each Redesign session.

change management process is clearly organized and readily accessible to competing carriers; (2) that competing carriers [have] substantial input in the design and continued operation of the change management process; (3) that the change management plan defines a procedure for the timely resolution of change management disputes;" and (4) that "the BOC has demonstrated a pattern of compliance with [its change management plan]."[31]

VI. THE REGION-WIDE BATCH HOT CUT FORUM

Q. PLEASE DESCRIBE THE PURPOSE OF THE REGION-WIDE BATCH HOT CUT FORUM.

A. Qwest and the CLECs have always agreed that there can be only one batch hot cut process that applies in all fourteen states in Qwest's region. From Qwest's perspective, all hot cuts across all fourteen states are managed by a single center (the QCCC) and make use of the same set of ordering and provisioning systems. From a CLEC's perspective, it is much harder to comply with different ordering and provisioning procedures in different states, and business planning is difficult when provisioning intervals and the expectations for service delivery vary from state to state. While acknowledging that each state commission must ultimately approve the new batch hot cut process individually, Qwest and the CLECs have

[30] Since the CMP redesign process ended, changes were made to the CMP Document, effective January 6, 2003, May 30, 2003, and June 18, 2003. The current version of the CMP Document may be found at http://www.qwest.com/wholesale/cmp/whatiscmp.

[31] *Qwest 9-State 271 Order* at ¶¶ 132-136, 145-152, and Appendix K (¶42).

agreed from the start on the need to work out the outlines of the new process together and on a region-wide basis.

Accordingly, on October 31, 2003, AT&T, MCI, and Qwest filed a Joint Motion proposing a region-wide business-to-business forum to develop a batch hot cut process.[32] Qwest and the CLECs "agree[d] that a single, uniform batch hot cut process for all states within the Qwest region provides the most efficient and effective operating environment for both Qwest and CLECs." The parties further agreed that "it is essential for State Commissions" — and, in fact, "all of the states" — "to endorse this process." The point of the forum would be to attempt agreement on a process and to narrow the issues to be litigated in the individual state proceedings. The parties agreed that "[a]ll agreements reached by participants during the forum will be documented and will be binding," and that "[i]mpasse issues . . . remaining at the conclusion of the forum process will also be documented and will be litigated before the State Commissions."

No CLEC objected to this joint proposal in any of the fourteen states. All fourteen state commissions formally opted into the proposal, and representatives of the staffs of most of the state commissions attended at least some of the Forum sessions either in person or by telephone.

Q. WHEN DID THE BHC FORUM MEET?

[32] Joint Motion for Adoption of Batch Hot Cut Forum, UT-033044

A. The BHC Forum held full-day face-to-face sessions on December 1-3, 2003 and January 6-8, 2004. In addition, half-day conference calls were held on December 12, and December 19. Qwest, many large and small CLECs (including the CLECs with the largest current and potential future hot cut volumes), and a large number of representatives of commission staffs and state consumer advocates attended the various sessions either in person or by phone. (A list of the attendees of each session of the Forum is posted on the Forum web site at **http://www.qwest.com/wholesale/training/tradeshow/batchhotcutarchive.html** All sessions of the Forum were transcribed by a court reporter, and a comprehensive issues matrix was maintained that documented all the issues that the parties had raised, the positions of the parties, what issues were closed by consensus, and what issues went to impasse for resolution by the state commissions. A copy of the issues matrix is attached as Exhibit DP/LN-2.

Q. HOW WAS THE FORMAL ISSUES LIST FOR THE BHC FORUM PUT TOGETHER?

A. Qwest submitted its original hot cut proposal in most states on November 12, 2003. AT&T, Covad, Eschelon, MCI, and McLeod all submitted written comments in response and counterproposals one week later. Qwest put together a draft of a matrix identifying the issues that each of these CLECs had raised in their comments and attempting to summarize each CLEC's position. At the first session of the Forum, the CLECs reviewed and modified Qwest's summaries of the issues and

their positions and added many further issues and subissues. Some of the smaller CLECs that had not filed written comments (such as USLink) added issues to the list, as did several of the commission staff representatives. The list was kept open throughout the sessions of the forum, and CLECs reformulated their issues and supplemented the list with additional issues and questions throughout.

The parties structured their discussion at the Forum session around this issues list and closed issues only by consensus of the participants, regardless of who raised them. Although Eschelon withdrew from the Forum just prior to the final face-to-face session, Qwest and the remaining CLECs continued to discuss and resolve the issues that Eschelon had put onto the list in the first three sessions.

Q. WAS THE BHC FORUM SUCCESSFUL?

A. Yes. Although the parties started out with numerous areas of disagreement, they were able to reach consensus on the workflow of a new BHCP and resolve a very large number of technical questions. The parties were able to close approximately 30 of the issues and subissues on the formal issues matrix. There was a significant amount of give and take between Qwest and the CLECs, particularly at the last face-to-face sessions. Qwest made very significant modifications to its original BHCP proposal in response to the CLECs' concerns, and CLECs, as noted above, forthrightly accepted responsibility for improving their performance to allow streamlining of the process on the day of cut.

VII. THE PROPOSED BHCP

A. Overview

Q. PLEASE PROVIDE A HIGH LEVEL DESCRIPTION OF QWEST'S PROPOSED BHCP.

A. The proposed BHCP is a new, additional installation option that permits a single CLEC to order "batches" of 25 to 100 standalone unbundled analog loops, in the same Central Office, where loop facilities are being reused and no dispatch of a Qwest outside field technician is required. The standard provisioning interval for a batch hot cut is 7 business days. The existing appointment scheduler in Qwest's provisioning OSS will be enhanced to enable CLECs to electronically select their due date. Additionally, Qwest has agreed to build a web-based status tool to provide CLECs with regularly scheduled status reports concerning their BHC orders. The BHCP has been designed not only for the conversion of the embedded base of UNE-P customers, but also for the conversion and migration of newly acquired CLEC customers who have existing analog (voice) service (either Qwest retail or CLEC UNE-P or UNE-L) at present.

CLECs will submit LSRs as they do today with an additional field indicating that the LSR is part of a batch hot cut. By midnight on day 1 of the 7 business day interval, the CLECs will work the translations in their switches and have dial tone present on their designated CFA. The QCCC will produce a spreadsheet for the two Central Office Technician ("COT") team that provides it with a summary of pertinent order information and the locations of the relevant

cross connects on Qwest's frames. This information will be sorted and prioritized in a way that minimizes the COTs' travel on and between the InterConnection Distribution Frame ("ICDF") and the Main Distribution Frame ("MDF") or COSMIC™ frame during pre-wiring and cutover.

The COTs will pre-wire the CLEC's connection to the Qwest frame on days 2 and/or 3 and test the circuit. The testing will confirm that there are no problems on Qwest's side of the circuit, confirm whether the CLEC has dial tone ("DT") present at the CFA, and (if DT exists) verify that the CLEC's CFA is good. Testing at this stage gives both Qwest and the CLEC an early heads-up of any problems on their respective parts of the circuit with enough time left before the actual cut (two to three days) to fix the problem. If DT is not present on any of the CLEC's lines in the batch at this step, the CLEC would be notified via the new web-based Batch Status Tool ("BST").

On Due Date ("DD"), the Qwest COT will once again ANI both the CLEC DT and the DT of the CLECs UNE-P customer on the COSMIC™ frame. If a CLEC chooses to "Trap and Trace" this ANI test, the CLEC will have instantaneous notification that the cutover of that line is about to begin. Upon finding the correct ANI and after confirming that the line is not in use, the COT will perform the lift and lay on each line. A final ANI test will be conducted at the final facility appearance in the CO. Again, if a CLEC exercises its option to "trap and trace" this ANI test, it will have instantaneous notification that the lift and lay of that line is complete and the porting of the customer's telephone number can begin. After the

first lift and lay and every 25 thereafter, the COT will update the order status to reflect the order's completion, which will be reflected in the BST as well.

Q. DO YOU HAVE ANY OTHER MATERIALS THAT LAY OUT THE PROPOSED BHCP?

A. Yes. Exhibit DP/LN-11 displays the proposed end-to-end process flow of a batch hot cut and associated work steps. The first two pages show the flow of a BHC and the major activities performed by the CLEC and the various Qwest organizations in a graphically swim lane format. The shaded boxes on the flow chart represent new activities that do not exist in the current Basic hot cut process. Pages 3 through 6 describe each work step or task in greater detail. This is the same flow chart and task list that the parties used in the BHC Forum.

Exhibit DP/LN-12 is a day-by-day timeline of the 7 business day interval for the batch hot cut process that shows the work steps performed by Qwest and the CLEC during each of the seven days. This timeline was also used in the BHC Forum.

Q. WHAT OSS CHANGES IS QWEST PROPOSING AS PART OF THE BHCP?

A. As described in greater detail below, Qwest is proposing to enhance its existing pre-ordering and provisioning interfaces by providing CLECs with a scheduling functionality during the ordering process and status information during the

provisioning process.[33] Qwest intends for these OSS enhancements to be available in the final quarter of 2004, barring unforeseen circumstances, such as conflicting regulatory rulings. Qwest intends for all proposed changes to follow the Qwest Wholesale Change Management Process ("CMP").

Q. HAS QWEST ESTIMATED HOW MUCH THESE OSS CHANGES WILL COST?

A. It is difficult for Qwest to give an accurate estimate of the system costs at this time. However, the changes Qwest proposes for the Batch Hot Cut process are large. As such, Qwest anticipates the costs will range from $900,000 to $2,800,000.

Q. HOW WILL QWEST IMPLEMENT THESE OSS CHANGES?

A. The OSS changes will follow the wholesale CMP. Qwest anticipates that these tools will become part of the BHCP ordered by the 14 state commissions within Qwest's local region. When the CLECs and Qwest redesigned the CMP, the participants understood that state commissions might mandate changes to Qwest's OSS Interfaces, and they created a category in the CMP Document specifically for such changes:[34]

> A Regulatory Change is a change that "is mandated by regulatory or legal entities, such as the Federal Communications Commission (FCC), a state commission/authority, or state and federal courts. Regulatory changes are not voluntary but are requisite to comply

[33] The systems changes proposed in this testimony are high level descriptions. As Qwest proceeds through the development life cycle for these changes, aspects of the proposed functionality may change.
[34] CMP Document, § 4.

with newly passed legislation, regulatory requirements, or court rulings. Either the CLEC or Qwest may initiate the change request."

The CMP document also provides that Regulatory CRs will be implemented, as a general rule, by mechanization unless all the parties agree otherwise.[35] Finally, if the implementation date for a Regulatory CR requires all or part of the change to be included in the upcoming IMA release, the process requires that the change not be subject to ranking and be automatically included in that release.[36]

Q. HAS QWEST INITIATED THE APPROPRIATE CHANGE REQUESTS IN CMP TO BEGIN THIS PROCESS?

A. Yes. Qwest is committed to implementing this process as quickly as practicable. As a result, Qwest has submitted two CRs (SCR012204-01RG and SCR012204-02RG) to CMP. Qwest will send a CMP notification when it posts these CRs to the CMP Web site. That notification will identify that CLEC comments identifying reasons why the objecting party does not agree that the CRs should be classified as ~~a~~ Regulatory Changes are due to the Qwest CMP Manager no later than eight business days prior to the February 19, 2004, monthly CMP meeting. If any CLEC objects to the classification of the CRs as regulatory, that objection will be discussed at the February 19, 2004, monthly CMP meeting and Qwest and the CLECs will vote to determine where there is unanimous agreement that the CR's are Regulatory changes. If there are no objections, the CRs will move to the top of

[35] CMP Document, § 5.1.2.
[36] CMP Document, § 10.2.1.

the list for the upcoming IMA major release. If there is not unanimous agreement, however, any member of the CMP community may utilize the CMP Dispute Resolution process to seek an order to implement the CRs as regulatory changes from any state commission.

Q. IF THE CHANGES ARE INCLUDED IN IMA RELEASE 16.0, WHEN WILL THEY BE IMPLEMENTED?

A. The current release production date for IMA release 16.0 is October 18, 2004.

B. Lines that are Eligible for Batch Conversion

Q. PLEASE DESCRIBE THE TYPE OF ANALOG LOOP ORDERS THAT CAN BE INCLUDED IN THE BHCP.

A. As previously mentioned, only those conversion orders where facilities can be reused and where no field dispatch is required are eligible for the BHCP, because those are the only orders that can be provisioned on a consolidated basis. (These other types of loops may still be converted by means of Qwest's existing hot cut processes.). Based on the final Qwest BHC proposal, a CLEC can:

- Convert its own UNE-P or resale voice-only service to an analog or UNE-Loop.
- Migrate another CLEC's customer being served by UNE-P or resold Qwest voice service to an analog UNE-Loop.
- Migrate a Qwest retail voice-only customer to an analog UNE-Loop
- Migrate another CLEC's analog loop, providing the CLECs involved in the transaction coordinate the orders and re-use the existing facilities.

Q. PLEASE DESCRIBE THE TYPE OF ANALOG LOOPS THAT ARE NOT ELIGIBLE FOR THE BHCP?

A. Qwest has made clear in both policy and practice that it can provision any unbundled loop for CLECs using one of the existing provisioning processes. The question here is not whether Qwest can or will provision all forms of analog loops, but rather what kinds of analog loops can be converted on a consolidated basis and thus included in the BHCP. Any loop requiring a field dispatch necessarily requires extra, idiosyncratic steps that make it impossible to consolidate with other loop conversions and include in the BHCP. Generally, this affects two kinds of loops: IDLC and EX Cables. The exclusion of IDLC loops went to impasse at the Forum and will be discussed below. The parties uniformly agreed that EX cables can be excluded from the BHCP.

C. Size of a Batch

Q. WHAT IS THE MINIMUM AND MAXIMUM SIZE OF A BATCH ELIGIBLE FOR CONVERSION VIA THE BHCP?

A. Qwest has established minimum and maximum order volumes on a central office by central office basis. The original proposed minimum was a batch size of 25 lines per CLEC and a daily central office volume limit of 100 lines total (for all CLECs) per central office. As discussed in greater detail below, the 25 minimum is necessary to achieve efficiencies from consolidating tasks and spreading costs

across cutovers, and the 100 maximum reflects the work that a dedicated two-central office technician team can perform in an eight hour shift.

At the BHC Forum, several CLECs argued that a hundred-line maximum per central office per day would not be sufficient for them to convert their embedded base of UNE-P customers within the timeframes set forth within the *TRO*. This assumption ended up to be incorrect. As the testimony of Ms. Terri Million demonstrates, it would only take approximately 82 business days to transition the office with the greatest number of UNE-P lines in Qwest's 14-state region using maximum daily batches of 100 lines,[37] leaving ample time over the FCC's scheduled 21-month transition timetable to handle conversions of newly acquired customers or growth in the UNE-P embedded base between now and when the transition would begin.[37]

Q. WHAT HAPPENS TO THE BATCH IF A LINE MUST BE DROPPED BECAUSE IT TURNS OUT NOT TO BE ELIGIBLE FOR CONVERSION ON A CONSOLIDATED BASIS?

A. Some CLECs at the Forum expressed concern that a single invalid line at order submittal could jeopardize the other lines in the batch and result in the entire batch being rejected. To satisfy this concern, Qwest will process a batch so long as it (a) started with 25 lines or more and (b) still contains 20 lines in it once unqualified

[37] A switch in Salem, OR has 8,172 UNE-P lines as of November 30, 2003.

lines are excluded. This change was sufficient to close the issue to the CLECs' satisfaction at the Forum.

D. Scheduling Batch Hot Cuts

Q. WHAT TIME OF DAY WILL QWEST SCHEDULE BHCS?

A. Requests for conversions pursuant to the BHCP will be conducted Monday through Friday between the hours of 3:00 AM to 11:00 AM, excluding holidays. Due to concerns raised by several CLECs, Qwest has determined that it will use best efforts to complete the lift and lay activity during the first portion of the shift to mitigate service disruptions to the end user and give the CLEC ample opportunity to port the number in the early morning hours – usually before most businesses would open, and when most residential end-users are asleep. Later in the COT's shift, the COT would perform the advance pre-wiring for orders due 4 or 5 days hence.

Q. DOES QWEST HAVE EXAMPLES OF THIS PROCESS WORKING DURING THESE PROPOSED HOURS OF OPERATION?

A. We do. In a recent trial with one CLEC, Qwest processed two separate batches of orders in Idaho and Iowa. During this test, the pre-wires were performed on DVA while the lift and lay activity was conducted beginning at 3:00 AM on the Due Date. In Idaho, I observed a group of 26 orders with the lift and lay task beginning at 3:05 AM and concluding at 3:40 AM. None of these lines were in use at the time

of cut. Representatives from Hitachi Consulting will be providing additional detail on each of these and other batches in addition to detailed time measurements on those orders.

Q. CAN THE CLECS REQUEST A SPECIFIC TIME OF DAY FOR A BATCH HOT CUT?

A. No. During the Forum, Qwest demonstrated that it can not efficiently prioritize central office work and organize COTs' movements through the central office if CLECs are able to demand that certain cutovers be performed at specific times. Such scheduling would interrupt the efficient task flow and reintroduce the need for the QCCC to communicate via telephone with CLECs regarding work start and stop times. Importantly, if a CLEC finds that it needs to schedule a hot cut for a particular customer at a specific time, the CLEC will still have the ability to do so by using the existing coordinated hot cut process. As explained above, Qwest provisions over more than 99% of such coordinated cuts on time today.

Q. CAN A CLEC PICK A PARTICULAR DAY FOR A BATCH HOT CUT?

A. Yes, with one caveat: The large-scale conversions of a CLEC's embedded base of UNE-P lines that would follow a state commission's "no impairment" finding would have to be scheduled within the contours of the negotiated 21-month transition plan required by the *Triennial Review Order*. In the event of a "no impairment" finding, the *Triennial Review Order* requires CLECs to work with

Qwest to develop a plan for transitioning their embedded base of UNE-P lines in that market to alternative facilities or services.[38] This planning will establish an overall schedule for the migration of the embedded base that spreads these conversions out evenly over the 21 months provided by the FCC for this transition,[39] and designate specific dates for each affected CO to convert, with the understanding that UNE-P is no longer available after the final date for completion of the transition plan for a particular CO. This FCC-required transition planning for the embedded base occurs within the first two months after a state commission finding of "no impairment"[40] and is not part of the process flow for any individual migration order.

Q. HOW WILL THE CLECS SCHEDULE A BHC?

A. Qwest's original proposal required CLECs to coordinate with Qwest before the submission of individual conversion orders to discuss scheduling. While the CLECs at the first forum generally accepted the need (and the *TRO*'s legal requirement) for up-front planning for the transition of the embedded base of UNE-P lines, several CLECs expressed concern with having an up-front coordination step for batched migrations of newly acquired customers and the time frames associated with such a meeting. These CLECs expressed a desire for some kind of electronic scheduling tool that would allow them to see when there was room for additional

38 *TRO* ¶531; 47 C.F.R. § 51.319(d)(2)(iv).
39 *TRO* ¶532; 47 C.F.R. § 51.319(d)(2)(iv)(A).
40 *TRO* ¶531; 47 C.F.R. § 51.319(d)(2)(iv).

batches in a given central office and reserve those days without having to coordinate with Qwest.

In response to these comments, Qwest agreed to modify the appointment scheduler to enable CLEC to schedule their own batch hot cut days (within the context of the transition plan for the embedded base). The tool will allow a CLEC to search for a specific CO and a specific date. The tool will display the number of batch hot cuts that can be performed on that date at the selected CO. If there are slots available, the CLEC may then reserve a number of cuts in that CO for the designated day. If the CLEC enters 25 or more lines for conversion, the appointment scheduler functionality will return an appointment confirmation number. The CLEC will populate this number in the APPCON (appointment confirmation) field of each LSR for that day.

Adopting the Appointment Scheduler changes enables Qwest to eliminate the coordination step on individual orders for batch conversions of both the embedded base and newly acquired customers. The same tool will be used for the *TRO*'s mandatory transition planning for migration of the embedded base in the event of a finding of "no impairment": the conversion dates agreed to as a part of CLECs' transition plans will be entered into the electronic tool, and capacity will be reserved accordingly.

Q. WILL CLECS BE ABLE TO USE THE APPOINTMENT SCHEDULER TO SCHEDULE BATCH HOT CUTS IN *ALL* QWEST CENTRAL OFFICES, INCLUDING UNSTAFFED ONES?

A. Yes.

Q. HOW WILL QWEST ACCOMMODATE A CLEC THAT IS GRADUALLY ACCUMULATING ORDERS IN ANTICIPATION OF MEETING THE BATCH MINIMUM?

A. If a CLEC submits fewer than 25 lines to the appointment scheduler, those lines will remain as pending until the CLEC enters a total of 25 lines. However, these pending lines may be "bumped" to the next available day if another CLEC submits LSRs in a batch that exceeds 75 lines for a particular CO.[41] In addition, CLECs will be able to "add" lines to an existing batch as long as the standard installation interval is met, and the batch size does not exceed 100 lines.

Q. WHAT OCCURS IF A CLEC HAS FEWER THAN 25 LINES RESERVED IN APPOINTMENT SCHEDULER WHEN THE INTERVAL FOR THAT DATE IS REACHED?

A. Pending reservations will be held until 7 PM MT seven business days prior to the cut date. If a CLEC has fewer than 25 lines in pending status at 7 PM MT seven

[41] For example, if CLEC ABC has 21 pending LSRs for Denver Main on January 29th, and CLEC XYZ submits 76 LSRs for the same CO ~~and~~ on the same date, CLEC ABC's LSRs will be "bumped" to the next available date.

business days prior to the cut, the appointment scheduler will automatically "bump" the lines to the next available business day.

Q. DID THE PROPOSED CHANGES TO THE APPOINTMENT SCHEDULER RESOLVE THE CLECS SCHEDULING CONCERNS WITH SCHEDULING THEIR OWN CONVERSIONS?

A. Yes. Based on the proposed changes to the IMA EDI/GUI appointment scheduler the CLECs agreed that their concerns were completely resolved on this point.

E. Ordering Batch Hot Cuts

Q. WHAT CHANGES DOES QWEST PROPOSE TO ITS ORDERING FUNCTIONALITY?

A. Qwest proposes that during the ordering of a BHC, CLECs complete an accurate LSR via either EDI or IMA GUI in the same manner they do for a Basic Hot Cut request today. Qwest's proposal designates, however, that LSRs requesting BHCs must also contain the CHC field populated with a "B" for batch and include the confirmation number for the batch and frame due date returned from appointment scheduler.

Qwest also proposes additional IMA validations such as determining that the CLEC has appropriately populated LSR fields designating the order as a BHC. These validations will take the form of new edits and/or error messages. Business Process Level ("BPL") edits which will be developed are items to aid the CLEC in

making a BHC request. The CHC field must be populated with the correct elements for the request to move forward into the batching of the service order for the CO. Some of the fields which will have the BPL edits established are the REQTYP – request type AB or BB, ACT-V (for conversion as specified) or Z (conversion with no directory listing changes), APTCON (this would be populated with the information from the appointment scheduler), TEST=N or blank (indicating there are no special testing requirements). DSPTH=N or blank (indicating no dispatch), CHC=B (indicating the request is for a BHC), NC-LX- - (this is the only network channel code allowed in the BHCP). Once an LSR passes these validations, a BHC USOC will be assigned to the Qwest service order. The BHC USOC drives the utilization of the new BHC process and the corresponding new lower NRC for each line associated in the BHC. All CLECs agreed that this process was acceptable.

F. Provisioning Intervals

Q. HAS QWEST PROPOSED A STANDARD INSTALLATION INTERVAL FOR THE BHCP?

A. Yes. Upon conclusion of the *TRO*-required transition planning CLECs will use the scheduling tool, find an available time slot and submit an LSR for individual orders on a CO basis. The CLEC must submit an LSR at least seven business days in advance of the time slot available in the scheduling tool. In past 271 proceedings, CLEC and State Commissions agreed to a seven business day interval where the

CLEC submits order volumes between 17-24 lines for the same customer at the same address. These intervals are memorialized in the Service Interval Guide ("SIG"), which is Exhibit C to the state's approved SGAT, and which is attached here as Exhibit DP/LN-13. In fact, if volumes exceed the 24 lines stated in the SIG, the stated interval is negotiated on an ICB. Unlike the current provisioning options, the Qwest proposed BHC seven business day interval allows the CLEC to give their end user a date certain due date without the need to negotiate when volumes are in excess of 24 lines. This interval is significantly shorter than those offered by any other ~~ILEC~~ RBOC for comparable UNE-P migration activity. This interval is discussed in greater detail below in connection with impasse issue S-2.

G. Pre-Wiring

Q. WHEN WILL QWEST PERFORM CENTRAL OFFICE PRE-WIRING?

A. Qwest had intended to move the pre-wire and DT/ANI steps to the Due Date for efficiency reasons; however, several CLECs at the forum asked that these steps remain on DVA (day 2 or 3 in a 7 business day interval) in order to allow time for both Qwest and the CLEC to respond to any issues that may be encountered with their respective networks. Qwest agreed to modify its proposed BHCP to keep these work steps on days 2 or 3 with the understanding that Qwest will have discretion to perform pre-wiring and the DT/ANI tests on either day 2 or day 3 in order to gain the efficiencies from balancing the workload over multiple days.

Upon concluding these testing steps, Qwest will notify the CLEC via the web-based status tool of any No-Dial-Tone ("NDT") ~~or~~ reverse wiring or bad CFA situations. The NDT notification provides the CLECs with ample time prior to the Due Date to resolve issues. Qwest explained at the forum that moving pre-wiring and testing to days 2 and 3 of the proposed process instead of Due Date, as the CLECs had requested, would increase the costs associated with the COT by approximately $4.00. The CLECs requested the pre-wiring anyway.

Q. WHAT ARE THE CLEC'S RESPONSIBILITIES?

A. The CLECs committed at the forum to have switch translations completed by midnight of day 1, and agreed that such a commitment is reasonable.[42] If the CLEC receives a jeopardy via the web-based status tool, then the CLEC will have a minimum of 2 day and a maximum of 3 days to issue a subsequent order to change their CFA, perform their translation work or correct any other CLEC related issue that may be causing the problem. Per the PCAT the standard interval for CFA changes is 3 days~~;~~, therefore the CLEC's subsequent LSR for CFA changes needs to be submitted no later than 7 PM on day 4 of the 7 day interval. For all CLEC changes, other than CFA changes, the CLECs do not need to notify Qwest of their corrective actions. Qwest will assume that corrective action will be taken by DD.

[42] *See, e.g.*, 1/07~~17~~/04 Tr. at 173:1-13, 22-24 (John Finnegan, AT&T) (noting that AT&T's normal business procedure is to establish switch translations prior to submitting the LSR or mechanically within four hours of receipt of the FOC; hence it "would not be a problem" to have switch translations in place by midnight of day one.

It remains the responsibility of the CLEC to ensure that its network (collocation facilities and tie cable pairs between that collocation and its terminations on the ICDF) are working and able to carry dial tone between these points. The verification by the CLECs can occur any time between when the collocation is first established up until the day the conversion orders are due; it is up to the CLEC to make this determination. The CLEC does not have to (and should not) wait until it receives a NDT notice from Qwest to resolve issues on its side of the network. The CLEC would do this by placing testing equipment at its switching location and the same type of equipment on the vertical side of the ICDF.

Upon conclusion of a successful pre-wire, the CLEC's dial tone should be appearing on a jumper that has been run, via the aforementioned frames, to the COSMIC™ or Main Distribution Frame ("MDF") and looped near its final termination point for the lift and lay activity on the order's due date.

Q. DID THE ABOVE PRE-WIRING AND TESTING PROPOSAL RESOLVE THE CLEC'S CONCERNS?

A. Yes. Qwest's willingness to pre-wire and test on day 2 or 3 resulted in the CLECs' willingness to close a number of issues at the forum. In turn, the CLECs' clear commitment to have their translations work completed by midnight of day 1 allows for a better level of testing, fewer visits by the Qwest COT to retest for CLEC Dial Tone, fewer problems on the Due Date, and elimination of all of the manual

inefficient processes parties go through to try and modify an order at the last minute on Due Date.

As noted above, this was one instance where the participants to the forum ~~was~~ were able to agree to a process that mutually benefited both Qwest and the CLECs. AT&T called this a "reasonable compromise,"[43] and MCI, McLeod and Covad likewise endorsed this proposal.[44]

H. The Lift and Lay

Q. WHAT ACTIVITIES OCCUR ON THE DUE DATE?

A. On due date, the Qwest COT will test the pre-wired loop, at the COSMIC™ or MDF, for dial tone to ensure that the CLEC has worked their translations and that the CLEC CFA information is correct and working. In addition, Qwest will conduct an ANI test on the Qwest cable and pair (where the existing UNE-P customer resides) to ensure that the correct pair and TN are reflected on the service order. Upon verifying both the CLEC and existing customers' DT, Qwest will monitor the line prior to performing the lift and lay and conduct the work only after finding the line in an idle state. If idle, the lift and lay will remove the end user from the Qwest switching platform and connect them to the CLEC's switching platform. Qwest performs a final DT/ANI test at the protector frame once all of the

[43] 1/7/04 Tr. at 36:23 (John Finnegan, AT&T)

[44] 1/7/04 Tr. at 172:20-23 (Patty Lynott, McLeod) ("[T]his process works well … and we appreciate that Qwest is checking for dial tone ahead of time."); *id*. at 174:9:19 (Sherry Lichtenberg, MCI) (same; "we are very pleased Qwest has met us halfway on this, and we accept the proposal."); *id*. at 174:24-175:2 (Michael Zulevic, Covad) (same).

office wiring is complete to verify that the lift and lay was performed correctly and DT is present at the last point before it leaves the CO.

Q. WHAT STEPS WILL QWEST TAKE IF THE LINE IS IN USE AT THE TIME THE LIFT AND LAY IS TO TAKE PLACE?

A. In order to remain efficient in wiring these in accordance with the facility location, the Qwest COT would monitor the line to ensure that the conversation was not of an urgent nature and upon making that determination, perform the lift and lay. Proceeding in this manner will allow Qwest to proceed on with the batch and allow the CLEC to get notification of batch completion without having to wait on a single customer. This possibility, however, is significantly reduced by the time frame for these cuts – 3:00 a.m. to 11:00 a.m. The cuts will occur at the beginning of the shift when most businesses are closed and people are asleep.

Q. ARE THERE STEPS THAT CAN BE TAKEN BY THE CLEC TO LET THAT END USER KNOW THAT WORK WILL BE TAKING PLACE ON THEIR LINE SOMETIME BETWEEN THE HOURS OF 3 AM AND 11 AM?

A. Yes. The CLEC can notify their end user to inform them of the pending order activity and that they may experience a momentary outage during the hours of operation that Qwest is proposing to convert the embedded base UNE-P order utilizing the BHCP.

Q. WHAT OCCURS IF THE CLEC'S DIAL TONE IS NOT PRESENT ON DUE DATE?

A. As stated earlier in this testimony, if CLEC dial tone is not present at the time the DT/ANI verification step is performed on Due Date, then the CLEC will be notified and the LSR will be placed in jeopardy status and removed from the batch. It is important to note that if a single LSR contains multiple loops and a single loop does not have dial tone on the Due Date, then all loops in the LSR are placed in a jeopardy status. This is necessary, and the CLECs at the Forum did not object to this point. It is ironic to note that while the CLECs would not commit to any type of payment to Qwest for an order that was delayed on the original due date for any CLEC reason, they continue to favor the waiving of the NRC when Qwest does not execute on the order due date~~,~~ and the payment of automatic PAP penalties if Qwest's performance drops below a certain level.

Q. WHAT ARE THE CLEC'S RESPONSIBILITIES IF AN LSR CANNOT BE COMPLETED ON THE DUE DATE DUE TO NO DIAL TONE?

A. The CLEC will need to issue a subsequent change to that order and resubmit the LSR for a new Due Date. At the CLEC's option, the LSR can be added to another batch for that office or a different installation option can be chosen. Additionally, the CLEC needs to verify if the LSR was related to any other LSRs. It is the CLECs responsibility to notify Qwest if there are any related LSRs that need to be cut back.

Q. PLEASE DESCRIBE THE CUT BACK AND ESCALATION PROCESSES.

A. The cut back and escalation processes are the same as those currently used by the CLECs today with any of the other provisioning options or products. Exhibit DP/LN-14 is the cut back process. In essence, this process allows the CLEC to notify Qwest the day of the conversion and request that the CLEC end user be moved back to the Qwest switching platform due to some issue that the CLEC was not able to resolve and that affected its ~~was concerned about their~~ end user's ability to receive phone calls or retain DT. Upon receiving this call, the QCCC would notify the CO requesting that the COT move the CLEC end user back to the facilities that they resided on prior to the conversion order being worked. In order to ensure that the cut back can occur without the need to submit a new order, the CLEC must notify Qwest of the need to cut back within two hours of order completion through the Status Tool. If this request is submitted to Qwest after the translations work has been performed and the DT has been "removed", the CLEC would have to issue a service order requesting that the service be reconnected. One of the additional benefits of conducting the BHC work during the early morning hours is that it gives the CLEC ample opportunity to determine if issues exist long before Qwest's translations removal would complete. The frame due time will continue to be 6:00 PM for all conversion orders. The parties agreed that this process was acceptable.

Q. CAN CLECS REQUEST THE ORDER IN WHICH THEIR LINES WILL BE PROVISIONED?

A. No. In order to realize the efficiencies gained by working at one location on a frame and then moving to the next location on that frame or a different frame, Qwest would need to stay the course and work orders by their associated frame location, not in the order the CLECs define.

I. Notifications to the CLEC

Q. HOW WILL THE CLECS KNOW WHEN TO PORT THE SERVICE?

A. The CLECs have two ways to know when the central office work has been completed. First, a CLEC can use existing functionality in its switches to "Trap and Trace" Qwest's ANI tests on the lines in the batch, thereby receiving instantaneous notification that the cutover of a line is about to begin and when the cutover is complete. Second, Qwest has agreed to implement a web-based status tool that will give the CLEC information on order status or status changes and indicate which orders or batches of orders have been completed.

Q. WHAT IS "TRAP AND TRACE" TECHNOLOGY?

A. Trap and Trace technology is a switch based feature. The most common application of this technology is the Last Call Identification feature, "*69". The CLEC can have its switch "Trap and Trace" a line that is a candidate for a conversion. By implementing "Trap and Trace", the CLEC will be able to detect

the two ANI tests that the Qwest COT performs immediately before and immediately after the lift and lay. The initial ANI test would be an indication that the hot cut of that line is beginning, and the post-cutover test would signal that the lift and lay of that line had been completed. By monitoring its switch, the CLEC's OSS can effectively receive instantaneous notification when a cut-over is finished and electronically initiate the porting of the telephone number associated with that line, thereby keeping customer outage times to a minimum.

This notification solution was discussed late in the BHC Forum, and the CLECs agreed to continue researching it after the Forum's conclusion and to report back to Qwest prior to the filing of testimony. On January 21, 2004, AT&T representative John Finnegan reported by e-mail that AT&T was still considering trap and trace but "believe[s] it had some potential to work," although AT&T believes it should not be the only notification method available to CLECs.[45] Similarly, a McLeod representative reported by e-mail that McLeod "believes this could be a viable option," although, like AT&T, McLeod believes that additional options should be available as well.[46]

Q. ARE THE CLECS REQUIRED TO USE TRAP AND TRACE TO KNOW THE STATUS OF THEIR BHC ORDERS?

A. No. Qwest's original proposal involved notifying the CLECs by e-mail periodically throughout the course of the lift and lay process to let them know what conversions

[45] E-mail from John F. Finnegan, AT&T, to Carolyn Hammack, Qwest (Jan. 21, 2004).

had been completed. A number of CLECs expressed concern with an e-mail-based notification process citing latency in their network and having to designate a single e-mail address that will receive such e-mails. Therefore, as previously mentioned, Qwest is developing a web-based status tool. This tool will provide BHC status to the CLEC throughout the entire BHCP, not just on the Due Date.

Q. PLEASE DESCRIBE THE WEB-BASED STATUS TOOL.

A. At the BHC Forum, the parties agreed that Qwest would create a secure, CLEC-specific, mechanically updated, web-based reporting tool, which Qwest calls the Batch Status Tool ("BST"). The BST will allow each CLEC to review the status of their Batch Hot Cut orders when the orders are processed through the Service Order Processor into the Work Force Administrator ("WFA"). Qwest expects typical orders to appear on the BST approximately 2 days following order submission, and several days before the Due Date. Information provided on the BST will include:

- Due Date
- Customer Identification (ZCID)
- State
- Common Language Location Identifier (CLLI)
- Complete with Related Order (CRO) field
- Circuit Facilities Assignment (CFA) Location
- Circuit Facilities Assignment (CFA) Number

[46] E-mail from Patty C. Lynott, McLeod to Carolyn Hammack, Qwest (Jan. 21, 2004).

- Job Identifier
- Circuit Layout Order (CLO) number
- Purchase Order Number (PON)
- Order Number
- Telephone Number (TN)
- Order status (Pending, Jeopardy (No Dial Tone, Customer Not Ready, Line in Use, Polarity Reversal), and Completed)
- Completion Date/Time
- Required Response Date/Time for Completed and Jeopardy orders
- QCCC e-mail address for CLEC messages pertaining to Completed and Jeopardy orders.

Q. HOW WILL THE INFORMATION IN THE BST BE FORMATTED?

A. Qwest proposes to provide the information listed above in a format that allows CLECs to sort the data and to download it into a Microsoft Excel file. An example of the BST's proposed output is attached in Exhibit DP/LN-26. The CLECs found the BST's ability to permit CLECs to sort and manage the status information as they deem necessary to be a key element that allowed several previously disputed issues to close.

Q. WILL CLECS STILL RECEIVE THE CURRENT IMA MESSAGES IN ADDITION TO THE INFORMATION ON THE BST?

A. Yes. CLECs will continue to receive the same IMA completion notifications (Firm Order Confirmations ("FOCs"), Service Order Completions ("SOCs"), etc.) for their BHC orders that they currently receive for their BHC orders today. However, IMA completion notifications are not sent until the order is completed within Qwest's service order processor. Qwest created the BST to give CLECs status information faster than they can receive it through IMA.

Q. PLEASE DESCRIBE HOW QWEST WILL UPDATE THE BST.

A. WFA is the same system Qwest CO technicians receive their work assignments from and enter their work completion records into immediately following the lift and lay of the first order in the Batch and then again upon completion of the last order in the Batch (at a minimum, the 25th line). Qwest intends to design an application that queries WFA for all Batch Hot Cut status changes every 15 minutes. Once the application queries WFA, the pending, jeopardy and recently completed orders information will immediately post to the BST.

Q. CAN THE BST BE USED BY STATE COMMISSIONS TO ENSURE THAT EMBEDDED BASE MIGRATIONS ARE OCCURRING ON SCHEDULE?

A. Yes. Qwest proposes that the BST may also be designed to provide Commissions with a means of tracking CLEC conversion progress. Qwest believes it is critical that the Commissions monitor this tool to ensure CLEC adherence to the transition plan.

Q. WILL QWEST BASE THE BST ON AN EXISTING OSS INTERFACE?

A. Qwest recognizes the importance of limiting the number of complicated OSS interfaces with the CLECs. As a result, Qwest intends to design the BST as a modification of the existing Customer Electronic Maintenance and Repair ("CEMR") system. Qwest chose CEMR because CLECs currently use the system, and it is efficiently adapted to the purpose of the BST. This will minimize the need for employee training to use the new system. For those CLECs not using CEMR, all that is required is a digital certificate for access.[47]

Q. DID THE BST RESOLVE ALL THE CLECS' CONCERNS REGARDING BHC STATUS NOTIFICATION?

A The CLECs were at odds with each other. MCI reported that it was pleased with the solution, that a web-based tool would provide CLECs with adequate notice, and that it was not too much work for CLECs to retrieve information from a web-based status tool. AT&T, by contrast, took one aspect of the BST to impasse. AT&T argued that a tool that provides automatic status update information at a web site still required the CLEC to perform too much work to retrieve that information; instead, AT&T wanted Qwest to "push" the information to them (via an e-mail, for example) when an order was in jeopardy status, even though the status tool provides the CLEC with 72 hours to rectify a NDT situation. This position ran counter to

[47] The Digital Certificates process is defined at the following URL: http//ecom.qwest.com/.

AT&T's original comments. Qwest's original plan was to send an e-mail, and AT&T (and many other CLECs) objected to e-mail notification and requested a web-based status tool instead. Once Qwest provided the status tool they had requested, AT&T reversed course and again demanded e-mail notification. This will be further discussed with the impasse issues.

J. Summary of Efficiencies and Improvements

Q. HOW IS THE BHCP MORE EFFICIENT THAN CURRENT HOT CUT PROCESSES?

A. Qwest has modified its Basic Hot Cut process to create as many efficiencies as possible. First, in the Basic Hot Cut process, the COTs spend time at the beginning of the day planning and categorizing the order of their work. The BHCP uses a computer generated spreadsheet that automatically identifies the most efficient order in which to perform the pre-wiring and lift and lay work at the ICDF and then the COSMIC™ or MDF. By loading the CO work onto a spreadsheet and prioritizing the cross connection work by frame location and terminations, the COTs are able to efficiently use their time to conduct wiring in a sequential manner working across the frame – which simply means they take fewer steps, and less time. The spreadsheet will provide the COTs will all of the critical information they require to conduct their wiring activity quickly and efficiently. This provides two benefits -- less paper handling and better utilization of time due to limiting steps between frames until work is complete on those orders within the batch. In

addition, by working orders in a batch manner, not a single LSR at a time, the COTs are able to work the entire 25-100 line batch and then clear the orders within the system in batches of 25 lines. The current process requires the COTs to complete each LSR individually within the systems.

Second, the BHCP reduces the number of contacts between the QCCC and the Qwest COTs, and between the QCCC and the CLEC. Moreover, while notification to the QCCC may include a phone call, the parties to the BHC Forum agreed that all communications for the BHCP will be done electronically (with most agreeing that notification via the web-based status tool would be adequate), and that phone calls would only occur on an exceptional basis. The proposed status tool also allows the COT to conduct their work more efficiently since they are required to only update the provisioning system, WFA-DI with an order status. COTs are not required to communicate with the QCCC during the course of the order or upon order completion. Once the COT updates WFA-DI, the status tool automatically performs the downstream communications with the CLEC. If the CLEC desires to obtain more prompt notification of order completion, CLECs can program their switch to utilize "Trap and Trace" capability. Trap and Trace will automatically alert the CLEC when the line is provisioned and the final ANI Dial Tone check is performed. Whether the CLEC uses the Batch Status Tool or "Trap and Trace," the CLEC will have an automated process for communicating with Qwest about order status and completion.

Third, as explained earlier, there are many instances in the current process when the CLEC does not have dial tone on the line on Due Date, let alone on DVA. When this occurs, which is fairly frequent (about 20% of the time), both the QCCC, the COT and the CLEC must perform a number of manual steps to either establish dial tone on the CFA or keep rechecking to see if dial tone is on the line. This requires multiple phone calls, multiple tests by the COT, and last minute work which jeopardizes the Due Date and injects many inefficiencies into the process. The proposed BHCP eliminates this concern altogether. As described above, the CLECs have agreed to place dial tone on their CFA by midnight on Day 1 of the 7 day interval and Qwest will test whether that dial tone exists on Day 2-3 of the process when it performs pre-wire activities. If the CLEC has no dial tone on the line for whatever reason, the Batch Status Tool will make this point plain, and the CLEC will have time to rectify the problem. These newly developed steps in the process give the CLEC ample time – up to 3 days – to correct No Dial Tone, get translations in place or to correct CFA problems prior to the scheduled due date.

Q. PLEASE ELABORATE ON THE BENEFITS ASSOCIATED WITH CLECS' HAVING THEIR TRANSLATIONS DONE BY MIDNIGHT OF DAY 1.

A. The CLECs' voluntary commitment at the forum to perform their switch translations on day one enables Qwest to conduct the DT/ANI testing and run the pre-wire to the COSMIC™ Frame or MDF on day 2 or 3, and to never touch the order again until Due Date. If the CLEC Dial Tone is correctly provisioned, then

the Qwest COT will only update information in WFA-DI once, and not multiple times as they do today as they check and re-check the CLEC's CFA for DT.

Q. ARE THERE ANY OTHER EFFICIENCIES BUILT INTO THE PROCESS?

A. Yes. The size of the batch and the associated dedicated two person teams yield additional efficiencies. Consolidation of work at a given Central Office on a given day will significantly reduce the amount of time it takes to travel between frames both during the pre-wiring phase and the lift and lay phase due to the "batching" of work. The transition plan will need to ensure that visits to Central Offices are conducted in a manner that allows these efficiencies to be realized while eliminating the opportunities for Central Offices to be revisited to complete a minimal set of BHC related tasks. Additionally, while network architecture in Central Offices can vary~~very~~, the one common thread is that the horizontal side (Qwest side) and vertical side (CLEC side) of the frame are physically separated. In most offices, they are on different sides of the frame, while in a few offices they may be on a different location on the same side of the frame. In either instance, however, the ability to have one technician testing the CLEC dial tone on the vertical side of the frame while the other COT is waiting to connect the other end of the jumper wire to the horizontal side of the frame is the most effective manner in which to make these connections. During a recent batch of conversion orders, the ICDF termination blocks were in different isles back to back from each other. In that circumstance, if the COT were working alone, he/she would have had to

perform DT/ANI on the vertical side of the ICDF, terminate the jumper wire and "poke" the wire through the frame to the other side of the ICDF, walk to the end of the frame and down the next isle in order to find the jumper and then connect it to the block on the horizontal side of the ICDF and perform another DT/ANI test. The travel time between these blocks clearly demonstrates why two technicians can work more efficiently.

K. Expected Performance

Q. HOW WOULD QWEST MONITOR THE NEW BHC PROCESS?

A. Qwest would continue to monitor the proposed process in the same manner that loop conversion activity is monitored today. There are currently PIDs in place that monitor loop installations and Qwest believes that certain aspects of these existing measurements should/will be applicable to the new process. In addition, personnel from the QCCC will continue to monitor order misses and conduct analysis to determine the reason for misses and address through further training or modifications to the existing process.

Q. WHAT OTHER STEPS WILL QWEST TAKE TO ENSURE A QUALITY BHC?

A. Qwest will also take steps to ensure that the dedicated teams of COTs assigned to this effort will receive and acknowledge proper training on the new process prior to the first BHC being performed. This training will also be conducted within those

organizations whose processes are impacted by the changes this joint team has made under the new process.

Q. HOW WILL QWEST FORMALLY MEASURE ITS BHC PERFORMANCE?

A. As part of the Section 271 process, Qwest, the CLEC community and the 14-state commissions created a process known as Long Term PID Administration ("LTPA"). The purpose of the LTPA is to create new performance measures or PIDs or to modify existing PIDs as the requirements of the business dictate. Qwest has agreed to expedite the creation of batch hot cut specific PIDs if such PIDs are deemed necessary by the LTPA. If the LTPA decides that creation of the BHCP does not require changes to existing PIDs or creation of new PIDs, there are many existing PIDs that track Qwest's performance in providing unbundled analog loops to CLECs. As such, analog loops provisioned using the BHCP would be included with the many other provisioning options and would be tracked in at least the following PIDS:

- OP-3: Provisioning Commitments Met on Due Date
- OP-5: New Installation Service Quality (troubles reported within 30-days of installation)
- All Maintenance and Repair measures including, but not limited to, the overall trouble rate (MR-8).

Thus, several key components of Qwest's performance will be tracked under the existing PIDs so that the Commission can monitor Qwest's overall performance in provisioning analog loops to CLECs.

Q. HAS QWEST REQUESTED ASSISTANCE IN REVIEWING THE BHC PROCESS?

A. Qwest requested assistance from Hitachi Consulting in an effort to differentiate between the current Hot Cut process and the newly proposed BHCP and then to make fact based assessments as to the efficiency, seamlessness and scalability of the new process. Hitachi delves into this in much greater detail in its report but I will provide a high level summary.

Q. PLEASE DESCRIBE HITACHI'S REVIEW OF THE PROCESS.

A. On three different occasions, Qwest has worked with a CLEC to conduct a test utilizing the initial proposed BHCP. The first test took place in Minneapolis, MN on December 17th and 18th, 2003 and entailed the conversion of two separate batches of order on consecutive days utilizing Qwest's original proposed BHCP. As such, pre-wire and lift and lay were both conducted on Due Date and communication was limited to electronic spreadsheets between the companies. The second test was discussed earlier in my testimony and took into consideration some of the changes suggested by the CLECs in attendance during the BHC Forum – principally changing the time for pre-wire from Due Date to DVA.

Q. DID HITACHI OBSERVE THE CENTRAL OFFICE ACTIVITIES ASSOCIATED WITH THE EXISTING HOT CUT PROCESS?

A. Yes, on different occasions, Hitachi visited central offices in CO, WA, ID, IA and MN to monitor the tasks associated with each of the swim lanes on the process flow. The information witnessed during these observations served as the basis for the assessments Hitachi was performing to ensure that the newly proposed BHCP can meet the needs of the CLEC community not only in those markets where a finding of no impairment is entered, but also where CLECs desire to use the new process for its newly acquired customers.

Q. DID HITACHI LIMIT THEIR OBSERVATIONS TO THE CENTRAL OFFICE?

A. No. Hitachi also conducted observation in many of Qwest work centers including the QCCC, Design Services Center, Service Delivery, Loop Provisioning Center, ("LPC") and Central Office Resource Allocation Center ("CORAC") with the expectation of observing conversions both under the current Hot Cut process as well as the proposed BHCP.

Q. HAS HITACHI MADE AN ASSESSMENT ON QWEST'S ABILITY TO HANDLE THE BHC VOLUMES?

A. Yes. Based on the current volumes being processed through the QCCC, and Hitachi's observations in the field, Hitachi assessed Qwest's capabilities of being able to handle any anticipated increase in volumes of unbundled loops that may occur as a result of elimination of unbundled switching as a UNE. Hitachi's

conclusion was that the proposed changes in the process and the systems would allow Qwest to handle the volumes as presented in the testimony of Ms. Million. Hitachi goes into greater detail on its assessment of Qwest's capabilities in its detailed report.

VIII. IMPASSE ISSUES

A. Overview

Q. DID THE PARTIES RESOLVE ALL THE ISSUES DURING THE BHC FORUM?

A. No. The parties did manage to resolve the large majority of the nearly 50 issues (many with multiple subparts) raised during the BHC Forum, ~~the parties~~but still went to impasse on 19 main issues. As stated above, during the BHC Forum, the key elements of the BHC process were agreed upon by all participants. The remaining impasse issues tended to be either peripheral issues, issues where the CLECs disagree among themselves, or issues relating to the ultimate legal determinations of the nine-month docket, which nobody expected to be able to resolve. Basically the impasse issues fall into 9 categories:

1. Whether Qwest must offer CLECs a coordinated installation option that allows the CLEC to select the hour of the day for the cut;

2. Whether certain types of orders (IDLC and line splitting) may be excluded from the BHCP;

3. Whether Qwest's proposed systems changes for the BHCP are adequate and whether additional systems modifications should follow the Change Management Process (CMP) given that the

CLEC community disagrees about the necessity of the proposed changes;

4. Whether Qwest must deploy "robotic frames" to manage the batch hot cut process;

5. The minimum and maximum size of a batch;

6. The standard installation interval for a batch;

7. The appropriate non-recurring charge for provisioning analog loops using the agreed upon BHCP;

8. Whether Qwest can meet anticipated volumes at an acceptable level of quality~~ volumes~~; and

9. Whether Qwest must present test data verifying that its BHC proposal works.

The specification of the impasse issues was agreed to at the Forum, and those issues are identified on Exhibits DP/LN-2 and DP/LN-3. We refer to these issues using the numbers assigned to them at the Forum.

B. Impasse Issue P-3a (Scheduling Batch Hot Cuts at any Time of the Day)

Q. PLEASE DESCRIBE IMPASSE ISSUE P-3A.

A. Qwest's BHCP proposes to perform all batch hot cuts between the hours of 3:00 AM and 11:00 AM by a dedicated team of two technicians.[48] Qwest's objective is to create a group of employees whose responsibilities include provisioning analog loops using the BHCP. AT&T and Eschelon argued that they should be able to dictate the time of day when Qwest performs a batch hot cut, and that the BHCP should also allow for "coordination," which involves multiple

telephone calls back and forth at the time of the cut over. The FCC defined its contemplated BHCP as "a seamless, low cost . . . process for switching mass market customers from one carrier to another."[49] The FCC required state commissions to factor in the "costs and timeliness" in approving a proposed BHCP.[50] Neither of these AT&T and Eschelon proposals are consistent with the efficient, low cost, timely process contemplated by the FCC and should therefore be rejected.

Q. AT&T AND ESCHELON ARGUED THAT THEY SHOULD BE ABLE TO SPECIFY A WINDOW OF TIME AT ANY HOUR OF THE DAY FOR QWEST TO PERFORM A BHC. WHY IS QWEST PROPOSING A 3 A.M. TO 11 A.M. CONVERSION WINDOW?

A. There are many reasons why Qwest proposes to use a dedicated team of COTs to perform batch hot cuts between 3:00 AM and 11:00 AM. All of Qwest's reasons are driven toward making the process as seamless as possible, as efficient as possible, and as inexpensive as possible. Moreover, Qwest will continue to provide ~~a~~ CLECs with a Coordinated Cut installation option, it will just not be as part of the BHCP.

Q. DESCRIBE HOW QWEST'S 3:00 AM TO 11:00 AM WINDOW HELPS TO CREATE A SEAMLESS PROCESS.

48 The 3 AM to 11AM window corresponds to the time zone of the CO associated with the BHC.
49 *TRO* at ¶487.
50 *TRO* at ¶488.

A. Throughout the BHC Forum, all parties uniformly agreed that the BHCP should attempt to create efficiencies while simultaneously limiting the amount of time an end user is out of service and without the ability to make or receive calls. The proposed 3 AM to 11AM conversion window addresses both of these concerns. When a hot cut is performed, the customer will be without service during the 20 or so seconds it takes to "lift" the line from the Qwest frame and "lay" it onto the CLEC appearance on the ICDF, and there is an additional lag in the customer's ability to receive calls from outside the customer's central office until the CLEC completes the number porting for the line. It is a simple fact that the early morning hours are the least active times for telephone calls. Thus, Qwest has proposed to perform these hot cuts at the time of day when the end-user customer is the least likely to be affected. Moreover, Qwest has committed to having the COTs perform the "lift and lay" work at the beginning of the 3 AM shift, which should all but eliminate the chance of the end user noticing the momentary dial tone disruption. For both business and residential end users, the conversion activity will take place when a majority of these customers are asleep or are not open for business. This will also allow the CLEC to react to order closure notices and submit the subscription to have the number ported at a time when their customers are, generally, asleep.

Q. DESCRIBE HOW QWEST'S PROPOSED 3:00AM TO 11:00 AM WINDOW CREATES AN EFFICIENT, INEXPENSIVE PROCESS.

A. As set forth above, Qwest proposes to use a dedicated team of two COTs to perform the batch hot cuts, and for this team of COTs to perform the scheduled lift and lays at the beginning of the shift and then use the remainder of the shift to thereafter complete pre-wiring work for lines scheduled to be cut a few days hence. As explained in detail above when describing Qwest's BHCP, Qwest has created a process that automatically sequences the orders in the batch and the COT's pre-wiring and lift and lay work in order to obtain maximum efficiency and reduce costs. AT&T and Eschelon are requesting the ability to interrupt the sequencing of this work and require the COTs to leave their location at any given time to perform lifts and lays at whatever location the CLECs demand. If this proposal is adopted, the dedicated team will no longer be available to perform the work during a designated shift; the systems will not be able to order the lines to be cut; the systems will be overridden, forcing the cut to be managed by inefficient telephone calls; and all of the efficiencies the parties worked so hard to create in the BHC Forum will disappear.

Q. DID ANY CLEC IN THE BHC FORUM RECOGNIZE THAT THE TELEPHONE CALLS INHERENT IN MANAGING A COORDINATED CUT ARE INEFFICIENT AND INCONSISTENT WITH A PROCESS USED TO CONVERT LARGE VOLUMES OF MASS MARKET CUSTOMERS?

A. Yes. Coincidentally, AT&T recognized that telephone communications between Qwest and the CLEC must be removed to the extent possible from the BHCP in

order to create a process that will work for large volumes of mass market customers.[51]

Q. CAN A CLEC THAT WANTS TO USE A COORDINATED CUT PROCESS STILL HAVE THE ABILITY TO USE THAT PROCESS FOR SELECT CUSTOMERS.

A. Yes. The BHCP is one of many analog loop provisioning options that will be available to the CLECs. CLECs will be able to decide the customers they want to transition using the Batch, Basic, Coordinated, and Project methods. All of these options will remain available. During the BHC Forum, Eschelon emphasized that some of their customers provide alarm service, and as such they would want these customers to be cut at a particular time of day with coordination. Eschelon will still be able to cutover such customers using coordination; it will just not be available as part of the BHCP with its lower prices because coordinated hot cuts cannot be consolidated in a manner that gives rise to the efficiencies that yield the lowest cost.

Q. PLEASE SUMMARIZE QWEST'S POSITION ON IMPASSE ISSUE P-3(A).

A. Qwest's proposed BHC process selects a specific window of time to complete BHCs in order to ensure that they can be performed by a dedicated team of people during a time of day when the customers are least likely to be affected. This

[51] 1/7/04 Tr. 72: 6 (John Finnegan - AT&T) "Right now, AT&T's Hot Cut volumes are very low, very small, and the current process relies on telephone calls. Given the low volumes, that's efficient notification process. If there were much higher volumes, that's probably not going to be a very efficient method…"

proposal creates efficiencies, lowers the price and minimizes the impact to the end-user customer. The AT&T/Echelon proposal eliminates all of these efficiencies. Moreover, if a particular customer requires coordination, the coordinated cut process is still available as an option. The CLEC can decide which customers should use the BHCP and which should use one of the other provisioning options. The Commission should adopt Qwest's proposal and limit the BHCP to the 3:00 AM to 11:00 AM window.

C. Impasse Issue P-11 (Ability to Specify Order in Which Lines Are Cut Over~~Cutover~~)

Q. PLEASE DESCRIBE IMPASSE ISSUE P-11.

A. Impasse issue P-11 is related to P-3(A) in that it also involves a CLEC's insistence on the right to reorder the COT's work. At the BHC Forum, Eschelon sought the ability to dictate the exact sequence in which each line within a batch would be provisioned. This request is unrealistic and makes it physically impossible to create any efficiencies by batching. For example, a COT may be able to complete several orders in one block on a frame and then move several blocks over to work on others to increase efficiency. A CLEC-ordered cut could require the COT to bounce back and forth from block to block to complete each cutover in the precise sequence the CLEC is demanding. This obviously inefficient scenario is completely inconsistent with the FCC's goal of "spreading the loop migration costs among a large number of lines, decreasing per-line cut over costs."[52] It also necessarily adds time to each

[52] *TRO* ¶487.

length of cut. As discussed above, allowing Qwest to control the sequence of the provisioning process ensures that the batch is managed efficiently, as quickly as possible, and at the least possible cost. Eschelon's request should be rejected as wholly impractical.

D. Impasse Issues P-5, P-8 and P-21(C) (Inclusion Of IDLC and Other Conversions Requiring an Individual Field Dispatch)

Q. PLEASE DESCRIBE RELATED IMPASSE ISSUES P-5 AND P-8.

A. Qwest has defined the BHCP to apply only to unbundled loops that will reuse existing facilities and not require the dispatch of a technician to the field. As a general rule, this will exclude the 9% of loops provisioned over IDLC from the BHCP. Despite this, on a region-wide basis this will allow approximately 91% of existing UNE-P lines and 91% of Qwest retail lines to be provisioned to UNE-Loop using the BHCP. Qwest will, of course, still provision any unbundled loop requiring a field dispatch including loops using IDLC with existing provisioning options. Although AT&T agreed with Qwest that IDLC loops cannot practicably be "batched" for purposes of the BHCP, MCI, Eschelon and McLeod insisted at the Forum that such loops be included (Issue P-5). Eschelon then went one step further and argued that Qwest should include *all* loops requiring a field dispatch in the BHCP (Issue P-8). The Commission should reject both suggestions as irreconciable with the efficient, low cost, timely process contemplated by the FCC.

Q. SHOULD THE INSTALLATION OF A LOOP REQUIRING THE DISPATCH OF AN OUTSIDE TECHNICIAN BE INCLUDED IN A BHC?

A. No. The BHC is a new installation option that is primarily designed to reduce the cost of analog loop installations by taking advantage of the efficiencies gained by converting or migrating "batches" of existing lines – either UNE-P or other types of conversion orders – and reusing existing facilities to the extent possible. Conversion and installation efficiencies can be gained on two fronts: (1) reduction of coordination activities and (2) streamlining of the wiring at various frames in the Qwest central office. Provisioning loops that require the dispatch of a technician to the field is inconsistent with both efficiency categories. If an outside technician is required the necessary coordination increases and the central office can no longer group the wiring activity in the most efficient manner. Moreover, this will mean that some loops will require a "truck roll" and others will not. By definition, loops provisioned with an outside field dispatch are provisioned on a line at a time basis, or individually. This is inconsistent with the FCC's definition of batch. Specifically:

> Generally . . . we expect [the BHCP] to result in efficiencies associated with performing tasks once for multiple lines that would otherwise have been performed on a line-by-line basis. For example, pursuant to the processes in place at least in some states, the incumbent LEC currently will pre-wire circuits on the central office frame, verify the presence of dial tone, and communicate with competitive LECs regarding problems encountered on a line-by-line basis. **Under a batch hot cut process, these activities might be**

undertaken simultaneously *for all lines affected by a given batch order*.[53]

A field dispatch, by definition, cannot be performed for all loops in a given batch simultaneously. As such, they should not be included in the BHCP.

Q. WHAT OPTIONS DO THE CLECS HAVE IF THE INSTALLATION REQUIRES THE DISPATCH OF AN OUTSIDE TECHNICIAN?

A. If the dispatch of an outside technician is required, the CLEC can utilize one of the six existing installation options made available to them today. These options are described in the Wholesale Product Catalog ("PCAT") and the Commission approved SGAT §9.2.2.9.[54]

Q. IS THE EXCLUSION OF LOOPS PROVISIONED VIA IDLC TECHNOLOGY DIRECTLY TIED TO THE NEED TO DISPATCH AN OUTSIDE TECHNICIAN?

A. Most definitely. Issue P-5 concerns whether the BHCP should include lines provisioned using Integrated Digital Loop Carrier ("IDLC") facilities. In those instances where the UNE-P end user's facilities are currently provisioned over IDLC or in those cases where a retail or resale end user is asking to be converted to the CLEC switching platform and their service resides on IDLC, Qwest must dispatch a field technician to provision an unbundled loop to the customer. The

[53] *TRO* at ¶489 (emphasis added).
[54] Located at URL: http://www.qwest.com/wholesale/pcat/unloop.html

dispatch is required to either obtain new facilities through a facility rearrangement, to copper or Universal DLC ("UDLC"), or to make rearrangements in the DLC through either hair-pinning, nailing the circuit up, or by building an Integrated Network Access ("INA") system. Each of these alternatives offer an interim process until a more permanent solution can be implemented – such as adding a Universal shelf to the existing pair gain system. In those instances where no alternatives are available, Qwest has committed, in section 9.2.2.2.1 of the Commission approved SGAT to make "every feasible effort to unbundle the IDLC in order to provide the Unbundled Loop for CLEC."[55] Qwest delivers on this promise by implementing one of the solutions discussed above. Due to the additional complexities of converting these facilities to an unbundled loop, Qwest has asked that the CLEC utilize one of the existing provisioning options and that the work be done during normal business hours.

Q. PLEASE EXPLAIN WHY THE DISPATCH OF AN OUTSIDE TECHNICIAN IS REQUIRED WHEN CONVERTING A UNE-P THAT CURRENTLY RESIDES ON IDLC?

A. In order to change facilities from IDLC to either copper or UDLC, Qwest would be required to dispatch a technician to conduct the rearrangement within the outside plant facilities and then test the newly assigned facility to ensure continuity. This work would entail the movement of one or more jumpers or cross connections at the

[55] Qwest Wyoming SGAT Sixth Revision, July 8, 2002, pg 124.

Feeder/Distribution Interface ("FDI"). In those cases where an INA di-group is already in place or where the conversion is being hair-pinned or nailed-up, Qwest would still have to dispatch a technician to the field in order to perform the same type of continuity testing and jumper movement. In many instances, the work performed on the IDLC itself is conducted by a different technician that would be doing the installation work.

Q. DID THE FCC ANTICIPATE AND ACKNOWLEDGE THE COMPLEXITY AND DIFFICULTIES ASSOCIATED WITH PROVISIONING UNBUNDLED LOOPS OVER IDLC?

A. Yes. At numerous locations within its *UNE Remand Order*, the FCC recognized that unbundling IDLC is a difficult process. Throughout the 271 proceedings this issue was discussed in great detail, and Qwest agreed to unbundle when IDLC was present; However, Qwest explained and the CLECs generally agreed that such unbundling is a very manually intensive process that requires loop by loop analysis and handling. Again, SGAT § 9.2.2.2.1 memorializes Qwest's commitment to provisioning UNE-Loops when IDLC is present.

Q. THERE APPEARS TO BE A DEGREE OF INCONSISTENCY IN THE CLEC'S ARGUMENT ON THIS POINT. PLEASE EXPLAIN.

A. It is interesting to note that while several CLECs appeared to recognize that provisioning which required an outside technician should not be included in a BHC,

only AT&T agreed that IDLC loops should not be included in the batch. During the December 2, 2003 session of the BHC Forum, Mr. John Finnegan of AT&T stated, " I don't think the CLECs are suggesting that IDLC should be part of the batch. It's a question of identifying the IDLC to exclude it from the batch."[56]

Q. DOES QWEST CURRENTLY UNBUNDLE LOOPS THAT WERE SERVED BY IDLC?

A. Yes. Qwest has been successfully unbundling these types of loops and in accordance with the 271 rules will continue to do so even for those UNE-P conversions currently working over IDLC – they just will not be candidates for the BHCP. Exhibits DP/LN-15 and DP/LN-15.1 are the process flow and associated legend that Qwest follows in order to provision UNE-Loops when IDLC is an issue. Exhibit DP/LN-16 is an actual break down of the percentage of UNE-P lines currently working over IDLC today on a state by state basis. Qwest remains committed to provisioning loops, when IDLC is involved, however, these conversions are complex and should not be included as part of a "batch" process. Instead, CLECs should ask Qwest to unbundle loops over IDLC using one of the existing hot cut processes.

[56] 12/02/03 Tr. at 409:6

Q. THE CLECS PARTICIPATING IN THE FORUM STATED THAT OTHER ILECS HAD COMMITTED TO INCLUDE IDLC CONVERSIONS IN THEIR BHCP. CAN YOU COMMENT ON YOUR FINDING ~~INTO~~ WITH RESPECT TO THIS CLAIM?

A. Verizon does not include loops provisioned over IDLC in the BHCP. While Bell South and SBC have committed to convert UNE-P lines working over IDLC, their "batch" proposals for IDLC indicate that the provisioning will be done during normal business hours. Additionally, the IDLC lines will not be "batched" with non-IDLC loops. So in essence their "batch" IDLC processes are very similar to what Qwest has proposed to the CLECs. Namely, the CLECs must submit the orders to be worked during normal business hours and Qwest will use one of the existing processes to ensure that these UNE-P conversions are handled appropriately.

Q. DOES QWEST PROVIDE COMPETITIVE LECS WITH ACCESS TO INFORMATION ABOUT WHICH LOOPS ARE PROVISIONED USING IDLC?

A. Yes. Qwest has many tools available to the CLEC today which would allow them to ascertain this type of information. The ICONN database[57] provides the percentage of both IDLC and UDLC compared to total line counts on a Central Office by Central Office basis. The Raw Loop Data Tool ("RLDT") gives the

[57] This information can be located at URL: http://www.qwest.com/cgi-bin/iconn/dlc.cgi

CLEC a more granular view of each loop on a segment by segment basis. In fact, the CLECs can run a report on an entire wire center and determine the types of facilities serving each individual end user prior to marketing within the wire center. Exhibit DP/LN-17 is a summary of the loop qualification tools that Qwest has made available to the CLECs today.

The Raw Loop Data Tool (RLDT), however, is the primary tool used by CLECs. Exhibit DP/LN-18 shows the frequency with which CLECs use the RLDT. CLECs access the RLDT through IMA-EDI and the IMA-GUI, which provides CLECs with the necessary loop make-up information to allow them to determine if the loop they seek to convert from UNE-P to UNE-L is provisioned over IDLC. See Exhibit DP/LN-18 for the number of times a CLEC accesses the RLDT. The RLDT provides CLECs with information about loop make-up characteristics, including: address, telephone number or circuit ID, CLLI code, terminal ID, load coils, bridged tap, wire gauge, *pair gain devices (such as IDLC)*, cable and pair make-up, MLT distance, and actual loop length by segment. The data supporting the RLDT is obtained via QServ, which accesses LQDB, the same data source that Qwest uses to qualify Qwest Retail DSL service.

For those CLECs that want to obtain loop information on a batch basis, Qwest provides access to an external website, where they can obtain bulk raw loop data by wire center. This website data, accessed outside of IMA, is referred to as the Wire Center Raw Loop Data Tool. This web-based tool provides the same fields of loop make-up information as that provided by the IMA-EDI and the IMA-

GUI RLDT. Once again, the source of this data is the same as for the tool that Qwest uses to qualify its Retail DSL service.

Q. DURING THE BHC FORUM, ESCHELON NOTED THAT INFORMATION IN THE RLDT COULD BE MISSING OR INCORRECT AND QUESTIONED THE IMPACT ON THE BHCP. ECSHELON MADE THIS A SEPARATE IMPASSE ISSUE (21(C)~~ TO EXHIBIT DP-2~~). PLEASE COMMENT ON THIS ISSUE.

A. The claim made by Eschelon was unsupported by any formal documentation and when asked to provide specific examples, none was provided. This issue was dealt with in great detail in the FCC's 271 decisions. Qwest also makes available a manual process that permits CLECs to obtain loop make-up information if the CLEC believes that the returned loop information may be unclear or incomplete. The FCC acknowledged this as a supplemental method for verifying that a loop can support advanced loop technologies. [58] Qwest will perform a manual search of its

[58] *See Qwest 9-State 271 Order* at ¶ 62 and ¶ 70 ("For these reasons, we cannot find that the RLDT's alleged unreliability denies competitors a meaningful opportunity to compete."); *see also* SGAT § 9.2.2.8.6. Specifically the SGAT language states:

> "[i]f the Loop make-up information for a particular facility is not contained in the Loop qualification tools, if the Loop qualification tools return unclear or incomplete information, or if CLEC identifies any inaccuracy in the information returned from the Loop qualification tools, and provides Qwest with the basis for CLEC's belief that the information is inaccurate, then CLEC may request, and Qwest will perform a manual search of the company's records, back office systems and databases where Loop information resides. Qwest will provide CLEC via email, the Loop information identified during the manual search within forty-eight (48) hours of Qwest's receipt of CLEC's request for manual search. The email will contain the following Loop make-up information: composition of the Loop material; location and type of pair gain devices, the existence of any terminals, such as remote terminals or digital Loop terminals, Bridged Tap, and load coils; Loop length, and wire gauge. In the case of Loops served by digital Loop carrier, the email will provide the availability of spare feeder and distribution facilities that could be used to

back office records, systems and databases containing loop information to obtain the loop make-up information requested by the CLEC.[59] If loop make-up information is missing for a particular loop segment, Qwest will investigate its outside plant engineering records for the cable and pair from the central office to the SAI and from the SAI to the customer's serving terminal. Qwest has agreed to return the loop make-up information to the CLEC electronically within 48 hours. Qwest also then will update the applicable databases with this loop make-up information. The documentation describing this issue can be found at http://www.qwest.com/wholesale/downloads/~~lgrid~~lqrld_clecjobaid.pdf. Appendix D of this job aid is the Request for Manual Loo~~k~~p-Up and provides the CLEC with detailed steps to follow if they were to make an inquiry and find either no information or unclear information. Since July 2003,Qwest has received only 67 CLECs for manual look-up and when comparing that to the total number of RLDT queries it breaks down to a percentage of facilities not available or clear .0009% of the time. *See* Highly Confidential Exhibit DP/LN-19. This does not appear to be an issue at all.

Q. DOES QWEST USE THESE SAME TOOLS FOR INFORMATION WHEN HANDLING ITS RETAIL CUSTOMERS?

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provision service to the Customer, including any spare facilities not connected to the Switch and Loop make-up for such spare facilities. After completion of the investigation, Qwest will load the information into the LFACS database, which will populate this Loop information into the fields in the Loop qualification tools."

[59] Additional details are provided in Appendix D of Exhibit LN-OSS-26 (Loop Qualification and Raw Loop Data CLEC Job Aid).

A. Yes. Loop qualification information for both Qwest Retail and CLECs comes from the ~~LODB~~LQDB, whose underlying source is the LFACS database. Therefore, CLECs are receiving the same loop qualification information that is available to, and used by, Qwest Retail.

Q. HOW SHOULD THE COMMISSIONS RULE ON ISSUES P-5, P-8 AND P-21(C)?

A. Based on the manual nature of performing work in the outside plant realm when an existing UNE-P end user is provisioned over IDLC facilities, and the fact that loop provisioned in this manner will require the dispatch of an outside plant field technician, the Commission should find that the BHCP is limited to reuse of facilities where there is no need for a field technician dispatch. Loops requiring a field technician dispatch should be provisioned using Qwest's existing loop provisioning processes. The Commission should reject the CLEC requests as set forth in Issues P-5 and P-8.

E. Impasse Issue P-6(A) (Line Split Loops)

Q. PLEASE DESCRIBE IMPASSE ISSUE P-6(A).

A. This issue concerns whether or not Qwest should include "line splitting" arrangements in the BHCP. Line splitting is a situation where one CLEC provides voice service to a customer and another CLEC provides data service over the same loop. This is another situation that adds a level of complexity to the provisioning

process, which is incompatible with the seamlessness and efficiencies contemplated by the FCC.

Q. SHOULD UNE-P LOOPS THAT ARE CURRENTLY IN A LINE SPLITTING ARRANGEMENT BE INCLUDED IN THE BHCP?

A. Much like the additional work involved with the IDLC loops, the inclusion of Line Splitting arrangements undermines the efficiencies of the BCHP. In this case, the conversion of Line Splitting includes additional coordination, and Central Office wiring for the migration of both the voice and the data services. This work causes added complexities that are inconsistent with the proposed BHCP. Qwest will provision these lines, again using the existing processes created for this exact purpose.

Q. DID THE FCC CONTEMPLATE THAT LINE SPLIT LOOPS WOULD BE INCLUDED WITHIN THE BHCP?

A. No. To the contrary, the FCC contemplated that the BHCP was to be created exclusively for the provision of voice service. A batch hot cut process is intended to be a tool "for switching *mass market* customers from one carrier to another."[60] The FCC specifically defined "mass market customers: as "*analogue voice customers* that purchase only a limited number of POTS lines."[61] Covad, the primary CLEC pushing for the inclusion of line-split loops in the BHCP, knows this

[60] *TRO* ¶487 (emphasis added).

full well: it is refusing to answer discovery concerning its data facilities precisely on the ground that only circuit-switched voice services are relevant to the mass-market switching inquiry, not the data services for which line splitting is used.[62] Covad is trying to have it both ways.

Q. IN ORDER TO AVOID ANY CONFUSION AROUND THE DIFFERENT TYPES OF "VOICE/DATA" PRODUCTS, BRIEFLY DESCRIBE LINE SHARING, LINE SPLITTING AND LOOP SPLITTING TYPE LOOPS.

A. **Line Sharing** – this product provides the CLEC with the opportunity to offer end users advanced data services over the existing copper loop that provides the end user's analog voice-grade service. This is done by using the high frequency portion ~~of the loop~~ (the frequency above the voice band) of the copper loop where Qwest is the voice service provider to the end user. *Simply put, Qwest provides the voice and the CLEC provides the data.*

Line Splitting – this product provides ~~the~~ CLEC~~s~~'~~s~~ with the opportunity to offer advanced data service simultaneously with an existing UNE-P by using the frequency range above the voice band on the copper loop. The advanced data service may be provided by a CLEC or DLEC or another data service provider chosen by the CLEC. Only one customer of record will be determined by Qwest in this CLEC/DLEC partnership. Line Splitting can only be requested on existing

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61 *Id*. ¶ 497 (emphasis added).

62 *See, eg.~~elgl.~~*, Responses of Covad Communications to Staff's 2nd Set of Data Requests, *In the Matter of ILEC Unbundling Obligations as a Result of the Federal Triennial Review Order*, Dkt. No. T-00000A-03-0369, at 3 (citing *TRO* ¶ 497).

UNE-P POTS. The end-user must have dial tone originating from a Qwest switch in the CO and the CLEC or DLEC must provide the end-user with all equipment required to separate these distinct services. *In this scenario, the voice is provided from the Qwest switch (CLEC UNE-P) and the data is provided by the CLEC/DLEC.*

Loop Splitting – this product provides the CLEC or DLEC with the opportunity to offer advanced data service simultaneously with an existing Unbundled Local Loop by using the high frequency portion of the loop. The advanced data service may be provided by the CLEC or DLEC or another service provider chosen by the CLEC. As with line splitting, only one customer of record can be identified to Qwest and that is determined by the CLEC or DLEC. The customer of record is billed for the Loop Splitting arrangement. *In this scenario, the CLEC and DLEC are responsible for providing both the voice and data service.*

Q. ARE THERE ANY OTHER CONCERNS UNIQUE TO LINE SPLITTING THAT FACTORED INTO QWEST'S DECISION TO EXCLUDE THEM FROM THE BHCP?

A. Yes. The BHCP will convert UNE-P voice services, currently working on an analog unbundled loop. In a Line Splitting scenario, the UNE-P voice plus the CLEC's data service would both transverse the outside plant facilities in order to connect to the CLECs end user. The fundamental difference is that the loop type used in this architecture is not an analog voice grade loop but a non-loaded copper

loop. In an analog unbundled loop environment, the CLEC has "control" of the data portion of the facility and may make arrangements with any DLEC to provide the data service. Accordingly, the CLEC would have to coordinate installation activities with the data provided and Qwest would have no record of the data service riding the analog loop. If for some reason, Qwest engineering or outside plant technicians were to rearrange outside plant facilities, the Qwest records would indicate that the technical requirements for the loop were analog or voice service and changes could be made to outside plant that may pose some risk to the data service. However, if the CLEC used the non-loaded loop, Qwest would know that the facility needed to support data services.

Q. HOW MANY LINE SPLITTING ARRANGEMENTS ARE IN SERVICE THROUGHOUT THE REGION?

A. There are currently only 748 line splitting arrangements across 6 of Qwest's 14 states.[63] Highly Confidential Exhibit DP/LN-20 is a break down of the line splitting circuits by state and Central Office location. To date Qwest is not aware of any Loop Splitting arrangements in its territory. Once again, Qwest understands its unbundling responsibilities and agrees to convert Line Splitting arrangements according to the CLEC's request. However, Qwest does not believe that this conversion meets the criteria for a BHC. The work should be conducted during normal business hours to allow any issues associated with the movement of the

voice or data to be coordinated between the CLEC and DLEC and give each party time to resolve any issues in a timely manner. The BHC process was intended to apply to voice grade loops only, not loops that currently have some form of data services riding the high frequency portion of the loop.

Q. DOES QWEST CURRENTLY HAVE A PROCESS IN PLACE THAT WOULD ALLOW FOR THE MIGRATION OF THESE LINE SPLITTING ORDERS?

A. Exhibit DP/LN-21 is an excerpt from the PCAT which describes Qwest's process to convert a UNE-P line with line splitting to Loop Splitting.[64] With the current volumes, Qwest would have to convert less than two (2) line splitting loops per day across the region during normal business hours and complete the entire embedded base of line splitting loops well within the time frames set forth by the FCC. Even if volumes were to increase by 400% - 500% percent, as some CLECs have projected, Qwest would have to increase the volumes of orders processed on any day to less than 10 orders across the region or about 40 or 50 line splitting conversion per week which is well within QCCC's current capabilities. Moreover, an increase of this magnitude would only increase the line splitting base to less than ½of one percent of the entire UNE-P base.

[63] The states included in the line splitting count are Arizona, Colorado, Minnesota, Nebraska, Oregon and Washington.

[64] Conversion activity is documented in the PCAT at URL: http://www.qwest.com/wholesale/clecs/migrateconvert.html

Q. YOUR PRIOR RESPONSE SUGGESTS THAT CLECS ONLY SEEK TO USE THE BHCP TO PROVISION EXISTING LINE SPLITTING ARRANGEMENTS, NOT NEW ARRANGEMENTS THAT COME INTO EXISTENCE AFTER DECEMBER 2, 2004. IS THIS CORRECT?

A. Yes. The CLECs have agreed that creation of a new line splitting arrangement is much too complex for the BHCP. Mike Zulivic, representing Covad Communications, commented on this issue during the forum and stated that given the increased number of cross-connects required in a new line splitting arrangement, it would be fair to exclude the new arrangements from the batch process.[65] Thus, this issue is a relatively narrow one that will only impact line splitting arrangements that exist on or before December 2, 2004.

Q. IS THERE ADDED COMPLEXITY TO PROVISIONING A LINE SPLITTING ARRANGEMENT FROM A TRADITIONAL ANALOG LOOP.

A. Yes. There are several additional jumpers that need to be connected in order to transition a line splitting arrangement to a loop splitting arrangement. These additional jumpers again create added complexities. Moreover, given the small number of line-splitting arrangements in the Qwest region, it is highly unlikely that any batch could involve more than one such arrangement. As stated above, the FCC's contemplated BHCP is for "activities [that] might be undertaken

[65] 12/2/03 Tr. at 444:6 (exchange between Chuck Steese of Qwest and Mike Zulevic of Covad) Mr. STEESE: So really what we're talking about here is whatever the embedded base is at the time the line splitting goes away as being the total amount of lines that we are concerned about for batch hot cut;; is that fair? MR. ZULEVIC: I think that's fair.

simultaneously *for all lines affected by a given batch order*." ~~"activities might be undertaken simultaneously *for all lines affected by a given batch order."*~~[66] There will be no way to perform this work simultaneously for line splitting arrangements the added work will be for an individual loop which is inconsistent with the FCC's stated purpose of achieving efficiencies.

Q. PLEASE SUMMARIZE YOUR TESTIMONY ON ISSUE P-6, CONCERNING LINE SPLITTING ARRANGEMENTS.

A. The FCC's stated purpose for the BHCP was to transition voice grade service. The CLECs' desire to include line splitting arrangements in the BHCP is inconsistent with this objective, as such lines include digital service. Moreover, provisioning a line splitting arrangement requires additional jumper work in the central office thereby eliminating efficiencies. Finally, there are only a very small number of line splitting arrangements in the Qwest region. The CLECs will not be prejudiced by the exclusion of such lines from the BHCP. Instead, CLECs can use Qwest's existing processes for the provision of such lines.

F. Impasse Issue P-10(D)(4) (LSR Requirement)

Q. AT THE BHC FORUM, DID THE PARTIES DISCUSS THE SYSTEMS THAT WOULD IMPACT THE BHCP?

[66] *TRO* at ¶489 (emphasis added).

A. Yes. There were several issues discussed, with the principle emphasis being on the Batch Status Scheduling Tool discussed above. However, there were a few systems issues related issues that went to impasse. These systems concerned three different subjects: (1) whether CLECs should have to use the time tested LSR process for submitting batch hot cut orders; (2) whether Qwest must have a method, in addition to the Batch Status Tool to notify CLECs of trouble on a line, and when the batch is complete; and (3) whether the Change Management Process is the correct forum to request additional systems changes, especially when it is apparent that CLECs disagree about the need for such systems changes.

Q. PLEASE DESCRIBE IMPASSE ISSUE P-10(D)(4) ~~FROM EXHIBIT~~.

A. Qwest's proposed BHCP requires CLECs to submit LSRs to complete a batch via an electronic interface. This is the exact method that CLECs have used for issuance of orders for analog loops for many years. Most of the CLECs that participated in the BHC Forum agreed with this approach. Eschelon, however, asked that CLECs be able to submit orders for batches using a spreadsheet. The Commission should reject Eschelon's request for an alternative ordering method.

Q. QWEST HAS PROPOSED USING THE CURRENT LSR PROCESS WITH MODIFICATIONS FOR BHC ORDERS. DO ALL THE CLECS USE THE CURRENT LSR PROCESS THROUGH ONE OF THE SYSTEMS?

A. Yes, it is the process for entering orders for basic UNE-Loop and coordinated hot cuts for all CLECs. As discussed previously, CLECs submit an LSR for a BHC order via either EDI or IMA GUI in the same manner they do for basic requests today.

Q. ARE LSR'S USED THROUGHOUT THE INDUSTRY?

A. Yes. LSR's are utilized throughout the telecom industry and are maintained under the Ordering and Billing Forum Guidelines.

Q. ONE GREAT EFFICIENCY OF THE LSR PROCESS IS THE POTENTIAL FOR FLOW-THROUGH. WILL BATCH HOT CUT LSRS BE ELIGIBLE FOR FLOW-THROUGH?

A. Yes. Batch Hot Cut orders are flow--through eligible. The LSR's for such orders will flow through in accordance with ~~to~~ the existing flow--through standards as they do today, again increasing the efficiency of the process.[67] The flow though process will substantially expedite the process, lower the cost and create efficiencies.

Q. WHAT EFFICIENCIES RESULT FROM USING THE LSR PROCESS?

A. One of the goals of a batch hot cut process was to ensure efficiency and reduce costs. The reuse of the existing interfaces into IMA that CLECs already have in place for the current LSR Process results in significant benefits and efficiency.

Utilizing existing systems and process will obviously minimize any development and additional training for the CLEC representatives who will deal with BHC orders. This cost efficiency is also combined with the minimal process changes necessary to process the order.

Q. WILL THERE BE ANY CHANGES TO THE CURRENT LSR ORDERING PROCESS FOR A CLEC SUBMITTING BHC ORDERS?

A. There will only be a few minor changes to the LSR ordering process for a batch hot cut. The following table illustrates the specific field and data that will be required on the LSR form to denote a BHC order:

LSR FIELD	VALUE FOR BHC ORDER
CHC	B
APPCON	Confirmation Number from Scheduling Tool
DDD	Due Date from the Scheduling Tool
REQRTY	"AA" or "BB"
ACT	"V" or "Z"
DSPTCH	"N" or blank

[67] Exceptions to flow through are listed in the Ordering Overview PCAT at http://www.qwest.com/wholesale/clecs/ordering.html.

NC	"LX--"

Q. PLEASE DESCRIBE HOW THE BHC SPECIFIC INFORMATION WILL BE ENTERED.

A. The CHC field utilizes a drop down menu to which Qwest will add the "B" option to indicate a BHC order. CLEC representatives entering information into the LSR form would have a choice of entering a Y, N or B from the drop down menu. For a BHC order, the representative would simply choose "B". Similarly, the CLEC representative entering a BHC order in the APPCON and DDD fields will insert the confirmation number and due date obtained earlier from the scheduler tool. Qwest is developing IMA edits that recognize BHC orders, and require that the appropriate information (as listed in the table above) be entered in the REQRTY, ACT, DSPTCH and NC fields. This will ensure that the correct information will always be entered into those fields before submission.

Q. WOULD THESE CHANGES REQUIRE THE CLECS TO UNDERTAKE ADDITIONAL TRAINING?

A. These changes are so minor that training should not be necessary. Nonetheless, Qwest will offer standard training, which is provided no less than 21 days before the IMA release production date. Web-based training is available for the life of the IMA release.

Q. ESCHELON HAS REQUESTED (OR STATED THAT IT IS NECESSARY TO HAVE) A NEW INTERFACE JUST FOR BHC LSR'S.[68] IS THAT NECESSARY?

A. No. As I explained earlier, the current ordering systems, IMA GUI and IMA EDI, are both fully functional, have been rigorously tested, and are a proven method presently used by CLECs to submit LSR's today. A separate system for just BHC is duplicative and unnecessary. The systems in use today provide the CLECs with the appropriate tools to enter HBC orders with a minimal amount of distinction between an LSR for the BHC and an LSR submitted as an individual order.

Q. HAVE ANY CLECS OTHER THAN ESCHELON COMMENTED ON ALTERNATE ORDER SUBMISSION METHODS, LIKE SPREADSHEETS?

A. No. To the contrary, several CLECs indicated they did not want to manually generate spreadsheets. The other CLEC participants in the BHC Forum were focused on use of the LSR process, use of existing interfaces, and achieving flow through.

Q. HOW SHOULD THE COMMISSION RULE ON THIS IMPASSE ISSUE?

A. The Commission should approve the use of the LSR process for submitting BHC orders. The LSR process is known and used by the CLECs today, efficient, and adaptable to BCH orders.

[68] Batch Hot Cut Forum, December 19, 2003, Page 50, lines 13-53.

G. Impasse Issue P-23 (Status Tool and CLEC Notification)

Q. PLEASE DESCRIBE IMPASSE ISSUES P-23.

A. In the BHC Forum, Qwest agreed to create a Status Tool that will inform the CLEC of situations when a line in the batch is deemed to be in trouble (i.e. No Dial Tone or bad CFA) and to notify the CLECs when the batch is complete. In addition, Qwest has encouraged CLECs to utilize the "trap and trace" technology inherent in their switch that can immediately notify the CLEC when each line in a batch has been provisioned. In addition to these methods, AT&T and McLeod have requested EDI or e-mail notification of both troubles and completion of the batch. In stark contrast, MCI believes the current Status Tool coupled with "trap and trace" is adequate. The Commission should find that Qwest's proposed systems are adequate, and that any additional proposed systems changes should be taken to the Change Management Process (CMP) where the industry can evaluate the wisdom and need for additional system changes.

Q. WHAT WAS QWEST'S ORIGINAL PROPOSAL REGARDING COMMUNICATING BATCH HOT CUT STATUSES TO THE CLECS?

A. In the original BHC Forum which took place December 1-3, 2003, Qwest proposed that CLECs receive Batch Hot Cut status information via e-mail.

Q. WHAT WAS THE CLECS' RESPONSE TO THIS PROPOSAL?

A. Several CLECs proposed that an online tool be used instead of Qwest's suggestion that e-mail be used to communicate status on batch hot cuts.[69] The CLECs, including AT&T, argued that e-mail notification was subject to the vagaries of the Internet and therefore unreliable.

Q. WHAT WAS QWEST'S REVISED PROPOSAL BASED ON THE CLECS' RESPONSE?

A. In response to the CLECs' suggestion, Qwest then proposed that a web-based GUI status tool be created which would report Batch Hot Cut statuses. The status tool would report jeopardy, pending, and completion information.[70]

Q. WHAT WAS THE CLECS' RESPONSE TO THIS REVISED PROPOSAL?

A. The CLECs' response was surprising. While MCI fully supported the web-based GUI status tool repeatedly in the January Forum[71], other CLECs contradicted

[69] See December 1-3, 2003 Batch Hot Cut Forum Transcript. Page 37, Lines 15-17. Ms. Lichtenberg of MCI stated "We propose there be an on-line due date schedule and an on-line tracking system, as opposed to e-mails, et cetera." Page 239, lines 2-4. Ms. Sprague of McLeod USA stated "From a manual perspective, I'm not one for e-mail just because of all the problems we have with e-mail." Page 530, Line 4. Ms. Lichtenberg again stated "We're concerned about the e-mails." Page 534, Lines 1-7.

[70] January 6-8, 2003 Batch Hot Cut Forum Transcript. January 6, 2003, Page 26, Lines 17-18. Mr. Zulevic of Covad stated "…how much effort to send an email and then the updates to the website?"

[70] See January 6-8, 2003 Batch Hot Cut Forum Transcript. January 6, 2003, Page 21, Lines 17-18. Mr. Finnegan of AT&T stated "My first reaction is that I would prefer the email." January 7, 2003, Page 72, Lines 6-19. Mr. Finnegan of AT&T stated "Right now, AT&T's Hot Cut volumes are very low, very small, and the current process relies on telephone calls. Given the low volumes, that's efficient notification process. If there were much higher volumes, that's probably not going to be a very efficient method, and I'm open to the possibility of this type [GUI-based] of push solution -- or excuse me, pull solution, but at the same time, I don't want to commit that this is the only solution that should be explored, in that there are not, perhaps -- other than e-mail -- acceptable push solutions that might be easier to implement from a programming perspective, might avoid some of the latency issues that e-mail has…".

[71] See January 6-8, 2003 Batch Hot Cut Forum Transcript. January 7, 2003, Page 70, Line 2. Ms. Lichtenberg of MCI stated "…we do support this Web-based system…". Page 74, Line 11. Ms.

MCI's position and their own statements from the December Forum, essentially stating that other communication tools would be preferred. For example, Covad indicated that some CLECs would prefer to have communication via the web-based status tool AND e-mail.

Q. WHAT TWO PIECES OF INFORMATION DOES THE WEB-BASED GUI STATUS TOOL GIVE THE CLECS?

A. The web-based GUI status tool gives the CLECs information about order jeopardy and order completion.

Q. HOW WILL QWEST HANDLE JEOPARDY REPORTING VIA THE WEB-BASED GUI STATUS TOOL?

A. As part of the Batch Hot Cut process, Qwest will perform the pre-wiring and dial tone test on day two or three of the Batch Hot Cut Timeline. If the dial tone test fails, the Central Office Technician updates WFA with the appropriate jeopardy status. The web-based GUI pulls the jeopardy status from WFA and indicates the line is in ~~a~~ jeopardy ~~section~~ on the GUI. WFA information will be queried every 15

Lichtenberg of MCI stated "…this tool will help us…". Page 162, Line16-17. Ms. Lichtenberg of MCI stated "…I think it is a tool that makes everybody's life easier."

[22] See January ~~6~~8, 2003 Batch Hot Cut Forum Transcript. January 6, 2003, Page 21, Lines 17-18. Mr. Finnegan of AT&T stated "My first reaction is that I would prefer the e-mail." January 7, 2003, Page 72, Lines 6-19. Mr. Finnegan of AT&T stated "Right now, AT&T's Hot Cut volumes are very low, very small, and the current process relies on telephone calls. Given the low volumes, that's efficient notification process. If there were much higher volumes, that's probably not going to be a very efficient method, and I'm open to the possibility of this type [GUI-based] of push solution -- or excuse me, pull solution, but at the same time, I don't want to commit that this is the only solution that should be explored, in that there are not, perhaps -- other than e-mail -- acceptable push solutions that might be easier to implement from a programming perspective, might avoid some of the latency issues that e-mail has…".

minutes and once the data is populated in a intermediate database, it will be posted immediately to the status GUI. The GUI will also indicate that the CLECs have until close of business on day six to resolve the dial tone issue. Assuming a 7-day interval, the CLECs will then have 3 days to rectify the situation.

Q. HOW WILL THE CLECS ALERT QWEST THAT THE PROBLEM ON A JEOPARDIZED LINE HAS BEEN RESOLVED?

A. CLECs are not required to send an e-mail to the QCCC. The CLECs either simply resolve the problem or submit a supplemental order.

Q. IN THE JANUARY FORUM AT&T ALLEGED THAT THE WEB-BASED GUI STATUS TOOL IS NOT SUFFICIENT FOR COMPLETION REPORTING. HOW WILL QWEST COMMUNICATE COMPLETED BATCH HOT CUT INFORMATION TO THE CLECS?

A. Qwest will communicate completed Batch Hot Cut information to the CLECs via the web-based GUI status tool. When a Central Office Technician (COT) successfully completes the "lift and lay" of the first line in a batch, he/she will indicate in WFA that the line has been cut. Qwest expects to have WFA completion information updated to the web-based GUI status tool every 15 minutes. Once the application queries WFA, the information will immediately post to the BST. The COT will then continue with the "lift and lay" for the remaining 24 lines in the batch. Once the 24 lines in the batch have been cut over successfully or

jeopardied, the COT will indicate in WFA that the remaining lines have been completed.

In addition, the CLECs have the opportunity to receive immediate completion conformation via "trap and trace.". ~~.~~ Between the BST and "trap and trace," ~~A complete discussion of "trap and trace" is discussed above. AT&T and McLeod recognize the value of using "trap and trace,"~~ Qwest has already built redundancies into the process. Between the Status Tool and trap and trace, redundancies are created. A third method of notifying a CLEC about order completion is simply unnecessary. This is highlighted by the fact that MCI did not believe anything more is necessary. Given the divergent views of the CLECs, this is an ideal issue to take to Change Management where the industry can obtain an idea of the inherent cost, CLEC demand for the changes, and whether the industry believes it is sufficiently important to prioritize with a new release.

Q. HOW SHOULD THE COMMISSION RULE ON THIS IMPASSE ISSUE?

A. Based upon the discussion above, The Commission should rule in favor of Qwest on Impasse Issue P-23. The majority of the CLECs embraced a GUI status tool for communicating BHC information rather than communication via e-mail. The GUI status tool will communicate jeopardy and completion status information in a timely manner ~~which~~ that is more than sufficient for the CLECs to service their customers. CLECs will also be able to use a "trap and trace" solution for order completion. Another method of order notification is simply unnecessary.

H. Impasse Issue P-24 (Notification of Completion)

Q. PLEASE DESCRIBE IMPASSE ISSUE P-24~~3~~.

A. This question concerns the frequency with which Qwest will update the information in the Status Tool. Qwest stated that information will update no slower than every 15 minutes, and therefore will never be more than 29 minutes late. MCI asked that the tool update every 10 minutes, so the information will never be more than 19 minutes late. This dispute centers on technical feasibility and the reality of the length of time it takes systems to update. Qwest will update the system as quickly as possible; however, there may be times when there is nothing that Qwest can do to speed the process along. The Commission should find that Qwest's update process is adequate.

Q. HOW OFTEN WILL THE WEB-BASED GUI STATUS TOOL BE UPDATED WITH BATCH HOT CUT INFORMATION?

A. Qwest will design an application that queries WFA for all Batch Hot Cut information every 15 minutes. Once the application queries WFA, the information will immediately post to the BST.

Q. HOW SHOULD THE COMMISSION RULE ON THIS IMPASSE ISSUE?

A. The Commission should rule that querying WFA every 15 minutes is sufficient for communicating BHC information to the CLECs.

I. Impasse Issues P-12 and P-29 (Integration With CMP and Pending CR for Migration by Telephone Number

Q. PLEASE DESCRIBE IMPASSE ISSUES P-12 AND P-29. ~~FROM EXHIBIT DP-2~~

A. Both of these issues concern systems changes proposed by MCI that Qwest does not believe are necessary to support the BHCP. MCI asks that the Commission order these changes as a "regulatory mandate" such that Qwest has no choice but to implement them. Qwest on the other hand, believes that systems enhancements should go through the Change Management Process (CMP) where the CLEC community has an opportunity to decide the importance of the proposed systems changes. If the Commission orders inclusion of these enhancements, Qwest will have no choice but to implement, and the CLEC community runs the risk that other issues that they believe are more important may drop out of prioritization. The CMP exists for a reason. The Commission should let the process work as it was intended. The Commission should reject MCI's position with respect to Impasse Issue Nos. P-12 and P-29.

Q. MCI WANTS A NEW IMA RELEASE OUTSIDE OF CMP DEDICATED TO ONLY THE TRO.[72] [ISSUE P-29] IS THIS NECESSARY OR EFFICIENT?

A. No. The Change Management Process (CMP) was established for the specific purpose of managing system changes, in particular IMA releases. Qwest's

Wholesale Change Management Document mandates that "[a] CLEC or Qwest seeking to change an existing OSS Interface, to establish a new OSS Interface, or to retire an existing OSS Interface must submit a Change Request (CR)."[73] Since a new IMA release with the changes required by the *TRO* would require changes to existing code and documentation in an existing OSS interface, CMP is the appropriate forum for addressing those changes and ensuring proper communication to all CLECs is followed. Taking a release of IMA outside the CMP negates its use as the monitor and manager of the development that in essence, provides efficiency, consistency, communication and CLEC participation.

Q. HAS MCI PARTICIPATED IN THE CMP?

A. MCI is an active participant in the CMP. In fact, ~~they~~ it fully participated in the redesign of the CMP,[74] and currently participates as one of the six (6) CLEC members of the CMP Oversight Committee. In other words, MCI seeks to rescind the very CMP language it agreed to in the past.

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[72] Batch Hot Cut Forum, January 6, 2004, page 206, line 22 - page 208 line 9

[73] Qwest Wholesale Change Management Process Document, ~~which is~~ publicly available at http://www.qwest.com/wholesale/cmp/whatiscmp.html, p. 24 (emphasis added).

[74] MCI (under its former name~~T.K.A.~~ WorldCom) played a very significant role in the redesign of the CMP as a member of the Core Team. MCI representatives, usually three or four, were present at every CMP Redesign meeting. In the vast majority of those meetings, an MCI attorney was also present. See, CMP Redesign Core Team Attendance Record-Revised 10-21-02 available at http://www.qwest.com/wholesale/cmp/redesign.html .

Q. IS CMP ABLE TO MANAGE A LARGE SCALE EFFORT SUCH AS THE BHC, ESPECIALLY GIVEN CUTS IN THE IMA RELEASE CAPACITY[75]?

A. Yes. CMP's ability to implement large regulatory CR's was specifically considered in the CMP Redesign effort.[76] The CLECs, including MCI, and Qwest contemplated how to manage a scenario in which a large number of regulatory CR's took up a full IMA release.[77] The language in the CMP document, which MCI accepted, was specifically drafted to account for this very situation. The CMP was designed for and is capable of handling this implementation.

Q. DOES THE CMP HAVE A PROCESS FOR DEALING WITH ORDERS FROM STATE COMMISSIONS OR THE FCC?

A. Yes. The CMP has a specific process for regulatory CR's, those mandated by regulatory or legal entities.[78]

Q. WHAT IS A REGULATORY CR?

A. Section 4.1 of the CMP Document defines a regulatory CR as follows:

> A Regulatory Change is mandated by regulatory or legal entities, such as the Federal Communications Commission (FCC), a state commission/authority, or state and federal courts. Regulatory changes are not voluntary but are requisite to comply with newly passed legislation, regulatory requirements, or court rulings. Either the CLEC or Qwest may originate the Change Request.

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75 In November 2003, Qwest announced to the CLECs at the monthly CMP meeting, that due to the economic conditions present today, the number of releases for IMA would be changed from 3 to 2 for 2004 and that Qwest can only allocate 70,000 hours of IMA capacity in 2004.

76 CMP Redesign Team Meeting Minutes, Thursday, January 24, 2002.

77 Id.

78 CMP Document, Sections 4.1, 5.1.1 and 5.1.2

Q. IF THE COMMISSION ACCEPTS QWEST'S PROPOSAL ON THIS IMPASSE ISSUE, WOULD THE CR'S INVOLVED BECOME REGULATORY CR'S?

A. Qwest believes that change requests submitted to CMP to implement changes to systems as a result of the *TRO*, clearly fall within the CMP definition of regulatory changes listed above. A party submitting a Regulatory CR must also provide sufficient information to justify Regulatory CR treatment. Any CLEC or Qwest may object to the classification of a CR as regulatory and, if such an objection is raised, the CR will not be treated as a regulatory change unless the CLECs and Qwest unanimously agree to such treatment.[79] In the present situation, the *TRO* issued by the FCC delegates authority to the Commission to approve and order the BHC process; thus, any objection to this being a regulatory CR would be hard to imagine.[80] Qwest must implement Regulatory CR's by the time specified in the regulatory requirement or, if no time is specified, as soon as practicable.[81] Most importantly, Regulatory CR's go "above the line" and are implemented ahead of any other non-regulatory CR's. This means the more regulatory CR's, the less money is available for alternative development that may be important, but is not required by Commission order.

[79] CMP Document, Section 5.1.1.
[80] CMP provides for dispute resolution of this issue to be taken to a state commission for resolution. CMP Document, Section 15.0
[81] CMP Document, Section 10.2.1.

Q. HOW SHOULD THE COMMISSION RULE ON IMPASSE ISSUE P-29?

A. Based upon the discussion above, The Commission should find that a new IMA release outside of CMP will be wasteful, inconsistent with CMP, and not necessary to implement the changes dictated by the *TRO*.

Q. AT THE BATCH HOT CUT FORUM, MCI REQUESTED A MODIFICATION TO IMA THAT WOULD ALLOW CLECS TO IDENTIFY AND CONVERT A CUSTOMER FROM UNE-P TO UNE-L BY CUSTOMER TELEPHONE NUMBER ("TN") AND SERVICE ADDRESS NUMBER ("SANO") ONLY.[82] IS THIS FUNCTIONALITY INCLUDED IN QWEST'S BATCH HOT CUT PROPOSAL?

A. No. MCI's change request is a system enhancement that is not essential to an efficient Batch Hot Cut process. Qwest's Batch Hot Cut proposal includes two significant changes to the pre-ordering and provisioning phases of Qwest's OSS interfaces. Qwest views these as critical to an efficient Batch Hot Cut process. The MCI change request is not. For example, in the last year, CLECs have submitted over 150,000 LSRs for conversion of lines to UNE-L without the requested change. In fact, MCI previously viewed this change as so insignificant that they did not include it in a similar earlier CR they submitted for another product.

[82] Batch Hot Cut Forum, January 6, 2004, page 200, lines 19-20

Q. HAS MCI TAKEN THIS CHANGE TO THE CMP? HAS THIS CR BEEN PROCESSED?

A. MCI recently submitted a CR to CMP seeking the modification to IMA that would allow CLECs to identify and convert a customer from UNE-P to UNE-L by customer telephone number ("TN") and service address number ("SANO") only. CR (SCR1204003-1) was submitted to CMP by MCI on December 4, 2003. The CR has been accepted and will be included in prioritization for IMA release 16.0.

Q. WHAT IS "PRIORITIZATION"?

A. Prioritization is a ranking process for CR's and is defined in the CMP. Prioritization of major release CR's is determined when Qwest and all CLECs that elect to participate in the ranking assign a numeric value to a given CR. A value is assigned to each CR, with higher numbers representing ~~a highest priority~~ higher priorities. For example, if there are 10 CR's to rank, Qwest and each CLEC assign a value of 1 to 10 (with 10 indicating the highest priority) to each CR. Qwest applies its resources for a release to the CR's in order of their ranking, until the resources are exhausted. The remaining CR's are then re-prioritized for the next release.

Q. MCI IS CONCERNED THAT THIS CR WILL NOT BE RANKED HIGH ENOUGH TO BE INCLUDED IN IMA RELEASE 16.0. SHOULD THIS CONCERN THE COMMISSION?

A. No. Pursuant to the CMP process, the CLEC community prioritizes those CR's it deems important. When a CR receives a prioritization that is not high enough for inclusion in the upcoming release, obviously the CLEC community deems the existing functionality to be sufficient. Rather than force the changes into the BHC, the Commission should allow the CLEC community to assess the importance of MCI's CR, and give it an appropriate ranking and prioritization. Qwest has agreed as an accommodation that it will not oppose MCI's CR in the CMP.

Q. HAS QWEST MADE SIMILAR CHANGES TO ITS SYSTEMS IN THE PAST?

A. Yes. In June 2002, MCI submitted a CR (SCR061302-01) requesting that migrations to UNE-P be allowed with TN and SANO as the only required customer identifying fields. In July 2002, the CMP ranked this change for prioritization 19th out of a total 60 candidates for inclusion in IMA release 12.0. The changes were ranked high enough to be included in the development of IMA release 12.0 and successfully implemented. Additionally, Qwest has implemented two other CR's that are similar to this one. SCR101802-02 (Ability to submit Line sharing, Line Splitting and Loop Splitting LSR's with TN only(Omit address)) was implemented in IMA release 13.0 and provided similar functionality to the original CR. SCR022703-24 (Allow post migration transaction order types to be processed by TN and SANO) was opened by MCI after the original CR. It was implemented in IMA release 14.0 in order to increase the scope of the original CR to

include subsequent maintenance order transactions to be processed by populating TN and SANO fields only.

Q. SHOULD THE COMMISSION ORDER THIS FUNCTIONALITY AS PART OF THE BATCH HOT CUT PROCESS?

A. No. CMP is the proper forum for implementing this change. As noted above, CMP has implemented a virtually identical change before and is perfectly suited to implement this one. The Commission should allow the CLEC community to decide whether order by TN and SANO is of sufficient importance to place the item into the next release. The Commission should not usurp the CMP by mandating system enhancements. For these reasons, the Commission should reject Impasse Issue P-12.

J. Impasse Issue P-27 (Robotic Frames)

Q. PLEASE DESCRIBE IMPASSE ISSUE P-27(C). ~~FROM EXHIBIT DP-2.~~

A. It is well understood that a hot cut is an inherently manual process that requires a physical "lift" of a line from a Qwest frame and a "lay" of that facility onto a CLEC frame. The FCC has made this point plain: "a hot cut is a largely manual process requiring incumbent LEC technicians to manually disconnect the customer's loop . . . and physically reconnect it to the competitive LEC switch . . ."[83] Even AT&T recognized this point on the first page of its opening comments. Despite this

[83] TRO at ¶465, n.1409.

MCI asks Qwest to deploy "robotic frames" throughout its central offices in an effort to decrease the manual steps involved in the process. The Commission should summarily reject this issue as the FCC specifically found that "the record in [the *TRO*] proceeding does not support a determination that electronic loop provisioning is currently feasible."[84]

Q. WHAT IS A "ROBOTIC FRAME" AND DOES IT WORK?

A. The concept of robotic frames is one that has been argued by many of these same parties in cost proceedings in multiple states. For instance, in South Dakota [85] MCI's witness Mr. Sidney Morrison touted the capabilities of automatic distribution frames manufactured by Oki and ConX without personally reviewing the equipment's performance in a "real world" environment. The facts are, and continue to be, that while the concept is "really cool," as the FCC has recognized robotic frames simply do not work for a number of reasons. While intervening companies have produced documentation (sales literature and white papers) from equipment companies pushing their equipment, the International Engineering Consortium ("IEC"), an independent 3rd party with 60 years experience in the engineering and electronics field issued an article analyzing the concept and made the following observations:

> Section 4 – History of Copper Automation – "To date, despite strong interest in implementing automated distribution frames, there have been technology limitations that have hampered service providers

[84] TRO at ¶488, n. 1517.
[85] South Dakota cost proceeding – Docket No. TC01-098, July 28, 2003

from actually deploying these types of devices. While cross-connecting technologies have existed for some time, none have been able to meet all of the aforementioned automated distribution frame requirements in a cost-effective and scalable manner." The article continues in the same sections and states the following. "Perhaps the biggest "show stopper" for robotics , and all of the other copper automation technologies previously examined for frame applications, has been scalability. As COs vary dramatically in size, automated distribution frames must have the flexibility to grow in size, too. But, functionality cannot be sacrificed in the process. Traditional copper automation technologies typically become blocking at higher port counts or high port utilization. This dramatically limits their performance in medium to large COs." *See* Exhibit DP/LN-22.

Q. SINCE FRAME SIZE AND SCALABILITY APPEARS TO BE ONE OF THE SHORTCOMINGS OF THE ROBOTIC FRAME TODAY, IS THERE AN ENVIRONMENT WHERE THESE FRAMES COULD BE DEPLOYED?

A. There is an application where it would make sense to deploy some type of automated distribution or robotic frame, but I am not aware of any CLEC that has deployed the application as part of their collocation arrangement. Apparently with deployment of "new" network technology, it would offer the CLEC cost savings in labor, increase service delivery and improve accuracy within their cross connection fields. The fact is, a majority of the CLEC today continue to wire from their switch or DLC equipment to an intermediate frame and then to the TIP cables that extend to the vertical side of the ICDF – just like a majority of the ILECs built their Central Office network in the past. If robotic frames are the wave of the future and these companies are riding the same wave, I find it rather odd that very few, if any, are deploying robotic frames in their brand new networks.

Q. HAS QWEST EXPERIMENTED WITH ROBOTIC FRAMES?

A. Qwest conducted laboratory tests on two different types of robotic frames and evaluated each based on a set of requirements. Upon initial testing of the equipment, it was determined that the ADF did not meet Qwest's basic requirements for network equipment. In short, Qwest was not able to provide bandwidths greater than one Megahertz ("MHz") nor was it able to accept power levels in excess of plus or minus 130 volts DC. To put this in perspective, DS1 facilities provide a bandwidth of 1.544 MHz and require power levels of up to (plus or minus) 230 volts DC. The device proposed behaved much like a fuse or circuit breaker in an electrical circuit. When the metallic cross-connect voltage limits are reached, the cross-connect breaks, causing the circuit to go out of service since the cross-connect is no longer in place. In the field test that Qwest has conducted with a different manufacturer's ADF, these "glitches" are an additional expense since not only would there be the cost of the equipment, but a truck roll would also be required in order to place manual cross-connects when this equipment fails.

Q. HAS QWEST ATTEMPTED TO DEPLOY A MECHANICAL CROSS-CONNECT DEVICE WITHIN ITS OUTSIDE PLANTS NETWORK AND IF SO, WHAT WERE THE RESULTS OF THE TEST?

A. Qwest has attempted to utilize a such a device with very disappointing results. Since the initial deployment of the device, Qwest has experienced bent pins due to

the "intelligent routing software" because of heat issues and internal modem issues which limit Qwest's ability to communicate with the device remotely and result in additional dispatches. Each of these field-tested problems may have resulted in a field dispatch so in addition to the cost of the device, Qwest would have incurred the additional cost associated with a truck roll. Eventually, the magnitude of these problems was so extensive that the manufacturer pulled the product off the shelf and discontinued it. Mr. Paul Zipps, a staff engineer in the Qwest Lab was central to the discussions on product selection and has provided me with the detail on this failed test.

Q. THE FCC'S TRO DEFERS THE ISSUE OF ELECTRONIC LOOP PROVISIONING ("ELP") IN PARAGRAPH 491. PLEASE EXPLAIN THIS TECHNOLOGY AND THE NETWORK IMPACTS ACROSS THE INDUSTRY.

A. In AT&T's August 7, 2002 presentation on ELP, it conveniently omitted the impacts on the "typical" ILEC network. This effort continued in early January 2004 as AT&T lobbyists/representatives met with representatives from the Colorado and Utah Legislatures once again pushing the concept of ELP. Exhibit DP/LN-23 is a copy of the document they presented. I want to briefly note a few of the points they omitted during their August presentation. These are only a *few* of the points documented in Qwest Ex Parte Response to the ELP Proposal. *See* Exhibit DP/LN-24.

1) Deploying ELP in a typical ILEC network would require the replacement of nearly 100% of the existing loop plant.

2) Deploying ELP would limit ILEC architecture options and stifle evolution of the network.

3) Deploying ELP would require Qwest to implement a VoATM architecture which currently does not exist in Qwest's network.

4) Deploying ELP would require Qwest to deploy a new ATM infrastructure in every Central Office since the current ATM switch technology does not have the capacity or capability to support ELP.

5) The A-INI interface required to make ELP a reality has not even been fully developed or implemented by industry vendors.

6) The FCC recognized that the cost to Qwest to make such a sweeping change in architecture would be in the billions of dollars.[86]

Exhibit DP/LN-24 concludes with the following statement: "AT&T (by recommending ELP) is trying to solve a hot-cut problem that does not exist and has a hidden agenda to require ILEC's to replace their functioning infrastructure with a next generations network." The facts are that Qwest's current performance on hot cuts for both analog and digital loops does not warrant such a change. PID measurements for the past 12 month indicate that for each of these loop types, Qwest has been meeting installation commitments that gives the CLECs a meaningful opportunity to compete. Qwest fully expects that the newly-proposed BHCP will offer the same types of results with the efficiencies that we have built into the new process.

[86] TRO ¶491, n. 1524 - SBC's response to AT&T's ELP proposal estimates the cost to be approximately $100 billion dollars based on their Project Pronto estimates and spread across all ILECs.

Q. PLEASE SUMMARIZE YOUR TESTIMONY ON ISSUE P-27(C).

A. MCI's proposal to utilize robotic frames is, at the present time, science fiction that does not work in the real world. The hot cut process has inherently manual steps as the FCC itself has recognized. Moreover, deploying such an architecture would cost Qwest billions of unnecessary dollars, given that Qwest has shown that it can consistently provision analog loops at an extraordinary level of quality using the current process and proposed BHCP. The Commission should reject MCI's request in issue P-27(c).

K. Impasse Issue S-2 (Provisioning Interval)

Q. PLEASE DESCRIBE IMPASSE ISSUE S-2 FROM EXHIBIT DP-2.

A. This issue concerns the standard interval that should apply to the BHCP. Qwest proposes a 7 business day interval, which is substantially shorter than that suggested by any other ILEC. Qwest's interval harmonizes with the process agreed to by the participants at~~to~~ the BHC Forum, and also harmonizes with the intervals agreed to in the 271 process. The CLECs have suggested that Qwest should implement a 5 business day interval.

Q. DOES QWEST'S PROPOSED 7 BUSINESS DAY INTERVAL MESH WITH THE WORK THAT IS PERFORMED ON EACH DAY OF THE PROCESS.

A. It does. As described above, the parties have agreed in large part to the BHCP. During the BHC Forum, there was much give and take; however, one aspect of the process eliminated many issues that had previously been at impasse. Specifically, the CLECs agreed to place dial tone on their CFA on Day 1 so that Qwest could perform the pre-wire and verify that the CLEC had dial tone on DVA (Day 2 or 3). When a bad CFA is discovered, Qwest will identify the problem in its Status Tool on either on Day 2 or 3. This then provides the CLECs with time to dispatch a technician to the Central Office to rectify the CFA problem. As stated above, the *quid pro quo* of~~to~~ performing testing on DVA is that CLECs will not be able to rectify dial tone problems on Due Date. As states above, CFA changes on Due Date create a number of complexities and manual processes that make the process much less efficient and time consuming. Moreover, this process change was intended to create an~~d~~ incentive for the CLEC to have its work performed on time, which is not occurring in the real world today. The 7-day interval is intended to provide CLECs with time to rectify no dial tone, reversed wiring and bad CAF situations. Exhibit DP/LN-12, presented earlier in my testimony, displays the critical dates, and the work that takes place on each of these days in a 7-day interval. While a previous proposal gave the CLEC 1 hour to respond to a NDT condition, the new 7 day interval will have the pre-wiring completed by day 2 or 3 with notification going back to the CLEC if NDT is found. Basically, the 7 day interval provides the CLEC with up to 3 days to cure the problem.[87] By notifying

[87] CLECs have committed to have translations work performed and dial tone on their CFA by midnight of

the CLEC and allowing this much time to resolve a translations or CFA issue, the COT should be able to successfully work the order on DD and complete the transaction with WFA-DI so that the CLEC can complete the porting activity.

Q. HOW DOES THIS INTERVAL COMPARE TO THE BHC INTERVALS PROPOSED BY OTHER ILECS?

A. In meetings Qwest has conducted with Verizon, SBC and BellSouth, we have confirmed that the interval Qwest is proposing is substantially shorter than the intervals set by the other ILECs.

Q. HOW DOES THIS 7 BUSINESS DAY INTERVAL COMPARE TO THOSE CURRENTLY STATED IN QWEST'S SERVICE INTERVAL GUIDE (SIG)?

A. For order volumes in excess of 25 lines, the stated interval in the SIG is negotiated on an Individual Case Basis ("ICB"). The intervals set forth in the SIG for analog loops were agreed to by the CLEC community as part of the 271 process. Under the proposed BHCP, a standard 7 day interval along with an electronic appointment scheduler allows the CLEC to provide their end user with a "real time" date certain Due Date. The CLECs are not required to have any up front negotiation meetings with Qwest, nor is there any ambiguity regarding the actual interval.

day one in order for Qwest to conduct the DT/ANI testing.

Q. DURING THE FORUM MCLEOD USA EXPRESSED CONCERNS AROUND THE PROPOSED INTERVAL FOR NEW CUSTOMERS. HOW DOES QWEST RESPOND TO THAT CONCERN?

A. As discussed at length during the Forum, new McLeod customers will have the ability to use the BHCP if the minimum batch size is met. If the line count for that end user is less than the minimum batch size, then at its discretion McLeod can group the request with other orders and submit a batch or McLeod can choose any of the remaining 6 provisioning options available to them today. If McLeod has a customer with the minimum batch size at the same end user location, they will have the similar interval that Qwest is offering with the BHC because orders with 25 lines or more carry a negotiated DD (ICB) and are usually out beyond the standard 6 day intervals offered for volumes between 9 and 17 lines.

Moreover, customers who qualify for the BHCP should not be concerned about a 7 business day interval. As stated above, the BHCP is for reuse of existing facilities which, by definition, means the end-user customer is currently being served by someone. Thus, the BHCP is not available for customers who call and need to set up service because they are moving into a new residence. For this reason, the BHCP will not prevent a customer from obtaining service, but will simply dictate when an end user can either change providers or change the method by which their provider is providing the underlying service (UNE-P to UNE-Loop).

Q. DID QWEST POLL THE CLECS FOR THEIR RECOMMENDATIONS FOR A STANDARD INTERVAL?

A. Yes. AT&T requested the standard interval from the SIG for analog loops. As stated above, depending on the number of lines, this interval can be 5 business days, 6 business days, 7 business days, or ICB. MCI requested a 5 business day interval. McLeod requested a 5 business day interval in their comments, and a "4-5" business day interval in the BHC Forum.[88] Covad thought a 6 business day interval was appropriate. As previously stated, 17 to 24 loops carry a 7 business day interval and 25 lines or more are ICB. While the CLECs are required to negotiate the interval, it makes sense that at minimum the interval would be 7 days given, that 24 lines already carry a 7 day interval. This is especially the case when (1) the customer already has service and (2) it gives the CLECs time to perform their end of the work.

Q. WOULD IT BE POSSIBLE FOR THE SIZE OF AN ORDER WITHIN A BATCH TO DETERMINE THE STANDARD INTERVAL?

A. As stated above, at the BHC Forum AT&T stated that the interval for BHCs should follow the SIG agreed upon in the 271 process. To explain this point, I will clarify the question. A Batch can consist of multiple orders or LSRs. Each LSR will contain one or many lines. For illustrative purposes, I will assume a BHC that contains 5 LSRs, the first two with 1 line, the third with 5 lines, the fourth with 8

lines and the fifth with 20 lines. If the standard interval was determined by the LSR, what would the Due Date of this batch be? The first three LSRs would have a 5 business day Due Date, the fourth a 6 business day Due Date, and the last would have a 7 business day Due Date. When this occurs, it is well understood that the longest standard interval applies to the entire group. Furthermore, regardless of its name, a "batch" is a project and the proposed 7 business day interval is shorter than the ICB interval set forth for projects in the SIG.

Q. HOW SHOULD THE COMMISSION FIND ON ISSUE S-2?

A. The Commissions should find that Qwest's proposed 7 business day interval provides the CLECs with a meaningful opportunity to compete, while providing the parties with sufficient time to organize workload including performing changes to CFAs, if necessary.

L. Impasse Issues V-2 and V-3 (Minimum and Maximum Size of a Batch)

Q. HAVE THE CLECS TAKEN ISSUE WITH THE MINIMUM AND MAXIMUM SIZE OF THE BATCH? [ISSUES V-2 AND V-3]

A. Yes. Qwest has proposed that the minimum size of the batch be 25 analog loops and the maximum be 100 analog loops. Qwest makes this proposal for several reasons. First, the minimum number allows Qwest to achieve and pass along efficiencies to the CLECs in the form of reduced cost. Second, there is more than

[88] 1/8/04 Tr. at 163:27 & 164:14 (Patty Lynott - McLeod); 1/8/04 Tr. at 165:8 (Mike

enough volume of UNE-P lines in service to take advantage of this process in converting its embedded base with the batch hot cut process. Third, 100 lines will allow Qwest to complete the process of converting the embedded base of UNE-P lines during the FCC's 21 month transition period. Fourth, 100 lines is approximately the number of lines that a dedicated team of two can provision with a "lift and lay" in an eight hour shift. Despite this overwhelming evidence and rationale, the CLECs request from a batch of "1" line (Issue V-3) to a batch of 200 lines (Issue V-2). The Commission should reject the CLEC's outlying proposals as unwarranted and unnecessary.

Q. WHY HAS QWEST SET A BATCH SIZE OF 100 LINES PER DAY PER CO? [ISSUE V-2]

A. Qwest's BHCP is based on the concept of two dedicated COTs working in tandem to perform the lift and lay activity during the first part of the shift and then focusing their attention on the pre-wiring activity for orders due some time in the future. Both Hitachi Consulting and Ms. Million have verified that it takes approximately 1.5 hours to perform the lift, lay and DT/ANI testing on the due date for each group of 25 lines. Thus, for a batch of 100, the COTs can complete 100 lines in 6.5 hours. I add an extra ½ hour for standard union breaks. This leaves 1½ hours for entering order information into WFA-DI, to cut-back lines as appropriate, and to rectify any identified problems with the conversion. If any time is left, the COTs can perform

Zulevic - Covad); Tr. 166:82 (John Finnegan - AT&T) and TR. 166:9 (Tim Gates - MCI).

some pre-wiring activity for a future batch. Thus 100 lines is a full days work for a dedicated team of two. Moreover, Qwest interprets ¶¶487-489 of the *TRO* to mean that one of the only ways costs can be driven down is to migrate a large number of lines. For a team of two COTs, 100 is that large number.

Q. HAS QWEST INVESTIGATED USING MORE THAN ONE TEAM OF TECHNICIANS PER OFFICE?

A. Yes. Qwest did consider this possibility; however, due to space constraints in many of the offices I have toured over the past 7 years, we felt that multiple teams of COTs could get in each other's way on the smaller ICDF frames where the lift and lay are generally performed. I recommend that the Commission view the video demonstrating a hot cut (Exhibit DP/LN-4) which depicts the large number of CLEC terminations that can be established in a very small space. For instance, in an eight foot Central Office environment, it is not unusual for 10 terminal blocks to be placed in single vertical frame each with 100 terminations per block. In other words, it is not unusual in a space only four feet wide for a single CLEC to have 4,000 DS-0 terminations. A single COT running cross connections to their peer on the horizontal side of the ICDF represents the most efficient manner in which to conduct these BHCs.

Q. IF THE COMMISSION IMPLEMENTS A 100 LINE LIMIT, CAN QWEST TRANSITION THE EMBEDDED BASE OF UNE-P LINES WITHIN THE FCC'S MANDATED 21-MONTH TIME FRAME?

A. Yes. As explained in detail in the testimony of Terri Million, the 100 line limit can easily accommodate the transition of every UNE-P line in the state. The Commission should implement the 100 line limit as the maximum number of lines in a batch.

Q. WHY HAS QWEST RECOMMENDED A MINIMUM BATCH OF 25 LINES? [ISSUE V-3]

A. In an effort to satisfy the requirements for a new BHCP, efficiencies were realized by performing conversion in groups of multiple lines at a time. When converting single line, the COT performs the lift and lay and then has to complete the service order in WFA-DI. Another order is pulled, and the COT repeats the same work steps to complete the wiring on the frame and then complete the order in the ~~system,~~ WFA-DI. By being able to batch orders in groups of 25 lines according to their frame location, the COT is able to focus on the lift and lay activities for all 25 lines. Once these steps are completed, the COT can complete the entire batch in WFA-DI. Then the COT can move on to the next batch of orders and repeat the process. These efficiencies, along with the single spread sheet which prioritizes the sequence of the lines by terminal block location, allow the COTs to perform their work as efficiently as possible by minimizing steps between frames and reducing

the number of times a single order is touched. Without such a minimum being set, the process and costs align with the current provisioning options.

What Qwest proposes is exactly the type of efficiencies contemplated by the FCC in the *TRO*:

> Generally . . . we expect [the BHCP] to result in efficiencies associated with performing tasks once for multiple lines that would otherwise have been performed on a line-by-line basis. **For example, pursuant to the processes in place at least in some states, the incumbent LEC currently will pre-wire circuits on the central office frame, verify the presence of dial tone, and communicate with competitive LECs regarding problems encountered on a line-by-line basis.** Under a batch hot cut process, these activities might be undertaken ***simultaneously*** for all lines affected by a given batch order.[89]

The batch with a minimum size of 25 lines creates the very efficiencies sought by the FCC.

Q. WHAT DID THE CLECS RECOMMEND AS THE MINIMUM BATCH SIZE?

A. The CLECs took the totally unrealistic position that there should be no minimum requirements, and that a batch should be 1 line or more. The CLECs' position is completely inconsistent with the *TRO* which contemplates performing work on multiple lines "simultaneously." If one were to accept the CLECs definition of a batch, the efficiencies once imagined in the BHCP would disappear, as Qwest would again be faced with provisioning using a serial process. A batch of cookies is more than one, and ~~I~~ in the mind of almost anyone, constitutes many cookies! I

make this comment only as an example to illustrate the ludicrous nature of the CLECs' position on the minimize size of the batch. Throughout the Forum when the issue of cost was discussed AT&T reminded Qwest that the intent of the *TRO* was to take advantage of the efficiencies gained by performing "batches" of like orders.[90] However, this concept seemed to escape the CLECs during this discussion. As mentioned throughout this testimony, the efficiencies gained from the BHC process are due to grouping orders. If Qwest is required to reduce the minimum size to 1 or 2, then Qwest will be in the same position as it is today, and the BHCP would become a farce.

Q. WHY DID THE CLEC'S RECOMMEND SUCH A RIDICULOUS MINIMUM BATCH SIZE.

A. The CLECs recommended this size in an effort to obtain a 5-day provisioning interval. In the BHC Forum, AT&T consistently argued that the standard interval set forth in Qwest's existing Commission-approved SGAT should control. AT&T presumed this interval was 5 days. In reality, however, it varies by the number of lines. The interval is 5 days for 1-8 lines; 6 days for 9-16 lines; 7 days for 17-24 lines; and ICB for 25 lines or more. It is common knowledge that if two orders are combined together, the longer interval applies. In other words, if an LSR with 20 lines is combined with 5 LSRs each of which has one line, the longest interval, or 7

[89] TRO at ¶489 (emphasis added).
[90] 1/7/04 Tr. at 38:3 (John Finnegan - AT&T) "One of the terms I remember for the FCC TRO was the notion that there maybe some economies of scale in doing many hot cuts at one time rather than doing

days applies. The CLECs asked for the ability to have batches of 1, so the CLECs could split each of their LSRs into mini-batches and always obtain a 5-day interval, and always obtain the lower price. The problem, as Terri Million explains in her testimony, however, is that the efficiencies have disappeared and the NRC would then be too low. The CLECs cannot have it both ways. If loops are provisioned individually, the CLEC can use Qwest's existing provisioning options and get a faster interval and a higher cost. If loops are provisioned in a batch, the CLEC can get a slightly longer interval, and a lower cost.

Q. HAS QWEST INVESTIGATED REDUCING THE MINIMUM SIZE OF A BATCH?

A. Yes. Although Qwest maintained its position that a batch requires 25 lines, Qwest made three concessions during the Forum negotiations.

- The functionality of the appointment scheduler was enhanced to enable CLECs to "accumulate" lines to reach the 25 line limit. It is not necessary for the CLEC to submit all 25 lines at the same time.
- If for some reason lines fall out of the batch before the orders are processed by the QCCC, Qwest will continue to process the BHC if 20 lines remain in the batch.
- If on the DD, the CLEC is not ready or unforeseen problem arise and lines can not be completed, Qwest will provision the lines that it can, and place the problem orders into a jeopardy status.

Currently, for both Qwest retail and wholesale, 25 lines constitutes a project. In many ways a "batch" is very similar to a project. Finally, as Ms. Million explains

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them one at a time. The economies of scale, to me, represent efficiencies you gain from doing the same

in her testimony, 25 lines provides a large enough group to establish some economies of scale Therefore Qwest maintains its position that at order entry a batch should consist of at least 25 lines.

M. Impasse Issues Sc-1 and Sc-5 (Volumes and Staffing)

Q. DESCRIBE RELATED ISSUES SC-1 AND SC-5 ~~FROM EXHIBIT DP-2~~.

A. This issue concerns whether Qwest's proposed BHCP can manage the anticipated volumes of batch hot cuts. Several CLECs argues that Qwest has not put forward sufficient data to show it could meet the anticipated volumes. CLECs make this point without predicting in any way what the volumes would be. Qwest, on the other had, put forward a document in Ms. Million's testimony that explained in great detail the worst case scenario for the batch hot cut process. Qwest then explained that it would have no difficulty meeting the worst case scenario situation.

Q. WHAT IS THE COMMISSIONS OBLIGATION WITH RESPECT TO MAKING A FINDING THAT QWEST'S BHCP CAN MANAGE ANTICIPATED VOLUMES?

A. The FCC rules specifically require the Commission to make a determination about whether Qwest's proposed BHCP can manage the anticipated volumes:

> A state commission shall evaluate whether the incumbent LEC is capable of migrating multiple lines served using unbundled local circuit switching to switches operated by a carrier other than the incumbent LEC for any requesting telecommunications carrier in a

activities in larger numbers than doing them in smaller numbers."

timely manner, and may require that incumbent LECs comply with an average completion interval metric for provision of high volumes of loops.[91]

Q. CAN QWEST HANDLE THE ANTICIPATED VOLUMES FROM BOTH THE EMBEDDED BASE AND NEW CONVERSIONS IF THE MAXIMUM BATCH SIZE IS 100?

A. Yes we could. Exhibit TKM-4 prepared by Qwest cost witness Ms. Terri Million presents a very conservative approach to the total volumes that Qwest would have to begin converting in those markets after a finding of no impairment is entered. As Ms. Million explains, this document assumes that every UNE-P line converts using the BHCP; that the growth of lines continues on the same path as if UNE-P were available; and that every CLEC decides to convert to UNE-L instead of an alternative approach. The likelihood that all of these assumptions will occur is highly unlikely. In fact, AT&T's witness John Finnegan proposed a more conservative approach for predicting anticipated volume.[92] ~~Making~~ Given all of these assumptions, and given the FCC's 21 month timeframe to transition the embedded base of UNE-P lines, Qwest expects there would be a maximum of 3600

[91] 47 C.F.R. § 51.319(d)(ii)(A)(1)-(4). *See also TRO* ¶ 489.

[92] 12/3/04 Tr. 631:1 (John Finnegan - AT&T) "So in terms of the anticipated volumes, you've got to look at the embedded base you've got in place, and you've also got to make some assumptions about what the rate of new customer adds is going to be … What AT&T has been thinking in terms of what kind of volumes you should expect is something akin to the long distance churn rate, that there should be an expectation that customers are going to move local service about as often as they move in their long distance service … I have been searching for publicly available industry numbers on churn rate. I did see, I think it was a Bank of America estimate of 2.6% per month, that the LD churn rate is … I've also seen some financial analysts' reports say that for CLECs, the local exchange churn rate is anywhere from 4.5 to 5.2% per month.

batch hot cuts per day. As explained by Ms. Million and Ms. Lorraine Barrick, Qwest can easily meet such volume requirements.

Q. HAS QWEST ESTIMATED THE STAFFING REQUIRED TO PROVISION THIS FORECASTED VOLUME?

A. We have. I asked the various Subject Matter Experts ("SME") to take the estimated level of conversion activity back into their organizations for staffing requirements. Each organization took into consideration the volumes, the process flow and the proposed mechanization that result from the *TRO* and other existing Change Management ("CMP") requests. The final variable to determine the required staffing levels was the UNE-P conversion schedule set forth by the FCC. The following is a break down of these requirements by work group.

STAFFING REQUIREMENTS		
ORGANIZATION	HEADCOUNT REQUIRED	
	October 2004	June 2005
QCCC Central Office Technicians Service Delivery	8	7 144 frame attendants 53 coordinators

Q. DOES QWEST ANTICIPATE ANY PROBLEMS REACHING THESE STAFFING REQUIREMENTS?

A. No. The structure of the *TRO* enables Qwest to ramp up to handle the increase order volumes. Additionally, the transition plan provides Qwest with sufficient time to convert the services without a huge spike in the staffing and training requirements. Qwest believes that its proposal to perform the BHC conversions

between 3 AM and 11 AM minimizes the staffing impacts and gives the CO operations the opportunity to manage the work within the capabilities of their CO forces.

Q. WHY DO THE INSTALLATION HOURS MINIMIZE THE STAFFING IMPACT?

A. The 3 AM to 11 AM hours of operation enable Qwest to have a staff of people dedicated to the BHCP. This will minimize the impact or ~~interface~~ interference with the existing daily load activities, and the increase in the daily load brought on by the finding of no impairment. This is particularly important in the Central Office due to the space constraints at the frame, and the number of people working in a very limited space in many instances~~-~~. If batch hot cuts were provisioned during normal business hours, even if a dedicated team was assigned to BHC, they would still be competing for space to complete the wiring.

Q. DID THE FORUM REVISION TO THE BHC PROCESS IMPACT THE STAFFING REQUIREMENTS?

A. Yes. The changes provided/negotiated during the Forum created greater flexibility for Qwest and helped reduce the staffing requirements through additional mechanization within the process in Service Delivery, QCCC and the Central Office. The CLECs agreement to have Dial Tone ready by midnight of Day 1 provides Qwest with the flexibility to pre-wire and test the facility on Day 2 or 3.

Therefore, this work can be performed during the BHC hours, time permitting, or it can be worked into the work load during normal business hours. Although this change increased the work required by the Central Office because it now requires two trips to the frame and testing on two separate occasions, what it did provide was a scenario where there should be virtually no "surprises" on the Due Date. Additionally, this change significantly streamlined the QCCC activities. Due Date problems associated with No Dial Tone or CFAs generate a great deal of manual handling by the QCCC and the Central Office. The proposed change enables the CFA changes to occur in a systematic way over the course of a couple of days. The QCCC estimates that this change reduced the needed headcount by 130.

Q. HOW WILL THE QCCC RAMP UP FOR THE INCREASE IN VOLUMES?

A. The QCCC will be able to manage the expected volume increase. The first phase of increased volumes, which will be a result of new Unbundled Loop orders due to UNEP no longer available in unimpaired offices, will begin January, 2005. Based on the expected BHC volumes and proposed BHC process, the QCCC will need to add approximately 8 resources. The process of hiring and training will begin in early October, 2004. The second phase of increased volumes will begin August, 2005 with the beginning of the conversion process for the embedded base of UNE-P to Unbundled Loop. With the proposed BHC process, the QCCC will add an additional 7 people. The process of hiring and training will begin in June, 2005.

The QCCC does not anticipate any office space restrictions due to the increase in head count.

Q. WHAT REASSURANCE CAN QWEST PROVIDE TO THE COMMISSIONS THAT QCCC WILL SUCCESSFULLY MANAGE THE LOADS?

A. As previously mentioned, the QCCC's role has expanded on at least two separate occasions. In both instances the additional load was handled with minimal headcount increases and in each case the performance results improved. The quality control is a part of the daily activities of the QCCC and provides a strong foundation for ensuring timely BHC. ~~During the BHC Forum, Don Gray of the Nebraska Commission explained that he had taken a tour of the QCCC and was quite impressed.[93] The QCCC has shown on multiple occasions that it can very quickly staff up for additional responsibility and continue to perform at a very high level of quality.~~ After a service order is entered to the Service Order Processor ("SOP"), the downstream systems will treat each order the same. The investigation into any pending order activity against the UNE-P Centrex accounts takes place within Service Delivery. For example, if a request was received to convert a UNE-P Centrex account for CLEC "A" to the same CLEC "A" but their unbundled

[93] 1/7/04 Tr. 109:2 (Don Gray - Nebraska Commission) "I was fortunate that the week after our last forum I was able to go up to Omaha, and see the QCCC … And that did a lot to help me feel comfortable that that side of the house was going to be able to respond … One of the specific things they discussed there was the daily missed call meetings at 4 PM, in which every order that gets missed, for whatever reason, or any order that had a repair in the last 30 days, is analyzed. "What happened?" "Well, we don't know." So to me, as a commission staff, that's a comfort level there."

account and the Centrex account had a pending disconnect order associated to it, the Service Delivery group would need to investigate to see if the disconnect order was associated to the TN being requested to migrate. If it was not associate with the converting TN then the migration would continue. If however, the pending disconnect was associated with the TN being migrated, the request would stop and be returned to CLEC "A" stating there is pending order activity against that TN that will not allow the completion of their request. It is this type of investigation that requires additional staffing to make sure Qwest processes the CLEC request as expeditiously as possible for the CLEC and their end user. Order accuracy from the CLEC is also a concern that could be mitigated if the CLECs were to copy customer specific information directly from the Customer Service Record ("CSR").

Q. IT APPEARS THAT THE HEADCOUNT REQUIREMENTS FOR THE SERVICE DELIVERY IS MUCH GREATER THAN THAT OF THE QCCC. WHAT IS THE REASON BEHIND THEIR NEEDS?

A. By its very nature, UNE-P Centrex lines will require manual assistance in order for Qwest to validate if there is any pending order activity against any of the Centrex numbers associated with the account. Each of these accounts will have to be reviewed and if a pending order does exist, the Service Delivery organization will have to resolve the issue before the order can be submitted back into the service order flow. The QCCC has shown on multiple occasions that it can very

quickly staff up for additional responsibility and continue to perform at a very high level of quality.

Q. CAN THE CENTRAL OFFICE MANAGE BATCHES OF 100 LINES?

A. Yes. There is no question, but that COTs can manage a batch of 100 lines in an 8 hour shift. Ms. Million makes this point. Ms. Lorraine Barrick makes this point after performing actual commercial testing. Ms. Barrick explains that Qwest has routinely performed this number of cuts at various times in the past without incident. Ms. Barrick also explained that Qwest often provisions a large number of hot cuts and obtain virtually perfect performance – 100% commitments met and 100% of lines installed without an installation trouble.

Q. AT&T ARGUES THAT THE COMMISSION SHOULD ALSO FACTOR IN ALL OF THE OTHER NON- BHC WORK ONGOING IN THE CENTRAL OFFICE. DO YOU AGREE?

A. No, I do not. The purpose of creating a dedicated team of COTs to perform batch hot cuts is to ensure that they do not have conflicting work assignments or responsibilities. Dedicating a team of people, and setting the hours for such operation between 3 AM and 11 AM should eliminate AT&T's concern altogether.

Q. HOW SHOULD THE COMMISSION RULE ON THIS ISSUE?

A. The Commissions should dismiss the CLECs concerns regarding the staffing level required to comply with the *TRO*. First, Qwest has made the commitment to comply with the *TRO* and the associated transitional timeline. Second, Qwest's record of performance over the last several years has shown that Qwest can and will continue to perform at a very high level of quality in provisioning analog loops. Third, Qwest has committed to include BHC performance in with other analog loop orders for performance tracking, which will provide an objective level of performance for all to evaluate. Based on these facts, Qwest has built in incentives to ensure that proper staffing is in place to comply with both the state and Federal rules. The Commission should affirmatively find with respect to issues SC-1 and SC-5 that Qwest's proposed BHCP will allow it to meet the anticipated demand of batch hot cuts at an acceptable level of quality.

N. Impasse Issue T-1 (Process Testing)

Q. DESCRIBE IMPASSE ISSUE T-1. ~~FROM EXHIBIT~~

A. The CLECs uniformly stated that before the Commission can approve Qwest's proposed BHCP, that there must be evidence that the process works in a commercial setting. AT&T argued that Qwest must conduct a 271 like third-party test.[94] MCI asserted that Qwest should submit the BHCP to commercial orders

[94] 12/3/p4 Tr. 705:6 (John Finnegan - AT&T) "[O]ur preference is that there be some sort of testing process that uses existing Qwest customers with potential monitoring by either the commissions or some independent third party to prove or disprove the notion that Qwest can keep up with the batch hot cut volumes.

from CLECs.[95] Various state staff members that attended the BHC Forum phrased it differently. They stated that Qwest must have demonstrable proof that its proposed BHCP will work. The Staff members believed that this evidence could be presented through analogous work activities showing that Qwest can ramp up for new volumes and perform well. In the BHC Forum, Qwest affirmatively stated that it did not believe a formal third party test was required, but that it would come forward with affirmative evidence.

Q. WHAT MUST THE STATE COMMISSION FIND WITH RESPECT TO THE BHCP AND HOW MUCH TIME DOES IT HAVE TO COMPLETE THE PROCESS?

A. The FCC found that state commissions must "approve and implement a batch cut migration process" within 9 months of the effective date of the *TRO*.[96] In other words, the Commission must have approved, and Qwest must have implemented a BHCP by July 2, 2004. Under this timeline, the 271'esque test suggested by AT&T is simply not a realistic alternative. That does not mean, however, that the Commission must take Qwest on faith.

Q. HAS QWEST PRESENTED EVIDENCE THAT ITS BHCP WORKS IN A COMMERCIAL SETTING?

[95] 12/3/04 Tr. 706:9 (Sherry Lichtenberg - MCI) "MCI does not think that a third-party test is required, but MCI does believe that … the commercial operation with the ability to look at performance and with distinct performance metrics and remedies is the way to go … our idea of testing is not a third party test … It's commercial day-to-day activity."

A. Yes. Qwest has presented the results of a third party evaluation performed by Lorraine Barrick and Hitachi Consulting. Their review began in November 2003, and has consisted of many elements including:

- Gaining an understanding of the existing hot cut process;
- Studying Qwest's hot cut performance to date;
- Reviewing the proposed BHC process, as well as public CLEC comments and concerns regarding that process;
- Making recommendations for process improvements;
- Comparing the current hot cut process to the proposed BHC process;
- Developing a testing plan to be used to judge the quality and efficiency of the proposed BHC process; and,
- Testing the BHC process with four batches of approximately 25 lines each.

After completing this work, Ms. Barrick concludes that Qwest's BHCP works, creates efficiencies for Qwest and the CLECs, and allows Qwest to continue to provision analog loops to CLECs at a very high level of quality. This is the exact type of commercial test that MCI suggested in the BHC Forum. This is the type of "demonstrable evidence" that the state staff members stated they wanted.

Q. DOES QWEST HAVE OTHER EVIDENCE THAT IT CAN PROVISION ANALOG LOOPS USING THE BHCP AT AN ACCEPTABLE LEVEL OF QUALITY?

[96] *TRO* at ¶423.

A. Yes. As described above, ever since the QCCC opened in mid-2001 – over 2 and ½ years ago now – Qwest's audited and reconciled performance measures show that Qwest has been providing CLECs with access to unbundled loops at an extraordinary level of quality. This high level of performance occurs even when Qwest has provisioned well over 1500 analog loops on a given day. Qwest's current performance shows:

1. Over 97% of its installation commitments met (OP-3).
2. Over 97% of the analog loops installed do not experience any trouble within 30-days (OP-5).
3. Less than 1% of the analog loops in service experience any trouble (MR-8).
4. Over 95% of troubles on the loops are cleared within 24 hours (MR-3).
5. The average amount of time it takes Qwest to cure a trouble on an analog loop is less than 6-hours (MR-6).

This performance is nothing short of outstanding, and while it may not be enough standing alone, it is indicative of the level of commitment shown by Qwest to provisioning and maintaining analog loops for CLECs in a commercial environment.

Q. PLEASE SUMMARIZE YOUR TESTIMONY ON IMPASSE ISSUE T-1.

A. Qwest has presented historical performance data as well as the review and test of the BHCP by an independent third party. The evidence shows Qwest's BHCP works, and works well. Thus, the Commission has substantial evidence that

Qwest's proposed BHCP works, and will allow Qwest to continue to provision analog loops at an acceptable level of quality. The Commission should formally approve Qwest's proposed BHCP.

O. Loop Provisioning Impairment Analysis

Q. DOES THE PROPOSED BHCP MITIGATE ANY CONCERN THAT QWEST'S ABILITY TO PROVISION STANDALONE UNBUNDLED LOOPS WOULD SOMEHOW IMPAIR CLECS FROM SERVING THE MASS MARKET WITHOUT UNBUNDLED SWITCHING?

A. Yes. The FCC stated that the purpose of adopting a BHCP is "to reduce the economic and operational barriers posed by the present hot cut process."[97] The BHCP that Qwest has proposed meets all of the FCC's standards and will accomplish that task:

- *It reduces provisioning delays.* (*TRO* ¶ 488, 512) The BHCP gives CLECs a predictable seven-day provisioning interval for batches of 25-100 loops, whereas today they must negotiate intervals for projects of this size on an individual case basis. As noted above, the FCC and this Commission have already found in the section 271 process that a seven-day interval for batches just under this size range gives CLECs "a meaningful opportunity to compete." Being able to receive even larger batches of loops within the same time frame provides a significant competitive benefit to CLECs. With respect to individual customer cutovers, the BHCP gives CLECs the ability to receive *instantaneous* notification that cutovers are complete simply by using functionality already existing in their switches, thereby reducing customer outage times to the minimum possible.

- *It is seamless.* (*TRO* ¶ 487) Qwest already provisions stand-alone unbundled loops at an outstanding level of performance, and the BHCP only strengthens that process further. The BHCP streamlines and automates the flow of

97 *Id.*

information within Qwest and the communication of information to CLECs. It rationalizes the central office technicians' work and their movement through the central office, and it avoids the need for them to interrupt their work after each cut to communicate with the QCCC.

- *It reduces costs.* (*TRO* ¶ 487, 512) As the testimony of Terri Million explains in more detail, the BHCP's process improvements significantly reduce the amount of QCCC and technician time required to perform an individual hot cut. The BHCP also realizes the efficiencies gained when performing at least 25 hot cuts in the same location at the same time and consolidating certain tasks for the entire batch. As Ms. Million explains, how these savings flow through to CLEC charges turns on how a state commission has permitted Qwest to recover its costs in the past and what it authorizes for the BHCP. But given that existing hot cut prices *already* permit an efficient CLEC economically to enter the markets where Qwest is seeking a "no impairment" finding (as demonstrated by the CPRO model presented in other Qwest testimony, which uses *current* coordinated cut rates in its calculations), there is no reason to think the prices set for the BHCP will create a problem — especially since all current hot cut options will remain available.

  In addition, the BHCP reduces a CLEC's costs beyond the price it pays to Qwest. The BHCP gets rid of the CLEC's current need to negotiate a schedule and interval for each batch of 25 or more lines on an individual case basis, and eliminates *all* up-front coordination with Qwest save for the overall transition planning required by the *Triennial Review Order* in the event of a "no impairment" finding. The BHCP also eliminates the need for repeated, expensive telephone calls between the CLEC and the QCCC and makes status information available electronically, allowing for further mechanization on the CLEC's side. The expected volume of conversions does require CLECs to be less sloppy about delivering dial tone to Qwest on time than they are today in order to take advantage of the streamlined process; however, the CLECs at the BHC Forum all agreed that it was reasonable to insist on such a commitment, which in any event does not change the amount of work the CLEC has to perform

- *It can handle the expected volumes of hot cuts if unbundled switching is no longer available.* (*TRO* ¶ 489) The incremental daily volume of hot cuts that Qwest would have to perform in the highly unlikely, worst of all worst-case scenarios — assuming a 100 percent conversion to unbundled loops in all markets where Qwest is seeking a "no impairment" finding, no slowing of growth, and all conversions of existing and new customers being run through the BHCP — is simply not that great when spread over the FCC's very long ramp-up and transition period, and the QCCC and central office staffing increases that would be required are readily achievable. Moreover, Qwest can

perform this incremental activity with dedicated teams outside of usual business hours, meaning that dedicated teams would not be encumbered with normal central office work. Hitachi Consulting has reviewed Qwest's performance on existing project orders and agrees the proposed BHCP appears workable and scalable.

Q. ARE THERE ANY OTHER BARRIERS ASSOCIATED WITH LOOP PROVISIONING THAT WOULD IMPAIR CLECS' ENTRY INTO THE MASS MARKET EVEN AFTER ADOPTION OF THE BHCP?

A. No. The FCC asked state commissions "to consider more granular evidence concerning the incumbent LEC's ability to transfer loops in a timely and reliable manner" — in particular, "to determine whether incumbent LECs are providing nondiscriminatory access to unbundled loops."[98] This is exactly the same inquiry that the state commissions and FCC have already undertaken in connection with Qwest's section 271 applications.[99] The *Triennial Review Order* acknowledges this parallel and specifically permits state commissions to rely on the section 271 records when considering the performance of a BOC: "For incumbent LECs that are BOCs subject to the requirements of section 271 of the Act, states may choose to rely on any performance data reports and penalty plans that might have been developed in the context of a past, pending, or planned application for long-distance authority."[100]

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98 *TRO* ¶ 512.

99 Item 2 of the section 271 competitive checklist requires a BOC to provide "[n]ondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1) of the Act." 47 U.S.C. § 271(c)(2)(B)(ii). Checklist item 4 addresses unbundled loops in particular. *Id.* § 271(c)(2)(B)(iv).

100 *TRO* ¶ 512.

The FCC specifically found in connection with all fourteen of Qwest's section 271 applications that Qwest in fact provided "[n]ondiscriminatory access" to unbundled network elements as required by checklist item 2.[101] More specifically, in connection with checklist item 4, the FCC reviewed Qwest's third-party audited performance data (found "accurate and reliable" by Liberty Consulting) and concluded in all fourteen states that Qwest was meeting all of its legal obligations with respect to its provisioning of unbundled analog mass-market loops.[102] Finally, the FCC concluded that Qwest had an adequate performance plan in all fourteen states backing its performance measures up with stringent penalties for missed performance.[103] The FCC's findings for Washington were in accord with what this Commission found in its own review of the state data.

Q. WHAT SPECIFIC LOOP PROVISIONING PERFORMANCE DATA DOES THE *TRIENNIAL REVIEW ORDER* ASK STATES TO REVIEW?

A. The FCC asked the states to look for "consistently reliable performance in three areas: (1) Timeliness: percentage of missed installation appointments and order completion interval; (2) Quality: outages and percent of provisioning troubles; and

[101] *See Qwest 9-State 271 Order* ¶ 33; *Qwest 3-State 271 Order* ¶ 33; *Qwest Minnesota 271 Order* ¶ 12; *Qwest Arizona 271 Order* ¶ 12.
[102] *See Qwest 9-State 271 Order* ¶ 348; *Qwest 3-State 271 Order* ¶ 93; *Qwest Minnesota 271 Order* ¶ 53; *Qwest Arizona 271 Order* ¶ 26.
[103] *See Qwest 9-State 271 Order* ¶ 453; *Qwest 3-State 271 Order* ¶ 119; *Qwest Minnesota 271 Order* ¶ 69; *Qwest Arizona 271 Order* ¶ 51.

(3) Maintenance and Repair: customer trouble report rate, percentage of missed repair appointments, and percentage of repeat troubles."[104]

Q. WHAT DOES QWEST'S PERFORMANCE DATA SHOW WITH RESPECT TO PROVISIONING TIMELINESS?

A. Qwest's historic regional performance in provisioning unbundled analog loops is outstanding. The data shows that each month Qwest provisions in excess of 15,000 analog loops and consistently provisions in excess of 98% of its installation commitments. See OP-3 to Exhibit DP/LN-9. This far exceeds the 90% of commitments that the CLECs agreed would provide them a meaningful opportunity to compete. Moreover, in 11 of the last 12 months, Qwest average installation interval has been just over 5 days, well below the 6-day benchmark the CLECs agreed would provide them a meaningful opportunity to compete. Id. at OP-4.

Q. WHAT DOES QWEST'S PERFORMANCE DATA SHOW WITH RESPECT TO PROVISIONING QUALITY?

A. Qwest's existing performance measures also track the frequency with which ~~a~~ CLECs experience trouble on an analog loop within 30 days of provisioning. Qwest's regional performance data shows that CLECs routinely experience an installation trouble on less than 2% of newly installed analog loops. Id at OP-5 and OP-5*. This is better than the 95% standard set by the FCC, and substantially

[104] *TRO* ¶ 512 n. 1574.

better than the retail parity standard agreed to by the CLECs in the Section 271 process.

Q. WHAT DOES QWEST'S PERFORMANCE DATA SHOW WITH RESPECT TO MAINTENANCE AND REPAIR?

A. Qwest's historical performance in maintaining unbundled analog loops is equally impressive. Qwest clears out of service troubles within 24 hours between 95% and 99% of the time. See Exhibit DP/LN-9 at MR-3. Qwest always clears troubles within 48 hours is over 99% of the time. Id. at MR-4. CLECs experience repeat troubles less than 11% of the time, which is substantially better than retail parity. Finally, far fewer than 1% of analog loops experience troubles of any kind. In fact, Qwest tracks 12 aspects of its maintenance and repair performance each month, and for each of these measures in each of the last 12 months, Qwest has provided service at or better than it provides to equivalent retail customers. The CLECs agreed they could compete at retail parity.

Q. WHAT CONCLUSION SHOULD THE COMMISSION DRAW WITH RESPECT TO THIS DATA?

A. The data demonstrate that Qwest is providing nondiscriminatory access to unbundled analog loops, and that it can transfer these loops in a timely and reliable manner. Qwest's performance in this regard has been consistently strong and reliable. Again, the FCC drew exactly the same conclusions from this performance

data in the section 271 process. The CLECs have no operational barrier in obtaining unbundled analog loops from Qwest, and the Commission should so find.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.