

**BEFORE THE WASHINGTON UTILITIES
AND TRANSPORTATION COMMISSION**

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

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

**AT&T'S COMMENTS ON QWEST'S REPORT ON THE STATUS OF
CHANGE MANAGEMENT PROCESS REDESIGN**

AT&T Communications of the Pacific Northwest, Inc. and AT&T Local Services on behalf of TCG Seattle and TCG Oregon (collectively, "AT&T") hereby submit their Comments on Qwest Corporation's Report on the Status of Change Management Process Redesign dated December 11, 2001 ("Status Report").

I. BACKGROUND

On October 29, 2001, AT&T filed Comments on Qwest's Status Report Regarding the Change Management Process Redesign ("October Comments"). AT&T's October Comments described the background for the Qwest Change Management Process ("CMP") Redesign and the filing of Qwest's status reports. In addition, AT&T pointed out that the majority of the "CM" issues identified by Qwest in its status report were unresolved. Moreover, AT&T

identified a number of issues that Qwest still needs to address. To date, Qwest has not responded to AT&T's October Comments. The issues described in AT&T's October Comments must still be addressed by Qwest, as they have not been addressed by Qwest's Status Report.

II. STATUTORY FRAMEWORK

The FCC, in recent orders evaluating a Bell operating company's ("BOCs") compliance with section 271, has attached an appendix describing the statutory requirements that must be met for approval of a section 271 application. For example, in its recent order approving SBC Communications, Inc.'s section 271 application for Arkansas and Missouri, this analysis is contained in Appendix D.¹

A BOC must provide nondiscriminatory access to its operations support systems ("OSS") as part of its demonstration of compliance with checklist item 2.

By showing that it adequately assists competing carriers to use available OSS functions, a BOC provides evidence that it offers an efficient competitor a meaningful opportunity to compete. As part of this demonstration, the Commission will give substantial consideration to the existence of an adequate change management process and evidence that the BOC adhered to this process over time.

In evaluating whether a BOC's change management plan affords an efficient competitor a meaningful opportunity to compete, the Commission first assesses whether the plan is adequate. In making this determination, it assesses whether the evidence demonstrates: (1) that information relating to the change management process is clearly organized and readily accessible to competing carriers; (2) that competing carriers had 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; (4) the availability of a stable testing environment that mirrors production; and (5) the efficacy of the applications to determine whether competitive carriers are able to combine network elements as required by the Act and the Commission's regulations.²

¹ *Joint Application by SBC Communications Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance Pursuant to Section 271 of the Telecommunications Act of 1996 to Provide In-Region, InterLATA Services in Arkansas and Missouri*, CC Docket No. 01-194, Memorandum Opinion and Order, FCC 01-338 (rel. Nov. 16, 2001). ("Arkansas/Missouri 271 Order").

² *Id.*, Appendix D, at 20-23 (footnotes omitted).

When evaluating Qwest's CMP, the Commission should, at a minimum, use the assessment as described by the FCC.

III. COMMENTS

Qwest's Status Report provides a high level status of topics addressed in CMP Redesign and then provides a status for each of the "CM" issues identified in the General Terms and Conditions workshop. These comments first describe several significant issues that CLECs and Qwest have been discussing for several weeks. These are issues that impact whether CLECs have a meaningful opportunity to participate in change management and whether CLECs are on an equal footing with Qwest in the CMP. Next, these comments provide AT&T's view of the status of each of the CM issues.

A. Qwest's "Current" Change Management Process is Not Clear

One of the FCC's requirements is that the information relating to an RBOC's change management process is clearly organized and readily accessible to competing carriers.³ With Qwest's CMP, there is the CMP that existed prior to the commencement of the CMP Redesign process, which is documented in the previous CMP documents. On the other hand, there are interim processes agreed to in CMP Redesign that Qwest asserts are at some stage of implementation. These interim processes are reflected in the Interim Draft Master Redlined CLEC-Qwest CMP Re-Designed Framework (the "Interim Draft CMP Document"), Exhibit A to Qwest's Status Report. Therefore, anyone wishing to participate in Qwest's CMP would have to understand which redesigned processes are being implemented (and the degree to which they

³ *Id.*

are being implemented) and which processes remain from the CMP that existed before CMP Redesign commenced.

It is not clear to the CLECs what Qwest has chosen to implement from the redesigned process and what is yet to be implemented.⁴ It has become apparent that even Qwest is not clear on which redesigned processes are to be implemented fully or, if it is clear that they should be implemented, Qwest has not figured out how to implement them or has chosen not to.⁵ This has been a source of confusion and dissatisfaction between Qwest and CLECs that continues today. AT&T provides two examples to illustrate this point.

1. Qwest Interim Product/Process Change Management Process.

Qwest and CLECs agreed in October 2001 that Qwest should implement the Qwest-initiated product/process change request process. Based on information presented by Qwest at the CMP Redesign meetings held on October 30 – November 1, November 13 and 27 – 29, 2001, the implementation has not occurred.⁶ The process is entitled “Interim Qwest Product/Process Change Management Process, Revised 10-3-01” attached hereto as Exhibit A. This document has three major concepts: (i) that Qwest will submit CRs through CMP when it seeks to make a change in product or process that “alter CLEC operating procedures”; (ii) that if a Qwest-proposed change does not alter CLEC operating procedures, Qwest will notify CLECs and provide an opportunity to comment; and (iii) in all cases Qwest would redline changes to Qwest product documents or, if impracticable to redline, highlight the areas where changes are proposed and provide an historical change log. At the November 27 – 29, 2001 CMP Redesign

⁴ Status Report, Exhibit B-4, at 2 - 4.

⁵ *Id.*, Exhibit B-4, at 3, “[Judy] Schultz stated Qwest was in a difficult position of trying to manage CMP between the existing processes and the processes being developed by the Redesign team.” Ms. Schultz is Qwest’s Director of Change Management.

⁶ *Id.*, Exhibit B-3 at 2 and Exhibit B-4 at 4 –5 (for example, “[Judy] Schultz further stated that the CLECs had identified four criteria that should be used for determining if a change is CLEC affecting, and that Qwest has a

meeting, the parties discussed this process again because of confusion on the part of Qwest on how to implement this process, concern on the part of CLECs that the process was not being implemented as written and that the process is deficient.

It became clear through that discussion that (i) Qwest was still unclear on when it should issue CRs for product/process changes and (ii) in spite of the clear language in the process document, Qwest was not redlining all changes and that Qwest had still not yet started issuing an historical change log with each change. Moreover, CLECs pointed out their observation that the process as written simply allows a Qwest change to product or process to go through to completion, even in the situation where Qwest submits a Change Request (“CR”)⁷ and CLECs object to the CR. There is no ability on the part of CLECs to reject or deny a Qwest CR. The CLECs’ only avenue is to pursue escalation or dispute resolution. CLECs have identified this as a deficiency in the interim process, and the parties are discussing how to address this deficiency.

2. Regulatory Change.

In the Interim Draft CMP Document, a Regulatory Change is defined as follows:

A Type 2 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 initiate the change request.⁸

On October 25, 2001, Qwest issued a list of system CRs for prioritization by CLECs and Qwest.⁹ Qwest included in that e-mail a list of nine CRs Qwest identified as “regulatory” CRs.

dilemma due to the fact that Qwest sees many other items as CLEC affecting”). There are no minutes out yet for the November 27 – 29 CMP Redesign session, but this topic was addressed in detail during those meetings.

⁷ AT&T uses “CR” (for Change Request) throughout this document. A CR is a form that a party seeking change in Qwest systems, product or process populates with its request and submits to Qwest for handling in the Qwest Change Management Process.

⁸ Status Report, Exhibit A, at 9.

⁹ E-mail from Mark Routh to the CMP distribution dated October 25, 2001, Subject: Vote requested-IMA 10.0 Prioritization, attached as Exhibit B.

Qwest's proposal for regulatory CRs is that they will not be prioritized. This means that CLECs would have no voice into whether such CRs get completed and no opportunity to evaluate how important they are as compared with other CRs competing for the resources Qwest has available for the next interface release. The result is that the regulatory CRs would get done before any other CR sought by a CLEC, accomplishing Qwest's goals, while leaving CLECs' requests unresolved.¹⁰ CLECs want the ability to prioritize all CRs, whether they are regulatory, industry guideline change, Qwest initiated or CLEC initiated, understanding that if Qwest is specifically required by a court or regulatory order to complete a change by a date certain that date would need to be accommodated. This is a central issue to the redesign and it remains unresolved.

On October 29, 2001, AT&T sent Qwest an e-mail asking that Qwest explain the basis for identifying the CRs as regulatory.¹¹ There were meetings and conference calls, but for some reason Qwest could not (or would not) clearly answer the question. In preparation for a meeting that was held on November 19, 2001, Qwest sent CLECs another list of "regulatory" CRs for IMA 10.0 by e-mail on November 16, 2001, attached as Exhibit D. Without discussion or explanation, the list of regulatory CRs was reduced from nine to five. While this narrowed the discussion, it still left unanswered the question of what criteria Qwest was applying to label a CR as regulatory. While this call proved unproductive, because Qwest did not have the right people available, these matters were discussed again at the CMP Redesign meeting held on November 27 – 29, 2001. Two significant pieces of information resulted from the Redesign discussion (although Qwest has yet to provide the promised written explanations to CLECs):

¹⁰ Theoretically, CLECs can submit regulatory CRs as well, but there are no examples of that. Recent experience causes AT&T concern that Qwest will use this type of change to advantage Qwest to the detriment of CLECs, as indicated by the examples herein.

¹¹ E-mail message from Mitchell Menezes to Mark Routh dated October 29, 2001, Subject: Vote requested-IMA 10.0 Prioritization. See Exhibit C.

a. Qwest identified the Colorado Performance Assurance Plan (“PAP”) docket as the basis for identifying as regulatory CRs system changes to improve flow through (resulting in improved Qwest performance under one or more Performance Indicator Definitions - PIDs). Although repeatedly asked where in the Colorado Commission’s orders these changes were mandated, Qwest was unable to provide an answer. It appears that Qwest’s position is that if Qwest is making payments (or believes it will have to make a payment) under a PID included in a PAP, Qwest can seek to identify a change that would improve its performance under the PID as a regulatory change, in order to minimize Qwest’s exposure to making payments under its PAPs.

b. Qwest identified the FCC’s *UNE Remand Order* as the basis for one of its “regulatory” changes dealing with the availability of high capacity loops. Since the FCC’s *UNE Remand Order* was issued two years ago,¹² CLECs asked Qwest whether the systems change Qwest proposed was necessary to comply with the FCC's order. Qwest stated that it was already in compliance with the FCC’s order through a manual process, but that it needed the systems change in order to mechanize its process to make it more efficient for Qwest, including reducing Qwest’s costs. CLECs objected, because this is inconsistent with the definition for regulatory change identified above and because CLECs do not have the opportunity to identify their CRs as regulatory (to be done ahead of all other CRs) because it will improve their efficiency or reduce their costs. At the November 27 – 29, 2001 CMP Redesign meeting, Qwest agreed to withdraw this item from the list of regulatory CRs for IMA 10.0, presumably because, once light was shed on Qwest’s inappropriate behavior, Qwest personnel realized it would be problematic to proceed.

¹² *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, Third Report and Order, FCC 99-238 (rel. Nov. 5, 1999).

That said, it is not clear that Qwest will not attempt to submit this as a regulatory change in a future release.

These examples make clear that Qwest has not implemented the redesigned process for regulatory CRs, because Qwest has attempted to put forward CRs that are inconsistent with the definition of Regulatory Change set forth in the Interim Draft CMP Document. It is also clear that Qwest seeks to use the Regulatory Change label as a way to game the process and place its own CRs forward that have more to do with Qwest efficiency and cost savings than they have to do with regulatory mandates. CLECs have strenuously objected to this and expect further discussion of this topic at later CMP Redesign meetings.

Another problem with the regulatory CRs Qwest put forward is that Qwest did not actually submit CRs to the CMP body. The only explanation CLECs received about the CRs was in the tables provided by Qwest in its October 25, 2001, and November 16, 2001, e-mail messages referenced above (Exhibits B and D). There are one or two line descriptions that shed no light on what Qwest was really trying to do. Moreover, Qwest's CRs for these changes are not available on the Qwest website, so CLECs could get no further information about these CRs unless Qwest provided it directly. CLECs have repeatedly stated that any CR for a Regulatory Change must explain in detail the basis for identifying it as a Regulatory Change, including docket numbers, order numbers, page numbers, paragraph numbers and dates. Without such information, Qwest can game the system, just as it has attempted to do with the above-referenced changes.

AT&T has identified two significant areas (Qwest product/process changes and Regulatory Change) that demonstrate both the lack of clarity around what Qwest has implemented from the redesigned process and that, to the extent Qwest may have implemented

certain redesigned process, Qwest has not implemented them as written and agreed to by the CLECs. There may be other examples AT&T and other CLECs have not yet identified, and Qwest has presented no evidence of its implementation of redesigned processes in this docket.

Once CMP Redesign is completed, AT&T believes that three things must happen before the Commission can be satisfied that Qwest has implemented the redesigned CMP: (i) Qwest should provide evidence of such implementation, including rewritten methods and procedures for its employees that document the changed processes, communication of these changes to employees, training of employees on these changed processes and evidence from the CMP forum that the redesigned processes are being followed; (ii) there must be an independent third-party review of Qwest's implementation of the redesigned processes to insure the integrity of such implementation; and (iii) CLECs should be given the opportunity to provide input on Qwest's implementation of the redesigned processes.

B. Parity Among the Different Interfaces

Qwest currently provides two IMA interfaces. One is an application-to-application interface ("EDI") and the other is a web-based graphical user interface ("GUI"). Some CLECs may use EDI, but not the GUI. Some CLECs may use the GUI, but not EDI. Some CLECs may use both. The EDI and GUI interfaces may not have the same functionality available to CLECs at the same time. This could put one group of CLECs at an advantage as compared to another group of CLECs for a period of time until the other interface is updated with the same functionality.

An example of this problem arose recently. Qwest notified CLECs that with its 8.01 release of the GUI, it would implement a new function called the appointment scheduler. This function appears to require CLECs to select a due date and time for an LSR to be scheduled

based upon Qwest's resource availability. Attached as Exhibit E is an e-mail dated October 23, 2001, from an AT&T employee to the CMP distribution expressing concern about this new function. One concern expressed was that because the change initially affects IMA GUI only, there will be disparity between CLECs with EDI versus CLECs with the GUI interface. CLECs using the EDI interface will continue to have more flexibility in scheduling due dates for some period of time while GUI users would not have that flexibility. *See* Exhibit E. This was discussed at a CMP Redesign meeting.¹³ It appeared through the discussions that the function would be implemented for EDI approximately three months after it is implemented for the GUI. After these concerns were raised and discussed with Qwest several times, Qwest withdrew the appointment scheduler function from the release of GUI 8.01. *See* Exhibit F.¹⁴ In addition, the Interim Draft CMP Document now states "IMA GUI changes for a pre-order or ordering will be implemented at the same time as an IMA EDI release."

While the resolution of this issue appears to be positive, one must recognize that this was an issue as late as November 2, 2001, when CLECs learned that Qwest would pull the appointment scheduler function from IMA GUI 8.01.¹⁵ It remains an open question as to whether Qwest will ensure, going forward, that each OSS interface has the same functionalities available at the same time.

C. CLECs' Proposal to Include PIDs in CMP

CLECs have proposed that change management of PIDs be included within the scope of CMP. This topic has been discussed in CMP Redesign meetings, but so far Qwest has rejected

¹³ Status Report, Exhibit B-3, at 12.

¹⁴ E-mail from Mark Routh dated November 2, 2001.

¹⁵ *Id.*

this proposal.¹⁶ This is an important issue that requires further discussion. It is clear that the systems, products and processes managed by CMP are so closely tied to the PIDs that it would be efficient to have them managed by the same process. Below are two examples that illustrate the close relationship between the systems, products and processes under CMP and the PIDs.

First, from the discussion above about Regulatory Change, it is clear that Qwest intends to introduce CRs that impact Qwest's performance under the PIDs. If that is the case, such CRs require full disclosure so that CLECs are aware of the reason for the change request. In addition, it may be appropriate to discuss the PIDs themselves in the context of the systems change being proposed.

Second, AT&T has observed recently that Qwest has rejected CLEC CRs, citing PIDs as the basis for the rejection.¹⁷ There are two examples in a communication sent by Qwest on November 12, 2001. With the first CR, a CLEC requested that Qwest reduce the twenty-four hour commitment time for all LNP trouble tickets. Qwest rejected this CR because the PID MR-11 was established and applies a twenty-four hour period to measure Qwest's performance. *See* attachment to Exhibit G. With the second CR, a CLEC requested that Qwest change the current switch disconnect process (where a number has been ported) so the disconnect occurs immediately after the CLEC activates the ported number. Again, Qwest rejected this CR because the PID OP-17 had been established and Qwest believed that the process it had in place (disconnect at 11:59 p.m. on the day after the port) was adequate. *See* attachment to Exhibit G.

The fact that PIDs are established should not be a basis to freeze in time the performance

¹⁶ Status Report, Exhibit B-4, at 5. This topic was also discussed at the Redesign meeting held on October 30 – November 1; however, the minutes do not reflect that discussion. Lynn Stang was present for Qwest and stated that Qwest was not interested in having change management of PIDs conducted by the CMP group.

¹⁷ Exhibit G is an e-mail dated November 12, 2001, from Qwest to CLEC participants in CMP with final CR Responses from Qwest on three CRs. Qwest rejected two of them (LNP Repair Interval and LNP Switch Disconnect Timing) because PIDs were in place.

Qwest provides to CLECs. If CLECs identify an important issue and Qwest would prefer to reject it because a PID is in place, it is not appropriate for Qwest to reject the CR out of hand. Rather, it is appropriate to have an informed discussion among CLECs and Qwest that includes both the CR and the PID, to arrive at a resolution that addresses the performance issue raised by the CLEC.

Because the systems, products and processes managed in CMP are closely tied to the PIDs, it is appropriate to include PIDs within the scope of change management so that appropriate coordination can take place. This would promote disclosure and informed discussion and it would better accommodate the goal of achieving improved performance.

D. CLECs Do Not Have the Same Opportunity for Their CRs to be Completed as Qwest Does

In its Status Report, Qwest states that the change request process provides an opportunity for all change requests to be discussed and modified at monthly CMP meetings.¹⁸ On its face this may sound fine, but if one looks at how Qwest CRs are handled versus CLEC CRs, CLECs do not have the same opportunity for their CRs to go through the process successfully that Qwest does.

The “CLEC-Qwest OSS Interface Change Request Initiation Process”¹⁹ contained in the Interim Draft CMP Document has a step where Qwest evaluates whether Qwest can implement the CR and Qwest “accepts” or “denies” the CR with an explanation of the basis for denial.²⁰ Why does Qwest alone have the right to accept or deny a CR? Why don’t the CLECs have the ability to reject a Qwest CR? The result of a rejection is that a party has the right to pursue escalation or dispute resolution. However, the paragraphs following the language on

¹⁸ Status Report, at 3.

¹⁹ *Id.*, Exhibit A, at 12 – 17.

²⁰ CLECs still want to flesh out and limit the criteria Qwest can use when making this determination.

acceptance/denial in this process make it very clear that the only party who is impacted by a denial and would pursue escalation or dispute resolution is a CLEC. In all cases, CLECs have the burden of overcoming a denial of their requests (in addition, if Qwest pursues its own CR over the objection of CLECs, CLECs have to escalate or pursue dispute resolution to prevent that CR from going into effect). The process would be much more balanced if CLECs had the ability to reject Qwest CRs and Qwest would be in the position of having to pursue dispute resolution to have its CR approved. (Escalation would likely be pointless since the escalation is within Qwest. One would assume Qwest's CR would always prevail there.)

The Qwest Interim Product/Process Change Management Process attached as Exhibit A deals with Qwest initiated CRs for product/process changes. This process does not contain the concept of acceptance or denial. As written, it appears to assume that the Qwest proposal will go through and if CLECs do not like it they have to escalate and/or pursue dispute resolution. CLECs are currently observing the process in practice and realize it needs change because a Qwest-initiated change is being thrust upon them over their objection. Instead of Qwest having to prove that its process change should be implemented, CLECs bear the burden of demonstrating why Qwest's process change should *not* be implemented, constantly and inappropriately placing the burden on CLECs.

The Qwest CR at issue is numbered PC 100101-5. Qwest described the CR as follows:²¹

Currently, CLECs' are responsible for testing UNE's prior to submitting a trouble report to Qwest. CLECs' are to provide test diagnostics including specific evidence that the trouble is in the Qwest Network along with the associated Qwest circuit identification number. If the CLEC elects not to perform the necessary UNE testing, Qwest will offer to do such testing on CLECs' behalf. If such testing is requested by the CLEC, Qwest will perform the additional testing and bill the CLEC the appropriate charges that are in their Interconnection agreement.

²¹ Exhibit H contains an e-mail dated December 5, 2001, with a joint escalation of this CR by three CLECs.

If the CLEC does not provide test diagnostics and elects not to have Qwest perform additional testing on their behalf, Qwest will not accept a trouble report. Additional Charges may apply when the testing determines the trouble is beyond the Loop Demarcation Point. This additional testing option is available on the Unbundled Loop Product Suite, Unbundled Dedicated Transport (UDIT), Enhanced Extended Loop (EEL) and Loop Mux.

CLECs have objected to this CR for several reasons, not the least of which being that the terms of this change are, or may be, inconsistent with individual CLEC interconnection agreements. *See Exhibit H.* The point of mentioning this is not to seek resolution of the substance of this issue here, but to illustrate the point that for a CLEC to have a meaningful opportunity to influence the outcome of a Qwest-initiated CR, the CLEC has to escalate or pursue dispute resolution, always bearing the burden of proving why the Qwest CR should not go into effect.

E. **Qwest Does not Provide Production Support to CLECs on the Same Basis That Qwest Provides Production Support to Itself**

At the CMP Redesign Meetings held on November 27 – 29, 2001, and December 10 – 11, 2001, one of the topics discussed was production support, which is the support Qwest provides to CLECs when they have problems with an operational support system after it goes into production. Troubles of this kind are to be directed to Qwest's IT Help Desk. Attached as Exhibit I is a draft of Production Support language for the Interim Draft CMP Document that CLECs and Qwest are still working on, but outlines what has been discussed so far regarding production support. In this language Qwest has outlined four severity levels, with Severity 1 being the most critical and Severity 4 the least critical.

There was a great deal of discussion about Severity 1 troubles because, being the most critical, they are worked immediately. What CLECs learned is that Qwest looks at Severity 1 troubles from a "global" perspective. Global in this context means to Qwest that the trouble has

a broad impact on *Qwest's* business. The problem with this view is that the trouble would have to affect multiple CLECs before Qwest would treat it as a Severity 1 problem. So, if a single CLEC is unable to use Qwest's interface, for whatever reason, and its business is broadly impacted, that alone would not be severe enough in Qwest's view to treat it as a Severity 1 trouble.

This is an issue of parity. If, for example, Qwest will treat an IT trouble as Severity 1 because the trouble impacts all of Qwest's retail customers, then Qwest should likewise treat an IT trouble as Severity 1 if all of a single CLEC's retail customer are impacted. This is a significant issue for the CLECs and goes to the heart of what the CMP is about.

At the CMP Redesign meeting held on December 10-11, 2001, Qwest and CLECs worked more on the language for production support and added as one of the guidelines for a Severity 1 impact the situation where "A single CLEC cannot submit its business transactions." This language appears to address on paper the concern expressed by CLECs, however, this represents a process change for Qwest and will likely not be implemented before February, 2002.

F. Customer Test Environment

One of the FCC requirements for approval of Qwest's application is that Qwest have available a stable testing environment that mirrors production. The issue of a Customer Test Environment ("CTE") arose in CMP Redesign (November 27 – 29, 2001). The Interim Draft CMP Document contains a section entitled "Application-to-Application Interface Testing."²² This section provides some description of the CTE Qwest has available to CLECs. A provision within this section of the interim Draft CMP Document states as follows:

The CTE contains the appropriate applications for pre-ordering and Local Service Request (LSR) ordering up to *but not* including the service order processor. Qwest

²² Status Report, Exhibit A, at 61–63.

intends to include the service order processor as part of the SATE component of the SATE by the end of 2002.²³

It is clear from the above admission that Qwest's test environment does not mirror the production environment, because Qwest uses manual steps for the service order processor functions in the test environment, whereas those steps are mechanized in the production environment. This alone causes the SATE to fail to meet the FCC's standard.

In addition, AT&T reviewed the SATE tests done by Hewlett Packard for the Arizona Commission. While the Hewlett Packard test was far too compressed and rushed to do a thorough job, it did reveal significant problems with Qwest's current SATE implementation. Specifically, Hewlett Packard noted significant differences between SATE and the production environment and it tested only about 1.5 percent of the error codes and found that roughly 20 percent of them had errors. Hewlett Packard further recommended that Qwest publish a list of all exceptions between the production environment and SATE. To date, Qwest has refused. Furthermore, Hewlett Packard recommended that a third party conduct a full test of SATE 9.0. Thus, SATE does not—at least at this juncture—constitute a stable testing environment that mirrors production.

G. Many Issues Still Open in All Areas of CMP Redesign

1. The Issues Lists Identify Many Open Issues

It is very important for this Commission to appreciate the number of issues identified thus far in the CMP Redesign that have not yet been addressed. Attached as Exhibit J is the “CLEC-Qwest Change Management Re-design Working Sessions, Core Team Issues/Action Items Log – Open, Revised December 11, 2001.” This list contains twenty pages of open issues, many of

²³ *Id.* (emphasis added).

which are systems issues, that have been identified thus far and still require discussion at CMP Redesign. Attached as Exhibit K is the “CMP Re-design Discussion Running List – Revised 12-11-01.” This list reflects what the CLECs and Qwest have determined to be the items to discuss at subsequent CMP Redesign meetings. Note that most of the first page deals with systems issues. This does not list in detail the product/process issues that have yet to be discussed. Attached as Exhibit L is a four page issues list provided by AT&T to Qwest at the CMP Redesign meeting held on November 13, 2001. These issues were identified as a result of internal discussions at AT&T prior to the November 13, 2001, redesign meeting, and they have not yet been discussed. Attached as Exhibit M is an issues list provided by WorldCom to Qwest at the CMP Redesign meeting held on November 13, 2001. These issues have yet to be discussed.²⁴ In addition, Qwest has agreed to do a “gap” analysis with CLECs by comparing several sources of issues on change management to capture further issues not yet identified. That analysis is scheduled to occur in January 2002.²⁵

The issues listed in the documents referenced above are the issues that have been identified in CMP Redesign so far. It is fair to expect more issues to be added as discussions proceed and as the CLECs observe Qwest’s performance of the redesigned process. It should be clear to this Commission and to Qwest that there is no basis to suggest that systems issues have been resolved. Many of the systems issues have been discussed, but there are many issues that are far from resolution, including prioritization, regulatory changes, industry guideline changes, denial of CRs, the exception process applicable to CRs, the walk-on process applicable to CRs, discussion of the different types of notifications Qwest provides, criteria for level of effort associated with systems CRs, defined terms, and more. To suggest that systems issues are

²⁴ Although the AT&T and WorldCom issues lists have not been discussed in substance, they were added to the lists at Exhibits J and K at the December 10-11, 2001, CMP Redesign meeting.

resolved and that the Commission may approve Qwest's compliance with its obligations associated with change management denies CLECs the very collaboration required by the FCC. In addition to the systems issues, CLECs and Qwest have the entire product/process piece of CMP Redesign to address. The collaboration must continue until completion of the redesign and Qwest's successful implementation of the redesigned process.

2. The Schedule for CMP Redesign Meetings Acknowledges that Much Work Needs to be Done

It is also telling to review the "CLEC-Qwest Change Management Process Re-design Schedule of Working Sessions, Revised November 29, 2001" attached as Exhibit C to Qwest's Status Report. This schedule reflects meetings scheduled through April 16, 2002. This is an indication of agreement between Qwest and CLECs that much work is still needed on CMP.

3. The "CM" Issues in the Status Report Reflect Many Open Issues

Running quickly through the "CM" issues for which Qwest provides status in the Status Report, there appear to be fourteen issues still open out of the original eighteen:

CM -1 (Clarity and accessibility of Qwest CICMP documents). The discussion in part III.A., Qwest's "Current" Change Management Process" describes how Qwest documentation for CMP is not clear and is not being implemented as written.

CM-2 (Definition and adequacy of Qwest's escalation and dispute resolution process).

The escalation and dispute resolution processes in the Interim Draft CMP Document are untried so their adequacy are not yet known. In addition, the discussion in part III.D of these comments, CLECs Don't Have the Same Opportunity for Their CRs to be Completed as Qwest Does, the CMP is deficient in that Qwest is never put in the position of having to escalate or dispute a matter that arises in CMP.

²⁵ Status Report, Exhibit C.

CM-3 (Five categories of changes in SBC documents). Qwest states that it has already implemented four categories of change in the CMP process. The four categories would include regulatory changes, industry guideline changes, CLEC-initiated changes and Qwest-initiated changes. It is unclear what Qwest has implemented because the regulatory change category is still an open issue and prioritization of regulatory and industry guideline changes are still open issues. *See* part III.A.2 above. In addition, Qwest's draft language on Production Support states that Severity 3 and Severity 4 troubles are to be addressed through the CR process. Since Qwest had previously indicated that it would handle all production support issues without the use of CRs,²⁶ the parties now need to address Production Support as a category of change.

CM-6 (Frequency of scheduled CICMP meetings). This issue is related to item 4 on AT&T's issue list at Exhibit L, the aggregate time it will take for a systems CR to run through the process. This remains open for discussion.

CM-7 (Qwest generated CRs). Qwest has agreed to do CRs, but whether they get the same treatment through the process as Qwest CRs is still an open issue. *See* part III.D above.

CM-8 (Proprietary CR). Open per the Status Report.

CM-10 (Whether CLECs have had input into the development of the CMP). Starting in July 2001, AT&T can say that CLECs have had input into the development of a redesigned CMP; however, that input is not completed yet and the CLECs do not yet have a redesigned process to rely upon. This issue will not be satisfied until a clear

²⁶ This is why Production Support was struck from "Types of Change." *See* Status Report, Exhibit A, at 8.

process emerges and is followed by Qwest. That time has not come yet. *See* part III.A above.

CM-12 (WorldCom not allowed to vote on EDI CRs). Open per the Status Report.

CM-13 and 16 (Scope of CMP). The Interim Draft CMP Document does reflect language on scope; however, in virtually every CMP Redesign meeting, as discussion proceeds, parties repeatedly state that the parties need to verify that an issue under discussion is covered within the scope. This is an item that will be revisited periodically through the redesign process and then clarified, to the extent necessary, at the end of the process.

CM-14 and 15 (Whether Contents of Exhibit G and H should be included in SGAT).

Exhibits G and H were the old CMP document and the old CMP escalation process, respectively. Those will not be attached. Qwest states that it will attach the redesigned CMP document as an exhibit to its SGAT. This may work, but it hinges upon what the language in Section 12.2.6 of the SGAT states and that is unresolved to this point.

CM-17 (Processes for notification of CLECs and adequacy of process). There are at least three issues on the Core Team Issues/Action Items Log, Exhibit J, that deal with notification. They are numbered 42, 145 and 156. These are open issues.

CM-18 (Documents described and as yet unidentified or unknown, which include the change request prioritization process and other links). Open per the Status Report.

V. CONCLUSION

Based on the foregoing and as summarized below, CMP Redesign has not progressed sufficiently to determine that Qwest has met the FCC criteria for 271 approval.

A. Information Relating to the Change Management Process is Not Clearly Organized and Readily Accessible to CLECs.

Based on AT&T's comments under part III.A above, it should be clear that the CMP is not clearly reflected in a single document. More problematic is trying to determine which part of which CMP document applies to any particular process at any point in time.

B. CLECs Have Not Had Sufficient Input in the Design and Continued Operation of the Change Management Process.

This should be clear from the vast number of issues that remain open as identified in part III.G above.

C. The Change Management Process Does Not Yet Define a Procedure for the Timely Resolution of Change Management Disputes.

It is not clear that the process that has been adopted will result in timely resolution of disputes. A broader issue with the resolution of disputes deals with the fact that CLECs are always placed in the position of having to escalate or dispute things that happen in CMP, because Qwest controls everything. This process cannot be considered effective if CMP is not designed in a way that allows CLECs to deny Qwest CRs so that Qwest will have to use escalation/dispute process in the same way CLECs have to use it.

D. Qwest has not Demonstrated a Pattern of Compliance with its Change Management Procedures.

In part III.A above, AT&T has pointed out that Qwest has asserted that it follows the established process; however, Qwest has brought no evidence to support the assertion. Qwest

must do so before the Commission should accept the assertion. AT&T has described in part III.A above two areas where Qwest has clearly not complied with the process as redesigned. Moreover, AT&T has documented at least one recent experience where Qwest did not follow its processes. Attached as Exhibit N is a memo dated September 14, 2001, from the AT&T redesign team members to Qwest outlining several issues. The third item describes Qwest's conduct in hurriedly setting up a conference call outside of the CMP forum with only a few CLECs in order to push through a change that Qwest wanted. On this conference call, Qwest sought a vote from the few CLECs who participated. The CLECs declined. Qwest's conduct in this situation was improper and did not reflect any process in place at the time.

E. Qwest Does not Yet Make Available a Stable Testing Environment that Mirrors Production.

In part III.A above, AT&T has demonstrated that Qwest does not yet provide a stable testing environment that mirrors the production environment.

Respectfully submitted this 22nd day of January 2002.

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

By: _____

Mary B. Tribby
Letty S.D. Friesen
AT&T Law Department
1875 Lawrence Street, Suite 1575
Denver, Colorado 80202
Telephone: (303) 298-6475