

**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

**IN THE MATTER OF THE INVESTIGATION)
INTO QWEST CORPORATION'S)
COMPLIANCE WITH §271(C) OF THE)
TELECOMMUNICATIONS ACT OF 1996.)** **DOCKET NO. UT-003022**

SUPPLEMENTAL DIRECT TESTIMONY

OF

THOMAS R. FREEBERG

RE: CHECKLIST ITEM NO. 1

ON BEHALF OF

QWEST CORPORATION

August 29, 2000

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1 **I. INTRODUCTION, QUALIFICATIONS AND PURPOSE OF TESTIMONY**

2 **Q. PLEASE STATE YOUR NAME.**

3 A. My name is Thomas R. Freeberg. I am employed by Qwest Corporation as a Director in
4 Wholesale Markets. I submitted Direct Testimony in this docket on August 7, 2000.

5 **Q. WHAT IS THE PURPOSE OF YOUR SUPPLEMENTAL TESTIMONY?**

6 A. The purpose of my supplemental testimony is to provide the Commission with specific
7 information regarding Checklist Item #1, Interconnection and Collocation, as requested in
8 the Supplemental Interpretive and Policy Statement issued in Docket No. UT-970300 and
9 adopted by Order dated March 21, 2000.

10 **II. COMMISSION QUESTIONS**

11 **Q. DOES YOUR DIRECT TESTIMONY DATED AUGUST 7, 2000 PROVIDE ANSWERS TO THE**
12 **QUESTIONS THE COMMISSION ASKED IN THE SUPPLEMENTAL AND INTERPRETIVE POLICY**
13 **STATEMENT?**

14 A. Yes. In Appendix A, Section V, Subsections A and B, the Commission asked ten generic questions
15 and seven specific questions regarding the requirements of Section 271(c)(2)(B)(i) of the Act. My
16 Direct Testimony addressed Generic Questions 1, 2, 4, 6 through 8, and 10, as well as Specific
17 Questions 1, 3, 4, and 6. I have prepared Exhibit TRF-29 which is a matrix of the questions and the
18 location in my direct testimony, and the exhibits attached thereto, where the answers to those

1 questions can be located.

2 **Q. ARE THERE QUESTIONS ASKED BY THE COMMISSION WHICH HAVE NOT BEEN ADDRESSED**
3 **IN YOUR DIRECT TESTIMONY?**

4 A. Yes. I would like to address Generic Questions 3, 5, and 9, and Specific Questions 2, 5, and 7 at this
5 time.

6 **Q. GENERIC QUESTION 3: TO WHOM IS QWEST PRESENTLY PROVIDING, ON A COMMERCIAL**
7 **BASIS, THIS CHECKLIST ITEM?**

8 A. Qwest is providing collocation space to Advanced Telecom Group, Allegiance Telecom Inc., American
9 Telephone Technology Inc., American Telephone and Telegraph/Teleport Communications Group,
10 Avista, Covad, DSL.net Communications, Electric Lightwave, Focal Communications Corp., GST
11 Telecommunications, Integra, JATO Communications, Level 3 Communications, McLeod
12 Communications, MCI-WorldCom/MCI Metro, MFS InteleNet, New Edge Networks, Nextlink, North
13 Point Communications, Prism Communications Services, Rhythms Links, SBC Telecommunications,
14 and Sprint.

15 The parties with which Qwest is interconnected from a trunking standpoint are listed in Confidential
16 Exhibit TRF-31C to this testimony.

17 **Q. GENERIC QUESTION 5: WHAT TECHNICAL STANDARDS AND/OR BUSINESS RULES IS**
18 **QWEST PROVIDING TO CLECS FOR EACH CHECKLIST ITEM? EXPLAIN THE PROCESS AND**
19 **SCHEDULING FOR UPDATING THESE TECHNICAL STANDARDS AND/OR BUSINESS RULES.**

1 A. Technical standards are provided to CLECs in the SGAT at Section 21: Network Standards. In
2 addition, standards and business rules are provided to CLECs via the electronic Interconnect
3 Resale and Resource Guide at [http://www.uswest.com/wholesale/productsServices/irrg/TABL1-](http://www.uswest.com/wholesale/productsServices/irrg/TABL1-0.html)
4 [0.html](http://www.uswest.com/wholesale/productsServices/irrg/TABL1-0.html). These technical standards and business rules are updated as new information becomes
5 available and as the business processes are modified.

6 **Q. GENERIC QUESTION 9: HAS QWEST RECEIVED ANY FORMAL OR INFORMAL WRITTEN**
7 **COMPLAINTS FROM NEW ENTRANTS REGARDING PROVISION OF THIS CHECKLIST**
8 **ITEM? IF SO, WHAT WAS THE NATURE OF THE COMPLAINT, WHAT IS ITS CURRENT**
9 **STATUS AND, IF APPLICABLE, HOW WAS IT RESOLVED? FOR COMPLAINTS THAT**
10 **WERE FOUND TO BE VALID, WHAT STEPS DID QWEST TAKE TO AVOID RECURRENCES?**

11 A The following written complaints have been made by CLECs regarding interconnection provided
12 by Qwest:

13
14 On June 20, 1997, Electric Lightwave, Inc. filed suit in federal court in Seattle, Washington
15 [92CV1073], alleging Qwest (formerly U S WEST Communications) had violated the antitrust
16 laws and the Telecommunications Act of 1996 by, among other things, failing to provide
17 interconnection to ELI in a timely manner. On July 2, 1999, the parties filed a Joint Stipulation
18 and Order for Dismissal with prejudice with each party bearing its own costs, and the court
19 entered an Order dismissing the case.

20

1 On June 26, 1997, in Docket No. UT-971063, MCI filed a complaint alleging breach of contract and
2 violations of law resulting from Qwest's failure to adequately forecast network growth and timely
3 provision interconnection facilities. This matter was resolved by the WUTC in February of 1999 with
4 the issuance of an order requiring Qwest to 1) devote the resources and personnel necessary to
5 deliver existing interconnection facilities within the standard intervals, 2) provide MCImetro with
6 forecasts and notice of major network projects in full compliance with the Definitive Agreement,
7 and 3) provide MCImetro access to the same information regarding current or forecasted
8 exhaust at tandem and end-office facilities that Qwest relies upon to make strategic network
9 planning decisions. Qwest has devoted additional resources and provided forecasts, notices and
10 detailed network planning data.

11
12 On June 15, 1999, Rhythms NetConnections, Inc. provided notice to the FCC that it intended to
13 invoke the FCC's Accelerated Docket complaint process to file a complaint against Qwest
14 concerning, among other things, Qwest's alleged failure to negotiate reasonable collocation
15 intervals or meet contracted collocation intervals in Washington, Oregon, and Minnesota. After
16 a joint meeting with FCC staff and several other meetings between Qwest and Rhythms,
17 Rhythms took no further action to pursue such a complaint.

18
19 In August of 2000, TSS Digital Services expressed concern over an anticipated two month delay
20 in getting DC Power supplied to their Aberdeen Collocation site. Qwest is resolving this matter
21 by attempting to expedite the installation of supplemental power within the Aberdeen office.

1 **Q. SPECIFIC QUESTION 2: ON WHAT DATES DID ANY NONAFFILIATED CARRIERS ACTUALLY**
2 **INTERCONNECT WITH QWEST?**

3 A. Confidential Exhibit TRF-31C to this testimony lists the dates when interconnection trunking was first
4 established with the various non-affiliated carriers.

5 **Q. SPECIFIC QUESTION 5: DOES QWEST IMPOSE MATERIAL LIMITATIONS ON**
6 **INTERCONNECTION (i.e., ONE-WAY TRUNKING, USE OF DIFFERENT TRUNK GROUPS**
7 **FOR DIFFERENT "TYPES" OF TRAFFIC, etc.)?**

8 A. Section 7 of the SGAT sets forth the Terms and Conditions under which CLECs may obtain
9 interconnection from Qwest. Section 7.2.2.1.2.1 specifically allows either one-way or two-way trunking.
10 SGAT section 7.2.2.9.3 calls for separate trunk groups for different types of traffic.

11 **Q. SPECIFIC QUESTION 7: PROVIDE COMPARATIVE PERFORMANCE DATA FOR THE**
12 **TWELVE MOST CURRENT MONTHS ON CALL COMPLETION RATES FOR ORIGINATING**
13 **AND TERMINATING CALLS ACROSS CARRIERS.**

14 A. Comparative performance data is provided in exhibits Confidential Exhibits TRF-32C and TRF-33C
15 to this testimony.

16 **III. SGAT AND INTERCONNECTION AGREEMENT REFERENCES**

17 **Q. PLEASE PROVIDE A MATRIX WHICH CROSS-REFERENCES CHECKLIST ITEM #1 AND THE**

1 **SECTIONS IN THE SGAT AND THE INTERCONNECTION AGREEMENTS IN EFFECT IN THE**
2 **STATE OF WASHINGTON WHERE THIS ITEM CAN BE FOUND.**

3 A. I have prepared Exhibit TRF-30 to detail the locations in the SGAT and the various interconnection
4 agreements in effect in the state of Washington where Interconnection and Collocation are provided
5 for.

6 **IV. CONCLUSION**

7 **Q. WOULD YOU PLEASE SUMMARIZE YOUR TESTIMONY.**

8 A. My supplemental testimony addresses the questions raised by the Commission in the Supplemental
9 Interpretive and Policy Statement.

10 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

11 A. Yes, this concludes my testimony.

12

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**EXHIBITS OF
THOMAS R. FREEBURG
RE: CHECKLIST ITEM NO. 1
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August 29, 2000

INDEX OF EXHIBITS

DESCRIPTION

EXHIBIT

Checklist Item #1 Matrix of Testimony and Exhibit References	TRF-29
271 Checklist References	TRF-30
Washington CLECs with Trunks in Service including Initial Service Dates	TRF-31C
Network Interconnection Performance (Call Completion) for July to December 1999	TRF-32C
Qwest Performance Results (Call Completion) for January to June 2000	TRF-33C

**CHECKLIST ITEM #1
INTERCONNECTION AND COLLOCATION**

QUESTION

**TESTIMONY AND/OR
EXHIBIT REFERENCE**

Generic Questions

1. Describe how Qwest has fully implemented this checklist item as required by section 271 of the Act.

Interconnection:
Exhibit TRF-17T, generally,
and
Page 10, line 1 to
Page 13, line 19
SGAT, Section 7

2. What performance standards must Qwest meet regarding the quality, reliability, and timeliness of providing checklist items to CLEC's, affiliates, and itself? How were these performance standards determined?

Collocation:
Exhibit TRF-17T, generally,
and
Page 36, line 13 to
Page 40, line 2
SGAT, Section 8
Interconnection:
Exhibit TRF-17T
Page 21, line 1 to
Page 22, line 20
Exhibit TRF-19

3. To whom is Qwest presently providing, on a commercial basis, this checklist item?

Collocation:
Exhibit TRF-17T
Page 43, lines 1 to
20
Exhibit TRF-24
Exhibit TRF-28T
Page 2, lines 7 to 18
Exhibit TRF-31C

QUESTION

4. Describe how the quality and reliability of checklist items provided to competitors by Qwest are comparable to the quality and reliability of such items Qwest provides itself or its own customers.

5. What technical standards and/or business rules is Qwest providing to CLECs for each checklist item? Explain the process and scheduling for updating these technical standards and/or business rules.

6. What is the rate of each checklist item? How was the pricing of each item (as applicable) determined? Is pricing equitable?

7. If Qwest is not currently providing this checklist item, is Qwest offering the item? If so, how is it offering the item and under what terms, conditions and rates? Describe how the checklist item is readily available and easily obtained by competitors.

8. If Qwest is not currently offering this checklist item, is Qwest capable of commercially providing it? What is Qwest's anticipated schedule to provide the item? Has any CLEC requested the checklist item?

9. Has Qwest received any formal or informal written complaints from new entrants regarding provision of this checklist item? If so, what was the nature of the complaint, what is its current status and, if applicable, how was it resolved? For complaints that were found to be valid, what steps did Qwest take to avoid recurrences?

TESTIMONY AND/OR EXHIBIT REFERENCE

Interconnection:
Exhibit TRF-17T
Page 16, line 15 to
Page 18, line 10
SGAT, Section 7.1.1.1

Collocation:
Exhibit TRF-17T
Page 39, line 10 to
Page 40, line 2
SGAT, Section 8.2.1.1
Exhibit TRF-28T
Page 3, lines 1 to 10
SGAT, Section 21

Interconnection:
SGAT, Exhibit A

Collocation:
SGAT, Section 8.3 and
Exhibit A

Qwest is providing this item. Question is not applicable.

Qwest is providing this item. Question is not applicable.

Exhibit TRF-28T
Page 3, line 11 to
Page 5, line 10

QUESTION

10. Is Qwest able to provide this checklist item in all parts of its Washington state service territory? If not, describe in which parts of its territory the service cannot be provided, and why.

Specific Questions

1. How is Qwest offering interconnection in accordance with the requirements of sections 251 (c)(2) and 252(d)(1) of the Act?
2. On what dates did any nonaffiliated carriers actually interconnect with Qwest?
3. At what points within its network does Qwest provide or offer interconnection?
4. What is the price for interconnection, including all recurring and nonrecurring charges, and is it based on cost as required by section 252(d)(1)?
5. Does Qwest impose material limitations on interconnection (i.e., one-way trunking, use of different trunk groups for different "types" of traffic, etc.)?
6. Provide comparative performance data for the twelve most current months on the time required to repair outages for Qwest's lines versus the CLECs' lines.
7. Provide comparative performance data for the twelve most current months on call completion rates for originating and terminating calls across carriers.

TESTIMONY AND/OR EXHIBIT REFERENCE

Interconnection: Yes.

Collocation: Yes.

Exhibit TRF-17T

Page 32, line 5

Exhibit TRF-17T

Page 7, line 1 to

Page 16, line 14

SGAT, Section 7 and
Exhibit A

Exhibit TRF-28T

Page 5, lines 12 to
15

Exhibit TRF-31C

Exhibit TRF-17T

Page 10, line 1 to

Page 13, line 19

SGAT, Section 7.1

SGAT, Exhibit A

Exhibit TRF-28T

Page 5, line 16 to

Page 6, line 2

SGAT, Section 7.2.2.9.3

Exhibit TRF-22C

Exhibit TRF-28T

Page 3, lines 3 to 7

Exhibit TRF-32C

Exhibit TRF-33C

271 Checklist References to SGAT and Corresponding Interconnection Agreement Sections in Washington

	SGAT	AT & T	Covad	MCIW	MFS	Sprint	TCG	Version	Version	Version	Version	Versio
Interconnection	7.0	48,	6	48, Attch-4	VI, V	7	I	(C)1	(C)1	(C)1	VI	6
Collocation	8.0	40, 41	6.3, 7	40	VI.C, VII	7.3.8	X	D	D	D	VI (C),	6.3, 7