

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Investigation into
U S WEST Communications, Inc.'s
Compliance with § 271 of the
Telecommunications Act of 1996

Docket No. UT-003022

In the Matter of U S WEST Communications,
Inc.'s Statement of Generally Available Terms
Pursuant to Section 252(f) of the
Telecommunications Act of 1996

Docket No. UT-003040

**QWEST CORPORATION'S RESPONSE
TO JOINT CLEC BRIEF REGARDING
QWEST'S CHANGE MANAGEMENT
PROCESS**

Qwest Corporation ("Qwest") submits this Response to the Joint CLEC Brief Regarding Qwest's Change Management Process ("Joint CLEC Brief") submitted by AT&T Communications of the Mountain States, Inc., TCG Colorado, Covad Communications Company, and WorldCom, Inc. (collectively "Joint CLECs").

I INTRODUCTION

Qwest's Wholesale Change Management Process ("CMP")¹ clearly meets the standards set by the FCC for change management. As discussed below, the process is set forth in Qwest's Wholesale CMP, which is available on Qwest's web site. The core provisions of Qwest's CMP have been

¹ Qwest's Wholesale Change Management Process Document ("Wholesale CMP") was attached to Qwest's Brief regarding Change Management, which was filed April 8, 2002, and can also be found at the following URL: <http://www.qwest.com/wholesale/cmp/whatiscmp.html>.

1 implemented for more than five months, during which Qwest has compiled an impressive overall
2 compliance rate that exceeds 98%. Further, Qwest has responded to and addressed all significant issues
3 raised in the third party test concerning Qwest's CMP. Moreover, Qwest has provided a stable, stand
4 alone test environment ("SATE") that mirrors the production environment. Finally, Qwest met its
5 commitments made during the workshop process to update its documentation.

6 Qwest has described its Wholesale CMP in detail and demonstrated actual compliance with the
7 redesigned CMP through its April 8, 2002 Brief regarding Change Management and the Affidavit of
8 Judith M. Schultz regarding Change Management. In this response, Qwest will not repeat those
9 discussions, but will respond to the specific issues the Joint CLECs have raised. As demonstrated below,
10 Qwest's CMP satisfies each of the factors considered by the Federal Communications Commission
11 ("FCC") in evaluating an RBOC's change management process.

12 **II. ALL OF THE SUBSTANTIVE WORK REGARDING QWEST'S CMP HAS BEEN ACCOMPLISHED**

13 The Joint CLECs continue to minimize Qwest's Wholesale CMP on the basis that it is a draft
14 document. As Qwest has previously explained in its redesign status reports, the joint CLEC-Qwest
15 redesign team agreed that the agreements reached through the redesign effort would remain in draft form
16 subject only to a final review of the document as a whole and changes necessary to ensure that the
17 document reflects a cohesive and integrated whole. However, the fact that a final review will occur in no
18 way detracts from the fact that CLECs and Qwest reached agreement regarding the processes and
19 Qwest has implemented those agreements. Indeed, Qwest has conducted its wholesale business pursuant
20 to the Wholesale CMP for some time. Moreover, the result of the redesign process is a CMP that goes
21 well beyond what has been done by any other BOC in successful applications for 271 authority.

22 As Qwest fully discussed in its Brief, in the redesign process, Qwest and the CLECs identified,
23 discussed, and resolved the most important issues relating to processes to be documented in Qwest's
24 CMP. As the Joint CLECs concede, the redesign team reached agreement in principle regarding all
25 twelve of the "1" issues and on eight of the ten "0" issues. In their brief, the Joint CLECs take great pains
26 to describe these agreements as vague, high level agreements that will be memorialized at a later time.

1 Contrary to this characterization, detailed proposals have been developed for all of the agreements except
2 a single issue.² This single issue relates to provisions for the exception process, upon which the redesign
3 team has agreed in principle. The team agreed that this issue would not be a controversial issue.

4 Further, the only two issues on which the team did not reach agreement in principle do not relate
5 to language that will be incorporated into the CMP document.³ Covad Issue #3 relates to how Qwest
6 identifies retail changes that may impact CLECs. The redesign team has discussed this issue at length and
7 reviewed Qwest's documented processes. Indeed, the Joint CLECs admit in their brief that they believe
8 that Qwest has implemented "adequate processes to ensure timely and adequate notification to wholesale
9 customers of retail changes that impact[] them as well as to ensure parity between Qwest's retail and
10 wholesale customers."⁴ The only other issue, raised by WorldCom, relates to how Qwest will prove that
11 it has implemented the changes it has agreed to make. Neither of these issues has any impact on the
12 sufficiency of Qwest's CMP document.

13 The bottom line is that the Joint CLECs seek to enjoy the substantial benefits from Qwest's
14 implementation of the redesigned CMP while, at the same time, claiming that their stubborn insistence on
15 calling the CMP a "draft" document precludes Qwest from demonstrating compliance with the
16 implemented process. The CLECs cannot have it both ways.

17 The Commission should reject the CLECs' tenuous claim that Qwest's implemented CMP cannot
18 be evaluated until the CLECs agree that every last, minute detail has been settled -- to do otherwise
19 would only provide the CLECs incentive to delay resolution of the few remaining issues.

20 **III. THE EVIDENCE ESTABLISHES THAT QWEST HAS ACTUALLY IMPLEMENTED AND ADHERED TO THE**
21 **REDESIGNED PROCESS**

22 After determining that an RBOC's change management plan is adequate, the FCC evaluates
23 whether the RBOC has demonstrated a pattern of compliance with this plan. Most of Qwest's
24 redesigned CMP has been implemented for more than five months. Interestingly, the Joint CLECs

25 ² Schultz Response Affidavit, ¶ 4.

26 ³ Schultz Response Affidavit, ¶ 6.

⁴ Joint CLEC Brief at 15.

1 expressly declined to ask Qwest to provide detailed proof of its compliance with the redesigned process.
2 Instead, the Joint CLECs ask only that the Commission ensure that Qwest is complying with the
3 fundamental procedural safeguards contained in the redesigned CMP. As set forth below, the evidence
4 establishes both -- Qwest has compiled a strong record of compliance with the redesigned CMP and is
5 complying with the CMP's fundamental procedural safeguards.

6 **A. The Evidence Overwhelmingly Establishes that Qwest is Adhering to its CMP**

7 In the Affidavit of Judith M. Schultz regarding Change Management, Qwest submitted substantial,
8 detailed evidence that it is complying with its redesigned CMP. Qwest now submits updated evidence in
9 the Affidavit of Judith M. Schultz in Response to Joint CLEC Brief regarding Qwest's Change
10 Management Process ("Schultz Response Affidavit"). The information set forth in this section is derived
11 from Exhibit B to the Schultz Response Affidavit.

12 **1. Qwest has met more than 98% of its commitments under the redesigned**
13 **CMP.**

14 Qwest tracks its compliance with various milestones set forth in the process. To date, Qwest has
15 amassed an impressive compliance rate with the CMP:

- 16 • In processing CRs, Qwest has met more than 98% of its commitments.
- 17 • In introducing a new GUI, Qwest has met 100% of the milestones reached thus far.
- 18 • In changing an application-to-application interface, Qwest has met 100% of the milestones
19 reached thus far.
- 20 • In changing a graphical user interface ("GUI"), Qwest has met 100% of the milestones
21 reached thus far.
- 22 • In processing escalations, Qwest has met more than 98% percent of its commitments.

23 More detail regarding Qwest's implementation and compliance with the redesigned process is set
24 forth below.

25 **Section 1--Introduction and Scope.** Qwest implemented the expanded scope more than six
26 months ago. Between October 3, 2001 and March 26, 2002, Qwest has processed 154 new OSS
interface CRs and 43 new product and process CRs. Qwest has rejected only a single process CR

1 because it did not properly fall within the scope of the redesigned CMP. The CR requested a change to
2 the method by which one of Qwest's performance indicator definitions ("PIDs") is measured. The
3 redesign team subsequently agreed that changes to relating to PIDs and how they are measured are not
4 within the scope of CMP.

5 **Section 2 -- Changing the Change Management Process.** Qwest has had many of the
6 requirements specified in this section in place for quite some time. For example, CMP Managers have
7 been in place since the inception of CMP in 1999. Qwest has modified the processes as agreements were
8 reached the redesign team. For example, CR Project Managers have been in place and fulfilling the roles
9 and responsibilities described in this section since August 2001. Escalation/Dispute Resolution Managers
10 have been in place and fulfilling the roles and responsibilities described in this section since September
11 2001.

12 **Section 3 -- Meetings.** Many of the requirements of this section have been in place for quite
13 some time. For example, Qwest has conducted at least one CMP monthly meeting per month and
14 provided meeting materials, referred to as distribution packages, since the inception of CMP in 1999. In
15 October 2001, CMP monthly meetings were extended to two full day sessions at the request of the
16 CLEC participants. An improved distribution package format was introduced in September 2001 for the
17 product/process CMP meetings and in October 2001 for the systems CMP meetings. Qwest has
18 recorded meeting minutes since August 15, 2001 for product/process CMP meetings, and since
19 September 19, 2001 for systems CMP meetings. In addition, Qwest has made a number of
20 improvements to its CMP web site as a result of the redesign effort.

21 **Section 4 -- Types of Change.** While the redesigned provisions have been in place for more
22 than seven months, it is important to note that CLECs have had the ability to submit CRs since the
23 inception of Qwest's CMP in 1999.⁵ Indeed, between January 1, 2000 and September 30, 2002 Qwest
24 processed and closed 68 OSS Interface CRs. The redesigned process provides for Regulatory, Industry

25 ⁵ The redesign team reached impasse regarding an issue relating to the definition of Regulatory CRs. As discussed
26 in Qwest's Brief regarding Change Management, that issue has been resolved. However, the redesign team had
reached agreement on the other aspects of the Regulatory Change definition and the impasse resolution did not
change the language contained in the definition.

1 Guideline, CLEC Originated, and Qwest Originated CRs. Qwest has processed CRs in all of these
2 categories.

3 **Section 5 -- Change Request Initiation Process.** Qwest has complied with the redesigned
4 process for over five months. Qwest processed 103 new OSS Interface CRs in accordance with the
5 redesigned process between November 1, 2001 and March 26, 2002. Qwest tracks nine milestones for
6 each such CR. For the time period specified, Qwest is responsible for missing only five out of a possible
7 599 milestones. This equates to an average compliance rate of more than 99%. During that same period,
8 Qwest processed 36 new product/process CRs in accordance with the redesigned process. Qwest
9 tracks 9 milestones for each such CR. For the specified time period specified above, Qwest is
10 responsible for missing only seven out of a possible 231 milestones. This equates to an average
11 compliance rate of 97%. Thus, Qwest's overall compliance rate for these 830 CRs exceeds 98%

12 **Section 6 -- OSS Interface Release Calendar.** Qwest has complied with the improved OSS
13 Interface Release for over 5 months. Qwest already provided a calendar that set forth OSS release
14 information. The redesigned process included additional customer-facing system information. The
15 revised OSS Interface Release Calendar was posted on the web in November 2001. Quarterly updates
16 were posted on the web in January 2002 and April 2002.

17 **Section 7 -- Introduction of a New OSS Interface.** The redesigned process for the
18 introduction of a new OSS interfaces -- both application-to-application interfaces and GUIs -- has been
19 in place for more than five months. Qwest has not introduced a new application to application OSS
20 interface since agreement was reached. However, Qwest introduced a new GUI called FORCAST on
21 March 8, 2002. There are six milestones Qwest tracks with the introduction of a new GUI. Qwest has
22 complied with 100% of the five milestones that have already occurred with the introduction of
23 FORCAST. The sixth milestone is the actual implementation date, which has not yet arrived.

24 **Section 8 -- Change to Existing OSS Interfaces.** The redesigned process incorporated many
25 requirements that Qwest had already implemented for some time. For example, for more than two years,
26 Qwest has implemented not more than three major IMA releases and three IMA point releases within a

1 calendar year, spaced at least three months apart. Similarly, Qwest has provided versioning -- pursuant
2 to which Qwest supported the previous major IMA release for 6 months after the subsequent major IMA
3 EDI release has been implemented -- for more than two years.

4 More specifically, the process for changes to application-to-application interfaces pursuant to
5 Section 8.1 has been in place for more than five months. Qwest introduced changes to an existing OSS
6 application-to-application interface on April 4, 2001. Qwest tracks six milestones for such changes.
7 Qwest has complied with 100% of the first two milestones. The remaining four milestones have not yet
8 occurred.

9 Similarly, the process for changes to GUIs pursuant to Section 8.2 has been in place for more
10 than five months. Qwest introduced changes to an existing GUI on April 7, 2001. Qwest tracks four
11 milestones for such changes. Qwest has complied with 100% of the first three milestones. The remaining
12 milestone has not yet occurred.

13 **Section 9 -- Retirement of Existing OSS Interfaces.** The redesigned process for the
14 retirement of an existing OSS interfaces has been in place for more than five months. However, Qwest
15 has not retired any OSS interfaces since agreement was reached.

16 **Section 10 -- Prioritization.** Much of the redesigned prioritization process has been in effect for
17 more than eight months. Beginning in August 2001, CLECs began prioritizing Qwest Originated CRs.
18 Since then, CLECs have been able to prioritize Industry Guideline CRs, in addition to Qwest Originated
19 and CLEC Originated CRs.

20 **Section 11 -- Application-to-Application Interface Testing.** SATE has been available to the
21 CLECs since August 2001 and was used by CLECs to migrate their systems to the IMA 8.0 Release
22 and later releases.

23 **Section 12 -- Production Support.** Qwest has complied with the redesigned process for more
24 than two months. Between February 2, 2002 and April 15, 2002, there were three planned outages. In
25 each instance, Qwest met the specified notification intervals. Further, it has been Qwest's practice for
26 some time to conduct post-deployment meetings, as it did to review the recent IMA 9.01 Release.

1 Between February 1, 2002 and March 31, 2002 Qwest processed no trouble tickets with a severity level
2 of 1, eleven tickets with a severity level of 2, 496 tickets with a severity level of 3, and three tickets with a
3 severity level of 4.

4 **Section 14 -- Escalation Process.** Qwest has complied with the redesigned escalation process
5 for over five months. Between November 16 and March 26, Qwest processed one OSS Interface
6 escalation and four product/process escalations in accordance with the redesigned process. Qwest
7 tracks eight milestones for each escalation. Qwest is responsible for missing one out of a possible 40
8 milestones. This equates to an average compliance rate of 98%.

9 **Section 15 -- Dispute Resolution.** The redesigned dispute resolution process has been in place
10 for over five months. However, the process has not been invoked since agreement on the process was
11 reached.

12 **2. Qwest's track record with the redesigned CMP is based on more than five**
13 **months of compliance**

14 Most of the substantive provisions of the redesigned CMP have been in place for more than five
15 months. The majority of the following core provisions has been implemented for more than five months:
16 scope, types of changes, CR processing, introduction/change/retirement of OSS interfaces, prioritization,
17 SATE, and the escalation and dispute processes. While certain issues relating to these core provisions
18 were decided more recently, the recent agreements relate primarily to issues that expand Qwest's CMP
19 beyond what any other RBOC offers -- and beyond the parameters of the FCC's section 271 evaluation.
20 For example, the recent impasse resolution regarding the definition of a Regulatory Change restricted the
21 Regulatory Change definition and expanded the Qwest Originated Change definition to allow CLECs to
22 prioritize changes that every other RBOC treats as Regulatory Changes. The FCC has approved several
23 other RBOC change management processes that provide CLECs far less input. Thus, the fact that some
24 changes may have occurred fairly recently has no impact on the evaluation of Qwest's CMP for section
25 271 purposes. Regardless of such issues, Qwest's core redesigned CMP has been in place for more than
26 five months.

1 **3. Qwest has kept the commitments it made during the workshops.**

2 The Joint CLECs urge the Commission to confirm that Qwest has kept the commitments it made
3 during the workshops to update its documentation. Qwest complied with those commitments by
4 substantially revising or creating 231 product catalogs ("PCATs") and 27 technical publications
5 ("TechPubs"). Qwest notified CLECs of the opportunity for CLECs to provide comments or feedback
6 regarding all of these PCATs and TechPubs. Moreover, at the CLECs' request, Qwest demonstrated its
7 compliance with those commitments by distributing the notices regarding the documentation updates made
8 in satisfaction of workshop commitments to the service list in this proceeding.

9 The CLECs specifically seek confirmation that the TechPubs listed below are consistent with the
10 SGAT.

11

Publication Number	Technical Publication Subject
77350	Installation guidelines
77383	Dark Fiber
77384	UNE Loop
77386	Collocation and Interconnection
77389	UNE Transport
77391	UNE Switching
77398	LIS Interconnection
77403	EEL
77405	Sub-Loop
77406	Shared Loop
77408	Packet Switching

12
13
14
15
16
17
18
19

20 As set forth in the Affidavit of Robert J. Hubbard ("Hubbard Affidavit"), the TechPubs listed
21 above are consistent the SGAT, with only a single exception.⁶ That exception relates to Technical
22 Publication 77391, UNE Switching, issue E. In accordance with the redesigned CMP, Qwest posted
23 Technical Publication 77391 to the TechPub review web site to allow CLECs to review and comment the
24 Qwest proposed changes on December 28, 2001. In response to this posting, AT&T submitted

25 _____
26 ⁶ See Hubbard Affidavit at ¶¶ 15-17.

1 comments suggesting several changes. Qwest agreed to incorporate two changes based on AT&T's
2 comments. Thus, this single exception demonstrates that Qwest's process for managing changes to its
3 TechPubs, and receiving CLEC comments regarding those changes, is functioning properly.

4 No CLEC has raised any specific issue regarding Qwest's compliance with these commitments.
5 However, if any such issue arose, Qwest's CMP provides the process by which a CLEC could raise the
6 issue, including escalation and dispute resolution procedures to resolve any issues on which the parties
7 cannot reach agreement.

8 **B. Qwest is Adhering to the Procedural Safeguards Contained in the Redesigned**
9 **CMP**

10 The evidence set forth above establishes that Qwest is adhering to its redesigned CMP. In an
11 attempt to undermine Qwest's compelling evidence of compliance with its CMP, the Joint CLECs point
12 to only four situations in which they claim Qwest failed to adhere to its established processes. Of these,
13 two do not involve any deviation from Qwest's established CMP and one has no credible factual basis.
14 Thus, the Joint CLECs could only point to a single instance where Qwest did not meet its obligations
15 under the CMP. This single instance provides little support to the CLECs' claims because it arose outside
16 of the ordinary CMP processes. This scant showing is consistent with the evidence that, as discussed
17 above, establishes that Qwest's overall compliance rate exceeds 98%.

18 **1. Qwest adheres to its notification provisions.**

19 In an odd twist, the Joint CLECs attack Qwest's compliance record by attempting to recast
20 Qwest's actual compliance with the CMP's production support provisions as a failure to comply with the
21 product/process provisions. Not surprisingly, this attempt falls short.

22 Exhibit I to the Joint CLEC Brief is an "Event Notification" dated April 4, 2002. The CLECs
23 claim that this notification failed to comply with the Qwest-initiated product/process change process,
24 which Qwest agreed to implement for new product/process changes initiated on or after April 1, 2002,
25 by changing NC/NCI codes without notice, *i.e.*, effective immediately. This claim is misguided because
26 the Event Notification neither changed NC/NCI codes, nor was it effective immediately.

1 This Event Notification was plainly sent in accordance with the CMP's production support
2 provisions. The Event Notification indicates that it is a closure notification and that the initial notification
3 was sent on March 4, 2002. The March 4, 2002 notification, which is attached to the Schultz Response
4 Affidavit,⁷ states:

5 Qwest has discovered several outdated NC/NCI Code combinations in
6 the IMA NC Code Validation database. Effective April 4, 2002, these
7 code combinations will no longer be considered valid and the code sets
8 as documented in Technical Publication 77384 will be required.

9 Thus, in the March 4, 2002 Event Notification, Qwest notified the CLECs that it had discovered
10 a problem. This notice did not purport to change any NC/NCI codes, but simply advised that outdated
11 codes that do not appear in the relevant TechPub would no longer be considered valid. Because this was
12 not a notice that changed the NC/NCI codes, but only identified NC/NCI codes that were invalid, the
13 product/process change provisions cited by the Joint CLECs do not apply.

14 A cursory review of the Joint CLECs' Exhibit I plainly indicates that it is an Event Notification
15 pursuant to Section 12, Production Support, of the Wholesale CMP, which describe such notifications in
16 detail. Indeed, the words "Event Notification" appear in large, bold letters across the top of the notice.
17 The Event Notification also states that it was sent to advise that Qwest had experienced trouble with
18 specified systems, contains a Ticket Number, and identifies the Ticket Severity as 3, all in accordance
19 with Sections 12.4 and 12.5 of the CMP.

20 Moreover, the April 4, 2002 Event Notification clearly references the initial notification and
21 indicates that it is a closure of that initial notification. And, contrary to the Joint CLECs' claim that the
22 Event Notification was effective immediately, the April 4, 2002 Event Notification was actually issued 31
23 days after the initial notification -- thus providing CLECs the 31 calendar day notification they complained
24 that they did not receive.

25 The April 4, 2002 Event Notification represents Qwest's adherence to the CMP's production
26 support provisions. The Commission should reject the Joint CLECs' attempt to recast Qwest's

⁷ See Schultz Response Affidavit at ¶ 9 and Exhibit C.

1 compliance as noncompliance.

2 **2. The joint CLECS' claim that Qwest failed to adhere to its notification of**
3 **retail checklist process has no merit.**

4 Qwest developed a checklist that is reviewed when changes are made to Qwest's retail products,
5 processes, center operations, or systems to determine whether any action is necessary to maintain retail
6 and wholesale parity. Qwest discussed the checklist and associated methods and procedures with the
7 CLECs during a redesign meeting and the CLECs agreed the process was adequate. Indeed, the Joint
8 CLECs concede that Qwest has implemented "adequate processes to ensure timely and adequate
9 notification to wholesale customers of retail changes that impact[] them as well as to ensure parity
10 between Qwest's retail and wholesale customers."⁸

11 The Joint CLECs now claim that Qwest has not adhered to the process, claiming that Qwest
12 failed to notify its wholesale customers of a "change in retail product and process" relating to the
13 availability of ISDN loops on which there is integrated pair gain ("IPG").⁹ As set forth below, there was
14 no change in Qwest's retail product or process. Qwest has continuously provisioned such loops for
15 CLECs for more than three years.

16 The Joint CLECs' claim is supported solely by the Affidavit of Sheila Hoffman, a Covad
17 employee. Covad claims that, in March 2000, Qwest informed Covad that Qwest could not provision
18 ISDN loops where there was IPG on the loop. As a result, Covad claims that it decided not to place
19 orders for ISDN loops with IPG. Covad claims that it only recently learned that Qwest could provision
20 ISDN loops when IPG is present and had been provisioning such loops for its retail customers. The facts
21 -- and Covad's order history -- tell a very different story.

22 First, there is no basis for the claim that Qwest could not provision ISDN loops when IPG is
23 present. While Qwest initially experienced difficulties with the provisioning of loops for DSL services,
24 Qwest's Held Order group worked directly with the CLECs, *including Covad*, throughout 2000 to

25 ⁸ Joint CLEC Brief at 15.

26 ⁹ In this context, IPG also refers to integrated digital loop carrier ("IDLC"). See Hubbard Affidavit at ¶ 2.

1 implement alternative solutions. In fact, Qwest met with Covad regarding this issue in February and April
2 2000.¹⁰ Covad clearly knew that Qwest could provision ISDN capable loops with IPG.

3 More importantly, the lynchpin of this claim is Covad's contention that it decided not to place
4 orders for ISDN loops where IPG was present because it believed that Qwest could not provision such a
5 loop. Contrary to this claim, Covad has in fact placed orders for and Qwest has provisioned such loops
6 for Covad. Moreover, Qwest began provisioning ISDN loops for Covad where IPG was present in
7 early 1999 and continues to do so through the present time. Indeed, over 20% of Covad's ISDN loops
8 in service in Washington use the ISDN INA di-group solution. Thus, contrary to the statements in Ms.
9 Hoffman's affidavit, Covad has ordered and Qwest has provisioned ISDN loops where IPG is present
10 continuously for more than three years.

11 Thus, Covad's own order history establishes that there was no "change" in Qwest's provisioning
12 ISDN loops where IPG is present. Indeed, the discussions during the workshops established that Qwest
13 employs the same eleven-point process to assign facilities for wholesale and retail.¹¹ Consequently, no
14 notification to CLECs relating to the availability of ISDN loops with IPG was required or appropriate.
15 The Joint CLECs' claim to the contrary has no merit.

16 **3. Qwest is working with CLECs through the CMP to address the issues**
17 **relating to its preferred local carrier freeze.**

18 The Joint CLECs concede that changes in processes will not always occur seamlessly and
19 without impacts to CLECs. Nonetheless, they point to one particular issue in an attempt to discredit
20 Qwest's CMP. Rather than support their claims, however, the Joint CLECs' contentions regarding
21 Qwest's Local Service Freeze ("LEFV") actually establish that Qwest's CMP is working properly to
22 address AT&T's issues.

23 Qwest's LEFV removal process has been in place for many months. The process provided that a
24 CLEC can submit a local service request ("LSR") to convert a Qwest retail customer to a CLEC

25 ¹⁰ Hubbard Affidavit at ¶ 4.

26 ¹¹ Hubbard Affidavit at ¶ 11.

1 customer the day after the customer removed its LEFV. In late February 2002, AT&T began
2 experiencing problems with the process. Qwest now believes that the problems AT&T experience may
3 have been due in part to customer confusion in requesting to remove a "PIC" freeze, rather than the Local
4 Service Freeze, and to a backlog of orders to add a local freeze that were worked by Qwest's vendor
5 during mid-February.¹²

6 Regardless of the nature of the problems, however, AT&T's own recitation of the events
7 establishes that Qwest worked with AT&T both in and outside of the CMP forum to address AT&T's
8 issues.¹³ The following brief chronology of events summarizes how AT&T's change request ("CR")
9 regarding the process for removing the LEFV from Qwest residential accounts has been processed
10 through CMP.¹⁴

- 11 • March 8, 2002 -- AT&T submitted a CR regarding the process for removing the LEFV from
12 Qwest residential accounts.
- 13 • March 18, 2002 -- Qwest held a clarification call with AT&T to discuss the CR. Section 5.3
14 of the Wholesale CMP requires this call to be held within eight business days after receiving
the CR. In this case, Qwest held the clarification call on the sixth business day after AT&T
submitted the CR.
- 15 • March 20, 2002:
16 --At the March 20, 2002 monthly CMP meeting, AT&T presented the CR as a walk-on item
because this CR was not submitted three weeks before that meeting, as required by Section
17 5.3 of the Wholesale CMP. Otherwise, under the agreed process, the CR would not have
been discussed until the April 17, 2002 monthly meeting. At the March 20, 2002, AT&T
18 also requested that this CR be processed under the exception process, which refers to a
process by which any request for a deviation from the normal process is requested. The
19 CLEC community agreed that this CR could be processed as an exception to normal
procedures. Exception processing does not specify particular timeframes, but allows the
parties to determine the appropriate course of action on a case-by-case basis.
20 -- On March 20, 2002, Qwest established a toll-free number for AT&T and its customers to
call to remove the LEFV to address AT&T's concern that multiple calls were required to
21 remove the LEFV. This number is still in effect and can be used by all CLECs and their
customers.
- 22 • March 22, 2002 -- Qwest established a process that allowed CLECs to include the removal
23 order number on their LSRs to allow those LSRs to be processed on the same day the LEFV

24 ¹² AT&T recently filed a formal complaint with the Commission regarding this issue. Qwest filed its answer to that
complaint on April 11, 2002. See Qwest Corporation's Answer to Complaint at §§ 6-7.

25 ¹³ See Joint CLEC Brief, Exhibit E and attachments.

26 ¹⁴ In addition to the events listed, Qwest has responded to various oral and written inquiries from AT&T regarding
the LEFV issue submitted in through the CMP and on a business-to-business basis.

1 was removed, rather than the next day.

- 2 • March 26, 2002 -- Qwest held a general clarification call with CLECs regarding AT&T's
3 CR. On this call, AT&T requested that the toll-free number be maintained and that Qwest
4 appoint a point of contact to deal with LEFV removal issues.
- 5 • On April 4, 2002, Qwest held a follow-up call with CLECs regarding this issue.

6 Thus, through the existing CMP procedures, Qwest quickly responded to AT&T's most pressing
7 concerns by establishing a toll-free number for LEFV removal and a process by which the CLEC can
8 include the removal order number on its LSR so the LSR can be processed the same day the LEFV is
9 removed. In addition, Qwest established a point of contact for LEFV escalations. While the parties
10 continue to work through all of AT&T's concerns relating to this issue, the existing CMP procedures were
adequate to quickly address AT&T's most immediate concerns.

11 **4. Qwest has observed the CMP production support process.**

12 The Joint CLECs have identified a single circumstance in which Qwest failed to notify the CLECs
13 of changes made in conjunction with the Arizona third party OSS test. The third party tester in Arizona
14 identified issues relating to the information Qwest sends to CLECs in the daily usage feed ("DUF").
15 Under normal circumstances, a CLEC would contact Qwest's help desk and open a trouble ticket to
16 report such issues. However, because the issues arose during the third party test, the tester notified
17 Qwest of the issues through the incident work order process established for purposes of the OSS test.
18 While the closure of the trouble ticket would ordinarily trigger Qwest's issuance of a production support
19 notification, these DUF issues arose during the third party test, outside of the normal CMP process.
20 Accordingly, the production support notification was not triggered.

21 It is important to note that, despite this isolated occurrence, Qwest has complied with more than
22 98% compliance rate for its production support obligations. This occurrence is one of the few that fall
23 within the remaining less than 2%.

24 **IV. QWEST HAS ADEQUATELY ADDRESSED ALL SIGNIFICANT THIRD PARTY TEST ISSUES**

25 During the Regional Oversight Committee's OSS Test, the test vendors issued "Exceptions" when
26 they encountered situations that could result in negative findings in their final reports. The ROC

1 established a process for resolution of Exceptions, which provided that Qwest would respond to an
2 Exception and the test vendor considered Qwest's response. CLECs were provided an opportunity to
3 comment, and public calls were held to discuss open Exceptions. In appropriate circumstances, Qwest
4 implemented revised processes or systems modifications to address the issues raised in an Exception.
5 When appropriate, the test vendor evaluated the new process or conducted additional testing. Where the
6 test vendor was satisfied that the issues it raised were resolved, it closed the Exception in a "resolved"
7 status.

8 When the ROC OSS Test was established, the parties agreed that Qwest had the option to close
9 any Exception in an "unresolved" status when it determined that further testing would not be productive.
10 The test vendors will include discussions of closed/unresolved Exceptions in their final reports.

11 During the testing, the vendors issued a total of 256 Exceptions relating to all areas of testing.
12 Qwest made numerous systems and process changes to resolve the vast majority of Exceptions. Virtually
13 all of the Exceptions are now closed. The test vendors closed 247 of the Exceptions in a resolved status.
14 Qwest elected the closed/unresolved status for only nine Exceptions. The Joint CLECs broadly claim
15 that one closed/unresolved Exception, Exceptions 3094, and two Exceptions that KPMG closed in an
16 inconclusive status, Exceptions 3110 and 3111, indicate that there are problems with Qwest's current
17 CMP. Contrary to the Joint CLECs' vague claim, however, these Exceptions do not preclude Qwest
18 from complying with the FCC's evaluation criteria.

19 **A. Exception 3094**

20 This exception relates to the product/process provisions of Qwest's CMP. In this exception,
21 KPMG contended that Qwest did not adhere to its change management process in notifying CLECs
22 about a particular proposed change.

23 As an initial matter, it is important to note that the FCC has focused solely on OSS systems -- not
24 product or process -- change management processes in its section 271 orders. Verizon has no formal
25 change management process for product or process issues, yet it has received several 271 approvals.
26 SBC has a forum for process issues, known as the CLEC User Forum, but the FCC has not even

1 mentioned that forum in its discussion of SBC's change management process.

2 Exception 3094 resulted from uncertainty that arose during the initial discussions of product and
3 process issues in the redesign effort. The confusion that resulted in this Exception related to a previous
4 interim process for product/process changes that Qwest and CLECs developed during the early redesign
5 sessions. The uncertainty relating to those issues has been resolved by the redesign team's agreement on
6 a detailed process for product/process changes. As fully described in Qwest's Brief regarding Change
7 Management, Qwest has implemented the agreed-upon process.¹⁵ However, KPMG was unwilling to
8 close this Exception in a resolved status because it was unable to evaluate the new process in practice.

9 The initial confusion surrounding the process that gave rise to this Exception has been eliminated
10 by the detailed agreement reached through the redesign process. Because the new product/process
11 procedures apply to all Qwest-initiated changes, there should be no future confusion relating to the
12 appropriate process that applies to a particular change. Moreover, with the implementation of the interim
13 process, Qwest's CMP provisions for product/process changes is more complete and comprehensive
14 than any other CMP in the country.

15 Finally, the unresolved status of this Exception does not affect the Commission's evaluation of
16 Qwest's CMP for section 271 purposes because the FCC has not required an RBOC to establish a
17 change management process for product/process.

18 **B. Exception 3110**

19 In Exception 3110, KPMG expressed concern that Qwest's CMP managers do not employ a
20 centralized mechanism to track and ensure that documentation release intervals are followed for upcoming
21 software releases. In its Disposition Report regarding this Exception, KPMG stated that it had "reviewed
22 Qwest internal process documents and verified that software and product/process documentation teams
23 have procedures to prepare documents and distribute them in accordance with the intervals specified in
24 the Master Redlined CLEC-Qwest CMP Redesign Framework." Thus, KPMG was satisfied that

25 ¹⁵ The Interim Qwest-Initiated Product/Process Change Process is set forth on Qwest's web site at
26 www.Qwest.com/wholesale/CMP/whatiscomp.html. The redesign team expects to reach final agreement regarding the
few remaining issues on April 6, 2002, after which the interim process will be incorporated into the Wholesale CMP
document.

1 Qwest had implemented procedures to ensure that it complies with its release notification intervals.
2 However, because KPMG had not observed adherence to the documented process for notification
3 interval management, KPMG recommended that Exception 3110 be closed as inconclusive. As noted
4 above, Qwest has an overall 98% compliance rate on its CMP obligations. More to the point, Qwest
5 has adhered to 100% of the OSS interface release documentation interval notification milestones it has
6 reached thus far. Qwest's record of compliance, coupled with its success in adhering to the very
7 notification intervals that are the subject of the Exception, demonstrate that Qwest's tracking and
8 verification procedures are adequate.

9 **C. Exception 3111**

10 Exception 3111 relates to Qwest's process for prioritizing and packaging CRs for major IMA
11 releases. In its Disposition Report, KPMG noted that it had "verif[ied] that Qwest had adequately
12 addressed each of the five issues raised in the Exception through documentation modifications and
13 enhancements to the process." KPMG observed the prioritizing and packaging process for IMA
14 Releases 10.0 and 11.0. However, because it observed portions of the processes for each release,
15 KPMG believed that Qwest did not comply with the CMP processes because Regulatory Changes were
16 not prioritized for IMA Release 10.0, Qwest did not provide CLECs with total capacity information prior
17 to the prioritization votes on IMA 10.0, and that Qwest did not participate in the prioritization process for
18 IMA 10.0. In its responses to this Exception, Qwest addressed all three of these issues.

19 First, there were Regulatory CRs in both the IMA 10.0 and 11.0 Releases that were subject to
20 the prioritization process as defined for Regulatory CRs, which included "above the line" treatment --
21 meaning that Regulatory CRs appeared at the top of the list of CRs to which resources are assigned. In
22 addition, both the IMA 10.0 and 11.0 Releases included ordinary normal CRs that were subjected to the
23 prioritization process as ranked CRs -- meaning that those CRs were ranked below the Regulatory CRs.
24 Thus, KPMG had ample opportunity to review the prioritization process for both types of CRs.

25 The fact that Qwest and the CLECs were at impasse over whether PID/PAP related CRs should
26 be treated as Regulatory CRs or as normal CRs during the prioritization process for the IMA 10.0 and

1 11.0 Release did not affect KPMG's ability to evaluate Qwest's adherence to the prioritization process.
2 The resolution of this issue did not change the prioritization process itself, but simply determined which
3 path ("above the line" or ranked) an individual CR will take through the process. KPMG has already
4 observed both paths.

5 Second, Qwest provided the CLECs with the total capacity of the IMA 11.0 Release prior to the
6 packaging. Thus, KPMG was able to observe Qwest's adherence to the process in that respect.

7 Third, Qwest demonstrated that it did participate in the prioritization process for IMA 10.0.

8 Thus, the issues KPMG raised did not prevent KPMG from observing Qwest's adherence to the
9 various aspects of the prioritization and packaging process. However, because KPMG had not observed
10 Qwest's adherence to the complete end-to-end prioritization and packaging process for a single major
11 system release, KPMG recommended that this Exception be closed as inconclusive. KPMG has already
12 observed Qwest's adherence to each phase of the prioritization and packaging processes for major
13 system releases that were in place and agreed to via CMP at the time of executing the process. These
14 observations demonstrated Qwest's compliance with the process. No further showing is necessary.

15 **V. QWEST PROVIDES A STABLE TESTING ENVIRONMENT THAT MIRRORS PRODUCTION**

16 The Joint CLECs challenge the adequacy of Qwest's interface testing, including Qwest's stand
17 alone testing environment ("SATE"). SATE is one of the testing options that Qwest provides to CLECs
18 that are developing an IMA-EDI interface. Qwest developed SATE in May 2001 and implemented it on
19 August 1, 2001, as an alternative testing environment to the interoperability environment. CLECs today
20 therefore have a choice between testing in the interoperability environment, which utilizes production
21 legacy systems, and testing in SATE, which is a stand-alone test environment that mirrors the production
22 environment.

23 Contrary to the suggestion of the Joint CLECs, Qwest's implementation of SATE fully satisfies
24 the FCC's requirements that BOCs make available a "stable testing environment that mirrors
25 production."¹⁶ First, the SATE testing environment is stable because Qwest has undertaken to make no
26

¹⁶ See Application by Verizon NewEngland Inc., et al., for Authorization to Provide In-Region, InterLATA Services

1 changes (other than bug fixes) during the 30-day period prior to implementation of a major release,
2 beginning with the IMA-EDI release 9.0 in 2002.¹⁷ Second, SATE mirrors production because it allows
3 CLECs to run practice transactions that generate the same responses as in production without actually
4 using production data or production systems. Qwest provides CLECs with test decks of predefined
5 responses to test in SATE, and those responses mirror production. To further mirror the production
6 environment, Qwest now provides automated post-order responses (since January 26, 2002), and it has
7 begun implementing test flow-through components, even though the FCC has not required this capability
8 under Section 271.¹⁸

9 Commercial results support these conclusions. To date, four individual CLECs, as well as five
10 others through a service bureau, have successfully completed testing using SATE and have achieved
11 production status for EDI implementation of pre-ordering capabilities. *See* Affidavit of Jeffery L.
12 Thompson in Response to Joint CLEC Brief regarding Qwest's Interface Testing ("Thompson Response
13 Affidavit") at ¶ 3. In addition, the PID results (for PO-19) for the last four months are at or very close to
14 the benchmark level established by the ROC, which took effect for March 2002 results. With respect to
15 those products that are not currently available for testing in SATE (because CLECs did not use EDI
16 interfaces for them when SATE was developed), Qwest provides testing in the interoperability
17 environment. To date, 20 CLECs have successfully tested through interoperability and achieved
18 production status.¹⁹

19 In sum, the interface testing provided to CLECs by Qwest fully satisfies Section 271. As shown
20 below, none of the issues cited by the Joint CLECs calls this conclusion into question. The issues
21 remaining unresolved in KPMG closed Exceptions 3077 and 3095 go to areas beyond that which the
22 FCC has required to satisfy Section 271, and are not, in any event, significant enough to affect the

23 in Rhode Island, FCC 02-63, released February 22, 2002, ____ FCC Rcd ____ (2002), App. D. at ¶ 42 ("Rhode Island
24 271 Order").

25 ¹⁷ See also Wholesale CMP, Section 8.1.8.

26 ¹⁸ See Application by SBC Communications Inc., et al., for Authorization to Provide In-Region, InterLATA Services
in Texas, 15 FCC Rcd 18354, 18421 (2000), ¶ 138 ("Texas 271 Order").

¹⁹ Thompson Response Affidavit at ¶ 4.

1 conclusion that Qwest has met the checklist requirements under the FCC's applicable standards.

2 **A. Exception 3077**

3 During its initial review of SATE, KPMG issued Exception 3077, identifying the following issues:

4 SATE does not generate post-order responses in the same manner in which they are created in
5 the production environment.

- 6 • Flow-through orders are not supported in SATE.
- 7 • The volume of order responses supported in SATE is restricted due to manual
8 response handling.
- 9 • The data contained within the order responses is not consistent, and may not mirror
10 the data that would be found in production responses.

11 In response to KPMG's concerns, Qwest significantly enhanced SATE, and further
12 enhancements are scheduled for future releases. As discussed below, the most significant enhancements
13 are the implementation of the Virtual Interconnect Center Knowledge Initiator ("VICKI"), which is fully
14 implemented with SATE 9.0, and the introduction of flow-through capabilities, which Qwest has begun to
15 implement throughout its region and plans to complete in May 2002. . VICKI provides automated post-
16 order responses in SATE. New test scenarios provide the CLEC with the ability to experience the
17 behavior of IMA consistent with production timing of post-order transactions. VICKI ensures that
18 CLECs receive automated responses consistent with those received in production, negating any risk from
19 manual handling.

20 The Joint CLECs rely largely on long quotes from Exception 3077, rather than making specific
21 arguments regarding the third party test results. In response, therefore, we address each of KPMG's
22 initial concerns in light of the disposition report it issued on April 15, 2002, when it closed the exception.²⁰

23 **1. KPMG Concern: SATE does not generate post-order responses in the
24 same manner in which they are created in the production environment.**

25 KPMG reviewed Qwest's VICKI documentation, and concluded that VICKI provides CLECs
26 the following:

²⁰ See Exception 3077 Disposition Report ("E3077 Disposition Report"), attached as Exhibit A.

- the ability to receive specific, expected responses to LSRs, based on the Product, Activity, and Supplemental Type for that LSR (known as “paths”);
- predetermined time delays between responses, based on the Product, Activity, Supplemental Type, and Remarks field combination for the LSR; and
- the ability to request additional paths for new combinations that CLECs wish to test.

KPMG found that VICKI appears to have enhanced some aspects of EDI interface testing.

However, KPMG noted certain limitations of the application, as described below:

- VICKI response times may not match production response times
- VICKI response detail may not match production response detail
- VICKI does not support “real world scenario testing”

As KPMG acknowledged in its Disposition Report, the first and second items have been addressed by April 15, 2002 modifications to VICKI supporting documentation.²¹ KPMG’s third concern, regarding real world scenario testing, should be largely addressed by Qwest’s planned implementation of flow-through capability in SATE. In Qwest’s view, SATE provides real world scenario testing, which Qwest continues to enhance through such improvements as VICKI and the introduction of flow-through capability.

With flow-through, when a CLEC sends an LSR request to Qwest, the CLEC is asking what would happen to this specific LSR if the telephone numbers, circuits, and facilities in SATE existed in Qwest’s Production Network and this specific LSR were sent to production. Flow-through will allow CLECs to test the exact message they would receive in production for an LSR. VICKI also allows CLECs to test message formats, messages, and maps for specific pre-determined test scenarios. To the extent VICKI is different from the production environment, this is an intended aspect of SATE’s design.²² VICKI allows CLECs to test specific desired responses to ensure that the CLEC can correctly process the Qwest response.

KPMG believes that “real world scenario testing [is] an essential element [of] a complete EDI

²¹ E3077 Disposition Report at 2.

²² See E3077 Disposition Report at 2.

1 testing environment." E3077 Disposition Report at 3. KPMG Consulting acknowledged that Qwest
2 intends to implement a flow-through component to SATE, and that the implementation of this component
3 should help alleviate this third identified limitation of VICKI. *Id.* As noted above, Qwest believes that it
4 has provided real world testing scenarios for CLECs through the introduction of SATE, which has been
5 enhanced by the introduction of flow-through into SATE.

6 **2. KPMG Concern: flow-through orders are not supported in SATE.**

7 In response to this concern, Qwest enhanced SATE to add a test flow-through system and test
8 Service Order Processors ("SOPs"). Qwest implemented the flow-through capabilities for POTS and
9 UNE-P POTS transactions in the Western region on February 25, 2002. The second phase will include
10 implementation of all other flow-through eligible products and POTS and UNE-P POTS in the central
11 and eastern regions. This phase is scheduled to be completed prior to May 20, 2002.

12 The option to send the test LSR to the flow-through systems allows the CLEC to experience an
13 immediate response once the flow-through order is successfully processed, or to receive a manual
14 response if flow-through is not successful.

15 KPMG Consulting noted that flow-through capabilities will not apply to completion notifications.
16 Because of the future implementation timeline of flow-through for additional products in other regions,
17 KPMG closed this issue unresolved.²³ Qwest fully expects to satisfactorily implement flow-through as
18 planned.

19 **3. KPMG Concern: The volume of order responses supported in SATE is**
20 **restricted due to manual response handling.**

21 In response to this exception, Qwest explained that it did not limit, but rather negotiated, the
22 number of post order responses received by CLECs. However, KPMG Consulting noted several
23 instances within the EDI Implementation Guide where it is explicitly stated that there are limitations to the
24 number of firm order commitments ("FOCs") that Qwest will provide to CLECs. KPMG noted that
25 limitations appeared to stem from the manual response generation required for SATE, and that with the

26 ²³ See E3077 Disposition Report at 3.

1 implementation of VICKI, the resource requirements necessary to support SATE transactions were
2 diminished. It therefore considered this aspect of E3077 to be resolved. E3077 Disposition Report at 4.

3 **4. KPMG Concern: The data contained within the order responses is not**
4 **consistent, and may not mirror the data that would be found in production**
5 **responses.**

6 Qwest explained in its response to this exception that it documents all known differences between
7 IMA and SATE in the Overview section of the SATE Data Document. Additionally, Qwest stated that
8 the proposed SATE PID (PO-19) will help ensure that Qwest has a complete and accurate data
9 document. Qwest also addressed KPMG's significant concerns with the implementation of VICKI and
10 flow-through capabilities in SATE. As noted above, further SATE enhancements are scheduled for May.

11 The FCC has held that in order to satisfy its "mirroring production" standard, a BOC need not
12 provide a testing environment that is "identical to its production environment."²⁴ Rather, it is sufficient for
13 a BOC to show that "the testing and production environments perform the same key functions."²⁵ In the
14 case of Southwestern Bell, the FCC concluded, based on the "totality of the evidence," that its testing
15 environment was adequate, even though SWBT did not test flow-through or response times, and did not
16 evaluate the ability of an order to post to billing.²⁶ The FCC found it significant that in SWBT's case, "the
17 vast majority of carriers are able to achieve production status and test new release without substantial
18 difficulty," and concluded that while some problems arose during testing, they "did not significantly impede
19 any carrier's ability to test adequately the release prior to implementation."²⁷

20 In Texas, The FCC found it compelling that three carriers had used the new testing environment
21 to achieve production status, with two carriers using it for a new release.²⁸ Here, the commercial data is
22 even stronger. The commercial data support the conclusion that SATE provides an effective test
23 environment. To date, four CLECs have successfully completed testing using SATE and have achieved

23 ²⁴ Texas 271 Order, ¶ 138.

24 ²⁵ Id.

25 ²⁶ Id.

26 ²⁷ Id., ¶¶ 138, 134 & n.360.

27 ²⁸ Id., ¶ 134.

1 production status for EDI implementation of pre-ordering capabilities. Five others have done so through
2 a service bureau that tested in SATE.²⁹ The FCC regards this as compelling evidence that a BOC's
3 testing environment "affords competing carriers an adequate opportunity to test [the BOC's] OSS
4 changes prior to implementation."³⁰ For example, in approving Southwestern Bell's application for
5 Section 271 approval for Texas, the FCC relied upon the fact that three carriers had used the test
6 environment for EDI implementation and had achieved production status.³¹ Here, as noted above, a total
7 of nine carriers have achieved production status after testing through SATE (individually or through a
8 service bureau).

9 Hewlett-Packard's ("HP") comprehensive evaluation of SATE in Arizona, which the Joint CLECs
10 point to in their brief, provides additional support for the conclusion that SATE is adequate to meet the
11 Section 271 requirements.³² HP has concluded, after completing its re-test using SATE for EDI Version
12 9.0, that "the Qwest SATE is adequate to support New Release testing by a CLEC."³³

13 The fact that KPMG has not been able to test every aspect of SATE also does not pose a
14 problem under Section 271. The FCC does not even require third party test evaluations. Of course, third
15 party test results can be, and have been, used by BOCs to bolster their commercial results and are useful
16 evidence for the FCC, but they are not necessary to a successful Section 271 application. But the FCC
17 considers commercial data to be the best evidence that Section 271 requirements have been met.³⁴ For
18 example, the FCC approved SWBT's stand-alone test environment on the basis of commercial data,
19 even though it was not evaluated by the third party tester in Texas, rejecting AT&T's argument that the
20 third party evaluation was essential for Section 271 approval.³⁵

21 ²⁹ See Thompson Response Affidavit at ¶ 3.

22 ³⁰ Texas 271 Order, ¶ 134.

23 ³¹ Id.

24 ³² Joint CLEC Brief at 22. See also Section V.C., *infra*.

25 ³³ SATE New Release Test Summary Report, 9.0 Transaction Test for Qwest IMA-EDI SATE, Version 2.0, released
26 3/27/02, § 2.1, p.13 ("HP 9.0 Report").

³⁴ Rhode Island 271 Order, App. D, ¶ 31, citing Application by Bell Atlantic New York for Authorization to Provide
In-Region InterLATA Service in New York, 15 FCC Rcd 3953,3993, ¶ 89.

³⁵ Texas 271 Order, ¶ 135.

1 Other commercial data supports the conclusion that SATE is adequate under Section 271. The
2 PID relevant to SATE, PO-19, "evaluates Qwest's ability to provide accurate production-like tests to
3 CLECs for testing both new releases and between releases in the SATE environment."³⁶ A 95%
4 benchmark was adopted for the ROC states, to be effective beginning with March data.³⁷ For the four
5 month period between November 2001 and February 2002, Qwest successfully executed 94.46, 98.73,
6 94.57, and 95.38 percent of test transactions within SATE.³⁸ Thus, Qwest either met the current
7 benchmark or fell only a fraction of a percentage point short of it during the past four months.

8 Qwest also makes SATE available for an extended testing period. CLECs may test a particular
9 EDI release in SATE for 30 days prior to and, on average, six months after the introduction of the next
10 release. Because of this "versioning," when EDI 10.0 is released in SATE in May 2002, CLECs will be
11 able to test in SATE in any one of three releases (8.0, 9.0, and 10.0) at the same time.³⁹ The FCC has
12 approved of versioning because it "ensures that system changes and enhancements do not adversely
13 affect a carrier's ability to access the BOC's OSS."⁴⁰

14 In sum, given the commercial evidence here, which shows that CLECs have successfully used
15 SATE, and given the limited nature of open issues remaining in this exception, the Commission can and
16 should conclude that SATE meets the FCC's requirement that SATE mirror production.

17 **B. Exception 3095**

18 Exception 3095 also relates to SATE. In this exception, KPMG notes that there are resale
19 products and UNEs that are supported by IMA-EDI that are not also supported by SATE.⁴¹

20 Qwest built SATE to support every resale product and UNE offering for which CLECs had built

21 ³⁶ See ROC Steering Committee, "Impasse Issue on Benchmark for PO-19 SATE Accuracy," January 29, 2002.

22 ³⁷ See id.

23 ³⁸ See Washington Commercial Performance Results at 67 (PO-19), which can be found at
www.Qwest.com/wholesale/results/ROC.html.

24 ³⁹ Id.

25 ⁴⁰ Application of Verizon New England Inc., et al., for Authorization to Provide In-Region, InterLATA Services in
Massachusetts, 16 FCC Rcd 8988 (2001) at ¶ 107, quoting Texas 271 Order, 15 FCC Rcd at 18408, ¶ 115.

26 ⁴¹ See KPMG Disposition Report for Exception 3095, issued April 11, 2002 ("E3095 Disposition Report") (attached
hereto as Exhibit B).

1 EDI interfaces. However, there are resale products and UNEs for which CLECs have not yet developed
2 EDI interfaces. These products therefore were not automatically included in SATE. Moreover, nothing
3 in the FCC's prior Section 271 orders specifically requires a BOC to make a stand-alone test
4 environment available for products that CLECs do not currently order via EDI interfaces.

5 Through the CMP Redesign Process, CLECs and Qwest have agreed upon a process for CRs to
6 be submitted to add products and make other changes to SATE.⁴² Both CLECs and Qwest are free to
7 submit CRs to add products or capabilities to SATE. Through the CMP process, Qwest and CLECs
8 also jointly prioritize the SATE CRs for inclusion in future EDI releases. *Id.*, § 10. In addition, a SATE
9 Users' Group meets monthly, as part of the CMP Forum. The Users' Group is composed of
10 representatives of CLECs, Qwest, HP, and KPMG and meets monthly. It gives SATE users the
11 opportunity to provide regular feedback to Qwest and to work jointly with Qwest to develop new SATE
12 CRs.

13 Pursuant to the CMP process, Qwest submitted CRs this winter to add the resale products and
14 UNEs that are not currently supported by SATE.⁴³ (At the time SATE was implemented, these products
15 were ordered by CLECs through IMA-GUI interfaces, if they were ordered at all.) Also pursuant to the
16 agreed-upon CMP prioritization process, Qwest and CLECs jointly prioritized these CRs. As described
17 in the CMP prioritization rules, Qwest participated equally with each CLEC in voting on prioritization of
18 these CRs. Wholesale CMP, § 10. As a result of the prioritization process, all but two of the CRs to
19 add additional products to SATE were prioritized at the bottom of the list of CRs.⁴⁴ Qwest will use the
20 prioritized list to determine what functionality the 11.0 SATE release should include.

21 The fact that Qwest did not include in its initial rollout of SATE those products that CLECs were
22 not ordering via EDI interfaces is not an issue under Section 271. The FCC's standard for evaluating
23 electronic interface testing – that the testing environment be "stable" and "mirror production" -- is fully
24 satisfied by SATE, as shown above. SATE is available for those products most likely to be ordered via

25 ⁴² See Wholesale CMP, Sections 4, 5.

26 ⁴³ Thompson Response Affidavit, ¶ 5.

⁴⁴ *Id.*

1 electronic interfaces. It is not essential that it be available for every product in existence. The CLECs'
2 decision not to assign a high priority to most of the CRs adding products to SATE is evidence of this.

3 Again, the commercial data also demonstrate that SATE is adequate to permit CLECs to test
4 EDI interfaces and achieve production status. As noted above, four individual CLECs have tested in
5 SATE and achieved production status, as have five others through a service bureau that tested in SATE.
6 In addition, 20 CLECs have successfully developed EDI interfaces with Qwest using the interoperability
7 testing environment.⁴⁵ Thus, to the extent there might be a CLEC that would be interested in testing an
8 EDI interface for a product that is not yet available in SATE, it may use the interoperability testing
9 environment to certify the EDI interface.

10 Therefore, any remaining issues identified by KPMG in this exception have been adequately
11 addressed through the efficacy of the CMP process and through Qwest's available interface testing
12 options.

13 **C. Other Issues**

14 The Joint CLECs also briefly make several other SATE-related claims, but without explanation,
15 citation or support.⁴⁶ With respect to the performance data listed without citation on page 22 of their
16 pleading, Qwest assumes that the data are taken from the *HP 9.0 Report, supra*, at 24. What the Joint
17 CLECs neglect to mention is that in the Report's Executive Summary, HP concluded that SATE was
18 adequate to permit CLECs to test new releases. HP also concluded that Qwest had met, or came very
19 close to meeting, the 95 percent benchmark established for PO-19 by the ROC (to take effect in March
20 2002). Specifically, Qwest's PID measures were 93 percent, 97 percent, and 95 percent for Phases I,
21 II, and III respectively.⁴⁷ Moreover, as noted above, the commercial data for the last four months show
22 that Qwest met or was very close to meeting the PO-19 PID.

23 The Joint CLECs also claim without citation or support that "HP failed to record all errors" during

24 ⁴⁵ Thompson Response Affidavit at ¶ 4.

25 ⁴⁶ See Joint CLEC Brief at 22-23.

26 ⁴⁷ HP 9.0 Report at 13. The lower figures listed on page 24 of the report, to which the Joint CLECs presumably were referring, were results for Release 9.0 only. The PID measures all releases together, however, and thus the PID figures were higher, because they included the results from three releases (7.0, 8.0, and 9.0). *Id.* at 19.

1 its testing.⁴⁸ The CLECs also claim that "eight releases" were made in SATE 9.0 and that "eight known
2 problems" identified by HP are still unresolved.⁴⁹ Qwest is simply unable to respond to any of these
3 claims because they are made without citations, data, identifying information, or other support. The
4 Commission therefore should disregard these claims.

5 In sum, for the reasons given above, Qwest's interface testing, and in particular its stand-alone
6 testing environment, fully satisfy the requirements of Section 271.

7 **VI CONCLUSION**

8 In conclusion, Qwest's change management process fully satisfies the requirements of Section
9 271 because it provides nondiscriminatory access to OSS and provides competitors with a meaningful
10 opportunity to compete. Qwest has implemented and adhered to its process. The Joint CLECs have not
11 raised any credible issue to the contrary.

12 Dated this 16th day of April, 2002.

13 Qwest Corporation

14
15
16 /Andrew D. Crain/
17 Andrew D. Crain
18 Qwest Corporation
19 1801 California Street, Suite 4900
20 Denver, CO 80202
21 Phone: (303) 672-2926

22 Lisa Anderl, WSBA #13236
23 Qwest Corporation
24 1600 7th Avenue, Room 3206
25 Seattle, WA 98191
26 Phone: (206) 345-1574

Attorneys for Qwest Corporation

25 ⁴⁸ Joint CLEC Brief at 22.

26 ⁴⁹ Id. at 24.