**BEFORE THE WASHINGTON UTILITIES
AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation Into U S WEST Communications, Inc.'s Compliance With Section 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

AT&T'S COMMENTS ON THE ROC OSS FINAL REPORT

AT&T Communications of the Pacific Northwest, Inc. and AT&T Local Services on behalf of TCG Seattle and TCG Oregon submit these Comments on the ROC OSS Final Report.

I. INTRODUCTION

The Regional Oversight Committee's test of Qwest's operational support systems ("OSS") has identified many significant deficiencies in the OSS access that Qwest provides to CLECs. The more significant deficiencies include:

1) Qwest order processing personnel making an excessive rate of human errors in the processing of CLEC orders,
2) inaccurate Qwest reported performance data as evidenced by KPMG Consulting's inability to independently reproduce Qwest's performance data,
3) discriminatory treatment in the provisioning of jeopardy notice,
4) insufficient capability to provision dark fiber,
5) insufficient capability to provision enhanced extended links ("EEL"s),
6) longer intervals for the provisioning of UNE-P services that do not require the dispatch of a Qwest technician than for similarly situated retail customers,
7) longer provisioning intervals for business resale services that do not require the dispatch of a Qwest technician than for similarly situated retail customers,
8) inaccurate disposition codes for CLEC trouble reports, and
9) inadequate and unstable processes for the production of DUF records.

AT&T will describe each of these deficiencies in more detail in the comments that follow.

II. SPECIFIC TEST FINDINGS

A. Pre-Ordering, Ordering and Provisioning

The OSS test has demonstrated that Qwest has serious problems in its manual handling of CLEC orders. Qwest manually handles orders when the CLEC submits orders:

- Via manual methods (i.e. Facsimile);
- Via an electronic interface and the characteristics of the orders require manual processing; and
- That contain errors.

1. The Rate of Human Errors is Excessive

a. The Number of CLEC Orders That Qwest Manually Handles and the Percentage of the Total Number of CLEC Orders is Both High

A high percentage of a CLECs orders are manually handled by Qwest in a given month. This high percentage of manually handled orders also translates into large quantities of manually handled orders. The below chart shows the percentage of CLEC orders manually handled by Qwest as compared to the total number of orders submitted by the CLEC and the total number of manually handled orders for four key services:

April 2002 Results	Resale	Unbundled Loops	Local Number Portability	UNE-P	Aggregate
% of CLEC Orders Manually Handled by Qwest[1]	32.9%	58.2%	33.3%	42.4%	40.6%
Total Number of CLEC Orders Manually Handled by Qwest[2]	1,660[3]	2,607	3,648		7,915

In addition to the valid orders that are manually processed by Qwest personnel, in April of 2002, Qwest also manually processed 1,038 rejected Washington CLEC orders.[4] Qwest personnel touch and manually handle nearly 9,000 orders for Washington CLECs in a month. With that amount of manual processing, it is critical that Qwest order processing personnel know how to properly treat those orders.

b. KPMG Consulting Found That Qwest Representatives That Manually Handle CLEC Orders Create Far Too Many Human Errors in CLEC Orders.

KPMG Consulting found that Qwest personnel did not know how to properly treat CLEC orders and that there were excessive amounts of human errors being made by Qwest personnel as they processed CLEC orders. These human errors affected the due dates that Qwest provided the pseudo-CLEC and in some cases resulted in the pseudo-CLEC order being given a due date longer than it should have received. The errors also

[1] Qwest Performance Results, Checklist Format, Washington, May 2001 – April 2002, May 16, 2002, ("Washington PID Results") PIDs PO-2A-1 and PO-2A-2, pp. 51 – 54.
[2] *Id*, PIDs PO-5B-1(a), PO-5B-2(a), PO-5B-1(b), PO-5B-2(b), PO-5B-1(c), PO-5B-2(c) , PO-5C(a), PO-5C(b), and PO-5C(c).
[3] Results combined for resale and UNE-P.

affected Qwest's performance results. The errors caused orders to be excluded from the performance results calculation that should not have been and orders to be included that should not have been. The human errors also resulted in inaccurate calculation of provisioning intervals.

KPMG Consulting discovered this problem through the submission of pseudo-CLEC transactions and calls to the CLEC help desk as part of the pre-ordering, ordering and provisioning tests. When either KPMG Consulting or Hewlett-Packard received an unexpected response from a pseudo-CLEC transaction or a call to the CLEC help desk, an observation or exception identifying the unexpected response was created. KPMG Consulting noticed that in many of Qwest's responses to observations and exceptions created by KPMG Consulting and Hewlett-Packard that Qwest was attributing the cause of the problem to human error and that additional training of the personnel that made the errors would remedy the problem. After seeing far too many Qwest responses to problems that attributed the problem to human error and prescribing additional training as the remedy, KPMG Consulting stated that, "KPMG Consulting has identified a pattern in Qwest's Observation and Exception responses that refer to the need for additional training and/or training enhancements."[5] As background to that finding KPMG Consulting stated:

> Qwest's responses to 75 Observations and Exceptions, raised by both KPMG Consulting and Hewlett-Packard Consulting (HPC), state that training initiatives and/or enhancements have been undertaken to remedy the issues raised. Of these 75 responses, 49 describe additional training measures that directly impact Interconnect Service Center (ISC) and Service Delivery Coordinator (SDC) personnel.[6]

[4] *Id,* PIDs PO-3A-1, PO-3B-1, and PO-3C pp. 55 - 56.
[5] Observation 3086, January 29, 2002.
[6] *Id*.

KPMG Consulting described the human error issue as follows:

> As recently as January 2002, KPMG Consulting and HPC have identified issues in the POP Feature/Function Evaluation to which Qwest has responded by stating it would perform corrective actions in the form of additional training for the ISC and SDC to remedy the reported problems. However, as issues raised in "new" Observations and Exceptions continue to point to additional training needs for the SDC and ISC, KPMG Consulting believes that the adequacy of Qwest's ISC and SDC training programs may be insufficient.[7]

In response to Observation 3086, Qwest stated that it was: 1) making system improvements to reduce the possibility of human errors, (2) improving its documentation, and (3) was reemphasizing the quality control initiatives already in place.

c. KPMG Consulting Used the Wrong Approach in Deciding to Close Observation 3086.

KPMG Consulting observed the problem of excessive human error as a direct result of transaction testing and calls to Qwest's help desk. When Qwest personnel were manually handling pseudo-CLEC orders and responding to pseudo-CLEC calls to the Qwest's help desk they found that Qwest personnel were making far too many mistakes. In verifying that Qwest's purported improvements had indeed reduced the rate of human error to acceptable levels, the obvious path would have been additional transactions designed to be manually handled and additional calls to Qwest's help desk.

Instead of taking the obvious approach of additional transaction testing and additional calls to the Qwest help desk, KPMG Consulting took the expeditious and artificial approach of reviewing Qwest documentation, interviewing Qwest employees and observing Qwest employees at the order processing centers and CLEC help desk. The Qwest documentation describes what **should** occur at the Interconnect Service Center and Qwest help desk. As was evident by the excessive amount of human error, what **should** be happening to CLEC orders and requests for assistance was, in fact, not happening. KPMG Consulting's approach of interviewing Qwest employees and observing Qwest employees at the Interconnect Service Center and CLEC help desk is quite artificial. KPMG Consulting's interviews and observations virtually ensured that the employees interviewed and observed would be on their best behavior. When an Interconnect Service Center representative or help desk representative is confronted with some stranger looking over their shoulder as they do their work, that representative is sure be very cognizant of doing everything they should be doing.

Given the unrealistic and artificial approach that KPMG Consulting chose to verify that the rate of human errors had reached acceptable levels and that no additional transactions or calls to the help desk were employed in the verification, it is not surprising that KPMG Consulting reached the following conclusion:

> KPMG Consulting has conducted interviews with Qwest training staff and ISC managers, on-site observations at several ISC locations, and reviewed supporting documentation to verify the training and quality assurance procedures described by Qwest are in place and are followed. KPMG Consulting finds that these procedures sufficiently address the concerns raised in this observation.[8]

d. <u>Observation 3110 Showed That The Rate of Human Errors Made By Qwest Order Processing Personnel Had Not Been Reduced to Acceptable Levels.</u>

During the retest associated with Exception 3120 there were nine LSRs for UNE-P and resale services that were manually processed by Qwest personnel. Out of those nine LSRs, Qwest personnel made human errors on two of them (22.2%).[9] There were

[7] *Id*.
[8] Observation 3086, KPMG Consulting Second Supplemental Response, April 12, 2002.
[9] Observation 3110, May 23, 2002.

also eighteen line sharing orders that were manually handled by Qwest personnel. Out of those eighteen orders there were at least three errors made on the orders (16.67%).[10]

As a result of the excessive rate of human errors on a limited set of Exception 3120 retest orders, KPMG Consulting reviewed historical results for orders that Qwest manually handled since its purported improvements designed to greatly reduce the rate of human error in Qwest's processing of orders. Of the forty-nine orders manually processed by Qwest, KPMG Consulting found Qwest had made human errors on seven of them (14.3%). In total, KPMG Consulting examined seventy-six pseudo-CLEC orders that were manually handled by Qwest personnel as part of the Exception 3120 retest and historical data and found twelve instances of human error (15.8%). KPMG Consulting's determination that 15.8% of the manually handled pseudo-CLEC orders had human errors is ample and sufficient evidence to show that Qwest had, in fact, not remedied the excessive rate of human errors that was the subject of Observation 3086.

Surprisingly, KPMG Consulting describes its examination of seventy-six CLEC orders and a finding of twelve orders with human errors as a "limited review."[11] KPMG Consulting has made a determination of "Satisfied" for OSS test evaluation criteria involved with manually processed orders with sample sizes smaller than seventy-six.[12] If less than seventy-six samples were not considered a "limited review" and allowed KPMG Consulting to assign a "Satisfied" result to evaluation criteria related to the manual

[10] *Id*.
[11] Observation 3110, KPMG Consulting Second Response, May 28, 2002.
[12] See e.*g*., Evaluation Criteria 12-6-2 (75 samples), 12-6-5 (38 samples), 12-7-7 (47 samples), and 12-8-1 (23 samples).

processing of order, than seventy-six samples should have been enough for KPMG Consulting to assign a result of "Not Satisfied" to the relevant evaluation criteria.[13]

It was reassuring that KPMG Consulting finally realized "that the only way to properly address this observation [excessive levels of human error] is to conduct a retest that focuses on orders that drop out for manual handling."[14] Unfortunately, KPMG Consulting did not realize this when it decided to close Observation 3086 based upon interviews and observations rather than retest transactions that were manually processed.

In light of KPMG Consulting's timorous conclusion that seventy-six samples was a "limited review" that warranted a "Unable to Determine" rather than a "Not Satisfied" result for the relevant evaluation criteria, it appears Qwest decided to cut its losses and take the "Unable to Determine" result rather than risk further exposure of its continuing problems with excessive rates of human error and a "Not Satisfied" result. Consequently, Qwest refused KPMG Consulting's suggestion of further retesting.

Because of the disturbing level of human errors discovered by KPMG Consulting during the retest of Exception 3120 and its review of historical test data, KPMG Consulting assigned a result of "Unable to Determine" to the evaluation criterion "Procedures for processing electronically submitted non-flow through orders are defined, documented, and followed."[15] With the very high volumes of CLEC orders that are manually processed by Qwest, a failure by Qwest to achieve a "Satisfied" result for the processing of non-flow through orders is significant enough to justify a finding of non-compliance with checklist item 2.

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[13] KPMG Consulting stated that the Evaluation Criteria 12.8-2, 12-11-4 and 14-1-44 were associated with Observation 3110.
[14] Observation 3110, KPMG Consulting Second Response, May 28, 2002

e. **<u>Qwest's Excessive Rate of Human Errors Demonstrates That Its Performance Results Data Are Inaccurate and Unreliable.</u>**

KPMG Consulting found that Qwest's excessive rate of human error in Qwest's manual processing of CLEC orders also affected the accuracy and reliability of Qwest's reported performance results data. Specifically, Qwest representatives were assigning incorrect application date to orders.[16] The application date is essentially the point at which Qwest "starts the clock" for the provisioning of orders. Qwest uses the application date and time as the basis for its assignment of due dates and its calculation of provisioning intervals. The application date and time directly impacts the OP-3 Commitments Met, OP-4 Installation Interval, and OP-6 Delayed Days PIDs. It impacts the OP-3 measurement in the assignment of due dates. Qwest assigns due dates based upon the application date and time. If Qwest representatives determine the application date and time in error, it could result in Qwest assigning longer due dates than should have been assigned. The application date and time impacts the OP-4 and OP-6 measurements in how Qwest calculates the interval from application date to completion date.

The FCC has stated that, "the reliability of reported data is critical, and that properly validated metrics must be meaningful, accurate, and reproducible."[17] The FCC has also stated, "the credibility of the performance data should be above suspicion."[18] Qwest produces CLEC-specific reports for the relevant PID results. As part of the ROC

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[15] *Qwest Communications OSS Evaluation, Final Report* ("Final Report"), Version 2.0, May 28, 2002, p. 145, Evaluation Criterion 12.8-2.
[16] Observation 3110, KPMG Consulting Second Supplemental Response, May, 28, 2002.
[17] 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 Texas, CC Docket No. CC 00-65, Memorandum Opinion and Order, FCC 00-238, released June 30, 2000 ("Texas Order"), ¶ 428 (note omitted).

OSS test, Qwest produced performance data for the Pseudo-CLEC transactions. During the ROC OSS test, HP also collected and KPMG analyzed Pseudo-CLEC data for activities performed during the test. KPMG took the raw, input data from HP and compared that to the same raw, input data provided by Qwest.

The developers of the Master Test Plan ("MTP") recognized that KPMG's independent calculation of PID-compliant performance results provided an opportunity to check the accuracy of Qwest's raw, input data as well as to confirm that Qwest continues to convert the raw, input data into PID-compliant performance results. This check can be done by simply comparing KPMG's data for the Pseudo-CLEC to the Qwest data for the Pseudo-CLEC.

One of the MTP-required outputs that KPMG must produce is a "KPMG Consulting-produced, HP data to Qwest-HP data comparison."[19] This comparison report should have provided further evidence as to the accuracy and reliability of Qwest's raw, input data and whether or not Qwest continues to turn that data into PID-compliant performance results. Unfortunately, KPMG Consulting failed to produce this report. Instead, KPMG Consulting provided an assessment of the consistency between KPMG Consulting's pseudo-CLEC data and Qwest's pseudo-CLEC data. The results of the assessment were shown in the test evaluation criteria 12-11-4[20] and 14-1-44[21]. The test evaluation criterion 12-11-4 is, "Qwest-produced measures of Pre-Order/Order performance results for HPC transactions are consistent with KPMG Consulting-produced HPC measures" and for 14-1-44 it is, "Qwest-produced measures of ordering

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[18] *Id*, ¶ 429.
[19] The Regional Oversight Committee (ROC) 3rd Party Test, Qwest OSS Evaluation Project Master Test Plan, Revised Release 5.2, April 9, 2002, Sections 12.6.3 and 14.6.3.
[20] Final Report, p. 98.

and provisioning (OP) performance results for HPC transactions are consistent with KPMG Consulting-produced HPC measures." KPMG Consulting investigated any deviation between the KPMG- and Qwest-produced performance results to determine if the deviation is the result of inaccurate or unreliable Qwest data.

KPMG Consulting completed its comparison of the pseudo-CLEC data that it collected with the pseudo-CLEC data that Qwest collected. KPMG Consulting's comparative analysis identified several problems that required remedial action by Qwest.[22] This remedial action included Qwest's recalculation of previously submitted performance data. While Qwest corrected most of the problems identified by KPMG Consulting to the satisfaction of KPMG Consulting, a significant problem that remains open is the excessive rate of human error being introduced into orders processed by Qwest representatives.[23] KPMG Consulting's analysis of retest data for Exception 3120 as well as other historical retest data caused such concern to KPMG Consulting that it could not find that Qwest had satisfied the test evaluation criteria 12-11-4 and 14-1-44. Qwest's failure to earn a "Satisfied" result for the data accuracy and reliability test criteria call into question the accuracy of Qwest's reported results. Until Qwest has demonstrated to the satisfaction of KPMG Consulting that its performance measurement results for manually processed orders are accurate and reliable, this Commission should not rely upon Qwest's reported performance results for performance measurements OP-3, OP-4 and OP-6.

[21] Final Report, p. 201.
[22] *See* Observations 3089, 3099 and 3110 and Exception 3120.
[23] Observation 3110.

2. KPMG Consulting Determined the Qwest's Provision of Jeopardy Notices to CLECs Is Discriminatory.

a. The FCC's Standard.

The FCC considers the ability to provide timely jeopardy notices a critical part of a BOC's OSS. The FCC described jeopardy notices and the criticality of them as follows:

> After a competing carrier has received a FOC notice with a committed due date for the installation of a customer's service, it is critical that the BOC provide the competing carrier with timely notice if the BOC, for any reason, can no longer meet that due date. These notices are called order jeopardy notices. The failure to meet scheduled due dates is likely to have a significant competitive impact on new entrants' ability to compete, regardless of whether the delay is actually caused by the BOC. To the extent that the BOC does not provide timely order jeopardy notices to the competing carrier, the impact of missed due dates will be compounded by the inability of the competing carrier proactively to inform its customer and reschedule the time for service installation.[24]

The FCC further emphasized the importance of jeopardy notices when it stated:

> When [a BOC] cannot meet a committed due date, it is critical that the competing carrier be informed in a timely manner so that it can contact its customer in order to schedule another due date.[25]

The FCC established the BOC's standard for the provisioning of jeopardy notices as providing jeopardy notice information in substantially the same time and manner as it provides for its retail operations.[26]

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[24] *Application of BellSouth Corporation Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region InterLATA Services in South Carolina,* CC Docket No. 97-208, Memorandum Op. and Order (released December 24, 1997) at ¶ 130 (hereafter "*BellSouth South Carolina Order*").
[25] *Id,* ¶ 131.
[26] BANY Order, ¶ 185.

b. <u>KPMG Consulting Assigned a Result of "Not Satisfied" to the Evaluation Criterion, "Qwest systems or representatives provide timely Jeopardy notices for Resale products and services."</u>

In the Final Report KPMG Consulting determined that Qwest had not satisfied the evaluation criterion, "Qwest systems or representatives provide timely Jeopardy notices for Resale products and services."[27] The PO-9 Timely Jeopardy Notice measurement was the relevant measurement for this evaluation criterion. The PO-9 measurement tracks the percent of time that Qwest provides a jeopardy notice when it misses a committed due date. Qwest's failure, as determined by KPMG Consulting, to provide jeopardy notices for resale products and services in substantially the same time and manner as for retail customers is further evidence that Qwest has failed to meet its obligations for checklist item 2.

c. <u>KPMG Consulting Assigned a Result of "Not Satisfied" to the Evaluation Criterion, "Qwest systems or representatives provide timely Jeopardy notices for UNE-P."</u>

As with the evaluation criterion 12-9-4, in the Final Report KPMG Consulting assigned a "Not Satisfied" result to this evaluation criterion.[28] Qwest's failure, as determined by KPMG Consulting, to provide jeopardy notices for resale products and services in substantially the same time and manner as for retail customers is further evidence that Qwest has failed to meet its obligations for checklist item 2.

[27] Final Report, p. 92, Evaluation Criterion 12-9-4.
[28] *Id*, Evaluation Criterion 12-9-5.

3. KPMG Consulting's Results Demonstrate That Qwest is Not Capable of Providing Unbundled Dark Fiber to CLECs.

KPMG Consulting found the evaluation criterion "Qwest provisions Unbundled Dark Fiber by adhering to documented method and procedure tasks" was not satisfied.[29] This was a test to determine if Qwest technicians follow Qwest methods and procedures when installing dark fiber. Unbundled dark fiber is a complex service where testing cannot be accomplished in a test environment without access to actual network facilities. Because of the complexity and test environment limitations, the ROC OSS TAG agreed that Qwest's ability to provision unbundled dark fiber would be tested through KPMG Consulting's review of Qwest installing unbundled dark fiber for commercial CLECs. KPMG Consulting was tasked with determining the extent of Qwest technician adherence to Qwest's documented methods and procedures. This type of testing during the ROC OSS test was commonly called a "process evaluation."

Commercial usage of dark fiber in Washington has been virtually non-existent. Over the last ten months, there were no dark fiber unbundled loops installed by Qwest in Washington.[30] Over the eight months, there were three dark fiber interoffice facility orders installed in Washington.[31] Since there is virtually no commercial data for Qwest to rely upon to demonstrate it can provide unbundled dark fiber to CLECs, the ROC OSS test was designed to determine if Qwest had the capability of providing dark fiber to CLECs.

The ROC OSS test found that Qwest was not capable of providing unbundled dark fiber to CLECs. In its initial test of the ability of Qwest technicians to follow

[29] Final Report, p. 186, Evaluation Criterion 14-1-10.
[30] Washington PID Results, PID OP-3E, p. 178.
[31] Washington PID Results, PID OP-3D, p 193.

Qwest's documented methods and procedures, KPMG Consulting found **0%** compliance.[32] KPMG Consulting made its initial test findings in observing 23 orders and 115 tasks that Qwest technicians should have followed.

KPMG Consulting described the impact of Qwest's failure to follow its documented methods and procedures as follows:

> Failure to adhere to Unbundled Dark Fiber Method and Procedures could result in unnecessary delays to provision the fiber to the CLEC. The delays could result in any of the following:
>
> (i) Unnecessary and/or redundant testing on the fiber.
> (ii) Inability to conduct educated troubleshooting should problems arise with the fiber in the future,
> (iii) Provisioning inferior fiber to the CLEC that couldn't support the intended service offering. These delays could increase a CLEC's operating costs as a result of the added time required to ensure proper provisioning of the fiber, and could decrease its customers' satisfaction because of the possible delays.[33]

In a series of responses related to this Exception, Qwest made documentation improvements that eventually satisfied KPMG Consulting that Qwest's documented methods and procedures were adequate.[34] However, there remained on December 6, 2001 the question of whether Qwest technicians would follow Qwest's unbundled dark fiber methods and procedures. That question was answered during KPMG Consulting's retest of Exception 3010. During the retest, KPMG Consulting found that Qwest's adherence to its documented procedures fell far short of the 95% compliance benchmark. KPMG Consulting found that Qwest technicians only followed the documented methods and procedures in 64% of the 50 tasks when observing 10 unbundled dark fiber circuits.[35] Based upon Qwest's woeful performance in following its own methods and procedures,

[32] Final Report, p. 186.
[33] Exception 3010, KPMG Comments, August 10, 2001.
[34] Exception 3010, KPMG Response, December 6, 2002.

KPMG Consulting appropriately found that Qwest had not satisfied Evaluation Criteria 14-1-10. The evidence in the record demonstrates that Qwest technicians do not follow Qwest's documented methods and procedures for provisioning unbundled dark fiber circuits.

Based upon the low level of commercial activity on unbundled dark fiber and KPMG Consulting's "Not Satisfied" finding, the Commission can comfortably conclude that Qwest is not capable of providing either dark fiber for unbundled loops (Checklist Item 4) or interoffice transport (Checklist Item 5) to CLECs.

4. KPMG Consulting Has Found That Qwest is Not Capable of Providing Enhanced Extended Links to CLECs.

EELs are a combination of the unbundled loop and unbundled dedicated interoffice transport network elements. KPMG Consulting found the evaluation criterion "Qwest provisions EEL circuits by adhering to documented method and procedure tasks" was not satisfied.[36] This was a test to determine if Qwest technicians follow Qwest methods and procedures when installing EELs. Like with the testing of dark fiber, this type of testing referred to as a "process evaluation."

The ROC OSS test found that Qwest was not capable of providing EELs to CLECs. In its initial test of the ability of Qwest technicians to follow Qwest's documented methods and procedures, KPMG Consulting found 87% compliance.[37] KPMG Consulting made its initial test findings in observing 11 orders and 79 tasks that Qwest technicians should have followed. KPMG Consulting described the impact of the failure of Qwest's technicians to follow Qwest methods and procedures as follows:

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[35] Final Report, p. 186.
[36] Final Report, p. 187, Evaluation Criterion 14-1-14.

> Failure to provision high capacity DS1 EEL circuits in a manner consistent with documented methods and procedures may lead to the inconsistent delivery of products to CLECs. This could increase a CLEC's operating costs as a result of increased resources required to investigate the issue. A CLEC's customers may experience decreased levels of satisfaction if unnecessary delays occur.[38]

In a series of responses related to this Exception, Qwest made documentation and training improvements that eventually satisfied KPMG Consulting that Qwest's documented methods and procedures were adequate.[39] However, there remained the question of whether Qwest technicians would follow Qwest's unbundled dark fiber methods and procedures. That question was answered during KPMG Consulting's retest of Exception 3104. During the retest, KPMG Consulting found that Qwest's adherence to its documented procedures had gotten worse than during the initial test and that the rate of Qwest adherence fell far short of the 95% compliance benchmark. KPMG Consulting found that Qwest technicians only followed the documented methods and procedures in 60% of the 15 tasks when the installation of EELs.[40] Based upon Qwest's woeful performance in following its own methods and procedures, KPMG Consulting appropriately found that Qwest had not satisfied Evaluation Criteria 14-1-14.

Based upon KPMG Consulting's "Not Satisfied" finding, the Commission can comfortably conclude that Qwest is not capable of providing EELs unbundled loops (Checklist Item 2) to CLECs.

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[37] Final Report, p. 187, Evaluation Criterion 14-1-14.
[38] Exception 3104, December 27, 2001.
[39] Exception 3104, KPMG Consulting Second Response, January 28, 2002.
[40] Final Report, p. 187.

5. KPMG Consulting Has Found That Qwest's Provisioning of UNE-P and Business Resale Services to CLECs for Installations That do not Require a Dispatch is Discriminatory.

KPMG Consulting found that Qwest was provisioning UNE-P services[41] and business resale services[42], where the installation did not require a dispatch, in a discriminatory manner. Qwest will install the large majority of UNE-P and business resale orders without the need for a dispatch. This test finding confirms that discriminatory practices will produce discriminatory results. The discriminatory practice that creates the discriminatory result is that Qwest's standard interval for virtually all UNE-P POTS orders is three business days.[43] In contrast, many retail POTS orders where the installation does not require a dispatch can have a standard interval of the next business day.

Not surprisingly, KPMG Consulting found in the test that Qwest was installing UNE-P services in about three days and Qwest was installing the equivalent retail service in about two days. Qwest's failure of the ROC test should permit the Commission to comfortably conclude that Qwest has failed to demonstrate compliance with checklist items 2 for provisioning UNE-P services and 14 for business resale services.

B. Maintenance and Repair

1. Qwest Fails to Provide Timely Responses to CLEC Requests to Modify a Trouble Report.

KPMG Consulting found the evaluation criterion "Modify trouble report transactions are processed within the guidelines established by the ROC TAG

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[41] Final Report, pp. 198, Evaluation Criterion 14-1-36.
[42] Final Report, pp 196 – 197, Evaluation Criterion 14-1-34.
[43] Qwest Communications, Service Interval Guide for Resale and Interconnection Services, April 18, 2002, pp. 10 – 11.

benchmark" not satisfied.[44] In its response to the exception that formed the basis for the not satisfied result, Exception 3107, Qwest attempted to mitigate the KPMG Consulting findings of failure to meet the benchmark standard with its own "home grown" test results.[45] Qwest's attempt to substitute independent, third-party test results with its own results do not hide the fact that Qwest failed to meet the agreed upon benchmark for the time to process a request to modify a trouble report.

Qwest agreed to the testing of the modify trouble report function in the Customer Electronic Maintenance and Repair ("CEMR") interface and agreed to the 24-second benchmark for that function. The modify trouble report function is a critical component of the CEMR interface. The modify trouble report function was significant enough that Qwest agreed that it should be included in Test 16.

As to Qwest's attempts to substitute its "home grown" non-design edit transaction data for KPMG Consulting's ROC OSS test data, AT&T urges the Commission to dismiss that data for the same reasons as KPMG Consulting did. When presented with Qwest's internally developed non-design edit transaction data, it stated:

> The approach taken by Qwest to conduct three internally administered tests is inconsistent with the methodology set forth and agreed upon by the ROC TAG. As defined in the document *ROC M&R Volume Recommendation*, version 4.7, October 9, 2001, the ROC TAG agreed to a third party test conducted by KPMG Consulting. Furthermore, there are no provisions in the *Master Test Plan* for consideration of Qwest-administered tests. KPMG Consulting concluded that the difference of three seconds between the benchmark and Qwest's performance is statistically significant and constitutes an unsatisfactory result.[46]

Qwest requested the Exception be closed as unresolved on February 21, 2002. At that point in the test, it was known that the OSS testing would not be completed until

[44] Final Report, pp. 331 – 332, Evaluation Criterion 16-3-5.
[45] Exception 3107, Qwest Initial Response, January 31, 2002.

mid-March at the earliest. That provided sufficient time to complete a retest. Qwest also had the time to conduct three of its own internal retests. Rather than take the time, effort and expense to perform three internal retests, it would have been more appropriate for KPMG Consulting to perform one independent retest. The Commission should be suspicious of Qwest's internally produced data given that Qwest had the opportunity for KPMG Consulting to conduct an independent retest and declined to pursue the option that would have produced more trustworthy results.

2. KPMG Consulting Found Deficiencies in the Quality of Qwest's Repair Records.

KPMG Consulting found the evaluation criterion "Close out codes for out-of-service and service affecting wholesale UNE-P, resale, and Centrex 21 troubles indicated in Qwest's systems, and that may or may not require the dispatch of a technician, are consistent with the troubles placed on the line" not satisfied.[47] KPMG Consulting's finding of not satisfied for this evaluation criterion calls into question the accuracy of Qwest's reported maintenance and repair results. This "Not Satisfied" evaluation criterion concerns KPMG Consulting's findings that Qwest personnel were inaccurately assigning disposition and cause ("D/C") codes to CLEC trouble reports. D/C codes are necessary to determine who caused the trouble to occur (i.e. the CLEC, the customer, Qwest or some other party) and what was the cause of the trouble. KPMG Consulting concluded that "[i]ncorrect closeout codes could distort performance results that are reported to regulatory agencies and others."[48]

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[46] Exception 3107 Disposition Report, February 26, 2002.
[47] Final Report, pp. 353 – 354, Evaluation Criterion 18-6-1.
[48] Exception 3055 Disposition Report, February 7, 2002, p. 2.

KPMG Consulting found in its initial test that Qwest personnel were improperly assigning D/C codes over 38% of the time.[49] After Qwest claimed it had instituted corrective actions and KPMG Consulting conducted a retest, Qwest personnel were found to be incorrectly applying D/C codes on over 11% of the trouble reports.[50] In its final statement concerning this exception KPMG Consulting stated that, "KPMG Consulting reaffirms its response of 01/17/2002 and believes that the results of the retest still constitute an unsatisfactory result."[51]

It should be noted that in observation 1028 Liberty Consulting found similar problems with Qwest personnel inaccurately applying D/C codes to trouble reports. In observation 1028, Liberty Consulting concluded, "[w]hile Liberty expects that the renewed focus on methods and procedures should work to reduce the error rate in MTTR, it cannot substantiate those effects at this time."[52]

Two separate auditors found problems with how Qwest was assigning D/C codes to trouble tickets and neither auditor was able to conclude that the frequency with which Qwest was making D/C code errors had reached acceptably low levels. The two separate findings of problems with the accuracy of Qwest's maintenance and repair results and Qwest's choice to not take any corrective actions suggests that Qwest's reported maintenance and repair results are unreliable and not to be trusted.

KPMG Consulting described the impact of inaccurate close out codes as follows:

> Inaccurate close-out codes could reduce Qwest's ability to detect consistent problems reported by CLECs. This could prevent Qwest from being able to repair problems before they are reported by CLECs. This

[49] Exception 3055, September 27, 2001.
[50] Exception 3055 Disposition Report, February 7, 2002, p. 2.
[51] Exception 3055 Disposition Report, February 7, 2002, p. 2.
[52] Observation 1028 Disposition Report, March 1, 2002, p. 1.

could also cause a CLEC's customers to experience avoidable problems that could reduce their level of satisfaction with a CLEC.[53]

Qwest asserted that additional training of its technicians should reduce the close out code error rate to acceptable levels.[54] While Qwest recognized the problem and asserted that it had implemented a solution, Qwest chose to have Exception 3055 closed as unresolved rather that subject itself to the rigor of a KPMG Consulting retest.

3. KPMG Consulting Found Deficiencies in the Quality of Qwest's Maintenance and Repair Activities.

KPMG Consulting determined that Qwest had not satisfied the evaluation criterion, "Out-of-service and service affecting wholesale UNE-P, resale, and Centrex 21 troubles that may or may not require the dispatch of a technician are successfully repaired."[55] Successful repair of troubles by Qwest that are found in CLEC services is a critical element in the satisfaction of a CLEC's customers. A failure by Qwest to repair the service on the first attempt will necessitate a second visit to the customer and will likely reduce the level of customer satisfaction with the CLEC.

C. Billing

1. KPMG Consulting's Evaluation of the DUF Returns, Production and Distribution Process Failed to Identify Serious and Critical Deficiencies in Qwest's DUF Processes.

KPMG Consulting did two types of testing of Qwest's daily usage files ("DUF"). One test was to evaluate, from an operational perspective, Qwest's process for producing and distributing DUF.[56] The second test was to test the output of Qwest's DUF

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[53] Exception 3055, September 26, 2001.
[54] Exception 3055, Qwest Response to 3rd KPMG Supplemental Recommendation, January 28, 2002.
[55] Final Report, p. 355, Evaluation Criterion, 18-7-1.
[56] Master Test Plan, Version 5.2, April 9, 2002, Test 19.6, pp. 90 – 93.

processes.[57] KPMG Consulting's testing of Qwest's ability to transmit complete and accurate DUF to CLECs (the output test) showed that Qwest failed the test five consecutive times.[58] Only on the sixth retest of DUF did KPMG Consulting find that Qwest just made KPMG Consulting's benchmark for DUF completeness and accuracy.[59]

The fact that Qwest failed, on five separate occasions, to provide complete and accurate DUF records to the pseudo-CLEC speaks very poorly of the processes that Qwest uses to produce and distribute those records. Qwest's DUF production and distribution processes time and time again provided incomplete and/or inaccurate DUF to the pseudo-CLEC. Not only was Qwest producing incomplete and/or inaccurate DUF, but it appeared the only way that Qwest was able to identify it had a serious problem with incomplete and/or inaccurate DUF was for KPMG Consulting to identify it through the OSS retesting. It does not appear that Qwest has a mechanism in place that is sensitive to and can detect problems with the completeness and accuracy of its DUF production and distribution processes.

Given that Qwest's DUF production and distribution processes produced unsatisfactory results during five DUF retests, it would seem logical that KPMG Consulting would have some criticism of Qwest's DUF processes in Section 19.6 of the Final Report. Surprisingly, other than two "Unable to Determine" results for a DUF returns process that was not examined during the test, KPMG Consulting found Qwest's process for producing and distributing DUF records to be satisfactory. It is as if KPMG

[57] Master Test Plan, Version 5.2, April 9, 2002, Test 19, pp. 88 – 90.
[58] Final Report, p. 19.
[59] Final Report, pp. 415 – 416. KPMG Consulting's standard for DUF completeness and accuracy was 95%. On the sixth retest, Qwest's result was 96%.

Consulting is saying that despite the death of five patients (the DUF retest results), the five operations were a success (the process that produced the DUF retest results)."

KPMG Consulting attempted to mitigate Qwest's inadequate DUF production and distribution processes by making an inappropriate and unnecessary distinction between process activities that "are embedded in automated systems, rather than in manual processes."[60] Qwest's embedded, automated systems were losing as much as 31% of the pseudo-CLECs DUF records with apparently no visibility to anyone at Qwest. For Qwest's DUF production and distribution processes to be that defective for so long without any detection by the Qwest personnel responsible for those processes is obscene. It should be cold comfort to the Commission that when it comes to the production of complete and accurate DUF, the "sixth time's the charm." KPMG Consulting cannot rely upon the argument that since it could not easily look into the effectiveness of the embedded, automated systems that it should rely solely on the results of the DUF transaction test. Qwest finally did achieve KPMG Consulting's 95% benchmark result for DUF. However, from a process evaluation perspective, the passing of the sixth test does not negate that those processes failed on five previous occasions and there was not apparent means for Qwest to identify its failure.

What makes KPMG Consulting's finding that a process (that produced defective results in five of six tests is satisfactory) inappropriate is that it applied a more reasonable approach in the evaluation of the process that produced CLEC bills. Like with the DUF test, Qwest failed the wholesale billing transaction test on multiple occasions. However, in its findings on the adequacy of the processes that produce wholesale bills, KPMG Consulting factored in prior transaction test failures in its conclusions. KPMG

Consulting found that prior and repeated test failures made a satisfactory finding of its Wholesale Bill Production Process impossible. Specifically, KPMG stated:

> KPMG Consulting's repeated receipt of erroneous bills suggests that, while Qwest's manual process to catch errors may be adequate, Qwest may not adhere to its defined process.
>
> During final retesting of bill accuracy, KPMG Consulting did receive correct bills. However, KPMG Consulting is not able to conclusively determine whether these bills are correct because of the bill creation process, or because of adherence to Qwest's defined post-production quality assurance processes. Therefore, KPMG Consulting must assign an Unable to Determine result for Qwest's adherence to its post-production quality assurance process.[61]

AT&T believes that Qwest's repeated failure of the DUF retest demonstrates serious problems with Qwest's DUF production and distribution processes. Consequently, AT&T believes that KPMG Consulting's conclusions for Evaluation Criteria 19.6-1-1 (whether DUF production and distribution procedures are clearly defined), 19.6-1-4 (whether DUF balancing and reconciliation procedures are clearly defined), 19.6-1-5 (whether DUF routing and guiding is controlled by defined and documented processes), and 19.6-1-6 (whether DUF routing and guiding contains functionality to adequately address pending and completed service order activity warranted a finding of "Not Satisfied.")

D. <u>Change Management Process Comments re: Exceptions in the Final Report</u>

The FCC's five criteria required of change management plans are:

> (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)

[60] Final Report, p. 425, Evaluation Criterion 19.6-1-5 and p. 427. Evaluation Criterion 19.6-1-6.
[61] Final Report, p. 461, Evaluation Criterion 20.7-1-4.

the availability of a stable testing environment that mirrors production; and (5) the efficacy of the documentation the BOC makes available for the purpose of building an electronic gateway. [62]

"As part of this demonstration, the [FCC] will give substantial consideration to the existence of an adequate change management process and *evidence* that the [RBOC] *adhered to this process over time*."[63] This requirement forms a fundamental problem for Qwest.

In previous filings, AT&T and others have noted that KPMG could not proclaim that Qwest had complied with its obligation to adhere to its CMP plan over time. Exception 3110, 3111 and 3094 all attest to the problem and in the KPMG Consulting Final Report Version 2.0, the status of those Exceptions has not changed. As a consequence, KPMG's evaluation related to Test 23-1-7[64] (Exception 3110) is closed "unable to determine," Test 23-1-8[65] (Exception 3111) is closed "unable to determine," Test 23-1-9[66] (Exception 3110) is closed "unable to determine," Test 23-2-7[67] is closed "unable to determine," Test 23-2-8[68] (Exception 3094) is closed "unable to determine," Test 23-2-9[69] (Exception 3094) is closed "unable to determine" and Test 23-2-2[70] (Product/Process) is closed "unable to determine." In short, neither the third party tester,

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[62] *In the Matter of 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 Texas,* Memorandum Opinion and Order, CC Docket No. 00-65, FCC 00-238 (Rel. June 30, 2000) at ¶ 108 (hereinafter "***SWBT Texas 271 Order")***.

[63] *Joint Application by SBC Communications Inc., Southwestern Bell Tel. Co, 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,* Memorandum Opinion and Order, CC Docket No. 01-194, FCC 01-338 (Rel. Nov. 16, 2001) at ¶ 40. (emphasis added).

[64] Evaluation Criteria: whether "Procedures and systems are in place to track information such as descriptions of proposed changes, key notification dates, and change status."

[65] Evaluation Criteria: whether "Criteria are defined for the prioritization system and for severity coding."

[66] Evaluation Criteria: whether "Qwest complies with notification intervals and documentation release requirements."

[67] Evaluation Criteria: whether "Procedures and systems are in place to track information such as descriptions of proposed changes, key notification dates, and change status" for Product/Process.

[68] Evaluation Criteria: whether "Criteria are defined for the prioritization system and for severity coding."

[69] Evaluation Criteria: whether "Qwest complies with notification intervals and documentation release requirements."

the Commission nor Qwest can prove that Qwest has met the FCC's criteria and adhered to it over time.

Likewise, Exception 3095 (Test 24.6-1-8) regarding whether SATE[71] is "made available to customers for all supported interfaces is closed "not satisfied." Similarly, Exception 3109 (Test 24.6-2-9) regarding whether "carrier-to-carrier test environments are available and segregated from Qwest production and development environments" also remains unsatisfied.

Again, the only conclusion possible is that Qwest has not satisfied in its entirety the requirements the FCC has set for SATE. Thus, the Commission should not recommend to the FCC that Qwest's SATE meets its criteria.

III. CONCLUSION

KPMG Consulting's findings in the ROC OSS test provide the Commission with sufficient reason to conclude that Qwest has not met it's obligations for checklist items 2 Access to Operational Support Systems, 5 Unbundled Interoffice Transport and 14 resale. In addition, the serious data integrity issues raised by KPMG Consulting mean that Qwest's self-reported performance measurement results are highly suspicious. Until Qwest has remedied the identified deficiencies to the satisfaction of the Commission or KPMG Consulting, Qwest should be found non-compliant with the aforementioned checklist items.

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[70] Evaluation Criteria: whether "The change management process is in place and documented."
[71] Stand Alone Test Environment or SATE.

Respectfully submitted on June 3, 2002.

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

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