BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Investigation Into Qwest Corporation's Compliance with Section 271of the Telecommunications Act of 1996	**)**	**Docket No. UT-003022**

DIRECT TESTIMONY OF

KAREN A. STEWART

ON BEHALF OF

QWEST CORPORATION

DECEMBER 12, 2000

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I. INTRODUCTION AND PURPOSE OF TESTIMONY

Q. PLEASE STATE YOUR NAME, POSITION, EMPLOYER, AND BUSINESS ADDRESS.

A. My name is Karen A. Stewart. I am a Director in the Qwest Corporation (Qwest), formerly known as U S WEST Communications, Inc., Policy and Law organization. My office is located at 421 SW Oak Street, Portland, Oregon.

Q. PLEASE REVIEW YOUR EDUCATION, WORK EXPERIENCE AND PRESENT RESPONSIBILITIES.

A. I received a Bachelor of Science degree in Business Administration from Portland State University in 1980, and a Masters degree in Business Administration from the University of Oregon in July, 1994. I have been employed by Qwest since 1981 (previously known as Pacific Northwest Bell and U S WEST). I have held a variety of positions in Qwest, including sales, product management, regulatory affairs, issues management, and E911 project management and technical design. I am currently a member of the Qwest Policy and Law organization responsible for representing Qwest in a number of 271 workshops related to Qwest's provisioning of unbundled network elements (UNEs).

Q. HAVE YOU PREVIOUSLY TESTIFIED?

A. Yes. Under either my current name or the name of Karen A. Baird, I have testified in the states of Colorado, Idaho, Iowa, New Mexico, Minnesota, Nebraska, North Dakota, Oregon, South Dakota, Utah and Washington.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. The purpose of my testimony is to provide supporting testimony for 271 checklist items: access to unbundled network elements (UNEs) (checklist item 2); local transport unbundled from switching or other services (checklist item 5); and local switching unbundled from transport, the local loop and other services (checklist item 6). I also reviewed the language in the Qwest Statement of Generally Available Terms and Conditions (SGAT) that demonstrates Qwest has a concrete and specific legal obligation consistent with all FCC requirements to provide UNEs under checklist item 2, access to unbundled dedicated and shared transport, under checklist item 5, and unbundled switching under checklist item 6.

I have attached, as Exhibit KAS-2, a redlined version of the March 22, 2000 Washington SGAT updated to reflect the most current offerings for these checklist items. This version of the Washington SGAT has been updated to incorporate changes to the SGAT agreed to in the Arizona and Colorado workshops on these same topics, as well as language proposed by Qwest to address concerns raised in those workshops. This exhibit also contains a clean print copy with all the red-lined changes accepted.

To summarize this testimony, Exhibit KAS-22 contains a matrix identifying where in my testimony I have responded to the Washington Utilities and Transportation Commission (Commission) Supplemental Interpretive and Policy Statement questions for checklist items 2, 5 and 6.

II. EXECUTIVE SUMMARY

Q. CAN YOU SUMMARIZE YOUR TESTIMONY?

A. Yes. In this testimony, I address three checklist items, all of which are forms of access to unbundled network elements (UNEs). Checklist Item 2 states that Qwest must offer CLECs nondiscriminatory access to UNEs of all types. Checklist Items 5 and 6 (transport, and switching) are both independent UNEs.

Qwest meets the checklist requirements in Washington for items 2, 5 and 6 through its revised Washington SGAT and various interconnection agreements. The SGAT and the interconnection agreements create concrete and specific legal obligations for Qwest to provide Competitive Local Exchange Carriers (CLECs) in Washington with UNEs upon request in conformance with Sections 251 and 271 of the Telecommunications Act of 1996 (Act). Qwest also has processes in place to make access to each UNE available to CLECs upon request and has developed performance indicators (PIDs) so CLECs and the Commission can assess how well Qwest is making access to UNEs available.

As part of Checklist item 2, Qwest has agreed to provide CLECs access to UNEs pursuant to the FCC-defined standards. The terms and conditions, rate elements, ordering process and maintenance are addressed in Section 9 of the Washington SGAT.

Qwest has recently made an announcement regarding its UNE combination offerings. Qwest has agreed to combine unbundled network elements on behalf of CLECs throughout its region, despite having no clear legal obligation to do so. Qwest will provide access to UNEs that it has combined on behalf of the CLEC, whether they be UNEs Qwest ordinarily combines, UNEs Qwest does not ordinarily combine (to the

extent technically feasible), or combinations of Qwest UNEs with CLEC UNEs.

In accordance with Checklist item 5, Qwest is currently providing access to unbundled dedicated interoffice transport (UDIT) to CLECs in Washington in a timely and nondiscriminatory manner. As of October 31, 2000, Qwest has provided 70 DS1 and 72 DS3 UDITs in Washington. In addition, Qwest provides shared transport to allow CLECs to utilize the same routing tables and interoffice transmission facilities that Qwest utilizes for itself. Consistent with FCC identified limitations, shared transport is only available in conjunction with unbundled switching.

Checklist item 6 requires Qwest to provide access to unbundled circuit switching that includes line-side and trunk-side cards, the features, functions and basic switching capabilities of the switch as well as vertical features such as customized routing functions. Qwest meets those requirements.

The Washington SGAT commits Qwest to provide CLECs with analog and digital line ports with attributes such as telephone number, directory listing, dial tone and access to 911, operator services and directory assistance. CLECs have access to all vertical features loaded in a Qwest switch whether Qwest offers them to its own end users or not. A special request process has been established to allow CLECs to request features not loaded in a switch.

Qwest offers the FCC required combination of loop and transport (i.e. EELs) that permits Qwest to withdraw unbundled switching as a UNE in two switching-exempt wire centers in Washington. This limitation is outlined in the Washington SGAT where the 2 density zone one wire centers are identified.

To date, no CLEC has ordered stand-alone unbundled switching in Washington even though it is available. CLECs can and do provide their own central office switching and do not appear to require a direct connection of their loops to a Qwest central office switch.

My testimony, when combined with Regional Oversight Committee's ("ROC") Third Party Operation Support System (OSS) testing results, checklist workshops and references to the SGAT, proves that Qwest provides access to UNEs in conformance with the Act. The Washington Utilities and Transportation Commission should confirm that Qwest satisfies checklist items 2, 5 and 6.

III. CHECKLIST ITEM 2 - ACCESS TO UNES

Q. PLEASE PROVIDE AN OVERVIEW OF YOUR TESTIMONY FOR CHECKLIST ITEM 2.

A. In this section of my testimony, I describe how Qwest provides CLECs access to UNEs and combinations of UNEs. I also describe how CLECs may combine all unbundled network elements, and how CLECs may request additional unbundled network elements and combinations of UNEs. Exhibit KAS-3 is a matrix identifying sections in interconnection agreements filed in Washington between Qwest and various CLECs showing that these interconnection agreements provide a concrete and specific legal obligation associated with checklist items 2, 5 and 6.

Q. DO YOU ADDRESS OSS ISSUES IN YOUR TESTMONY?

A. No. While the FCC has defined access to Operational Support Systems (OSS) as an unbundled network element, and it is therefore an aspect of checklist item 2, I will not be addressing access to OSS in this testimony.

Q. HOW ARE OSS ISSUES BEING ADDRESSED?

A. In cooperation with thirteen state commissions and other parties in this proceeding, Qwest is supporting the ROC third party test of its OSS systems administered by KPMG. At the conclusion of the third party test, KPMG will submit its report to the Commission for its consideration. The third party test report, in combination with my testimony, and the checklist workshops, will demonstrate that Qwest meets its obligations for checklist item 2 - access to unbundled network elements.

Q. IS QWEST'S CAPACITY AND ABILITY TO PROVISION UNES BEING EVALUATED AS PART OF THE OSS TESTING?

A. Yes, the ROC OSS test is evaluating Qwest's processes and procedures for provisioning UNEs, and that test will evaluate whether Qwest's systems and processes can accommodate reasonable foreseeable demand.

Q. HOW IS QWEST OBLIGATED TO PROVIDE ACCESS TO UNES?

A. The Act outlines two sets of requirements as to how an incumbent Local Exchange Carrier (ILEC) such as Qwest must unbundle elements in its network. First, Section 251 of the Act delineates several requirements regarding how ILECs must provide access to Unbundled Network Elements (UNEs). Second, Section 271 outlines *separate and distinct* requirements regarding the network elements to which a Regional Bell Operating Company (RBOC) must provide access before it can obtain authority to provide in-region interLATA services.

Q. PLEASE EXPLAIN THE SECTION 251 REQUIREMENTS.

A. Section 251(c)(3) of the Act requires incumbent LECs to provide "nondiscriminatory access to network elements on an unbundled basis" in accordance with "the requirements of this section and Section 252."[1] Section 251(d)(1) of the Act requires the FCC to establish regulations to determine which network elements must be provided on an unbundled basis. Section 251(d)(2) of the Act requires the FCC, when determining what network elements should be made available, to consider, at a minimum, whether "access to such network elements as are proprietary in nature is ***necessary***," and whether "the failure to provide access to such network elements would ***impair*** the ability of the telecommunications carrier seeking access to provide the services that it seeks to offer" (bold and italics added).[2]

In its UNE Remand Order in CC Docket No. 96-98[3], the FCC applied the "necessary and impair" analysis and released its revised list of UNEs under Section 251(c)(3). The new list, set forth in Rule 51.319, includes loops, sub-loops, NIDs, local circuit switching, dedicated and shared transport, dark fiber, signaling, call-related databases, and Operations Support Systems (OSS).

In some ways, the FCC's list of UNEs is more limited than the UNE list that was vacated by the Supreme Court. After applying this "necessary and impair" analysis, the FCC determined that operator services, directory assistance and unbundled switching (in limited circumstances) are not

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1 Telecommunications Act of 1996, Section 251(c)(3).

2 Telecommunications Act of 1996, Section 251(d)(2).

3 Third Interconnection Order and Fourth Notice of Proposed Rulemaking, CC Docket No. 96-98, FCC 99-238, (November 5, 1999) (Third Interconnection Order or UNE Remand Order).

Section 251(c)(3) UNEs. Specifically, unbundled switching is no longer a Section 251(c)(3) UNE in the top fifty metropolitan statistical areas (MSA), in areas that are "Density Zone One," for businesses with four lines or more, when the ILEC offers Enhanced Extended Loop ("EEL").[4] Two wire centers in the Seattle MSA meet this definition (the two Switching-Exempt Wire Centers). The SGAT identifies the two Switching-Exempt Wire Centers:

> 9.11.2.5.1 For the purposes of the above paragraph, the following Wire Centers constitute density zone 1 in each of the specified MSAs:
>
> | MSA | CLLI | Wire Center Name |
> |---|---|---|
> | Seattle | STTLWA06 | Seattle Main |
> | | STTLWAEL | Seattle Elliott |

As detailed later in this testimony, Qwest has a concrete obligation to offer EELs in the two Switching-Exempt Wire Centers, and as a result does not offer unbundled switching as a 252(d)(1) priced UNE in those wire centers.

Q. CAN YOU ALSO EXPLAIN THE SECTION 271 REQUIREMENTS?

A. Yes. To obtain interLATA relief, Qwest must also satisfy Section 271's checklist requirements and therefore, must continue to offer unbundled switching to all competitors in all areas (including the Seattle MSA) because access to local circuit switching is item 6 on the checklist. To meet its checklist requirements, Qwest will offer stand-alone unbundled circuit switching to CLECs (at market based rates) in the two Switching-

[4] Third Interconnection Order and Fourth Further Notice, Appendix C, 51.319(c)(B).

Exempt Wire Centers for use by businesses with four lines or more.[5] However, Qwest will not provide combinations of unbundled elements that include local circuit switching in the two Switching-Exempt Wire Centers for business with four or more lines. The reason for the latter is that Qwest must provide access to combinations of UNEs; in density zone one of the Seattle MSA, unbundled switching is not a UNE and, therefore, combinations including switching are no longer combinations of UNEs.

Q. WHAT PROVISIONS HAVE BEEN MADE TO ACCOUNT FOR CHANGES IN LAW?

A. Section 9.1 and 9.23 of the SGAT originally contained language regarding how to incorporate changes in law, including additions or deletions from the FCC list of UNEs. In other workshops, CLECs have objected to the provision on the grounds that it is redundant in light of the change of law section of the SGAT, Section 2.2. Qwest has deleted the change of law provisions from Section 9, and replaced them with the following:

> Changes in law, regulations or other "Existing Rules" relating to unbundled network elements ("UNEs"), including additions and deletions of elements Qwest is required to unbundle and/or provide in a UNE Combination, shall be incorporated into this Agreement by amendment pursuant to Section 2 of this agreement.

In the Arizona workshops, several CLECs suggested that Section 9 include other specific language regarding changes in law. Qwest has not included those proposed changes in the SGAT. Qwest has applied the same standard for CLEC-proposed changes as it did for its own. The reference to Section 2.2 covers all potential changes in law.

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[5] SGAT at 9.11.3.1

Q IS THERE A 271 CHECKLIST ITEM THAT IDENTIFIES QWEST'S OVERALL 251 OBLIGATIONS FOR PROVIDING ACCESS TO UNES?

A. Yes. Checklist item 2 requires that Qwest provide "[n]ondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1)."[6] Section 251(c)(3) requires that Qwest provide access to unbundled network elements, "at any technically feasible point," and in a manner that "allows requesting carriers to combine such elements."[7] Section 252(d)(1) establishes pricing standards for UNEs, which shall be nondiscriminatory and "based on cost" plus a "reasonable profit."[8]

Thus, checklist item 2 requires Qwest to have a binding legal obligation as well as a process for making both individual UNEs and combinations of UNEs available to CLECs at 252(d)(1) pricing.

Q. HOW IS QWEST MEETING ITS CHECKLIST ITEM 2 REQUIREMENTS IN WASHINGTON?

A. Qwest meets its checklist item 2 requirements in Washington through its revised Washington SGAT and various interconnection agreements. The SGAT and the interconnection agreements create concrete and specific legal obligations for Qwest to provide Competitive Local Exchange Carriers (CLECs) in Washington with UNEs upon request in conformance with Sections 251 and 271 of the Act.

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6 Telecommunications Act of 1996, Section 271(c)(2)(B)(ii).

7 Telecommunications Act of 1996, Section 251(c)(3).

8 Telecommunications Act of 1996, Section 252(d)(1).

Qwest defines the terms and conditions, rate elements, ordering process and maintenance information for each of the revised list of FCC UNEs[9] in Section 9 of its Washington SGAT. There are not any FCC or Commission required UNEs that Qwest does not offer in Washington. The SGAT states:

> 9.1.2 Qwest shall provide non-discriminatory access to unbundled network elements on rates, terms and conditions that are non-discriminatory, just and reasonable. The quality of an unbundled network element Qwest provides, as well as the access provided to that element, will be equal between all CLECs requesting access to that element; and, where technically feasible, the access and unbundled network element provided by Qwest will be provided in "substantially the same time and manner" to that which Qwest provides to itself. In those situations where Qwest does not provide access to network elements to itself, Qwest will provide access in a manner that provides CLEC with a meaningful opportunity to compete.

Qwest also has processes in place to make each UNE available to CLECs upon request in its entire Washington state service territory (subject to facility availability) and has developed performance indicators (PIDs) so CLECs and the Commission can assess how well Qwest is making UNEs available.

Contained in Exhibit A of the SGAT are the rates and charges for each UNE and/or checklist item . Exhibit A also identifies how the fair, reasonable and equitable pricing for each UNE and/or checklist item was determined.

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[9] Loops, sub-loops, NIDs, local circuit switching, dedicated and shared transport, dark fiber, signaling, call-related databases, and Operations Support Systems (OSS).

Q. HAS QWEST ADDRESSED CLECS' CONCERN OVER SGAT LANGUAGE REGARDING ACCESS TO UNES?

A. Yes. In Arizona, AT&T expressed concerns that it did not know what the term "access" to a UNE entailed, despite the fact that the term "access to" UNEs is the term used in the Telecommunications Act of 1996. To address AT&T's concerns, Qwest has added the following language to Section 9.1.2 of the SGAT, which incorporates the FCC's explanation of "access to" a UNE from Paragraph 268 of its First Interconnection Order:

> For the period of time Qwest provides access to CLEC to an unbundled network element, CLEC shall have exclusive use of the network element, except when the provisions herein indicate that a network element will be shared (such as shared transport).

Q. DOES QWEST MEET ITS ADDITIONAL CHECKLIST ITEM 2 OBLIGATIONS TO PROVIDE ACCESS TO UNE COMBINATIONS?

A. Yes. Qwest's SGAT provides CLECs with access to combinations of UNEs. The following language of the revised SGAT was proposed by WCom and incorporated by Qwest at section 9.23.1.2:

> Qwest will offer to CLEC UNE Combinations, on rates, terms and conditions that are just, reasonable and non-discriminatory in accordance with the terms and conditions of this Agreement and the requirements of Section 251 and Section 252 of the Act, the applicable FCC rules, and other applicable laws. The methods of access to UNE Combinations described in this section are not exclusive. Qwest will make available any other form of access requested by CLEC that is consistent with the Act and the regulations thereunder. CLEC shall be entitled to access to all combinations functionality as provided in FCC rules and other applicable laws.

Qwest has recently made an announcement regarding its UNE combination offerings. Qwest has agreed to combine unbundled network elements on behalf of CLECs throughout its region, despite the fact that

the Eighth Circuit has vacated all sections of Rule 315 that required ILECs to combine UNEs. Qwest will provide access to UNEs that it has combined on behalf of the CLEC, whether they be UNEs Qwest ordinarily combines, UNEs Qwest does not ordinarily combine (to the extent technically feasible), or combinations of Qwest UNEs with CLEC UNEs. Qwest offers CLECs access to new and preexisting combinations of UNEs. To reflect these changes, Qwest has added the following sections to the SGAT:

9.23.1.4 When ordered in combination, Qwest will combine for CLEC UNEs that are ordinarily combined in Qwest's network provided that facilities are available.

9.23.1.5 When ordered in combination, Qwest will combine for CLEC UNEs that are not ordinarily combined in Qwest's network, provided that facilities are available and such combination:

9.23.1.5.1 Is technically feasible;

9.23.1.5.2 Would not impair the ability of other carriers to obtain access to UNEs or to interconnect with Qwest's network; and

9.23.1.5.3 Would not impair Qwest's use of its network.

9.23.1.6 When ordered in combination, Qwest will combine CLEC UNEs with Qwest UNEs, provided that facilities are available and such combination:

9.23.1.6.1 Is technically feasible;

9.23.1.6.2 Shall be performed in a manner that provides Qwest access to necessary facilities;

9.23.1.6.3 Would not impair the ability of other carriers to obtain access to UNEs or to interconnect with Qwest's network; and

9.23.1.6.4 Would not impair Qwest's use of its network.

Qwest also offers an alternative to Qwest-performed combinations in its SGAT – the Interconnection Distribution Frame (ICDF) – which allows CLECs to combine UNEs on an intermediate distribution frame without being required to collocate their own electronic equipment in the central

office. Through these and other arrangements, Qwest delivers UNEs to CLECs in a manner that allows them to combine elements, or to access combinations of two or more network elements to provide the finished services of their choice.

Q. IS QWEST TAKING STEPS TO ENSURE CLECS HAVE ACCESS TO PROMPT CONVERSIONS OF RETAIL/WHOLESALE SERVICES INTO COMBINATIONS OF UNES?

A. Yes. Qwest allows CLECs to convert retail/wholesale services to UNE combinations in a manner substantially the same as resale. Since, as outlined in the affidavit of Ms. Lori Simpson, Qwest can provision and maintain resold services, it can, by definition, provision pre-existing UNE combinations. Moreover, Qwest has agreed to test delivery of UNE new and pre-existing combinations as part of its the ROC Third Party OSS Test. This test will further verify Qwest's ability to provision combinations upon request.

Q. HOW DOES QWEST PROPOSE TO RECOVER NONRECURRING COSTS FOR PROVIDING UNE COMBINATIONS?

A. Qwest has agreed to charge cost-based nonrecurring charges to recover its costs in combining elements. Qwest proposed in Arizona that it add language to the SGAT indicating that the nonrecurring charges would be cost-based. However, the CLECs participating in the Arizona workshops suggested that the language be changed to indicate that nonrecurring charges would be compliant with Existing Rules. Qwest has made the suggested change to Section 9.23.4.1.2:

> 9.23.4.1.2 Nonrecurring charges will apply based upon the Existing Rules to recover the cost to Qwest of provisioning the UNE Combination and providing access to the UNE Combination. These

non-recurring charges are described in CLEC's Agreement and Exhibit A.

Q. DOES QWEST PROVIDE STANDARD UNE COMBINATIONS?

A. Yes. The standard combinations that Qwest provides include UNE-Platform (UNE-P) and combinations of dedicated transport and unbundled loop (EEL). Standard UNE Combinations are generally available in several categories: 1FR/1FB Plain Old Telephone Service (POTS); ISDN – either Basic Rate or Primary Rate; Digital Switched Service (DSS); PBX Trunks, Centrex and EEL.[10]

Q. PLEASE DESCRIBE STANDARD UNE-PLATFORM COMBINATIONS.

A. The SGAT defines UNE-P as follows:

> 4.61 "Unbundled Network Element Platform (UNE-P)" – is a combination of unbundled network elements, including Unbundled Loop, Unbundled Local Switching and Shared Transport and unbundled network elements necessary to support the loop-switch-port combination requested. There are several forms of UNE-P, including but not limited to, single line residence, single line business, PBX Trunks, and Centrex.

The SGAT contains specific provisions defining each standard combination. The proposed SGAT includes:

> **UNE-P-POTS:** Retail and/or Resale 1FR/1FB lines are available to CLEC as a UNE Combination. UNE-P POTS is comprised of the following unbundled network elements: Analog - 2 wire voice grade loop, Analog Line Side Port, Shared Transport and, if desired, all compatible Vertical Features.[11]

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[10] Subject to the CLEC providing a significant amount of local exchange service.

[11] SGAT at 9.23.3.2

UNE-P-ISDN: Retail and/or Resale ISDN lines are available to CLEC as a UNE Combination. There are two types of UNE-P-ISDN:

Basic rate (UNE-P-ISDN-BRI) - UNE-P-ISDN-BRI is comprised of the following unbundled network elements: Basic ISDN Capable Loop, BRI Line Side Switch Port and Shared Transport.

Primary rate (UNE-P-ISDN-PRI) - UNE-P-ISDN-PRI is comprised of the following unbundled network elements: Basic ISDN Capable Loop, Digital Line Side Port and Shared Transport.[12]

UNE-P-DSS: Retail and/or Resale Digital Switched Service (DSS) are available to CLEC as a UNE Combination. UNE-P-DSS is comprised of the following unbundled network elements: DS1 Capable Loop, Digital Line-Side Port and Shared Transport.[13]

UNE-P-PBX: Retail and/or Resale PBX Trunks are available to CLEC as a UNE Combination. There are two types of UNE-P-PBX: Analog Trunks and Direct Inward Dialing (DID) Trunks. UNE-P-PBX is comprised of the following unbundled network elements: 2/4 Wire Analog Loop, Analog/DID Trunks, and Shared Transport.

UNE-P-Centrex: Centrex is comprised of the following unbundled network elements: Analog - 2 wire voice grade loop, Analog Line Side Port, Shared Transport, Centrex Common Block and, if desired, the Centrex Features supported by the switch.

Q. WHAT ARE SOME OF THE FEATURES AVAILABLE FOR UNE-P-DSS AND UNE-P-PBX?

A. The following are examples of available features for these combinations:

UNE-P-DSS
Features include:

- Loop Diversity and Avoidance
- Hunting
- Direct Inward Dialing

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[12] SGAT at 9.23.3.5

[13] SGAT at 9.23.3.4

- Answer Supervision
- Call Transfer Line Side

UNE-P-PBX
Optional features include:

- Expanded Answer for 1A/1E ESS central offices on in only DID
- DID Trunk Queuing with the optional features of Delay Announcement or Music on Queue on in only and 2-way DID
- DID Two-Way Call Transfer on 2-way only

Q. WHERE CAN THE CLECS OBTAIN A COMPLETE LIST OF AVAILABLE FEATURES FOR STANDARD UNE-P COMBINATIONS?

A. At the request of CLECs, Qwest has added additional enhancements to its web site for the UNE-P standard products. By accessing the IRRG at http://www.uswest.com/wholesale/productsServices/irrg/une_p_c.html CLECs can obtain a complete list of the features now available with each standard UNE-P combination. In addition, CLECs can research USOCs and FIDs they may find on a Qwest end-user customer Customer Service Record (CSR) to get the English translations, and related information about the USOC, to assist in the conversion of these services to UNE-P products. There is also a complete list of feature USOCs that are not available with UNE-P to allow CLECs to determine if a customer's service can be converted to UNE-P with the identical feature set. Attached as Exhibit KAS-4, is a list of the features not available with UNE-P.

To access the USOC definitions, the CLEC can go to the IRRG http://www.uswest.com/wholesale/guides/index.html, then pull down the Resource & Tools menu and select USOC/FID Finder. To do a USOC search, the CLEC should click on USOC Search. The next screen allows the CLEC to enter the desired USOC. A list of all USOCs that contain the USOC characters entered by the CLEC is then returned. To obtain the USOC definition just click on the exact USOC desired. The final screen provides the USOC definition.

The process can be shortened by going directly to the USOC Search screen http://usocfidfind.uswest.com/prodquery/usocSearch.html .

Q ARE THERE FEATURES OR OTHER SERVICES THAT ARE NOT AVAILABLE WITH UNE-P?

A. Yes. Qwest Advanced Intelligent Network (AIN) services, voice messaging service and Qwest DSL are not available with UNE-P. The complete list of features and related USOCs not available with UNE-P can be found on the Qwest web site: http://www.uswest.com/wholesale/productsServices/irrg/une_p_c.html

Q. DID THE FCC SPECIFICALLY ADDRESS AIN FEATURES IN THE UNE REMAND ORDER?

A. Yes. The FCC stated in the UNE Remand order:

> We agree with Ameritech that unbundling AIN service software such as "Privacy Manager" is not "necessary" within the meaning of the standard in section 251(d)(2)(A). In particular, a requesting carrier does not need to use an incumbent LEC's AIN service software to design, test, and implement a similar service of its own. (820) Because we are unbundling the incumbent LECs' AIN databases, SEC, SMS, and STPs, requesting carriers that provision their own switches or purchase unbundled switching from the incumbent will be able to use these databases to create their own AIN software solutions to provide services similar to Ameritech's "Privacy Manager." They therefore would not be precluded from providing service without access to it. **Thus, we agree with Ameritech and BellSouth that AIN service software should not be unbundled.(**821)[14] (Emphasis added)

Clearly, when ILECs make the AIN platform available for CLECs to develop their own AIN features, ILECs are not required to unbundle AIN

[14] UNE Remand Order ¶419. Footnotes 820 and 821 were omitted.

features for UNE-P applications. Please see Checklist item 6-Unbundled Switching for more detail on Qwest AIN features.

Q. HAS QWEST PROVISIONED ANY UNE-P COMBINATIONS IN WASHINGTON?

A. Yes. As of October 30, 2000, Qwest has provisioned 196 UNE-P combinations in Washington. Attached as Exhibit KAS-20C is a confidential document identifying to whom Qwest is presently providing these commercial volumes.

Q. PLEASE DESCRIBE AN EEL.

A. The Enhanced Extended Loop ("EEL") is a combination of loop and dedicated transport used by CLECs to serve customers in one wire center via collocation in another wire center. The FCC defined EELs as:

> As noted in section VI(B) above, the EEL allows requesting carriers to serve a customer by extending a customer's loop from the end office serving that customer to a different end office in which the competitor is already collocated. The EEL therefore allows requesting carriers to aggregate loops at fewer collocation locations and increase their efficiencies by transporting aggregated loops over efficient-high capacity facilities to their central switching location.[15]

Q. PLEASE EXPLAIN THE QWEST EEL OFFERING.

A. Initially, Qwest developed two products, one to handle conversion of combinations of loop and dedicated transport to EEL (then called UNE-C-PL) and one to handle Qwest's obligation to combine loop and dedicated transport in Zone 1 of the top 50 MSAs (then called EEL). Since Qwest has agreed to combine loop and dedicated transport in its entire 14-state region, and not just within Zone 1 of the top 50 MSAs, Qwest has

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[15] UNE Remand Order ¶288.

combined UNE-C-PL and EEL into one EEL product. CLECs requested this change in the Arizona workshops. The SGAT defines EEL as follows:

> **Enhanced Extended Loop (EEL)** -- Enhanced Extended Loop (EEL) -- EEL is a combination of loop and dedicated interoffice transport and may also include multiplexing or concentration capabilities. EEL transport and loop facilities may utilize DS0through OC-192 or other existing bandwidths. DS0, DS1 and DS3 bandwidths are defined products. Other existing bandwidths can be ordered through the Special Request Process set forth in Exhibit F. Qwest has two EEL options: "EEL-Conversion" (EEL-C) and "EEL-Provision" (EEL-P).[16]

Q. DOES QWEST OFFER POINT TO POINT AND MULTIPLEXED EELS?

A. Yes. Qwest offers both a Point-to-Point EEL and a Multiplexed EEL. The Point to-Point EEL consists of an unbundled loop directly connected to unbundled dedicated interoffice transport. The Multiplexed EELs offer increased flexibility for a CLEC serving multiple customers in a single Qwest wire center. It consists of central office based multiplexing equipment connected to dedicated interoffice transport. With the Multiplexed EEL, a CLEC would then order individual loops out to the end user premises that would be connected to Central Office based-multiplexing equipment. See Exhibit KAS-5 for a diagram illustrating "Point-to-Point EEL" and "Multiplexed EEL."

Q. WHAT BANDWIDTH OPTIONS ARE AVAILABLE WITH EELS?

A. EELs are available in a variety of bandwidths including bandwidth between DS0 and OC192, in addition to other bandwidths that exist in the network. DS0, DS1 and DS3 bandwidths are standard products. Other bandwidths can be ordered through the special request process explained

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[16] SGAT at 9.23.3.7

in the next section. Specifications, interfaces and parameters for EELs are described in Qwest's Technical Publication 77403.

Q. ARE THERE ANY RESTRICTIONS IMPOSED ON CLECS FOR THE USE OF UNE COMBINATIONS?

A. Yes. On June 2, 2000, the FCC released a supplement to its UNE Remand Order concerning the ability of carriers to utilize combinations of dedicated transport and loop in lieu of special access circuits. The FCC found that such circuits are not available for conversion into combinations of UNEs unless they are carrying a "significant amount of local exchange service." The FCC defined "significant amount of local exchange service" as follows:

> We find that a requesting carrier is providing a "significant amount of local exchange service" to a particular customer if it meets one of three circumstances:
>
> (1) As we found in the *Supplemental Order*, the requesting carrier certifies that it is the exclusive provider of an end user's local exchange service.[17] . . .
>
> (2) The requesting carrier certifies that it provides local exchange and exchange access service to the end user customer's premises and handles at least one third of the end user customer's local traffic measured as a percent of total end user customer local dial tone lines; and for DS1 circuits and above,[18] at least 50 percent of the activated channels on the loop portion of the loop-transport combination have at least 5 percent local voice traffic individually,[19]

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[17] *Supplemental Order* at n.9.

[18] A DS1 circuit contains 24 voice-grade channels.

[19] Traffic is local if it is defined as such in a requesting carrier's state-approved local exchange tariff and/or it is subject to a reciprocal compensation arrangement between the requesting carrier and the incumbent LEC. This is consistent with the Commission's statement in the *Local Competition First Report and Order* that state commissions have the authority to determine what geographic areas should be considered "local areas" for purposes of applying reciprocal compensation arrangements, consistent with their historical practice

> and the entire loop facility has at least 10 percent local voice traffic. When a loop-transport combination includes multiplexing (*e.g.*, DS1 multiplexed to DS3 level),[20] each of the individual DS1 circuits must meet this criteria. . . .
>
> (3) The requesting carrier certifies that at least 50 percent of the activated channels on a circuit are used to provide originating and terminating local dial tone service and at least 50 percent of the traffic on each of these local dial tone channels is local voice traffic, and that the entire loop facility has at least 33 percent local voice traffic. When a loop-transport combination includes multiplexing (*e.g.*, DS1 multiplexed to DS3 level), each of the individual DS1 circuits must meet this criteria. . . .[21]

Q. IS THE FCC DECISION ON EELS REFLECTED IN THE QWEST SGAT?

A. Yes. The EEL language in the revised SGAT tracks the FCC's decision verbatim.[22] The SGAT follows the procedure developed by the FCC that allows CLECs to self certify which of the three conditions an individual combination of loop and transport meets for conversions to UNEs:

> When CLEC certifies to Qwest through a certification letter, or other mutually agreed upon solution, that the combination of elements is carrying a "Significant Amount of Local Exchange" Traffic, then Qwest will provision the EEL or convert the Special Access circuit to an EEL-C.[23]

Q WHEN WILL QWEST PROVISION AN EEL?

A. Once Qwest receives a certification, it will provision the EEL, unless Qwest has knowledge that the circuit does not qualify for conversion to

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of defining local service areas for local exchange carriers. *Local Competition First Report and Order*, 11 FCC Rcd at 16013, para. 1035.

[20] A DS3 circuit contains 24 DS1s. A DS1 circuit that is multiplexed to the DS3 level passes through electronic equipment that allows the signals carried on the DS1 to be consolidated on to the DS3.

[21] Supplemental Order Clarification FCC 00-183 at para. 22.

[22] SGAT at 9.23.3.7.2.5

[23] SGAT at 9.23.3.7.2.4

EEL. Qwest will not provision an EEL or convert a circuit to EEL-C if Qwest records indicate that the Private Line/Special Access is, or the EEL will be, connected directly to a tariffed service or if, in options 1 and 2 above, the EEL would not terminate at CLEC's Collocation arrangement in at least one Qwest central office. Consistent with FCC guidelines, Qwest reserves the right to audit CLEC self certifications. To address CLEC concerns in Arizona, Qwest has clarified that it will not make an audit a precondition to provisioning EEL and that it may not use any other audit rights it may have pursuant to an interconnection agreement between CLEC and Qwest to audit for compliance with the local use requirements. Qwest has also clarified that, although CLEC has an obligation to maintain appropriate records to support its certification, it has no obligation to keep any records that it does not keep in the ordinary course of its business.

Q. HAVE CLECS APPEALED THE FCC DECISION ON THE LOCAL USE RESTRICTION FOR EELS?

A. Yes. In Arizona, CLECs indicated that they had applied to the FCC for waivers of the local use requirement, and asked that the possibility of such waivers be added to the SGAT. To address these concerns, Qwest has added the following language to Section 9.23.3.6.1 of the SGAT:

> 9.23.3.7.1 Unless CLEC is specifically granted a waiver from the FCC which provides otherwise, and the terms and conditions of the FCC waiver apply to CLEC's request for a particular EEL, . . .

Q. HOW WILL QWEST PROVISION EEL SERVICE IN WASHINGTON?

A. Qwest will provision EEL service in Washington utilizing a defined order and provisioning flow. Exhibit KAS-6 is the EEL order and provisioning flow diagram. For EEL-P, CLECs will submit orders using the ASR

process similar to how special access circuits (that terminate in collocation) are ordered today. Only one ASR is required when CLEC orders Point-to-Point EEL. Two ASRs are required for Multiplexed EEL. For EEL-C, CLECs will submit orders using a single LSR. Only one LSR is required to convert an eligible special access private line to EEL. Exhibit KAS-6 contains a flowchart that delineates the tasks performed by Qwest personnel in order to provide EEL service. This exhibit also includes a matrix that describes each of work tasks identified in the flow chart. Qwest will follow these steps each time EEL service is ordered in Washington. Installation intervals are set forth in Exhibit C of the SGAT.

Q. HAS QWEST PROVISIONED ANY EELS IN WASHINGTON?

A. No. As of October 30, 2000, Qwest has not provisioned any EELs in Washington. However, Qwest has demonstrated that it has a concrete and specific legal obligation to furnish EELs and is ready to furnish EELs in quantities that competitors may reasonably demand and at an acceptable level of quality.

Q. CAN A CLEC REQUEST COMBINATIONS OTHER THAN WHAT IS IDENTIFIED IN QWEST'S SGAT AS STANDARD PRODUCT OFFEREINGS?

A. Yes. The SGAT sets forth processes for a CLEC to access UNE Combinations different from the SGAT-identified standard combinations. Qwest has developed a streamlined and standardized process for CLECs to request access to additional combinations in the Qwest network as a combination of UNEs. The process begins by the CLEC filling out a brief Special Request Applications Form. Exhibit KAS-7 contains a copy of the Special Request Applications Form and a process flow. The form identifies the specific time frames Qwest will use in responding to the

CLEC's request. A basic underlying principle of this request process is that the CLEC and Qwest have reason to believe that the combination or features requested is technically feasible and only contains FCC-identified UNEs. The SGAT states:

> CLEC may request access to and, where appropriate, development of, additional UNE Combinations pursuant to the Bona Fide Request Process in CLEC's Agreement. In its BFR request, CLEC must identify the specific combination of UNEs , identifying each individual UNE by name as described in this Agreement.[24]

For those UNEs that Qwest does not ordinarily combine in its network, the CLEC must use the BFR process, to allow Qwest to determine if the requested combination is technically feasible. In addition, as demand materializes, Qwest will continue to expand its list of standard UNE combinations.

Q. DOES QWEST ALLOW CLECS TO PERFORM COMBINATIONS OF ELEMENTS?

A. Yes. Section 251(c)(3) of the Act expressly requires ILECs to provide UNEs "in a manner that allows requesting carriers to combine [them] . . . in order to provide such telecommunications services." Qwest satisfies this requirement through its proposed SGAT, which states:

> 9.1.5 CLEC may connect UNEs in any technically feasible manner. Qwest will provide CLEC with the same features, functions and capabilities of a particular element that Qwest provides to itself. Qwest will not restrict the types of telecommunications services CLEC may offer through unbundled elements, nor will it restrict CLEC from combining elements with any technically compatible equipment CLEC owns. Qwest will provide CLEC with all of the functionalities of a particular element, so that CLEC can provide any

[24] SGAT at 9.23.3.10

> telecommunications services that can be offered by means of the element. Qwest shall provide such unbundled network elements in a manner that allows CLEC to combine such elements in order to provide Telecommunications Service.

Q. WHAT OPTIONS ARE AVAILABLE FOR CLECS TO COMBINE UNES?

A. There are several options available to CLECs to combine two or more UNEs. For example, a CLEC could obtain caged-physical, cageless-physical, or virtual collocation and order various unbundled network elements from Qwest. For each element ordered, Qwest provides connections to the demarcation point through the use of Qwest cross-connect facilities called Interconnection Tie Pairs (ITP). The CLEC can combine the various elements into a telecommunication service by connecting the appropriate elements in their collocation space.[25] This should eliminate any security concerns that CLECs may have about combining elements on an intermediate frame.

A second option that enables a CLEC to combine unbundled network elements is the Interconnection Distribution Frame (ICDF). The FCC, in its rules, requires Qwest to provide the following types of connections:

> Incumbent LECs must provide cross-connect facilities, for example, between an unbundled loop and a requesting carrier's collocated equipment, in order to provide access to that loop. . . . [A]n incumbent LEC must take the steps necessary to allow a competitor to combine its own facilities with the incumbent LEC's unbundled network elements.[26]

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[25] SGAT at 9.1.4

[26] First Interconnection Order at ¶386.

Q. WHAT LANGUAGE IS IN THE SGAT REGARDING A CLEC'S ACCESS TO UNES FOR TESTING?

A. Qwest has agreed that CLECs will have access to UNEs at the collocation-established network demarcation point to perform all technically feasible testing to determine end-to-end transmission and circuit functionality. Upon a reasonable request by the CLEC, Qwest will confirm functionality or other operating parameters testing of the UNE consistent with the rates and charges for such testing as identified in Exhibit A of the SGAT under 9.20 Miscellaneous Elements. At AT&T's request, Qwest has modified the SGAT to require that Qwest will test individual elements at the reasonable request of the CLEC when Qwest's maintenance and repair activities require it. Such testing will be consistent with testing appropriate to the individual UNE being tested and subject to 12.3.4 Trouble Isolation section of the SGAT. The SGAT states:

> 9.1.6 Except as set forth in the UNE Combinations Section, Qwest provides UNEs on an individual element basis. In such circumstances, CLEC is responsible for the end-to-end transmission and circuit functionality. CLEC is responsible to test end-to-end on unbundled loops, ancillary and finished service combinations. CLEC will have access to UNEs at the collocation-established network demarcation point to perform all technically feasible testing to determine end-to-end transmission and circuit functionality. Upon a reasonable request by CLEC, Qwest will confirm functionality or other operating parameters testing of the UNE consistent with the rates and charges for such testing as identified in Exhibit A. Qwest will test individual elements at the reasonable request of the CLEC when Qwest's maintenance and repair activities require it. Such testing will be consistent with testing appropriate to the individual UNE being tested and subject to the Operational Support Systems Section of this Agreement.

In Section 9.1.9, Qwest reserves the right to make changes to its network. In Arizona, AT&T expressed concerns that such changes could cause material changes in the quality and nature of CLEC UNEs. To address AT&T's concerns, Qwest has added the following language:

> 9.1.9 In order to maintain and modernize the network properly, Qwest may make necessary modifications and changes to the UNEs in its network on an as needed basis. Such changes may result in minor changes to transmission parameters. Qwest shall provide advance notice of changes that affect network interoperability pursuant to applicable FCC rules. In order to maintain and modernize the network properly, Qwest may make necessary modifications and changes to the UNEs in its network on an as needed basis. Such changes may result in minor changes to transmission parameters. Network maintenance and modernization activities will result in UNE transmission parameters that are within transmission limits of the UNE ordered by CLEC. Qwest shall provide advance notice of changes that affect network interoperability pursuant to applicable FCC rules. Changes that affect network interoperability include changes to local dialing from seven (7) to ten (10) digit, area code splits, and new area code implementation. FCC rules are contained in CFR Part 51 and 52. Qwest provides such disclosures on an internet web site.

Q. ARE UNES AVAILABLE WITHOUT COLLOCATION?

A. Yes. Numerous combinations of UNEs are available without traditional collocation. For example, when a CLEC orders UNE-P, collocation is not required. However, the standard method of accessing individual UNEs is with collocation. For CLECs who do not wish to collocate any electronic equipment in a Qwest central office, ICDF collocation is available. Under this option, Qwest delivers the CLEC's various unbundled network elements to a single intermediate distribution frame located in the central office. When the CLEC chooses to utilize this option, the ICDF becomes the CLEC's demarcation point. CLEC employees have access to the

ICDF 24 hours per day, seven days per week, unescorted, to combine two or more elements.[27]

Q. DOES QWEST REQUIRE USE OF AN INTERMEDIATE FRAME FOR CLECS TO ORDER UNES?

A. No. The use of an intermediate frame is not required to order UNEs or combine UNEs. It is merely an option available to CLECs that wish to use it. In many cases, Qwest uses the same intermediate frames to provision services using the same wiring scheme for its own retail end users.

Q. DOES QWEST HAVE A PROVISIONING PROCESS FOR UNE COMBINATIONS?

A. Yes. To simplify the CLEC's ordering process for UNE Combinations, Qwest adopted a process similar to resale. Other than new EEL and combinations that are not standard products, UNE Combinations are ordered via an LSR. Rather than process conversions from retail and/or wholesale as two orders (with a disconnect of the finished service and a new connect of a UNE Combination arrangement), Qwest has developed a UNE Combination service order process that will use a single LSR. Qwest believes a single LSR approach will provide a simple and effective order processing for the CLEC.

Q. ARE STANDARD SERVICE INTERVALS AVAILABLE FOR UNE-P PRODUCTS?

A. Yes. Standard service intervals for each UNE Combination are in the Interconnect & Resale Resource Guide (IRRG) and in Exhibit C of the revised SGAT Exhibit KAS-8. In earlier versions of the SGAT, Qwest only referred to the standard intervals contained in the IRRG. CLECs objected

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[27] SGAT at 8.1.1.15

and suggested that the intervals be set forth in the SGAT. Qwest has complied with that request and will include standard installation intervals in Exhibit C.

Q. HOW IS DISCONNECT BILLING HANDLED FOR UNE COMBINATIONS?

A. When Qwest's end user or the end user's new service provider orders the discontinuance of the end user's existing service in anticipation of moving to another service provider, Qwest will render its closing bill to the end user effective with the disconnection. If Qwest is not the local service provider, Qwest will issue a bill to the CLEC for that portion of the service provided to the CLEC should CLEC's end user, a new service provider, or the CLEC requested service be discontinued to the end user.

Q. DOES THE INTERCONNECT MEDIATED ACCESS SYSTEM ALLOW CLECS TO CONVERT EXISTING RETAIL/WHOLESALES POTS SERVICES TO UNE COMBINATIONS?

A. Yes. In the May 2000 Interconnect Mediated Access (IMA) release, Qwest added the capability for CLECs to order the conversion of pre-existing retail/wholesale POTS combinations to UNEs combinations using a single LSR form. In its December 6.0 release, Qwest will continue to add functionality for UNE combination arrangements by adding UNE-P ISDN and Centrex to UNE-P POTS conversions, as well as additional orders types like UNE-P new. In addition, this release will provide an electronic interface for DS1 and DS3 private line conversions to EEL. Moreover, the ROC OSS Test will verify Qwest's ability to provide CLECs with combinations of UNEs.

Q. WHAT OTHER ISSUES REGARDING UNE-COMBINATIONS HAVE BEEN RAISED BY CLECS?

A. There were two issues brought up in other workshops. First, AT&T expressed concern that Qwest should not disconnect UNEs that are currently combined unless the CLEC specifically requests that they be separated. Qwest has included the following language in the SGAT that assures CLECs that Qwest will not disconnect UNEs that are currently combined, unless the CLEC specifically requests that they be separated:

> 9.23.1.3 When ordered in combination, UNEs that are currently combined and ordered together will not be physically disconnected or separated in any fashion except for technical reasons or if requested by the CLEC. Network elements to be provisioned together shall be identified and ordered by CLEC as such.

Second, in Arizona, Eschelon suggested that language be added providing that pre-existing UNE combinations be provisioned without disruption. In response, Qwest has added to Section 9.23.1.3. the following language from Section 2.2.30.3 of Attachment 8 of Eschelon's Colorado contract:

> When CLEC orders in combination UNEs that are currently interconnected and functional, such UNEs shall remain interconnected and functional without any disconnection or disruption of functionality.

Q. CAN A CLEC REQUEST ACCESS TO UNES OTHER THAN THOSE LISTED IN QWEST'S SGAT?

A. Yes. When a CLEC desires a unique unbundled network element that is not included in its interconnection agreement or the SGAT, the CLEC can

submit a bona fide request (BFR) to Qwest.[28] For example, the SGAT outlines the typical process for requesting new network elements:

> Any request for Interconnection or access to an unbundled network element or ancillary service that is not already available as described herein shall be treated as a Bona Fide Request (BFR). Qwest shall use the BFR Process to determine the terms and timetable for providing the requested Interconnection, access to UNEs or ancillary services, if available, and the technical feasibility of new/different points of Interconnection. Qwest will administer the BFR Process in a non-discriminatory manner.[29]

In any BFR, the CLEC specifies the additional element it wants unbundled, including location and quantity desired. According to the SGAT, Qwest must provide the CLEC with its preliminary analysis within 30 days of BFR receipt. Should Qwest determine that the request is not technically feasible or fails to meet the standards for unbundling, Qwest must notify the CLEC in writing as soon as a determination has been made, but no later than 10 business days after the initial 30 business day review period. If it is technically feasible to unbundle the element and it meets the standards set forth in the Act, Qwest provides the CLEC with a price quote for the requested element no later than 90 days after the request is submitted by the CLEC.[30]

In addition, the BFR process can also be used to request combinations of elements Qwest does not currently combine in its network.

Q. HAS QWEST PROCESSED ANY BFRS IN WASHINGTON?

A. Yes. The following bona fide requests have been processed by Qwest in Washington:

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[28] SGAT at Section 17.

[29] SGAT at 17.0.

[30] See SGAT, Section 17, Bona Fide Request Process.

Washington BFRs	1999	2000(ytd) TOTAL
a.) requests received:	6	6
b.) completed by response date:	4	6
c.) requests fulfilled as requested:	4*	2
d.) denied as requested but offered an existing (or new) alternative	1	2
e.) denied (not qualified under Act)	1	0
f.) requests withdrawn by customer	1**	2***

YTD 2000 is through Oct. 31st
*One request met via an amendment to the interconnect agreement
**Previously withdrawn from the process because request was met via amendment
***Removed from the process – met via new contract language

Moreover, if a CLEC's interconnection agreement does not contain a UNE available within the SGAT, Qwest will amend the agreement, on an expedited basis, to include the UNE without the need for the BFR process. For example, the additions of cageless collocation and DSL-capable loops have been added to agreements within two weeks. If a CLEC objects to the terms and conditions contained in the SGAT for an unbundled network element, it has the option to negotiate unique terms and conditions.

Q. WHO WILL BE RESPONSIBLE FOR MAINTAINING FACILITIES AND EQUIPMENT FOR UNE COMBINATIONS?

A. Qwest will maintain facilities and equipment that comprise the service provided to CLEC as a UNE Combination. The SGAT makes this clear.[31]

[31] SGAT at 9.23.7.1

Q. PLEASE EXPLAIN QWEST'S MAINTENANCE RESPONSIBILITIES FOR UNE-COMBINATIONS.

A. Qwest will maintain standard UNE combinations in Washington utilizing defined maintenance flows. Exhibit KAS-9 contains a flowchart that delineates the tasks performed by Qwest personnel in order to maintain various combinations of UNEs and a matrix that describes all of the work identified in the flow chart.

Q. HAVE PERFORMANCE MEARSUREMENTS FOR UNE COMBINATIONS BEEN SPECIFICALLY IDENTIFIED?

A. Yes. Qwest has participated in the ROC workshops and Technical Advisory Group (TAG) to identify which performance measurements are to be used for access to UNE combinations. Further product disaggregation of existing measurements have been developed and approved by the ROC for the OSS Test. The following measurements are currently being audited pursuant to the ROC OSS Test:

Indicator Number	***UNE-P Performance Indicator***
PO-2	Electronic Flow-through
PO-5	Firm Order Confirmation (FOCs) On Time
PO-8	Jeopardy Notice Interval
PO-9	Timely Jeopardy Notice Interval
OP-3	Installation Commitments Met
OP-4	Installation Interval
OP-5	New Service Installation Without Trouble Reports for 30 Days After Installation
OP-6	Delayed Days
OP-15	Interval for Pending Orders Delayed past Due Date
MR-3	Out of Service Cleared within 24 Hours
MR-4	All Troubles Cleared within 48 Hours
MR-6	Mean Time to Restore

Indicator Number	***UNE-P Performance Indicator***
PO-2	Electronic Flow-through
PO-5	Firm Order Confirmation (FOCs) On Time
PO-8	Jeopardy Notice Interval
PO-9	Timely Jeopardy Notice Interval
MR-7	Repair Repeat Report Rate
MR-8	Trouble Rate
MR-9	Repair Appointments Met
MR-10	Customer Related Trouble Reports

When UNE-P performance results are available I will supplement this testimony. Attached at Exhibits KAS-13 and KAS-21 are the definitions for these PIDs.

Q. IS QWEST AWARE OF ANY WRITTEN COMPLAINTS WITH THE COMMISSION REGARDING CHECKLIST ITEM 2?

A. No.

Q. PLEASE PROVIDE A SUMMARY OF CHECKLIST ITEM 2.

A. Qwest has demonstrated that it satisfies checklist item 2 because it makes available all of the UNEs listed in Rule 319 and fulfills requests for additional unbundled network elements through the bona fide request process. Qwest not only provides CLECs with existing combinations of UNEs, Qwest will combine UNEs on behalf of CLECs. Qwest also allows CLECs to combine UNEs. As a result, Qwest has demonstrated that its provision of these UNEs is nondiscriminatory and allows CLECs to combine them in the provision of finished retail telecommunication services. Therefore, Qwest satisfies the portions of checklist item 2 identified in this testimony.

IV. CHECKLIST ITEM 5 - UNBUNDLED TRANSPORT

Q. IS QWEST CURRENTLY OFFERING UNBUNDLED TRANSPORT?

A. Yes. In this section of my testimony, I provide clear evidence that Qwest *is currently* providing unbundled transport to CLECs in Washington. I also review language in the Qwest SGAT that demonstrates that Qwest has a *concrete and specific legal obligation* to provide unbundled transport.

Q. WHAT ARE QWEST'S UNBUNDLED TRANSPORT OBLIGATIONS?

A. The Act requires that Qwest provide "local transport from the trunk side of a wireline local exchange carrier switch unbundled from switching or other services."[32]

Q. PLEASE EXPLAIN THE CATEGORIES OF LOCAL TRANSPORT.

A. The FCC defined two general categories of local transport in its Rule 319:

> Dedicated Transport - incumbent LEC transmission facilities dedicated to a particular customer or carrier
>
> Shared Transport - transmission facilities shared by more than one carrier, including the incumbent LEC

Q. DOES QWEST HAVE A LEGALLY BINDING COMMITMENT TO PROVIDE UNBUNDLED TRANSPORT?

A. Yes. Qwest's SGAT specifically offers both dedicated and shared transport:

> Unbundled Dedicated Interoffice Transport (UDIT) provides CLEC with a network element of a single transmission path between

[32] See Section 271(c)(2)(B)(v) of the Act.

> Qwest end offices, Serving Wire Centers or tandem switches in the same LATA and state. A UDIT can also provide a path between one CLEC in one Qwest Wire Center and a different CLEC in another Qwest Wire Center. Extended Unbundled Dedicated Interoffice Transport (EUDIT) provides the CLEC with a bandwidth specific transmission path between the Qwes Serving Wire Center to the CLEC's Wire Center or an IXC's point of presence located within the same Qwest Serving Wire Center area.[33]
>
> Shared Transport is defined as interoffice transmission facilities shared by more than one carrier, including Qwest, between end office switches, between end office switches and tandem switches (local and access tandems), and between tandem switches.[34]

In addition, as identified in Exhibit KAS-3, numerous interconnection agreements legally bind Qwest to provide unbundled transport to CLECs in Washington.

Q. HAS QWEST PROVISIONED UNBUNDLED TRANSPORT IN WASHINGTON?

A. Yes. Consistent with FCC requirements, and effective interconnection agreements, Qwest is currently providing Unbundled Dedicated Interoffice Transport (UDITs) to CLECs in Washington. The quantities as of October 31, 2000 are as follows:

DS0 Quantity	DS1 Quantity	DS3 Quantity	# of CLECs
0	70	72	8

Attached as Exhibit KAS-20C is a confidential document identifying to whom Qwest is presently providing these commercial volumes.

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[33] SGAT at 9.6.1.1

[34] SGAT at 9.8.1.1

Q. DOES QWEST PUBLISH TECHNICAL SPECFICATIONS OF UNBUNDLED TRANSPORT?

A. Yes. Specifications, interfaces and parameters are described in Technical Publication 77389. Qwest technical publications have recently been made available to CLECs on the following URL: www.uswest.com/techpub/. Copyright © 1998 Qwest Communications International, Inc. All rights reserved. Permission is given to view, copy, print, and distribute material on this web site subject to the following conditions:

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In addition, the Interconnect & Resale Resource Guide (IRRG) provides CLECs with additional product information. CLECs can access the IRRG at URL: http://www.uswest.com/wholesale/.

Q. WHAT SPECFICALLY IS UNBUNDLED DEDICATED INTEROFFICE TRANSPORT?

A. Qwest provides unbundled access to dedicated transmission facilities between Qwest end offices or between Qwest end offices and CLEC end offices. Qwest provides interoffice facilities between its end offices and serving wire centers (SWC), its SWCs and IXC POPs, its tandem switches and SWCs, and between its end offices or tandems and the wire centers of Qwest and requesting carriers.[35] In a manner consistent with historical pricing policies, dedicated transport consists of two cost-based rate elements.

Q. PLEASE DESCRIBE THE RATE ELEMENTS FOR UNBUNDLED TRANSPORT.

A. Unbundled Dedicated Interoffice Transport (UDIT) is a distance-sensitive, flat-rated bandwidth-specific interoffice transmission path designed to a digital cross-connect system in each Qwest Wire Center. Extended Unbundled Dedicated Interoffice Transport (E-UDIT) provides CLEC with a bandwidth specific transmission path between the Qwest Serving Wire Center to CLEC's Wire Center or an IXC's point of presence located within the same Qwest Serving Wire Center area. E-UDIT is a flat-rated, bandwidth-specific interoffice transmission path. Exhibit KAS-10 provides a diagram of UDIT and E-UDIT. UDITs two components are priced differently to reflect the way costs are incurred.

The SGAT, for example, offers unbundled dedicated interoffice transport between Qwest end offices, serving wire centers or tandem switches in the

[35] SGAT at 9.6.1.1

same LATA and state.[36] E-UDITs and UDITs are available in DS1 through OC-192 bandwidths and such higher capacities as evolve over time where facilities are available.[37] UDIT is also available in DS0 bandwidth.

Q. DOES QWEST MAKE MULTIPLEXING AVAILABLE AS AN OPTION?

A. Yes. In Arizona, CLECs questioned whether multiplexing is optional. Qwest has modified Sections 9.6.1.2 and 9.6.2.2 to clarify that multiplexing is an option available to CLECs.

Q. DOES QWEST PROVIDE CLECS WITH THE OPTION TO RECONFIGURE TRANSPORT FACILITIES?

A. Yes. Qwest provides Unbundled Customer Controlled Rearrangement Element (UCCRE). UCCRE is the wholesale version of Special Access Customer Controlled Network Reconfiguration service. UCCRE allows the CLEC to configure elements through the manipulation of ports on the Digital Cross-Connect System (DCS). The First Report and Order required ILECs to provide digital cross connect capabilities to CLECs in the same manner an ILEC offers it to Interexchange carriers. Qwest offers the CLEC UCCRE to provide the same Customer Controlled Network Reconfiguration. The Qwest SGAT states:

> 9.9.1 Description
>
> 9.9.1.1 Unbundled Customer Controlled Rearrangement Element (UCCRE) provides the means by which CLEC controls the configuration of unbundled network elements (UNEs) or ancillary services on a near real time basis through a digital cross connect

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[36] SGAT at 9.6.1.1

[37] The SGAT originally listed bandwidth through OC-12. To address CLEC concerns in Arizona, Qwest has listed bandwidths through OC-192 in SGAT section 9.23.3.7. Bandwidths above OC-12 require the use of the SRP.

> device. UCCRE utilizes the Digital Cross-Connect System (DCS). UCCRE is available in Qwest Wire Centers that contain a DCS and such DCS is UCCRE compatible.

Qwest has not yet received any requests for UCCRE in its 14-state territory. However, Qwest's ability to provision UCCRE was included in the Bench Test for unbundled switching detailed later in this testimony.

Q. PLEASE DESCRIBE SHARED TRANSPORT.

A. Shared transport allows CLECs to utilize the same routing tables and to share the exact interoffice transmission facilities that Qwest utilizes for its own end users. The shared transport facilities connect Qwest end office switches with other Qwest end office switches and/or with Qwest tandem switches for the delivery of traffic within the local calling area. A CLEC may not utilize Unbundled Dedicated Interoffice Transport (UDIT) and shared transport for interoffice trunking in the same local calling area.

Q. UNDER WHAT CONDITIONS DOES QWEST MAKE SHARED TRANSPORT AVAILABLE TO CLECS?

A. Shared transport is a UNE available only in conjunction with unbundled switching. The FCC in its Third Report and Order recognized this limitation:

> A requesting carrier that uses its own self-provisioned local switches, rather than unbundled local switches obtained from an incumbent LEC, to provide local exchange and exchange access services would use dedicated transport facilities to carry traffic between its network and the incumbent LEC's network. *Thus, the*

only carrier that would need shared transport facilities would [be] one that was using an unbundled local switch.[38]

Q. WHAT DOES SHARED TRANSPORT PROVIDE FOR CLECS?

A. Shared transport provides CLECs (who serve their end user customers via unbundled switching) a means of transporting traffic from their customers to distant end offices or interexchange carriers. Each CLEC call uses the same routing table as used for Qwest calls. Therefore, with shared transport, the CLEC call uses the identical transport facilities that are available to Qwest calls.

Q. DOES QWEST ALLOW A CLEC USING SHARED TRANSPORT TO ROUTE TO NON-QWEST DA AND OPERATOR SERVICES?

A. Yes. The CLEC can use custom routing to direct their end user's operator services and/or directory assistance (DA) in a different manner than Qwest routes its own operator services and directory assistance calls. For this application, the CLEC provides Qwest the information necessary for Qwest to create a custom routing table that is programmed within the Qwest central office switch.

Q. DOES SHARED TRANSPORT INCLUDE ALL FACILITIES BETWEEN QWEST AND AN INTEREXCHANGE CARRIER?

A. No. Just as with Qwest's retail end users, when a CLEC customer originates a call routed to an interexchange carrier, the only portion of the Qwest interoffice network that is available via shared transport is the facility from the Qwest end office to the Qwest access tandem.

Facilities dedicated to an interexchange carrier's use, such as a direct facility from the Qwest end office or tandem to the interexchange carrier's

[38] Third Interconnection Order, footnote 127. (emphasis added)

point of presence, are not part of shared transport. This is consistent with the FCC findings for shared transport:

> On reconsideration, we further clarify that incumbent LECs are not required to provide shared transport between incumbent LEC switches and serving wire centers. We stated above that shared transport must be provided between incumbent LEC switches. Serving wire centers are merely points of demarcation in the incumbent LEC's network, and are not points at which traffic is switched. Traffic routed to a serving wire center is traffic dedicated to a particular carrier. We thus conclude that unbundled access to the transport links between incumbent LEC switches and serving wire centers must only be provided by incumbent LECs on a dedicated basis.[39]

Q. HOW IS SHARED TRANSPORT BILLED?

A. Shared transport is billed on a minutes-of-use basis in accordance with section 252(d)(1) and as described in the SGAT:

> 9.8.3.1 Shared Transport will be billed on a minute-of-use basis in accordance with the UNE rates described in Exhibit A.

Q. DOES QWEST'S SGAT ADDRESS ITS COMPLETE LEGAL REQUIREMENTS FOR SHARED TRANSPORT?

A. Yes. In other workshops, AT&T has expressed concerns that the SGAT language regarding shared transport does not capture certain legal requirements. While Qwest did not agree with AT&T's assertion, in an effort to clarify the situation, Qwest has added the following FCC language as Section 9.8.2.3:

> 9.8.2.3 Qwest has the following obligations with respect to shared transport:

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[39] Third Interconnection Order, ¶29.

9.8.2.3.1 Provide shared transport in a way that enables the traffic of CLEC to be carried on the same transport facilities that Qwest uses for its own traffic.

9.8.2.3.2 Provide shared transport transmission facilities between end office switches, between end office and tandem switches, and between tandem switches in its network.

9.8.2.3.3 Permit CLEC that purchases unbundled shared transport and unbundled switching to use the same routing table that is resident in Qwest's switch.

9.8.2.3.4 Permit CLEC to use shared (or dedicated) transport as an unbundled element to carry originating access traffic from, and terminating to, customers to whom the CLEC provide local exchange service.

Q. CAN YOU EXPLAIN THE PROVISIONING PROCESS FOR UNBUNDLED DEDICATED INTEROFFICE TRANSPORT?

A. Yes. Qwest will provision unbundled dedicated transport in Washington utilizing a defined order and provisioning flow. Exhibit KAS-11 contains a flowchart that delineates the tasks performed by Qwest personnel in order to provide unbundled transport. This exhibit also includes a matrix that describes each of the work tasks identified in the flow chart. Qwest will follow these steps each time unbundled transport is ordered in Washington

Q. CAN YOU EXPLAIN THE PROVISIONING PROCESS FOR SHARED TRANSPORT?

A. Yes. The unbundled switching process and provisioning flows contained in Exhibit KAS-18 are also used for unbundled shared transport. There is no need for a separate process flow for shared transport since shared

transport is automatically provisioned with unbundled switching unless the CLEC specifically selects otherwise.

Q. DOES QWEST REQUIRE CLECS TO PERFORM CONNECTIONS BETWEEN UDIT AND E-UDIT IF ORDERED IN COMBINATION?

A. No. In Arizona, AT&T expressed concerns that CLECs may be required to perform connections between UDIT and E-UDIT if they are ordered in combination. To address those concerns, Qwest has added the following language to Section 9.6.2.1:

> To the extent that CLEC is ordering access to a UNE Combination, Qwest will perform requested and necessary cross-connections between UNEs in the same manner that it would perform such cross-connections for its end user customers.

Q. WHAT ARE QWEST'S RESPONSIBILITIES FOR UNBUNDLED TRANSPORT MAINTENANCE?

A. Qwest maintains unbundled transport in Washington utilizing defined maintenance flows. Exhibit KAS-12 contains a flowchart that delineates the tasks performed by Qwest personnel in order to maintain unbundled transport and a matrix that describes all of the work identified in the flow chart. Maintenance and repair of dedicated and shared transport facilities are the sole responsibility of Qwest.

Q. HAVE PERFORMACE MEASURES BEEN ESTABLISHED FOR UNBUNDLED TRANSPORT?

A. Yes. Currently, the parties in the ROC proceeding have agreed that Qwest should track 10 different performance measurements for dedicated

unbundled transport. These measurements concern either the installation/provisioning of DS1 and above DS1 UDITs or the repair/maintenance of these facilities. The agreed-upon measurements for unbundled transport are listed in the table below. The definitions can be found in Exhibit KAS-13.

Indicator Number	***Checklist Item 5 Performance Indicator***
OP-3	Installation Commitments Met
OP-4	Installation Interval
OP-5	New Service Installation Without Trouble Reports for 30 Days After Installation
OP-6	Delayed Days
OP-15	Interval for Pending Orders Delayed past Due Date
MR-5	Out of Service Cleared within 4 Hours (designed repair process)
MR-6	Mean Time to Restore
MR-7	Repair Repeat Report Rate
MR-8	Trouble Rate
MR-10	Customer Related Trouble Reports

Q. ARE PERFORMANCE RESULTS AVAILABLE FOR UNBUNDLED DEDICATED TRANSPORT?

A. Yes. As of October 31, 2000, Qwest has provisioned 70 DS1 UDIT orders and 72 orders for DS3 UDITs in Washington. However, this limited volume over two product categories and several reporting periods, produced inconclusive performance results data for the State of Washington. The actual performance results using the PIDs listed above for Washington are contained in Exhibit KAS-14.

Q. IS QWEST AWARE OF ANY WRITTEN COMPLAINTS WITH THE COMMISSION REGARDING CHECKLIST ITEM 5?

A. Yes. New Edge Networks filed a complaint with the Commission regarding lack of facilities for UDIT, Docket Number UT-000141. MCI filed a complaint regarding UDIT, Docket Number UT-980323. MCI withdrew this complaint.

Q. PLEASE PROVIDE A SUMMARY OF CHECKLIST ITEM 5.

A. Through its SGAT, Qwest provides CLECs with access to unbundled dedicated transport as well as shared transport. Qwest has successfully provisioned UDITs for CLECs in Washington. When combined with the ROC OSS Testing, Qwest has established that it can provision, maintain and bill these checklist items upon request and in a timely manner thereby providing CLECs with a meaningful opportunity to compete. In addition, Qwest, through its Bench Test, has demonstrated it can provision, maintain and bill these checklist items in combination with unbundled local switching. Therefore, the Commission should find that Qwest satisfies checklist item 5.

V. CHECKLIST ITEM 6 – UNBUNDLED SWITCHING

Q. WHAT ARE QWEST'S SECTION 271 OBLIGATIONS TO PROVIDE LOCAL SWITCHING?

A. Checklist Item 6 requires Qwest to provide "local switching unbundled from transport, local loop transmission or other services."[40] However, as identified earlier in my testimony, in its UNE Remand Order, the FCC

[40] See Section 271(c)(2)(B)(vi) of the Act.

applied the "necessary and impair" analysis and subsequently released its revised list of UNEs under Section 251(c)(3). The new list, set forth in Rule 51.319, establishes that in certain circumstances unbundled switching is no longer a Section 251(c)(3) UNE. However, Qwest, as a RBOC seeking to satisfy Section 271 checklist requirements, must continue to offer unbundled switching to all competitors in all areas (including the Seattle MSA at market-based rates) because local circuit switching is still item 6 on the checklist.

Q. PLEASE EXPLAIN WHY UNBUNDLED SWITCHING IS NOT A UNE IN CERTAIN CIRCUMSTANCES?

A. Specifically, unbundled switching is no longer a Section 251(c)(3) UNE in the top fifty metropolitan statistical areas (MSA), in areas that are "Density Zone One," for businesses with four lines or more, when the ILEC offers EEL.[41] The two Switching-Exempt Wire Centers[42] in the Seattle MSA meet this definition. As detailed in this testimony, Qwest has a concrete and specific legal obligation to offer EELs in the two Switching-Exempt Wire Centers, and as a result does not offer unbundled switching as a TELRIC-priced UNE in those wire centers.

The FCC's rules require ILECs to offer: (1) line-side ports and switching, including the connection between a line equipment termination at a Main Distribution Frame (MDF) or COSMIC frame and a line card; (2) the connection between the trunk-side of the switch (the trunk card) and a termination at the trunk main distribution frame (TMDF… a transport

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41 Third Interconnection Order and Fourth Further Notice, Appendix C, 51.319(c)(B).

42 The two Switching Exempt Wire Centers in the Seattle MSA are Seattle Main (STTLWA06) and Seattle Elliott (STTLWAEL).

multiplexer cross-connect); and (3) all features, functions and capabilities of the switch.[43]

As described above, the FCC has determined that unbundled switching is not a Section 251(c)(3) UNE in the top fifty MSAs, in areas that are "Density Zone One," for businesses with four lines or more, when the ILEC offers EEL.[44] The FCC determined:

> 278. Despite our conclusion that, in general, requesting carriers are impaired without access to unbundled switching, we conclude that it is appropriate to establish a more narrowly tailored rule to reflect significant marketplace developments. As described more fully below, we find that requesting carriers are not impaired without access to unbundled local circuit switching when they serve customers with four or more lines in density zone 1 in the top 50 metropolitan statistical areas (MSAs), as set forth in Appendix B, where incumbent LECs have provided nondiscriminatory, cost-based access to the enhanced extended link (EEL) throughout density zone 1.[45]

However, Qwest, as a BOC seeking to satisfy Section 271 checklist requirements, must continue to offer (at UNE or market-based prices as appropriate) unbundled switching to all competitors in all areas because local circuit switching is on the checklist.

Q. DOES QWEST OFFER UNBUNDLED SWITCHING TO CLECS?

A. Yes. Qwest offers CLECs access to unbundled switching. The Washington SGAT states:

> Access to unbundled Local Switching encompasses line-side and trunk-side facilities, plus the features, functions, and capabilities of the switch. The features, functions, and capabilities of the switch

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[43] First Interconnection Order at ¶410.

[44] Third Interconnection Order and Fourth Further Notice, Appendix C, 51.319(c)(B).

[45] UNE Remand Order, ¶278.

include the basic switching function, as well as the same basic capabilities that are available to Qwest's end-user customers. Unbundled Local Switching also includes access to all vertical features that the switch is capable of providing, as well as any technically-feasible customized routing functions.[46]

Q. DOES QWEST MEET THE FCC REQUIREMENTS FOR WITHDRAWING UNBUNDLED SWITCHING AS A UNE IN THE SEATTLE MSA?

A. Yes. Qwest does offer the FCC required combination of loop and transport, i.e. "EELs", that permits Qwest to withdraw unbundled switching as a UNE in the two Switching-Exempt Wire Centers noted below. This limitation is identified in the SGAT:

9.11.2.5 Unbundled Switching (Shared Transport) does not constitute a UNE, and is therefore not available at UNE rates when the end-user customer to be served with Unbundled Local Switching has four access lines or more and the lines are located in density zone 1 in specified Metropolitan Statistical Areas (MSAs).

9.11.2.5.1 For the purposes of the above paragraph, the following Wire Centers constitute density zone 1 in each of the specified MSAs:

MSA	CLLI	Wire Center Name
Seattle	STTLWA06	Seattle Main
	STTLWAEL	Seattle Elliott

Q. HOW WILL QWEST MEET ITS 271 CHECKLIST OBLIGATION FOR SWITCHING IN DENSITY ZONE ONE?

A. To meet its 271 checklist requirements, Qwest will offer stand-alone unbundled circuit switching to CLECs (at market based rates) in areas

[46] SGAT at 9.11.1.1

that are "Density Zone One" for use by businesses with four lines or more.[48]

Q. PLEASE DESCRIBE HOW QWEST WILL ADMINISTER THE FOUR LINES OR MORE LIMITATION.

A. To clarify how the "four lines" or more will be calculated, Qwest has modified the SGAT to provide CLECs with the following guidelines:

9.11.2.5.2.	This exclusion will be calculated using the number of DS0-equivilant access lines CLEC intends to serve an end user customer within a Wire Center specified above.
9.11.2.5.3.	UNE-P is not available for end user customers with four or more access lines located within one of the Wire Centers specified above.
9.11.2.5.4.	Only dial-tone lines shall be used in counting the exclusion. Private line type data lines, alarm or security lines, or any other type of non-dial-tone lines shall not be used in the count.
9.11.2.5.5.	The high frequency portion of a loop shall not count as a second line.
9.11.2.5.6.	End-users shall be considered individually in MDU buildings or any other multiple use or high-rise building or campus configuration, as long as they are individually billed as the customer of record.
9.11.2.5.7.	When a CLEC's customer with three lines or fewer served by UNE-P or unbundled switching adds lines so that it has four or more lines, CLEC shall convert such lines from UNE-P or unbundled switching to resale rates or other appropriate arrangement within 60 days.
9.11.2.5.8.	A basic rate ISDN line counts as one line.

[48] SGAT at 9.11.2

Q. HAS QWEST PROVISIONED UNBUNDLED SWITCHING IN WASHINGTON?

A. No. As of October 31, 2000, no Washington CLEC has ordered stand-alone unbundled switching. Qwest has only provisioned unbundled switching as part of UNE-P combinations. Qwest does not believe that there will be any demand for stand-alone unbundled switching. CLECs can and clearly do provide their own central office switching and they do not appear to require a direct connection of their loops to a Qwest central office switch. Many CLECs have purchased switches that are identical to those used by Qwest.

Q. PLEASE DESCRIBE UNBUNDLED SWITCHING.

A. The SGAT requires Qwest to provide unbundled circuit switching that includes the line-side and trunk-side cards, plus the features, functions, and basic switching capabilities of the switch.[49] Unbundled switching includes access to all vertical features that the switch is capable of providing, for example, customized routing functions. A CLEC can use a combination of a trunk-side port and custom routing to direct originating traffic to a dedicated trunk group such as a directory assistance trunk group.

Q. CAN A CLEC USE UNBUNDLED SWITCHING TO PROVIDE LOCAL SERVICE?

A. Yes. A CLEC may purchase unbundled switching to offer functionality and to bill for exchange access and termination of local traffic.

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[49] SGAT at 9.11.1.1.

Specifically, the SGAT[50] commits Qwest to provide the CLEC with analog and digital line ports that include the following attributes:

- Telephone Number
- Directory Listing
- Dial Tone
- Signaling (loop or ground start)
- On/Off Hook Detection
- Audible and Power Ringing
- Automatic Message Accounting (AMA) Recording
- Access to 911, Operator Services, and Directory Assistance
- Call Type Blocking Options (e.g. 900 services)

Q. WHAT INFORMATION DOES QWEST PROVIDE CLECS TO ALLOW THEM TO BILL THEIR END USERS AND INTEREXHANGE CARRIERS?

A. Qwest provides CLECS with the following information for billing:

- Monthly summary bill listing all CLEC end user customers including the following items:
  - Line Rate
  - Local minutes of use
  - Intrastate toll (if applicable)
  - Features
- Daily usage feed with usage detail per line number
- Daily switched access record for switched access usage to allow CLECs to bill the correct IXC

[50] SGAT at 9.11.1.6

Q. WHAT ARE THE FCC GUIDELINES FOR QWEST TO PROVIDE VERTICAL FEATURES?

A. The FCC has determined[51] that an ILEC must meet the following requests for vertical features:

> [A] BOC must activate any vertical feature or combination of vertical features requested by a competing carrier unless . . . (it) is not technically feasible.
>
> [A] BOC can require a requesting carrier to submit a request for such a vertical feature through a predetermined process that gives a BOC an opportunity to ensure it is technically feasible…

Q. ARE ALL VERTICAL FEATURES LOADED IN A QWEST SWITCH AVAILABLE TO CLECS?

A. Yes. CLECs have access to all vertical features loaded in a Qwest switch, not just access to the features Qwest is providing its retail customers.

Q. IS THERE A PROCESS FOR CLECS TO REQUEST FEATURES NOT ACTIVATED OR LOADED ON A QWEST SWITCH?

A. Yes. CLECs can use the Special Request Process (SRP) to activate features in the switch or to request that features be loaded into the switch. Specifically, the proposed SGAT states:

> 9.11.4.3 Non-switch activated Vertical Features shall be ordered using the Special Request Process set forth in Exhibit F. Qwest will provide the cost and timeframe for activation of the requested vertical feature(s) to the CLEC within 15 business days of receipt of the Special Request.
>
> 9.11.4.4 Non-switch resident Vertical Features shall be ordered using Special Request Process set forth in Exhibit F. Qwest will

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[51] BellSouth Louisiana 271 Second Order at ¶¶ 219-20.

provide information to the CLEC on the feasibility of providing the vertical feature(s) within 15 business days of receipt of the Special Request.

Q. DOES QWEST'S SGAT INCLUDE THE FCC REQUIREMENTS FOR PROVIDING VERTICAL FEATURES?

A. Yes. The Qwest SGAT provides CLECs with access to vertical features. A CLEC must order vertical features in association with unbundled switching. The SGAT provides:

> 9.11.1.8 Vertical features are software attributes on end office switches. Vertical features are available separately and are listed in Exhibit E of this Agreement.

Q. HOW CAN CLECS DETERMINE WHAT VERTICAL FEATURES ARE AVAILABLE IN A QWEST CENTRAL OFFICE?

A. The CLEC has three ways available through the IRRG to determine the features available in an end user's serving central office at http://www.uswest.com/wholesale/guides/index.html.

The *first way* is using a pull down menu shown called "Tariff & Network Info." From this menu a link is available called "Interconnection Databases." Once the Interconnection Databases (ICONN) link has been selected, the CLEC would select "Central Office Find." This allows the CLEC to use the end users NPA NXX to pull information about the serving wire center. The information includes wire center switch code or CLLI codes, switch type, and switch generic. The CLLI code has an additional link for more specific information about the wire center. Additionally, the CLLI code can be noted down and used on another link on the page "Switch Features" to get a complete listing of all the available features in the wire center.

The *second way* is shorter but depends on the CLEC knowing the CLLI code of the serving office. In this situation the CLEC can go directly to the IRRG/ICONN screen http://www.uswest.com/cgi-bin/iconn/iconn.pl and select "Switch Features." The CLEC can select the desired CLLI code from a pull down menu and then receive a complete listing of that wire center's features.

Third, a full list of all available USOCs and FIDs with English translations is available at this web site. To access the USOC definitions, the CLEC can go to the IRRG http://www.uswest.com/wholesale/guides/index.html, then pull down the Resource & Tools menu and select USOC/FID Finder. To do a USOC search, the CLEC should click on USOC Search. The next screen allows the CLEC to enter the desired USOC. A list of all USOCs that contain the USOC characters entered by the CLEC is then returned. To obtain the USOC definition just click on the exact USOC desired. The final screen provides the USOC definition.

The process can be shortened by going directly to the USOC Search screen http://usocfidfind.uswest.com/prodquery/usocSearch.html .

Q. IS THERE AN ALTERNATIVE TO USING THE IRRG?

Yes. A CLEC who uses IMA can also determine "feature availability" through IMA. A feature availability query function in IMA provides all features and functions for a particular wire center.

Q. HOW IS QWEST'S FEATURE INFORMATION DISPLAYED?

A. Whether a CLEC is using the IRRG or IMA, the features and functions are depicted as USOCs. USOCs are the Telcordia code representing the features and/or functions. The IMA query provides a USOC definition in

its response. The IRRG USOCs would need to be looked up in reference material provided.

Q. DOES QWEST ALLOW CLECS ACCESS TO INDIVIDUAL FEATURES?

A. Yes. Qwest provides CLECs with access to individual features, and not feature packages, so that a CLEC is not required to purchase and/or activate any features it does not want to have on an individual customer's local exchange line.[52]

Q ARE THERE FEATURES OR OTHER SERVICES THAT ARE NOT AVAILABLE WITH UNBUNDLED SWITCHING?

A. Yes. Qwest's Advanced Intelligent Network (AIN) features, voice messaging service and Qwest DSL are not available with unbundled switching. The complete list of features and related USOCs not available with unbundled switching can be found in Exhibit KAS-15.

Q. DID THE FCC SPECIFICALLY ADDRESS AIN FEATURES IN THE UNE REMAND ORDER?

A. Yes. The FCC stated in the UNE Remand order:

> We agree with Ameritech that unbundling AIN service software such as "Privacy Manager" is not "necessary" within the meaning of the standard in section 251(d)(2)(A). In particular, a requesting carrier does not need to use an incumbent LEC's AIN service software to design, test, and implement a similar service of its own. (820) Because we are unbundling the incumbent LECs' AIN databases, SEC, SMS, and STPs, requesting carriers that provision their own switches or purchase unbundled switching from the incumbent will be able to use these databases to create their own AIN software solutions to provide services similar to Ameritech's "Privacy

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[52] Except for the limited circumstances were vendors' specific ISDN telephone set features are only available as packages.

[53] UNE Remand Order ¶419.

> Manager." They therefore would not be precluded from providing service without access to it. **Thus, we agree with Ameritech and BellSouth that AIN service software should not be unbundled.(**821) [54] (Emphasis added)

Therefore, Qwest believes that the FCC has determined that AIN features are proprietary. When ILECs make the AIN platform available for CLECs to develop their own AIN features, ILEC features do not need to be unbundled.

Q. DOES QWEST MAKE THE AIN PLATFORM AVAILABLE TO CLECS?

A. Yes. Qwest provides access to the Service Creation Environment (SCE) and AIN database for CLECs to develop their own AIN features. However, Qwest does not provide access to its own AIN features. This is consistent with the FCC order that specifically stated ILECs are not required to unbundle AIN features.[55] This restriction in no way disadvantages the CLEC in accessing features that a central office technically has available. Regardless of how Qwest has decided to offer a central office feature, the CLEC can make a different choice, and choose to have that feature provided by the central office switch.

Q. ARE THE QWEST AIN FEATURES PROPRIETARY?

A. Yes. While Qwest uses platforms developed by Telcordia for the development and deployment of all Qwest AIN services, those platforms have a component, called SPACE (Service Provisioning and Creation Environment), that is used to create new and unique services. SPACE is software owned by Telcordia and is proprietary to Telcordia. SPACE converts computer programs written in a text format into computer code. AIN features are programs that Qwest's engineers create and write.

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[54] UNE Remand Order ¶419. Footnotes 820 and 821 were omitted.

[55] UNE Remand Order ¶419.

SPACE is a programming language that Qwest uses to compile and create its own AIN features. Qwest has developed the AIN services and features it has deployed. The former "Advanced Technologies" (AT) organization within Qwest wrote the service requirements and design documents. In all cases but one, the AT organization did the development (that is, the "coding") of the service using the SPACE software mentioned above. This one exception was due to a resource constraint at AT, and the work was contracted to Telcordia to do the actual "coding" of the service on SPACE.[56] In all cases for all services, AT then did the product testing and deployment of the service into the Qwest network.

In addition to the requirements, design, implementation, and testing, AT assisted the various business units in performing customer testing on various features and functions. In addition to the engineers, developers, and testers, AT employed several staff with Human Factors backgrounds who would work with customer participants to discover the customer's reactions to different feature sets. Based on these trials, and the analysis of the Human Factors staff, specific recommendations were made to the requirements, design and implementation of most of these services.

Q. HAS QWEST PATENTED ANY AIN FEATURES?

A. Yes. Qwest has patents that have been issued by the United States Patent Office for AIN services and other applications have been filed with the patent office. Attached as Exhibit KAS-16C, is a confidential exhibit that identifies the Qwest AIN patents and patent applications. Qwest also has trademarks on several of the service names.

The AIN services that Qwest has developed are also unique in regard to their actual implementation (that is, the "code"). Qwest has specified the

[56] This exception was a work for hire.

requirements for all services based on its unique customer base, region, and in some cases, based on state PUC requirements. In addition, the service implementations are also unique because of the framework that Qwest has developed for the execution and support of AIN services. Qwest has developed several feature managers (for which a patent was granted in 1995) that allows Qwest to provision more than one AIN service to a subscriber.

Q. WHICH OF THE PATENTS ON KAS-16C ARE ACTUAL EXISTING PATENTS AND WHICH ONES ARE PENDING PATENTS?

A. All of the patents that have a seven digit number preceding them, all of which start with the number "5", are existing patents. All of the patents that have a two digit number (like "08" or "09") followed by a backslash and a six digit number are pending patents as of October 26, 2000.

Q. DOES QWEST SEEK AIN PATENTS BEFORE THE WORK IS DONE OR IS THE WORK PERFORMED BEFORE THE PATENT IS SOUGHT?

A. The general rule is that the work on these patents is substantially performed first, and then the patent application is filed. For example, patent number 5,448,631 is listed as a patent under every AIN feature. This patent was put on file before AIN was rolled out. This patent covers the basic concept of how you set up more than one AIN feature on a line and allows AIN features to be added on an automated basis. It also resolves conflicts in AIN features regarding which one should execute first (ex. No Solicitation vs. Do Not Disturb).

Q. IS THE APPARATUS PATENTED OR JUST THE METHOD?

A. A specific answer requires a review and analysis of each patent individually. Generally, patents that have the word apparatus in the title

are apparatus patents. However, these same patents often may have methodology patents included in them as well. The term apparatus is used broadly. It may cover a combination of devices and is not limited to a particular manufacturer.

Q. DOES QWEST PROVIDE CUSTOM ROUTING IN CONJUCTION WITH UNBUNDLED SWITCHING?

A. Yes. Qwest's unbundled switching element also includes the option for the CLEC to order custom routing. Custom routing allows a CLEC that obtains unbundled local switching to route its customers' calls to special trunk groups designated by the CLEC. For example, custom routing allows a CLEC's 411 calls to be routed to the CLEC's directory assistance trunk group (rather than on Qwest's directory assistance trunk group). This allows CLECs to route their customers' 411 calls to the CLECs' own choice of directory assistance provider.

Q. DOES QWEST PROVIDE UNBUNDLED TANDEM SWITCHING?

A. Yes. Qwest offers CLECs unbundled tandem switching. The FCC requirement for unbundled tandem switching[57] is contained within the proposed SGAT:

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[57] First Interconnection Order at ¶425.

9.10.1 The local tandem switching element includes the facilities connecting the trunk distribution frames to the switch and all the functions of the switch itself, including those facilities that establish a temporary transmission path between two other switches, but does not include the transport needed to complete the call. The local tandem switching element also includes the functions that are centralized in local tandem switches rather than in separate end office switches.

Q. ARE QWEST'S COMPLETE OBLIGATIONS FOR PROVIDING UNBUNDLED TANDEM SWITCHING IN THE WASHINGTON SGAT?

A. Yes. In Arizona, AT&T expressed concerns that Qwest's language did not fully capture the FCC's requirements for unbundled tandem switching. To address AT&T's concerns, Qwest has added the following language proposed by AT&T:

9.10.2.2 The requirement to provide access to unbundled tandem switching includes: (i) trunk-connect facilities, including but not limited to the connection between trunk termination at a cross-connect panel and a switch trunk card; (ii) the base switching function of connecting trunks to trunks; and (iii) the functions that are centralized in tandem switches (as distinguished from separate end-office switches), including but not limited to call recording, the routing of calls to operator services, and signaling conversion features. Qwest shall unbundle access to call recording equipment only to the extent any such recording equipment is installed in a Qwest local tandem.

Q. MUST QWEST PROVIDE STAND-ALONE UNBUNDLED SWITCHING TO A CLEC TO GAIN 271 APPROVAL?

A. No. Where demand for a checklist item is low, or a BOC has received no requests for a checklist item, the FCC permits the BOC to submit testing results to demonstrate that it is ready to furnish the checklist item on demand. This insures that Qwest's 271 approval will not be held hostage

until such time as a CLEC were to find an application for unbundled switching.

Q. IS QWEST PREPARED TO OFFER UNBUNDLED SWITCHING TO CLECS?

A. Yes. Qwest has conducted a "Bench Test"[58] which demonstrates that Qwest can, upon CLEC request, provision and maintain unbundled transport and switching in a timely and nondiscriminatory manner.

Q. PLEASE EXPLAIN THE METHODOLOGY USED IN THE BENCH TEST.

A. Following is a general description of the study. A complete description of the 1999 "Bench Test" study methodology and the results of the test are contained in Exhibit KAS-17.

Q. WHAT QWEST PROCESSES DID THE BENCH TEST INCLUDE?

A. The Bench Test tested the provision of unbundled switching orders in Arizona and Nebraska. The Bench Test also tested the transmission of a "test call" over the unbundled elements that were provisioned. For Arizona, the unbundled analog line port orders were provisioned in the Phoenix North East #5ESS switch.

The 1999 Bench Test of Unbundled Elements tested the provision of:

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[58] The Bench Test included operator services and directory assistance completion and branding.

- Unbundled Dedicated Interoffice Transport (UDIT)
- Shared Transport
- Unbundled Switching Message Trunk Port & Message Trunk Group and Members.
- Unbundled Analog Line Port
- Custom Routing
- Unbundled Customer Controlled Reconfiguration Element (UCCRE)[59]

The Bench Test tested (1) the provision of unbundled switching, transport and UCCRE orders in Arizona as well as (2) the repair and maintenance of these elements. In the Bench Test, ***actual orders were placed and completed*** for each unbundled element tested. These orders followed the order provisioning processes outlined in the provisioning flow diagrams contained in the exhibits to my testimony. An LSR and ASR were written and sent to the Service Delivery Coordinator and orders were then sent all the way through the provisioning process, using all of the appropriate Operational Support Systems (OSS). In Arizona, the physical connection was completed and for both states the billing was established. Thus, the entire process, from delivery of an ASR/LSR to billing the customer was tested.

The Bench Test also included the transmission of "test calls" over the unbundled elements that were provisioned. The test calls generated local minutes of use which were captured by AMA equipment, allowing a summary bill to be created. After provisioning was completed, trouble

[59] The Unbundled Customer Controlled Reconfiguration Element (UCCRE) gives a CLEC the ability to connect elements together into a network and reconfigure the network on a near-real-time basis. The software system used with the Customer Controller enables the CLEC to reconfigure groups of channels using a single command.

reports were processed to test and validate Qwest processes and procedures for the repair/maintenance of these services.

In the Phoenix, Arizona North East #5ESS switch test, unbundled analog line ports were provisioned and services were physically installed and tested, following the exact process that would be followed when service is installed for a CLEC customer. The unbundled analog line ports required the establishment and deployment of a unique measured Line Class Code (LCC) with Shared Transport, blockage of 900 calls and Custom Routing to a dedicated trunk group for OS/DA traffic. A dedicated combined OS/DA trunk group with branding was established between the Phoenix North East #5ESS switch and the Toll Operator Switch (TOPS) in the Phoenix Main central office. The unbundled analog line port was terminated on a designated Interconnection Distribution Frame (ICDF).

UDIT orders were provisioned and physically installed between the Phoenix, Arizona North East central office and the Phoenix, Arizona Main central office. The UDIT was terminated on a designated Interconnection Distribution Frame (ICDF). Orders were also provisioned and installed to test Unbundled Customer Control Reconfiguration Element (UCCRE).

To make the actual test call, the unbundled analog line ports were wired to a telephone within the central office, rather than an unbundled loop. Calls involving both local originating and terminating and OS/DA traffic were successfully completed.

Q. WHAT ISSUES WERE IDENTIFIED AS A RESULT OF QWEST'S BENCH TEST?

A. The 1999 Bench Test did identify provisioning issues that needed to be addressed. For example, in some cases, the initial test order "dropped

out" due to an input error or a missing entry in a table.[60] As these errors were identified, the provisioning systems were corrected. ***In all cases, after the error on the initial order was corrected, the initial and all subsequent orders were successfully processed through the Qwest systems.*** For example, as noted in the study documentation in Exhibit KAS-17 (see section 5.04.8) the initial Analog Line Port order erred out because the SOAC USOC table field did not have the proper code for a DMS-100 switch. The SOAC tables for all DMS-100 switches were updated to include the proper code, and the order was resent through the system and processed successfully. It is important to understand that in the Bench Test, errors were corrected in a manner that would prevent the same error happening in subsequent orders.

Q. DID ISSUES FOUND AS A RESULT OF THE BENCH TEST IMPACT DELIVERY TIME FRAMES?

A. No. The problems uncovered in the Bench Test were not significant in nature, and did not jeopardize any of the critical dates. In each case, despite the correction of problems, all critical interval dates were met, and the service was delivered on the due date. Thus, in each instance, Qwest was able to provision each item on time. Please refer to Exhibit KAS-17 for a description of the test steps for each unbundled element, the errors encountered, and the corrective steps taken.

Q. PLEASE SUMMARIZE THE BENCH TEST RESULTS.

A. In summary, the Bench Test clearly demonstrates that the processes are in place for Qwest to successfully provision CLEC orders for unbundled transport and switching in a timely, accurate and non-discriminatory

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[60] This is not an uncommon occurrence when testing the provision of a new service using new processes.

manner. The Bench Test demonstrates that Qwest is able to install, repair/maintain and bill these elements. For each unbundled element, the provisioning processes worked successfully—from the pre-order transactions, through the submission of an ASR/LSR, the order handling steps and the physical installation of the element, and concluding with the rendering of a bill. In addition, the testing of the repair and maintenance processes and procedures successfully demonstrated Qwest's capability to perform this function for these elements. The Bench Test proves that Qwest can provision and install, within standard installation intervals, unbundled transport and switching when requested by a CLEC.

Q. EXPLAIN QWEST'S PROVISIONING PROCESS FOR UNBUNDLED SWITCHING IN WASHINGTON.

A. Qwest will provision unbundled switching in Washington utilizing a defined order and provisioning flow. Exhibit KAS-18 contains a flowchart that delineates the tasks performed by Qwest personnel in order to provide unbundled switching. This exhibit also includes a matrix that describes each of the work tasks identified in the flow chart. Qwest followed this same provisioning flow in the Bench Test mentioned above. Qwest will follow these steps if it receives an order for stand-alone unbundled switching in Washington.

Q. WHAT ARE QWEST'S RESPONSIBILITIES FOR UNBUNDLED SWITCHING MAINTENANCE?

A. Qwest will maintain unbundled switching in Washington utilizing a defined process flow. Exhibit KAS-19 contains a flowchart that delineates the tasks performed by Qwest personnel in order to provide CLECs maintenance for their unbundled switching. This exhibit also includes a matrix that describes each of the work tasks identified in the flow chart.

Qwest followed this same repair/maintenance flow in the Bench Test mentioned above. Qwest will follow these steps if it receives a repair call for stand-alone unbundled switching in Washington.

Q. HAVE PERFORMANCE MEASUREMENTS BEEN ESTABLISHED FOR UNBUNDLED SWITCHING?

A. No. Given the limited demand for stand-alone unbundled local switching, the ROC has not identified specific performance measurements for stand-alone unbundled switching. The ROC has determined that testing of unbundled switching as part of a UNE combination is more appropriate. Therefore, the ROC OSS test will specifically review Qwest's ability to provide CLECs nondiscriminatory access to unbundled switching in conjunction with combinations of loop and transport unbundled network elements.

Q. IS QWEST AWARE OF ANY WRITTEN COMPLAINTS WITH THE COMMISSION REGARDING CHECKLIST ITEM 6?

A. No.

Q. PLEASE SUMMARIZE CHECKLIST ITEM 6.

A. Through its SGAT, Qwest provides CLECs with access to unbundled switching. Per FCC guidelines, Qwest has a concrete obligation to offer EELs in the two wire centers within Density Zone One of the Seattle MSA, and as a result does not offer unbundled switching as a TELRIC-priced UNE in those wire centers.

CLECs have not requested unbundled switching from Qwest. However, Qwest, through its Bench Test, has established that it can provision, maintain and bill unbundled switching (in conjunction with dedicated transport as well as shared transport) upon request, and in a timely

manner, thereby providing CLECs with a meaningful opportunity to compete. Therefore, the Commission should find that Qwest satisfies checklist item 6.

VII. CONCLUSION

Q. PLEASE PROVIDE A CONCLUSION OF YOUR TESTIMONY.

A. Qwest has satisfied the requirements of the Act for access to unbundled network elements, including unbundled switching and unbundled transport, checklist items 2, 5 and 6. Qwest has a concrete and specific legal obligation to provide these items through both existing interconnection agreements and the proposed SGAT.

Qwest is currently providing access to UNEs in Washington. CLECs have access to unbundled switching and both dedicated and shared transport in Washington through the SGAT. Although CLECs have not ordered significant quantities of these offerings, they are available to them. Qwest performed a Bench Test to demonstrate that it could, upon CLEC request, provision, repair and bill these elements in a timely way. Qwest makes additional network elements available to CLECs.

Qwest provides CLECs with access to all of these UNEs such that the CLEC can combine them into finished telecommunications services. Qwest will also provide CLECs with access to UNE combinations. Not only will Qwest provide CLECs with access to elements currently combined, Qwest will combine UNEs on behalf of CLECs, whether they be UNEs Qwest ordinarily combines, UNEs Qwest does not ordinarily combine, or combinations of Qwest UNEs with CLEC UNEs.

As a result, my testimony demonstrates that Qwest has satisfied the requirements for the following checklist items listed in Section 271 of the Telecommunications Act of 1996:

- Checklist item 2 - access to unbundled network elements and ancillary services (except OSS),
- Checklist item 5 - local transport unbundled from switching, and
- Checklist item 6 - local switching unbundled from transport and the local loop.

This concludes my direct testimony.