

8331

1 MCI WORLDCOM, by THOMAS F. DIXON, Senior
2 Attorney, 707 17th Street, Suite 3600, Denver, Colorado
3 80202; telephone, (303) 390-6206.
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1

2

INDEX OF EXHIBITS

3

4 EXHIBIT: MARKED: ADMITTED:

5 1795 8335 8335

6 1796 8335 8335

7 1797 8413 8413

8 1798 8413 8413

9 1799 8460 8460

10 1800 8460 8460

11 1801 8460 8460

12

13

14

15

16

17

18

19

20

21

22

23

24

25

8333

1

WITNESS INDEX:

2

3

CHRIS VIVEROS

PAGE NO.

4

Presentation

8336

5

Cross-examination by Ms. Tribby

8350

6

Cross-examination by Mr. Dixon

8368

7

Cross-examination by Ms. Doberneck

8386

8

Cross-examination by Chairwoman Showalter

8394

9

Further Cross-examination by Ms. Doberneck

8399

10

Cross-examination by Chairwoman Showalter

8401

11

Cross-examination by Judge Rendahl

8402

12

Redirect Examination by Mr. Crain

8405

13

Further Cross-examination by Ms. Tribby

8411

14

Further Cross-examination by Ms. Doberneck

8411

15

16

17

LYNN NOTARIANNI

18

Presentation

8413

19

Cross-examination by Ms. Tribby

8430

20

Cross-examination by Mr. Dixon

8432

21

Cross-examination by Ms. Doberneck

8451

22

Cross-examination by Chairwoman Showalter

8455

23

Cross-examination by Judge Rendahl

8456

24

Redirect Examination by Mr. Crain

8457

25

Further Cross-examination by Mr. Dixon

8459

8334

1	DANA FILIP	PAGE NO.
2	Presentation	8464
3		
4	Direct Examination by Mr. Crain	8476
5	Cross-examination by Ms. Tribby	8477
6	Cross-examination by Mr. Dixon	8483
7	Cross-examination by Ms. Doberneck	8484
8	Cross-examination by Judge Rendahl	8486
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 P R O C E E D I N G S

2 JUDGE RENDAHL: Let's get started. Good
3 morning, everyone. We are here for the last day of
4 scheduled hearings here in Washington State, two years
5 in the making, and we are here to talk about the ROC
6 OSS final report, and we are turning to Qwest witnesses
7 today. There has been a change in schedule in that
8 Mr. Viveros will start off the day and then
9 Ms. Notarianni and then Ms. Filip.

10 There are two exhibits that we need to mark
11 and admit this morning. The first is Exhibit 1795,
12 which is Qwest's performance results for Washington,
13 May 2001 to April 2002, and Mr. Viveros's handout
14 labeled "Qwest Corporation Ordering Provisioning and
15 Billing," and that's marked as 1796. Are there any
16 objections to the admission of these two documents?
17 Hearing nothing, they will be admitted. Mr. Viveros,
18 would you please state your full name and address for
19 the court reporter, and then we will swear you in as a
20 witness.

21 MR. VIVEROS: My name is Christopher Viveros.
22 My address is 1778 Montrose Drive, Concord, California,
23 94519.

24 JUDGE RENDAHL: Thank you. Could you raise
25 your right hand please?

8336

1 (Witness sworn.)

2 MR. VIVEROS: Good morning. Turning to my
3 handout on Page 2, I'm going to take you through the
4 OSS components of ordering, provisioning, and billing,
5 and we've heard a lot over the last couple of days on
6 this, so I'm not going to go into a lot of detail.
7 You've heard from the vendors. You've heard from the
8 CLECs.

9 I want to make you aware that the focus of my
10 comments today will be on the topics that were
11 discussed, the focus being those few items that the
12 vendors were either not able to determine or did not
13 pass Qwest on as opposed to the vast majority of
14 evaluation criteria where we did satisfy the test
15 requirements. So the first page relief is from an
16 ordering perspective, just a summary of the four
17 ordering tests and the overall results.

18 Moving on to Page 3, we've talked about the
19 jeopardy notice process, the reasons for jeopardy
20 notices and the two criteria that KPMG was not able to
21 satisfy Qwest during the test on, and I just wanted to
22 share some additional information so that we are clear.
23 The criteria were based on the dual test because the
24 PID standard is parity. They were not able to reach a
25 decision as a result of the test more than likely

8337

1 because of the extremely low volumes involved, which
2 when it comes to jeopardy notices is a good thing. It
3 means there were very few orders that were missed, and
4 actually, even after they brought that to the TAG, the
5 TAG was not able to make a decision based on the test
6 results as defined by the PID.

7 The performance indicator definition calls
8 for a product disaggregation of resale services
9 separate from UNE-P services, so when looking at the
10 results individually, the data was inconclusive. It
11 wasn't until deciding to merge the results across the
12 product lines and across the 13-state region that the
13 test results actually allowed the steering committee to
14 determine that Qwest had not passed this criteria.
15 Looking at actual commercial data in the State of
16 Washington, we have been providing jeopardy notices on
17 par with retail to our CLEC customers for the last 12
18 months, and for references, that's PID P-09(a) and
19 P-09(d).

20 The next topic within ordering beginning on
21 Page 4 is the issue of manual processing and the
22 inherent human errors that are associated with manual
23 processing. Hopefully, it's not too unusual these days
24 that the CLECs and Qwest are in complete agreement
25 whenever there is manual processing, there will be some

8338

1 level of human error and that the issue associated with
2 this is how you go about containing that manual error
3 and insuring that it's at a reasonable level. Qwest
4 has spent a lot of time and effort in putting
5 mechanisms in place to minimize the level of human
6 error, the level of opportunity for human error both
7 during the tests and on a going-forward basis.

8 We've talked about flow-through.
9 Flow-through certainly reduces the opportunity for
10 manual handling, and Qwest flow-through rates have
11 steadily improved during the course of the test. We
12 have taken what was flow-through eligible in 2000 and
13 worked to eliminate those exceptions that we could. We
14 had added flavors of unbundled loop.

15 We talked about new products yesterday, and
16 from a Qwest perspective, the four reporting
17 disaggregations for flow-through are categories of
18 products. They are not individual products, and there
19 are various products within those categories. The
20 number of products that flow-through today is
21 definitely larger than the number of product that
22 flowed through in 2000, so we have added products. We
23 have taken the exceptions, things that prevented
24 flow-through last year or two years ago, and worked to
25 insure that we could eliminate that from stopping an

8339

1 order from flowing through.

2 Above and beyond that, we look at our
3 flow-through results. We look at individual CLEC
4 flow-through results, and we look for trends. We look
5 for common mistakes that a given CLEC is making that is
6 precluding their flow-through rate from increasing, and
7 we make contacts with the CLEC. We explain the
8 concerns we have. We offer to conduct training with
9 them or to schedule sessions so we can cover their
10 personnel and explain what actions they are taking that
11 are driving their flow-through rates down.

12 We've also instituted a number of quality
13 improvements. We've created quality checklists that
14 our service representative use checking key fields on
15 an order before they distribute that out to the
16 provisioning world. We have instituted buddy systems
17 and a nesting process for new and intermediate typists,
18 and we have conducted internal audits of our order
19 quality, once again, looking at the key fields you have
20 heard about having an impact on CLEC's business or on
21 performance results, and over the last two months,
22 looking at resaling UNE-P as well as loop, our
23 manual-ordering accuracy ranges from 95.7 all the way
24 up to 100 percent.

25 In addition to that, in response to KPMG's

8340

1 adequacy study, Qwest has responded to that, and as
2 part of that response and in discussions in the last
3 TAG has proposed to add an additional PID in order to
4 measure manual-order accuracy. We put a proposal
5 forth. There were no objections from the TAG
6 participants. There are still several details to work
7 out. We will do that under the auspices of the
8 long-term PID administration.

9 Moving on to Slide 5, Test 13 talked about
10 flow-through, and I've discussed flow-through to a
11 certain degree. I just wanted to reiterate that the
12 flow-through test based on the standards that existed
13 when testing began only had one criteria that KPMG was
14 actually able to evaluate on a satisfied, not-satisfied
15 basis, and KPMG found that our order flow-through
16 documentation was complete, accurate, clear, and
17 available to the CLEC community.

18 Primarily, that involve the documentation
19 that communicates the types of orders, activities, and
20 the conditions, the types of orders and activities that
21 will flow-through as well as the types of conditions on
22 an order that would preclude that request from flowing
23 through into Qwest's service order processor. That
24 document, although certainly maintained by Qwest, was
25 not a one-sided document.

8341

1 As part of our PID negotiations, the parties,
2 and Qwest included, agreed that we needed to provide a
3 definition around what flow-through eligible meant, and
4 we did that. We shared that with the CLECs that
5 participated in the third-party test tags both in the
6 ROC as well as in Arizona, and there was dialogue,
7 discussion, and feedback that resulted in changes to
8 what that document reflected was eligible or not.

9 In addition, as I already indicated, we
10 focused on those conditions that preclude an order from
11 flowing through working to eliminate as many as
12 possible. There are some conditions that simply will
13 always stop an order from being able to flow through,
14 the best example being when the CLEC has to have a
15 human purposefully get involved in that request before
16 it enters the provisioning flow. There is an option on
17 the LSR where the CLEC actually directs Qwest systems
18 to not flow the request through but to drop it to the
19 service center because they want a human to look at it,
20 more than likely to read some communique on the
21 request, before it is processed.

22 Another example would be where they are
23 attempting to expedite a request, so a human will need
24 to be involved to make contacts to other departments to
25 attempt to negotiate a better date for the CLEC before

8342

1 that order goes through with a standard interval. The
2 remaining test criteria for the flow-through tests were
3 all deemed diagnostic. That's because there was no
4 standard for P0-2(d) at the time the test started. The
5 ROC has established standards since then, and if you
6 look at the actual test results and compare it to the
7 standards that are in place, you will see that Qwest
8 satisfied all 10 of those criteria.

9 Test 15, the capacity tests, both from a
10 normal and peak as well as a stress standpoint, Qwest
11 performed excellent during the volume test. It shows
12 that Qwest has ample capacity, both today as well as in
13 the future to process CLEC requests.

14 Moving on to provisioning, again, this is a
15 summary of the overall test results that we've talked
16 about over the last couple of days, and I will be going
17 through the few points where KPMG found exception.
18 Moving on to Slide 7, criteria 14-1-10 as well as
19 14-1-14 were about unbundled dark fiber and EELs. And
20 it was about whether or not Qwest had well-formed
21 business processes and whether we followed those
22 business processes. KPMG conducted their test. They
23 found deviations. The vast majority of those
24 deviations were not a result of technicians not doing
25 something correctly but rather the documentation not

8343

1 reflecting the realities of what should be done.

2 Qwest responded to those issues by updating
3 the documentation to bring it in sync with the real
4 practices that existed for processing these kinds of
5 requests and successfully turning them up, and KPMG
6 undertook a retest. Unfortunately, because it was
7 based on commercial observation and because there have
8 been very limited quantities of these products, they
9 weren't able to obtain an adequate number of
10 observations in order to draw conclusion as to whether
11 or not that revised documentation resulted in adherence
12 by our technicians.

13 That was taken to the TAG. The TAG agreed to
14 a date certain for requiring observations. We simply
15 didn't have enough data to post those revisions to make
16 a determination as to whether or not Qwest is adhering
17 to those procedures or not.

18 Criterion 14-1-36 has to do with our OP-4C
19 results. That's the average interval that Qwest
20 installs a CLEC's request or where a technician doesn't
21 have to be dispatched out to the premise. That is a
22 parity measure. With respect to UNE-P POTS, there were
23 several factors involved in the OP-4C test. KPMG
24 conducted their test. They found that Qwest was not
25 providing service on par. Most of the results were

8344

1 within less than a day. They were in fractions of a
2 day difference. However, there were several factors
3 that were contributing to that. There were some
4 differences in the standard interval guide or service
5 interval guide with respect to the UNE-P POTS product
6 as opposed to the retail and resale intervals.

7 As a result of the OP-4C results as well as
8 an observation or exception that HP raise with respect
9 to the SIG, Qwest did a complete review of the SIG,
10 compared its resale and UNE-P products to the current
11 retail offerings, updated the interval guide to reflect
12 the same intervals for comparable activities, produced
13 that revised guide to the CLECs through the CMP process
14 for review and comment, which there were very few, and
15 published a revised guide in order to bring those
16 limited number of intervals that were out of sync into
17 sync so we have the same intervals for the same
18 products in similarly situated circumstances.

19 In addition to that, there was a difference
20 in business process that existed between residents and
21 business services. Residential services were including
22 Saturdays in their calculation of business day for
23 interval determination. That did apply to both retail
24 and resale residential services. However, Qwest does
25 not have distinct residential and business UNE-P

8345

1 offerings. They only have a single UNE-P offering, so
2 the process was following the business process. We
3 modified that as well making Saturday a valid business
4 day for UNE-P services.

5 Once we created a standard consistent process
6 across the product structure, and subsequent to or in
7 conjunction with UNE-P having Saturday become available
8 as a valid business day, business POTS resale did as
9 well. Once we had our retail and our wholesale across
10 the product lines that are compared operating under the
11 same business rules, we were able to see that Qwest has
12 been providing service on par between markets, and
13 that's what the most recent commercial results show you
14 in the State of Washington. For March and April, which
15 is when that business process changed, you can see that
16 we are providing services on par between UNE-P, resale,
17 and retail.

18 One last note about that, the test results
19 that you see will differ from the commercial results
20 based on TAG agreement. When we determined that these
21 process differences existed, we brought that
22 information to the TAG. We explained what we did from
23 a going-forward standpoint to correct the problem, and
24 then we discussed how we would address it with respect
25 to results both from a test standpoint as well as a

8346

1 commercial standpoint. So we went back from a
2 commercial standpoint and recasted data back to
3 December with TAG agreement calculating the results as
4 though Saturday had been offered and included as a
5 business day consistently across all those products.
6 Although it hadn't been and it made Qwest wholesale
7 results look worse, we wanted to be able to show that
8 this is -- we wanted the results to be consistent, and
9 we wanted you to be able to see the trend and the
10 change in performance as a result of syncing of those
11 business processes.

12 JUDGE RENDAHL: Can you just state what the
13 measure is and the performance measures that will show
14 the trend?

15 MR. VIVEROS: It's OP-4C, and you will see it
16 for the UNE-P POTS disaggregation.

17 The TAG came to a different conclusion with
18 respect to the test results. For the test results, the
19 UNE-P results that drove the not-determined in the
20 second test were based on a comparison to business
21 only. The participants of the TAG felt that because
22 business wasn't offering Saturdays and UNE-P wasn't
23 offering Saturdays that that was a more accurate
24 comparison for testing purposes. Qwest did not
25 completely agree with that, recognizing that CLECs use

8347

1 the UNE-P product to serve both residential and
2 business customers, but in the spirit of consensus, we
3 did agree to have the results reflect that.

4 Moving on to Page 8, Criterion 14-1-44 is a
5 provisioning measure or provisioning criterion that was
6 always deemed undetermined because of concerns by KPMG
7 around the impact of manual processing. They had
8 deemed this satisfied as a result of the final retest.
9 Associated with Exception 3120, they found eight manual
10 processing errors that gave them some pause. They did
11 not have an opportunity to determine exactly what the
12 overall impact would have been. We've talked about
13 numbers larger than that, but the fact is that the
14 larger number of errors associated with the manual
15 handling of orders covers a time frame that includes --
16 that wasn't just the last April retest. It spans back
17 in time with respect to the test where these other
18 issues were occurring. We were in the process of
19 instituting the checklist, the quality measures, and
20 making changes to insure that manually-processed orders
21 were getting the correct application of start date, due
22 date, the appropriate interval, and so the most recent
23 results -- I think you heard KPMG say this -- what they
24 were focused on was the most recent results, and it
25 just didn't provide enough information to determine

8348

1 what the impact of manual processing would be on this
2 particular criterion.

3 Moving on to billing, once again, Slide 9
4 simply provides a summary of the overall results of the
5 test. On Page 10, during the billing usage functional
6 evaluation, KPMG found that we passed all the criteria
7 with the exception of two, and both those criteria
8 involved CLEC usage return, which once again, not being
9 able to make a determination is a good thing. It means
10 Qwest delivers usage to the correct CLEC.

11 KPMG was not able to observe CLECs returning
12 usage, and that drove the unable-to-determine. That's
13 based on the fact that no CLEC has found it necessary
14 to invest in developing this capability. There are
15 alternatives to it, certainly in those limited
16 circumstances where a CLEC receives "duff" files
17 that they believe aren't theirs or aren't accurate.
18 Rather than use this mechanized formal process, they
19 will contact Qwest. They will contact our billing
20 service center. They will contact their service
21 manager or their account manager, and they will resolve
22 any concerns without going through the formal process
23 of mechanically and formally repairing that usage to
24 Qwest.

25 The other criterion that was

8349

1 unable-to-determine was associated with the billing and
2 collection center evaluation, and what KPMG was not
3 able to observe was whether or not the defined process
4 for training our billing representatives was adhered
5 to, and that's because that training is only conducted
6 on an as-needed basis, and during the pendency of the
7 test, KPMG did not have an opportunity to observe any
8 of that training taking place.

9 Moving on to Slide 11, the last test, the
10 carrier bill functional evaluation, had four criterion
11 that were not able to be determined. You heard KPMG
12 talk about all of these, the fact that the bill
13 retention process could not be determined because the
14 test didn't last six years. The other criterion being
15 based on things that KPMG simply wasn't able to observe
16 either because they didn't include that in the testing,
17 such as making payments -- the pseudo CLEC never made
18 any payments to Qwest -- or because the process of
19 psychobalancing or reasonability checks were imbedded
20 in automated systems, and therefore, KPMG wasn't able
21 to do their white-box test, if you will, to actually
22 peer inside and see these things and make emphatic
23 determination that they were sufficient. That
24 concludes my comments.

25 JUDGE RENDAHL: Thank you, Mr. Viveros.

8350

1 Ms. Tribby, do you have questions for Mr. Viveros?

2 MS. TRIBBY: I do, Your Honor. Thank you.

3

4

5

CROSS-EXAMINATION

6 BY MS. TRIBBY:

7 Q. Good morning, Mr. Viveros.

8 A. Good morning.

9 Q. Let's go ahead and start with your charts,
10 Exhibit 1796. Would you turn to Page 3? Discussing
11 12-9-4 and 12-9-5, the jeopardy notices, were you here
12 when Mr. Weeks and Mr. Dellatorre testified this week?

13 A. For most of it, yes.

14 Q. Do you remember Mr. Weeks saying in response
15 to my cross-examination that he had been mistaken when
16 he stated in his opening comments that 12-9-4 and
17 12-9-5 had to do with a limited volume of orders, and
18 in fact, the conclusions that they reached were not
19 based on having an insufficient number of orders? Do
20 you recall that testimony?

21 A. No, I don't.

22 Q. Actually, you say here that the dual
23 statistical test reached no decision giving limited
24 volume of due-date misses. Actually, the tests were
25 able to reach statistically significant conclusions,

8351

1 but the two tests reached different statistically
2 significant conclusions. Isn't that accurate?

3 A. I'm not sure that it is, and I'm certainly
4 not a statistician, so my understanding was that the
5 dual tail test was to result in a single decision, and
6 that when, in fact, the type of conflict that you are
7 talking about existed, it resulted in no statistically
8 sound decision.

9 Q. Do you recall Mr. Dellatorre commenting that
10 although the dual statistical tests may have a greater
11 chance of reaching no decision with lower sample sizes,
12 lower sample sizes did not lead to that conclusion for
13 purposes of these criteria. Do you recall that?

14 A. I do recall Mr. Dellatorre saying that low
15 sample sizes do increase the chances of no decision and
16 that you can reach no decision at a higher sampling. I
17 don't recall him specifically saying in this instance
18 that isn't what drove this.

19 Q. If that was KPMG's professional conclusion,
20 would you disagree with that?

21 A. No.

22 Q. Let's turn to Page 4 of your handout. Down
23 towards the bottom, you talk about Qwest having
24 performed internal audits of resale and UNE-P and loop
25 order accuracy. Do you see that?

8352

1 A. Yes.

2 Q. Now, those internal audits have not been
3 audited or reviewed by any outside source, have they?

4 A. I don't believe they have.

5 Q. I thought I heard you say, correct me if I'm
6 wrong, with respect to your last bullet point on Page 4
7 that there had been TAG agreement with respect to
8 Qwest's proposal to add a PID to measure manual-order
9 accuracy. Just so the record is clear, Qwest hasn't
10 actually made that proposal yet, and that proposal
11 hasn't yet been taken to the TAG; correct?

12 A. I think we might have a semantic issue here.
13 My understanding is that a proposal was presented to
14 the TAG. It did not include a formatted PID form, but
15 that Qwest's position and offer of creating a measure
16 and the details of that measure were, in fact, shared
17 with the TAG, and that based on silence being
18 consensus, the parties were asked whether or not they
19 objected to the proposal. They didn't object to the
20 proposal, and I believe MPG, who was conducting the
21 meeting, indicated that the proposal had been accepted.

22 As I indicated in my testimony, there are
23 details to work out, and we fully expect to submit a
24 written individual PID layout with some of those
25 details in it and expect the parties will work together

8353

1 during the long-term PID administration process to come
2 to a final decision around all the details of that
3 measure.

4 Q. And I appreciate that clarification. I just
5 want to make sure the record is clear. So there has
6 been agreement that a PID is a good idea and that a PID
7 will be created, but the PID has not yet been created,
8 and there is not TAG agreement as to the PID; correct?

9 A. I think that's fairly accurate, yes.

10 Q. You talk about flow-through on Page 4 and 5
11 of your handout, which is Exhibit 1796. Do you also
12 have Exhibit 1795 in front of you, Qwest performance
13 results?

14 A. I do not.

15 JUDGE RENDAHL: Off the record for a moment.

16 Q. Do you have that in front of you?

17 A. Yes.

18 JUDGE RENDAHL: Which page should we be
19 looking at?

20 MS. TRIBBY: We are going to start on Page
21 51.

22 Q. (By Ms. Tribby) As you've noticed in your
23 handouts and there has been some discussion of this
24 week, KPMG did find some issues that were closed,
25 unresolved, or not satisfied with respect to both Qwest

8354

1 manual processing of orders and their flow-through. Is
2 that accurate?

3 A. No, it's not.

4 Q. What would you disagree with that I just
5 said?

6 A. KPMG did not find any of the flow-through
7 criterion not satisfied or unable-to-determine.

8 Q. When looking at Qwest's flow-through and
9 orders that didn't flow through or that fell out for
10 manual processing, they commented on those orders;
11 correct?

12 A. Yes. They certainly commented on most of the
13 results during the test.

14 Q. There were observations and exceptions with
15 respect to Qwest's manual handling of orders that fell
16 out for manual processing, some of which were either
17 closed, unresolved, or not satisfied at the conclusion
18 of the test; correct?

19 A. Yeah, I believe that's correct.

20 Q. If you could look at Page 51 with me, and I
21 just want to go through. As I understand your
22 testimony and that of your colleagues, in the instances
23 where Qwest had failures in the KPMG test, you have
24 pointed the Commission to your commercial performance
25 results as a backup indicator of your performance. Is

8355

1 that fair?

2 A. I believe that's fair, yes.

3 Q. If you will look at Page 51 for me,
4 electronic flow-through for resale, looking at the top,
5 which is the flow-through rates for all orders, UNE-P
6 POTS resale, aggregate without UNE-P POTS, and I look
7 at the last four months with the IMA interface, Qwest
8 is in the range of 60 to 67 percent -- actually, 64 to
9 67 percent flow-through; correct?

10 A. Correct.

11 Q. And for the EDI interface for all orders,
12 Qwest flow-through rates are in the range of four
13 percent to 23 percent for the last four months;
14 correct?

15 A. That's correct. Although, it's based on very
16 low numbers.

17 Q. And looking down at actually the flow-through
18 eligible rates, which Qwest prefers to focus on where
19 there has been a benchmark set, for example, in the
20 last chart for EDI where there has been a benchmark of
21 90 percent set, Qwest has only satisfied that benchmark
22 one time in the last 12 months; correct?

23 A. Yes, that's correct, and it's based on a
24 total volume that's less than a single month looking at
25 total orders via the GUI.

8356

1 Q. That is the volume that this Commission has
2 in front of you for purposes of data in Washington?

3 A. That's not the only volume it has in front of
4 it. I would suggest that although the parties chose to
5 disaggregate the results based on the interface a CLEC
6 uses, where volumes are comparable, you can see that
7 the flow-through levels are comparable.

8 So certainly, the limited number of orders
9 that comes through an interface and this false
10 disaggregation, in my mind, wouldn't be the best
11 evidence. Looking at totality of orders that Qwest
12 receives through both interfaces and the total results
13 would be a much more accurate representation.

14 Q. Of course, someone else could look at these
15 same results, couldn't they, particularly those in the
16 last chart on the page, and say, Gosh, even where Qwest
17 has less than 10 orders a month for resale through it's
18 EDI interface, they still can't meet the benchmark and
19 in most cases can't do better than 50 to 70 percent.
20 That could be a conclusion someone could also reach
21 looking at these results; correct?

22 A. It's certainly be a conclusion. I'm sure if
23 you took it a step further and looked at the underlying
24 information and what the root causes were, given the
25 much stronger performance once you have normalized your

8357

1 results based on increased volumes, you would see that
2 there were more than likely common reasons for these
3 orders not flowing through. In fact, all those orders
4 could be attributed to a single mistake that a CLEC
5 made over and over again.

6 Q. Or that Qwest made?

7 A. That's fair.

8 Q. Let's turn to the next page, Page 52, and
9 again, looking at the top two charts, which are the
10 flow-through rates for unbundled loops in Washington,
11 again, in the last four months, using the IMA
12 interface, Qwest is, at best, has a 30 percent
13 flow-through rate; correct?

14 A. For the GUI.

15 Q. Yes, and for EDI, they have less than an
16 approaching 60 percent in one month flow-through rate
17 for the last four months; correct?

18 A. That is correct, but again, the overall
19 flow-through rate is based on all the LSRs received by
20 Qwest. That would include those that are eligible for
21 a flow-through, those that are not eligible for
22 flow-through, including those that were specifically
23 directed by the CLEC to not be sent for flow-through.

24 Q. Let's talk about that. It's not your
25 testimony, is it, that a CLEC would ask Qwest to direct

8358

1 that an order be manually handled unless there were no
2 other way to have it be processed?

3 A. I'm struggling a bit here, because although
4 that wasn't necessarily my testimony, to my
5 understanding in working closely with those that are
6 contacting CLECs, offering take, attempting to increase
7 a CLEC's volume up, yes, there were instances where
8 CLECs were marking the manual handling box without good
9 reason.

10 Q. Isn't the typical case where a CLEC will mark
11 a manual handling box where they know that an order has
12 some unique aspect to it that won't otherwise allow it
13 to flow through, so in order to make sure it's
14 processed, they mark it for manual handling. Isn't
15 that fair?

16 A. No, I don't believe it is. Certainly there
17 are circumstances on a flow-through eligible request
18 where potentially for a limited period of time, the
19 parties might come to the conclusion that the manual
20 handling indicator needed to be set in order to get
21 that order into the hands of a human, but if a CLEC
22 knows that an order isn't going to flow through, there
23 is absolutely no reason for the CLEC to mark the manual
24 handling indicator, nor is there any documentation out
25 on Qwest's Web Site that says, If your order can't flow

8359

1 through, mark this box.

2 We have gone through our documentation. At
3 one point in time quite a while back, there had been
4 some outdated documentation with respect to wanting
5 orders to go into a human's hands. That documentation
6 has been removed. Certainly multiple notices have been
7 sent out with respect to revised documentation since
8 then, and I think that it has been made very clear that
9 the manual handling request is an exception process.

10 It is only in those circumstances when the
11 CLEC wants to deviate from the norm, whether that norm
12 is a flow-through request or a non flow-through
13 request. It's the CLEC saying, I definitely want you
14 to have a human look at this because I'm going to do
15 something nonstandard.

16 Q. So is it your testimony today at this point
17 in time there are CLECs that given the choice between
18 an order that will flow all the way through or be
19 manually handled, make the choice of having the order
20 be manually handled?

21 A. I think that would have to be a yes, and
22 maybe not from the intent of your question, but it made
23 me think of circumstances where as I understand it --
24 through this process of looking at individual CLEC
25 flow-through rates, we had a customer whose

8360

1 flow-through rate was not very high, and we identified
2 a consistent problem on the order that was preventing
3 flow-through. It wasn't checking the manual handling
4 box, but it was a consistent every order seems to be
5 dropping out for this one reason, and in contacting the
6 CLEC, the CLEC informed us that it wasn't their people.
7 It was their interface, and they were aware of the
8 problem, and they were not interested in fixing it at
9 that point in time. They would incorporate it into a
10 future release, and yes, they recognized that it was
11 precluding flow-through and made the choice to have
12 those orders not flow through as opposed to make a
13 change to their interface.

14 Q. Would you agree with me that it would be rare
15 or at least occur in the minority of situations where a
16 CLEC that has the choice between having orders handled
17 in a flow-through fashion versus manually handling
18 would request manual handling?

19 A. I would hope so. I wouldn't think that is
20 necessarily reality.

21 Q. Let's go on and look at Page 53 of Exhibit
22 1795, which is flow-through rates for LMP. If I look
23 at the top two charts again, flow-through via the IMA
24 and flow-through via EDI, Qwest is in the range of 45
25 to 58 percent using the IMA interface and 64 to 78

8361

1 percent using the EDI interface. Is that accurate?

2 A. Yes.

3 Q. Similarly, looking at Page 54, the top two
4 charts show flow-through rates in all orders in the 40
5 to 50 percent range, and looking at the last chart on
6 that page, which is flow-through for eligible LSRs
7 received via EDI, Qwest has failed in 10 of the last 12
8 months to reach the -- let me modify one more time --
9 nine of the last 12 months to reach the 75 percent
10 benchmark. Is that correct?

11 A. I'm sorry. Which chart are you looking at?

12 Q. The last chart on the page, and as I view it,
13 it looks like Qwest has failed within nine of the last
14 12 months to meet the 75 percent benchmark.

15 A. When looking at UNE-P POTS via the EDI.

16 Q. Yes.

17 JUDGE RENDAHL: Ms. Tribby, are you looking
18 at Page 53 or 54?

19 MS. TRIBBY: 54, which is the last chart on
20 the page.

21 THE WITNESS: Which is the UNE-P VEI results.

22 Q. (By Ms. Tribby) Right.

23 A. That's correct.

24 Q. Could you turn to Page 7 of your Exhibit
25 1796? Down towards the bottom where you note the

8362

1 standard interval guide was updated, apparently through
2 the CMP process, could you tell me when that occurred?

3 A. I can't pinpoint it to a date. It certainly
4 is in the test records somewhere. The changes, again,
5 were associated with a couple of issues that were
6 uncovered during the tests, and I believe there were
7 actually two separate updates to the standard interval
8 guide, both of which would have occurred in March of
9 this year.

10 Q. Is the standard interval guide then accurate
11 at this point in time?

12 A. To the best of my knowledge.

13 Q. If you could turn with me to Page 81 of Qwest
14 performance results, Exhibit 1795, and UNE-P POTS, as
15 you testified, is a parity measure; correct, or the
16 measures for installation for UNE-P is a parity
17 measure?

18 A. Yes, or at least for most of them.

19 Q. Criteria 14-1-36, which you talk about on
20 Page 7, that was a criteria that KPMG found was not
21 satisfied with respect to the installation intervals
22 being given CLEC customers versus retail customers for
23 UNE-P POTS; correct?

24 A. That's correct.

25 Q. And this was in the case where no dispatch

8363

1 occurred. Is that accurate?

2 A. Yes.

3 Q. So if I look at Page 81 and I look just for
4 the State of Washington at the PID which governs the
5 data for Washington, that would be the second chart on
6 Page 81, installation interval, no dispatches for
7 UNE-P; correct?

8 A. That's correct.

9 Q. And if I look at the results, assuming that
10 1.64 as a modified Z score, anything above that
11 indicates statistically significantly different
12 treatment, Qwest has failed in three of the last five
13 months to attain the parity goal; correct?

14 A. That's correct. That would be not the most
15 recent months but the oldest three of the last five.

16 Q. Now, you indicated this morning that Qwest
17 had recalculated its results for this PID starting in
18 December of last year; is that correct?

19 A. That's correct.

20 Q. So these results that we are looking at here
21 in Washington are now accurate based on the appropriate
22 process; correct?

23 A. The results reflect a business process that
24 was put into place in March, so had that -- I'm
25 struggling with respect to your depiction of the

8364

1 results. The December, January, and February results
2 accurately reflect the intervals that were received
3 based on calculating and using a business process that
4 wasn't put into place until March.

5 Q. And the reason Qwest changed the results back
6 through December was because you think this is more
7 reflective of Qwest's actual performance, or was there
8 some other reason?

9 A. There was some other reason.

10 Q. What was that reason?

11 A. And it wasn't a Qwest decision. It was a
12 mutually-agreed-to decision by the ROC TAG that because
13 of the differences in business process that existed
14 between retail and wholesale, and because on a
15 going-forward basis we would be using the same process,
16 that it would be easier to see improvements and whether
17 or not the process had an impact on actual performance
18 by producing results that were consistent, even though
19 for those months, it would mean artificially increasing
20 the offered interval that was made to the CLEC at the
21 time.

22 Q. So given that this was a criteria that Qwest
23 failed in the KPMG test, the data in the second chart
24 on Page 81 of Exhibit 1795 is the data that the
25 Commission can use to compare what's happening in

8365

1 Washington to KPMG's finding; correct?

2 A. They can use it to compare, but I would
3 reiterate that the test data won't compare to this
4 because we agreed in the TAG from a test standpoint
5 that the UNE-P product would only be compared to
6 business retail, not the PID-defined biz and rez retail
7 results for all test months except April.

8 Q. And the second chart here on Page 81 reflects
9 the appropriate parity comparison agreed to by the TAG;
10 correct?

11 A. Yes, it does.

12 Q. And using Mr. Williams' blue charts that he
13 has presented in Washington before, Qwest would fail
14 two of the last four months looking at Washington
15 results; correct?

16 A. I don't know.

17 JUDGE RENDAHL: Ms. Tribby, I think we are
18 going to stop and have our mid-morning brake and then
19 we will continue on, so let's be off the record until
20 11:00, and then we will keep going.

21 (Recess.)

22 JUDGE RENDAHL: Let's be back on the record.
23 We are continuing with Ms. Tribby's cross-examination
24 of Mr. Viveros, and my understanding, Ms. Tribby, that
25 you and other attorneys have designated an hour for

8366

1 each of the Qwest witnesses or some variation of that,
2 and so you will just use your time and I will keep
3 track of it.

4 MS. TRIBBY: Thank you.

5 Q. (By Ms. Tribby) Turning back to Page 7 of
6 your charts, Exhibit 1796, you talk about the criterion
7 failed by Qwest having to do with the provisioning of
8 unbundled dark fiber and EELs. Do you see that?

9 A. Yes.

10 Q. If you would turn to Page 101 of Exhibit
11 1795, Qwest performance results, and again, I want to
12 look if the Washington Commission wanted to look at the
13 data in its own state for EELs and dark fiber, I think
14 by Qwest's own admission and your testimony, there
15 isn't a great deal of commercial activity, and
16 therefore, not much data in the State of Washington on
17 these products; is that accurate?

18 A. Yes.

19 Q. If I do look, however, at Page 101, and
20 particularly look at installation commitments met,
21 which is the chart at the top of page, and this is a
22 place where the PID actually has a benchmark of 90
23 percent, if I look at the results there, Qwest has
24 failed to meet that benchmark in five of the last 10
25 months. Is that accurate?

8367

1 A. Yes.

2 Q. If I look down at the third chart, the
3 installation intervals for CLECs, the results range
4 from, it looks like, five days to 20 days for
5 installation of EELs. Is that accurate?

6 A. Yes, that's accurate. For 20 days, that's
7 based on two orders.

8 Q. Is there a standard interval for EELs?

9 A. I don't know.

10 Q. The installation intervals, are those
11 diagnostic standards or parity standards?

12 A. For EELs, it wouldn't be a parity standard.
13 There is not a real retail analog. I don't believe the
14 TAG has established a benchmark for EELs based on the
15 low volume.

16 Q. If I look over at the bottom of Page 103 of
17 Exhibit 1795, which has the interval for pending orders
18 delayed past the due date, for the data that exists in
19 the State of Washington, the average days delayed
20 ranges from eight to 26. Is that correct?

21 A. Yes, that's correct.

22 Q. I would like to turn over to Page 178 and 179
23 and look at the dark fiber data that exists in the
24 State of Washington. Are these PIDs also diagnostic?

25 A. Yes, they are.

8368

1 Q. Is there a parity-type standard, or is there
2 a common analog for dark fiber for Qwest retail
3 customers?

4 A. No.

5 Q. Looking at the data there on Page 167 and
6 179, there is just very little data from which to draw
7 any conclusions in the State of Washington. Would that
8 be accurate?

9 A. Yes, that would be accurate.

10 MS. TRIBBY: Thank you. That's all I have.

11 JUDGE RENDAHL: Thank you, Ms. Tribby.

12 Mr. Dixon?

13

14

15 CROSS-EXAMINATION

16 BY MR. DIXON:

17 Q. Good morning, Mr. Viveros.

18 A. Good morning.

19 Q. You've been making references to various
20 PIDs, performance indicator definitions, and I thought
21 maybe for the record, it appears that the PIDs you are
22 referring to are Version 4.1; is that correct?

23 A. Yes.

24 Q. Is it Qwest's belief that those PIDs are, in
25 fact, in evidence in this proceeding?

1 MR. CRAIN: If you would like me to respond
2 to that, I believe that was an exhibit in one of the
3 earlier hearings, but I don't think we've provided that
4 as an exhibit for the testimony today.

5 JUDGE RENDAHL: My recollection is it was
6 introduced at the time we talked about performance
7 data. I can check that exhibit list at the lunch break
8 and confirm that on the record and give you an exhibit
9 number, if that would be helpful.

10 MR. DIXON: That would be helpful. Although,
11 I don't intend to get to them in-depth, I have two
12 reasons. I know the versions have been changing
13 periodically, so I want to make sure we have the right
14 version in evidence, and since it's not identified in
15 this proceeding as an exhibit, I thought I would check.
16 I assume, Mr. Crain, if for any reason it's not in
17 evidence, you have no objection to putting it in?

18 MR. CRAIN: We have none.

19 Q. (By Mr. Dixon) I want to focus a little bit
20 on the issue of manual ordering and human error, and
21 particularly, the KPMG Qwest manual order entry
22 adequacy study, which is marked as Exhibit 1741.

23 JUDGE RENDAHL: Are you going to be asking
24 Mr. Viveros questions about that exhibit?

25 MR. DIXON: I'm going to be dealing with it

8370

1 briefly, Your Honor, yes, and let me make sure I have a
2 right number. I'm wrong about it being 1741. It's
3 1699.

4 JUDGE RENDAHL: Off the record.

5 (Discussion off the record.)

6 JUDGE RENDAHL: Go ahead, Mr. Dixon. You're
7 asking questions about the adequacy study, which is
8 Exhibit 1699.

9 Q. (By Mr. Dixon) Mr. Viveros, I won't repeat
10 what's in the study in-depth, but there are some
11 references to why the study was commissioned and some
12 recommendations, and then Qwest filed a response to
13 this particular study. You would agree with me that
14 KPMG has recommended that certain PIDs be added to
15 address manual processing?

16 A. Yes.

17 Q. Would you also agree with me that Qwest is
18 somewhat pushed back from the total proposal made by
19 KPMG?

20 A. Yes. I think it's fair to say that Qwest
21 believes we have a greater level of disaggregation in
22 our measures than other companies do in theirs that
23 have satisfied their requirements of 271 and that the
24 KPMG adequacy study calls for an excessive amount of
25 further disaggregation.

8371

1 Q. Qwest -- in fact, its response to the
2 adequacy study has been marked as Exhibit 1794 and was
3 issued on May 24th under an e-mail from Mr. Michael
4 Williams. Is that correct?

5 JUDGE RENDAHL: Mr. Viveros, do you have a
6 copy of that in front of you?

7 THE WITNESS: Yes, I do.

8 JUDGE RENDAHL: Let's be off the record.

9 (Discussion off the record.)

10 Q. (By Mr. Dixon) With respect to Exhibit 1794,
11 which is Qwest's response, and you turn to the last
12 page, Qwest indicates in its conclusion, In addition to
13 the new measurements that Qwest will propose to address
14 order accuracy, Qwest continues to offer to provide the
15 data identified in response to Observation 3086. With
16 respect to manual order processing, this will provide
17 all that is needed to validate the efficacy of Qwest's
18 actions to improve the processes which resulted
19 successfully in closing the observation.

20 Do you see that language?

21 A. I do not.

22 JUDGE RENDAHL: Mr. Dixon, which page are you
23 on? I think it's Page 11 at the bottom of the paper
24 copy.

25 MR. DIXON: Yes, I'm sorry.

8372

1 Q. (By Mr. Dixon) Do you see it, Mr. Viveros?

2 A. Yes. I'm on Page 11 under "conclusions."

3 Q. You've already indicated that Qwest has not
4 yet actually proposed the PID language; is that
5 correct?

6 A. That's correct.

7 Q. When do you anticipate Qwest will provide the
8 language?

9 A. Subject to check, it would be the next
10 opportunity in advance of the next scheduled meeting
11 where we would be discussing PIDs.

12 Q. Would that be the next long-term PID
13 administration meeting or a ROC TAG-type meeting; do
14 you know? I have no problem if you need to consult
15 with Mr. Williams if it's not a problem for anyone
16 else.

17 A. I believe it would be the next long-term PID
18 administration meeting. It's my understanding that the
19 ROC TAG isn't meeting.

20 Q. Do you have any indication of when that next
21 meeting is?

22 A. I do not know.

23 Q. Would Qwest be willing, since it indicated it
24 will not be filing its Washington application until the
25 second week of July, to commit to providing this

8373

1 language prior to that date, perhaps by the end of
2 June?

3 A. Yes.

4 JUDGE RENDAHL: Maybe we could have an exact
5 date.

6 MR. DIXON: If it's possible to provide an
7 exact date, that would be helpful.

8 MR. CRAIN: Why don't we come back after
9 lunch and we will give you an exact date of when that
10 will be sent out.

11 Q. (By Mr. Dixon) I don't know if you are the
12 person to answer this question. Assuming that silence
13 is assent and that everybody agrees to the Qwest
14 performance indicator definition, will Qwest be
15 including that as a possible PID for performance
16 assurance plan payments?

17 A. I do not know.

18 Q. Do you know if Qwest would agree to include
19 that PID for performance assurance plan payments to
20 insure there is no backsliding on manual orders?

21 A. I do not know.

22 Q. If I were to ask you would Qwest include it
23 in the six-month review, I assume your answer would be
24 the same?

25 A. Yes, it would.

8374

1 Q. Did you actually participate on the last ROC
2 TAG call where you indicated silence represented assent
3 from the parties?

4 A. No, I did not.

5 Q. So what is your basis for saying that silence
6 represented assent by the various CLECs to the Qwest
7 proposal?

8 A. It was represented to me by members who did
9 participate.

10 Q. With respect to electronic flow-through, Test
11 13 and also performance indicator definition PO-2,
12 there is a reference in that PID definition, and I have
13 it here electronically if you need to look at it but I
14 can read it to you, that the list of LSR types
15 classified as eligible -- oh, great. I believe that
16 Mr. Williams is bringing you the PID.

17 JUDGE RENDAHL: This is the PID definitions
18 Version 4.0; is that correct?

19 MR. DIXON: 4.1, and I'll clarify it for the
20 record. I'm looking at what has been sent to me
21 electronically as performance indicator definition 4.1,
22 that version, and I'm looking at PO-2, and I'm looking
23 at a note that's referenced in the description of
24 PO-2B, the one that deals with flow-through-eligible
25 local service requests, and the note reflects that

8375

1 these LSR types that are classified as eligible for
2 flow-through are contained in an
3 LSR-eligible-for-flow-through matrix.

4 Do you happen to know if that's been produced
5 in this record, that matrix.

6 A. I do not know.

7 Q. Would Qwest be willing to put that matrix
8 into evidence voluntarily at the lunch break?

9 MR. CRAIN: I don't know if we can do it on a
10 lunch break, but we are willing to put it in the
11 record.

12 JUDGE RENDAHL: We will discuss that before
13 we go back on the record after lunch.

14 MR. DIXON: That's fine.

15 Q. (By Mr. Dixon) With respect to where a CLEC
16 would want human intervention, I think you said,
17 because they might want to expedite an order or deem an
18 order complex, would that type of activity by a CLEC
19 represent an exclusion to an LSR measured under PO-2A?
20 Do you happen to know?

21 A. No, It would not.

22 Q. So it would be counted, to your knowledge?

23 A. That's correct.

24 Q. In Colorado, it's my understanding, if you
25 know, that the performance assurance plan does include

8376

1 PID PO-2A for purposes of paying penalties. Do you
2 happen to know that?

3 A. Yes.

4 Q. And it's also my understanding that as of
5 July, the standards that Colorado is requiring you to
6 implement in their final order that they will be
7 increased on July. Is that your understanding?

8 A. Yes. They will increase in July. That
9 increase will represent the standard that's listed in
10 this PID as January '02.

11 Q. That will be the standard in the PID on
12 January '02 even though the Commission has ordered it
13 to be implemented by July?

14 A. The Colorado Commission established a tiered
15 standard beginning in January '02 incrementing the
16 benchmark every six months. The ROC TAG could not come
17 to agreement on that standard and that approach. The
18 issue of what the appropriate benchmark should be went
19 to impasse, and the steering committee determined to
20 expedite the tiering and adopted the Colorado July
21 benchmark as the ROC January benchmark accelerating the
22 steps by six months. So in Colorado, what is the ROC
23 standard will go into effect next month.

24 Q. Thank you very much. I just wanted to
25 clarify the confusion I was having, and that was a nice

8377

1 job from my perspective.

2 A. Thank you.

3 Q. With respect to LSRs eligible for
4 flow-through, I can direct your attention to a number
5 of Qwest documents including your response, Exhibit
6 1794, that I'll just generally represent saying that
7 it's in Qwest's best interest to increase the number of
8 local service requests, or LSRs, that are eligible for
9 flow-through. Would you agree with that?

10 A. Yes. It's a more efficient way to process
11 orders where it's possible.

12 Q. There has been a lot of questions of CLECs as
13 to whether they've submitted change requests in the
14 change management process to expand the types of local
15 service requests that are eligible for flow-through.
16 Have you heard those questions generally from Mr. Crain
17 to Mr. Finnegan and perhaps even to Ms. Oliver?

18 A. Yes, I have.

19 Q. Can you discuss this issue? Because I also
20 know that Dana Filip will address change management,
21 and I'm not trying to cross the line, so is this
22 something you feel comfortable addressing, or should I
23 deal with her on this?

24 A. I'm somewhat familiar with the change
25 management process as well as what actions Qwest has

8378

1 taken in regards to increasing flow-through, so perhaps
2 it's something that we'll start, and if it's too
3 detailed, then I will let you know that I don't have
4 that knowledge.

5 Q. That's what I would like you to do. I want
6 to talk about change management over the last couple of
7 years, going back to 1999, generally. Can you tell me
8 how many releases, major releases have been issued
9 concerning interconnect-mediated access that would
10 relate to either the graphical user interface or the
11 electronic data interchange, and I'm just talking major
12 software releases, not what are known as point
13 releases.

14 A. Let me qualify this number. I cannot give
15 you information about 1999. I don't have any knowledge
16 about what Qwest or U S West did in 1999. Since
17 January of 2000, there have been five major releases.
18 I'm sorry. Six major releases.

19 Q. Could you just identify the version numbers,
20 if you know?

21 A. That would be Versions 5.0 through 10.0.

22 Q. Would you agree with me that prior to Version
23 10.0, CLECs were not entitled to prioritize any change
24 requests except those initiated by competitive local
25 exchange carriers?

8379

1 A. Yes, that's correct.

2 Q. I want to talk then about Versions 5.0 to
3 9.0. How many times did Qwest, when it was in its best
4 interest to do so, expand the number of LSRs that were
5 eligible for flow-through in those four releases?

6 A. I don't have a number. My recollection is
7 that there were flow-through improvements in each and
8 every one of those releases, and that by looking at
9 each iteration of the LSRs eligible for flow-through
10 matrix, those improvements, or at least some of those
11 improvements would be reflected either through the
12 addition of a product, the addition of a type of a
13 request, such as a cancellation, or the elimination of
14 a condition that precludes flow-through.

15 Q. So if I understand your response, when we get
16 the matrix that Mr. Crain has agreed to provide, we can
17 determine it from that?

18 A. No. My understanding was that we would be
19 putting the current version of the matrix in the
20 record. One would have to look at each prior version
21 to see the evolution of flow-through improvements that
22 were driven by Qwest.

23 Q. Without that document in front of you, do you
24 have any sense of how many products over the releases
25 5.0 to 9.0 or services were added to the electronic

8380

1 flow-through matrix that's currently in effect or even
2 a percentage compared to total products that are
3 measured under PO-2A?

4 A. From a percentage standpoint, I think looking
5 at the results -- although, the commercial results are
6 limited to the last 12 months -- the overall
7 flow-through percentage two years ago was quite low,
8 and now, across the product families, you can see that
9 even with taking into account orders that are not
10 designed to flow through, orders that are designed to
11 flow through but don't flow through either as a result
12 of a CLEC stopping that or Qwest having difficulty in
13 doing that that the numbers have all increased over
14 that period of time into the 50 percent, 60 percent,
15 and certainly looking at individual CLEC rates, 60 and
16 70, 75 percent range.

17 Q. Just so I understand your percentages, are
18 you talking about the types of orders have increased
19 from one percentage to now 70 percent for CLECs that
20 are flow-through eligible, or are you talking about
21 your performance under PO-2A?

22 A. I'm talking about performance under PO-2A.

23 Q. Sue we are not talking about the types of
24 products increasing in that fashion, just simply your
25 ability to provide them through electronic

8381

1 flow-through. That's what you are talking about.

2 A. That's correct.

3 Q. The point I'm focusing on is do you have any
4 ability to quantify how many products you have added
5 that were not eligible for flow-through beginning with
6 Version 5.0 through Version 9.0 that have been added?
7 Is there any way for you to quantify that?

8 Let me give you an example. Assume in
9 Version 5.0 four products could have been
10 electronically flowed through, and in Version 9.0, we
11 now have six products. That to me would represent a 50
12 percent increase assuming we were counting by product
13 numbers.

14 I'm trying to ask you if you can do the
15 equivalent. Can you tell me "X" number of products in
16 Version 5.0 were electronic flow-through and why
17 version of products are now able through 9.0, how much
18 did it increase over that period of time when Qwest had
19 complete control of doing that?

20 A. No. I would need to reference the matrix.

21 Q. Thank you. I understand we will have that
22 later.

23 MR. DIXON: I don't know what to do, Judge,
24 because I may have some questions when I see the
25 matrix. I'm prepared to move on for now but would ask

8382

1 that I might have an opportunity to go back to this
2 issue once we have the matrix.

3 JUDGE RENDAHL: I'm looking at the estimates
4 of time. We may either not be finished with this
5 witness before lunch or can recall the witness for
6 purposes of questions immediately after lunch if that's
7 acceptable to Mr. Crain.

8 MR. CRAIN: That's acceptable. I'll point
9 out though that this matrix has been available. It
10 hasn't been part of the record, but it's been available
11 to Mr. Dixon for a long time. It used to actually be
12 attached to the PID, so he's had plenty of time to look
13 at this and prepare for this, but to the extent we are
14 going to provide, if we can provide it at lunch, and he
15 wants to ask some follow-up questions, that's fine.

16 MR. DIXON: Apparently, the witness needs the
17 matrix. I don't. He can't answer my question, he's
18 indicated. So whether it's available to me is
19 irrelevant. It's the witness who I understand needs
20 it.

21 JUDGE RENDAHL: Whether or not who has it,
22 let's not eat up time discussing who doesn't have it.
23 If you can ask the questions now, let's move on, and if
24 Mr. Viveros is still under oath after lunch, we will
25 continue. If not, we will bring him back.

8383

1 Q. (By Mr. Dixon) I would like to turn to
2 unbundled dark fiber for a minute. In your primary
3 exhibit, Exhibit 1721, which are the 147 pages of
4 comments, Qwest states on Page 56 that in May of 2002,
5 Qwest modified its process to accept unbundled dark
6 fiber orders via an access service request and
7 provision the bill-daily-usage feed -- or file,
8 depending on who you talk to -- in Qwest's integrated
9 access billing system because on this date, Qwest has
10 successfully utilized this process and these systems to
11 process special access service requests since the mid
12 1980's, and then I want to focus on this statement:
13 Qwest believes that this process will similarly assure
14 timely and accurate provisioning and billing of
15 unbundled dark fiber orders. Do you see where I'm
16 referring to?

17 A. I do see where you are referring to. I just
18 need to make one correction. You referenced "duff."
19 What the comments say is UDF, which is the acronym for
20 "unbundled dark fiber."

21 Q. It was UDF. My point with the last sentence
22 is, is Qwest willing to have that retested between now
23 and the second week of July when you are filing your
24 Washington application, and by "retested," I mean by
25 the vendors?

8384

1 A. No. Qwest would not be willing to have the
2 vendors retest that, and the reason behind that is that
3 although we have made a more mechanized means of
4 ordering the product available, I don't believe that
5 will have any effect on current demand.

6 The difficulty with unbundled dark fiber was
7 that KPMG was unable to observe enough commercial
8 observations. We agreed through the TAG process that
9 it would be very difficult to utilize test bed as a
10 pseudo CLEC in testing unbundled dark fiber because of
11 the nature of the product and that the tests would be
12 dependent on actual CLEC commercial observations.

13 So although the enhancement that's described
14 here we believe is an improvement, we believe that
15 retesting would not be successful from the standpoint
16 of a lack of observations.

17 Q. On Exhibit 1796, Page 7, which was your
18 handout, at the very bottom criteria, you were talking
19 about the standard interval guide and the fact that
20 that was updated to reflect modifications. Do you know
21 if the updates are consistent with Exhibit C to the
22 Washington SGAT that also identifies service interval
23 guides?

24 A. I do not know.

25 Q. Turning to Page 8 of your handout, again,

8385

1 Exhibit 1796, again, we are dealing with the
2 circumstance criterion 14-1-44, and there is an
3 unable-to-determine. Qwest has made some assertions
4 about how this situation has been resolved. Once
5 again, is Qwest willing to submit their assertions to a
6 retest between now and the second week of July so that
7 the Commission might validate Qwest's assertions on
8 this particular criterion and its alleged fixes?

9 A. I don't believe that Qwest is in a position
10 to answer that. Unlike unbundled dark fiber where KPMG
11 conducted a test and the concept of re-executing that
12 same test is one thing.

13 This isn't a test that KPMG designed. The
14 concept, and I believe KPMG spoke to that earlier in
15 the week, they never designed a specific manual
16 handling test focused on this issue. I believe they
17 talked about that being one of the reasons that they
18 had an unable-to-determine conclusion. I can't sit
19 here and say that they could even conduct a test.

20 Q. My question was, would Qwest be willing to do
21 one assuming they could do that retest. Would Qwest be
22 willing to allow that between now and the second week
23 of July and participate in that?

24 A. That's the difficulty I'm having. I don't
25 know that it's physically possible to do that test

8386

1 between now and the first week of July.

2 Q. So does that mean the answer is no?

3 A. Yes.

4 MR. DIXON: With the understanding that I may
5 have some questions on the matrix, I've completed, and
6 I believe I've used about 30 minutes of my time.

7 JUDGE RENDAHL: That's about correct.

8 Ms. Doberneck?

9

10

11 CROSS-EXAMINATION

12 BY MS. DOBERNECK:

13 Q. Good morning, Mr. Viveros. Would you agree
14 that placing orders via EDI versus the GUI is more
15 efficient for both Qwest and the CLEC?

16 A. No.

17 Q. Can you just explain briefly why you think
18 there is no difference, or I guess the alternative,
19 which is GUI is actually more efficient?

20 A. The reason I don't believe that is twofold.
21 One, from Qwest's perspective, whether a CLEC uses the
22 GUI or uses EDI, we are receiving their request
23 electronically as opposed to manually, and once an LSR
24 has passed through those interfaces into the actual IMA
25 system, there are no differences between an IMA GUI LSR

8387

1 and an IMA EDI LSR. We use the same logic, the same
2 business rules, the same validation tracking and
3 processing capabilities for those types of requests.

4 The second reason is from a CLEC
5 perspective -- certainly if you had asked me that
6 question awhile back, the belief was that CLECs had a
7 strong preference for EDI, and there was a belief that
8 large CLECs who were going to be generating large
9 volumes of orders would need to rely on EDI as opposed
10 to the GUI, but the actual facts have changed.

11 We've seen very small customers who don't
12 generate large volumes preferring to use EDI over the
13 GUI. We've seen large customers who for their own
14 reasons, and obviously, I can't explain them,
15 apparently find the GUI more efficient because they've
16 not developed to EDI and are processing or submitting
17 larger volumes of requests through the GUI.

18 Q. Are you familiar with what Covad uses for
19 purposes of placing orders with Qwest, or let me put it
20 this way. Do you know that Covad has built to the
21 Qwest EDI interface so that we can place LSRs via EDI?

22 A. Yes.

23 Q. Do you understand that that reflects a
24 decision by Covad that it's preferable and more
25 efficient to utilize EDI in order to place our orders

8388

1 with Qwest?

2 A. I can accept that, yes.

3 Q. To place orders via EDI, we actually did have
4 to build to the Qwest EDI interface in order to utilize
5 that functionality; right?

6 A. You or a vendor that you chose; correct.

7 Q. We did, in fact, incur a cost, or would it be
8 reasonable to assume that Covad did, in fact, incur a
9 cost in order to build to the Qwest EDI interface?

10 A. Yes, I believe that's reasonable.

11 Q. Because we incurred that cost, do you agree
12 it would be reasonable to assume that Covad expects to
13 be able to use that interface and to take advantage of
14 the investment that it's made?

15 A. I think that's a fair expectation.

16 Q. So when then you were talking with Ms. Tribby
17 about, I think you were looking at Page 51 of Exhibit
18 1795, the most recent PID report, and you were
19 discussing with reference to Page 51 and the
20 differential flow-through rate for the IMA versus EDI,
21 that really the Commission should look at the overall
22 because of the differential and the order of volume.
23 Is that a fair characterization?

24 A. Yes, I believe that's correct.

25 Q. So, if, for example, it were Covad submitting

8389

1 these POTS resale orders, in essence what you are
2 saying is that even though Covad has built the Qwest
3 EDI, incurred that cost, expected to use EDI, that
4 somehow we should accept the fact that those
5 flow-through volumes are lower, and it's okay because
6 somebody else using the GUI experiences higher volumes.
7 Is that right?

8 MR. CRAIN: I'm first going to object that
9 there is no evidence here that Covad has built an EDI
10 interface for UNE-P orders, UNE-P POTS, and I believe
11 its loops that they have built in Interface 2, so I'm
12 not sure that's an appropriate question.

13 MS. DOBERNECK: Although, I thought I
14 predicated it with, assuming it's Covad placing that
15 order. If I did not, I'm clearly making that as an
16 assumption.

17 JUDGE RENDAHL: So you were stating a
18 hypothetical question.

19 MS. DOBERNECK: Yes.

20 MR. CRAIN: That's acceptable.

21 Q. (By Ms. Doberneck) I bet you would probably
22 like me to restate the question. Let me back up to
23 make sure we are clear with sort of the launching
24 point. In the cross-examination by Ms. Tribby, you
25 were talking about how perhaps it's not really an

8390

1 accurate, and I'm struggling for the appropriate
2 adjective here, or perhaps in order to develop a better
3 picture of flow-through, that the Commission should
4 look at, well, what's going on with both the IMA GUI
5 results as well as the EDI results to get a more
6 complete or accurate picture of what's going on with
7 flow-through. Is that generally a fair
8 characterization of the point you were trying to make?

9 A. Yes, I think it was. I think if I didn't
10 make the point earlier, what I was referring to was
11 certainly where you got a product where you have large
12 volumes going through one interface and very small
13 volumes going through the other interface, to look at
14 those results independent of one another isn't the most
15 appropriate way to analyze the results in my mind.

16 Looking at unbundled loop results, for
17 example, on the next page, on Page 52, you can see that
18 the volumes coming through the various interfaces are
19 much more comparable and that the results are much more
20 consistent.

21 Q. But going back to my hypothetical or the
22 assumption I'm asking you to use -- and I use Covad
23 simply because I am a representative of Covad and we
24 have built EDI for the products we order -- if Covad
25 had built to the Qwest EDI interface in order to submit

8391

1 POTS resale, using this as an example, wouldn't, in
2 fact then, by asking the Commission to disregard what's
3 happening with the flow-through basically result in
4 saying, Sorry, Covad, you are out of luck even though
5 you incurred that expense because we should look at
6 what other companies are doing?

7 A. I don't believe that's my testimony. Given
8 your hypothetical, if the results were the same, and
9 there were limited volumes coming through the EDI
10 interface that resulted in flow-through percentages
11 that were skewed based on limited volume as represented
12 by looking at a larger body of orders going through, I
13 would say that it was fair for this Commission to
14 evaluate Qwest on its total performance, not on a
15 single CLEC's performance, particularly where the CLEC
16 has a certain level of control over those results.

17 Q. In essence then, the CLEC with lower volumes
18 using EDI feels a disparate impact because it's
19 outweighed by other CLECs placing higher order volumes
20 through a different interface. Isn't that the net
21 result of what you're saying?

22 A. I don't think it is. I think what I'm saying
23 is you have to look the totality and the circumstances
24 that are driving those results.

25 Q. Can I ask you a question as you answer to be

8392

1 clear when you are providing your answer? When you are
2 talking about the totality of the results and the
3 different flow-through levels, will you be clear when
4 you are talking about a low flow-through level whether
5 you are assuming that's due to CLEC activity versus the
6 fact that it's just not flowing through because, for
7 example, of something on the Qwest side, and I don't
8 even mean to interrupt, but I want you to be very clear
9 in your answer when you provide that.

10 A. I appreciate that. I'm talking about
11 situations where the volumes coming through the two
12 various interfaces are not balanced so that you've got
13 a very small volume of requests coming through one
14 interface versus a larger volume coming in through the
15 other interface.

16 My point was that this Commission should look
17 at the totality of the volume and the performance in
18 order to draw conclusions, and I would say that whether
19 or not the larger volume interface had better
20 performance or worse performance. I don't think it
21 would be any more fair to look at EDI results where you
22 had handfuls of orders coming through and our
23 performance was 100 percent versus the GUI, which might
24 be volumes in triple or four-digit numbers and the
25 results were nowhere near that good.

8393

1 That's the point I was trying to make, and
2 it's based on the facts that our flow-through
3 capabilities are independent of interface. Once a good
4 LSR is received by Qwest, whether that LSR came in via
5 the GUI or EDI, the same LSR for the same product for
6 the same activity and customer and circumstance were to
7 come in through both of those interfaces, whether or
8 not it flowed through or not, would be totally
9 independent of which interface it came through.

10 So if you've got small volumes coming through
11 an interface, and as a result of those small volumes,
12 the percentages are off, to me, that's an indication
13 that it is the volume, not the capabilities of
14 flow-through that are driving those numbers.

15 Q. Do you have any specific evidence or is there
16 any evidence in this record that I could look to or the
17 Commission could look to to confirm what you just
18 described as an indication to you?

19 A. I think there actually was an exhibit that
20 was submitted during the performance data workshop that
21 took the flow-through results for individual CLECs and
22 aggregated and disaggregated them in ways that aren't
23 required by the PID that would reflect these
24 variabilities and the need and would support what I'm
25 saying.

8394

1 MS. DOBERNECK: Can I ask Qwest -- that
2 doesn't sound familiar to me, Mr. Williams or
3 Mr. Crain. Can you just confirm one way or the other?

4 JUDGE RENDAHL: This is something that the
5 parties can discuss over the lunch break.

6 MR. CRAIN: I've got a copy, and you can look
7 it over at lunch if you want.

8 JUDGE RENDAHL: We can confirm whether or not
9 it was an exhibit in this proceeding or some other
10 proceeding.

11 MS. DOBERNECK: Subject to that, I have no
12 further questions.

13 JUDGE RENDAHL: Mr. Crain, before we go to
14 you for any redirect, it seems that there are some
15 questions pending, and also, I'm wondering whether the
16 Commissioners have any questions for Mr. Viveros at
17 this time, or should we just break for lunch.

18 CHAIRWOMAN SHOWALTER: I have a question o
19 this very subject, so maybe I can just ask it.

20

21

22 CROSS-EXAMINATION

23 BY CHAIRWOMAN SHOWALTER:

24 Q. I would just like a little bit better
25 understanding of the physical realities of EDI, IMA,

8395

1 GUI. One's understanding of this goes from a
2 recognition of the acronyms to knowing what the
3 acronyms stand for, and I'm trying to take it one level
4 down. Can you tell me what I would see physically if I
5 were watching someone or a computer -- I'm not sure
6 which -- put in an order through, let's say EDI first,
7 or let's say the IMA GUI first. What would I see?

8 A. You would see a CLEC representative filling
9 out a series of screens, those screens making up the
10 ordering capabilities of the IMA GUI. Those screens
11 were designed and developed by Qwest so that the CLEC
12 does not have to develop its own interface. It's the
13 Qwest interface. They access it through the Web. The
14 GUI is pull-down menu driven, so you tell it what you
15 want. You want to place an order, and it walks you
16 through the steps of completing that order, so you
17 would see the various fields that are part of the LSR.

18 Q. So if I'm a CLEC employee, I sit down at my
19 computer, go to the right Web Site. I pull up the
20 right form. I type in the right information, and I hit
21 a "send" button?

22 A. That's correct.

23 Q. If I'm an employee of a different CLEC and
24 I'm making an order through EDI, what do I do?

25 A. You do very similar things. However, the

8396

1 screens that you see, the steps that you go through,
2 how you go about getting to the point where you have
3 all the information on the LSR that you need is at the
4 control of the CLEC or whomever developed the interface
5 that that CLEC representative is using.

6 Q. So would that be that I fill out all those
7 forms on my computer at more or less my own site and
8 then hit the "send" button and it goes over to Qwest?

9 A. I think that's a fairly accurate
10 representation, and it probably varies by CLEC, but
11 basically, the concept of EDI is that the actual
12 screens are at the CLEC's own design, and that
13 information is taken and translated into an EDI format
14 and sent to the BOC.

15 Q. You said that at a certain point in time, the
16 orders are the same; that is, there is no difference.
17 So where does the EDI order get converted into
18 something that's the same or perceived the same as the
19 IMA GUI order by the Qwest system?

20 A. The front door, if you will, to our EDI
21 interface includes an EDI translator, and the purpose
22 of the translator is to take that industry
23 guideline/standard EDI format and translate it into an
24 internal format that's utilized by the IMA system.

25 So it would be at that point in time that

8397

1 once the translation was successful that absent
2 indicators, the system would have no way of knowing
3 whether the request came from the GUI or came from the
4 EDI interface.

5 CHAIRWOMAN SHOWALTER: Thank you. I have
6 another question, but I'll wait on that one.

7 JUDGE RENDAHL: Let's take a lunch break, so
8 we'll be off the record until 1:30. Thank you.

9 (Lunch recess taken at noon.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

8398

1

AFTERNOON SESSION

2

(1:40 p.m.)

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

JUDGE RENDAHL: We are back after our lunch

break, and a few housekeeping matters before we go back

on the record. Mr. Dixon has stated that he and

Mr. Crain have resolved the issue over the matrix, and

he has no further questions for this witness.

A review of the exhibit list for the

performance hearing in April indicates that the

Commission has those exhibits PID versions 3 and 4, but

not the point version PID 4.1, and according to

discussion with Qwest over the lunch break, they are

filing today with the performance data for April the

PID version 4.0, and I will include those as late-filed

exhibits and inform the parties of their numbers, but I

understand, Mr. Dixon, you don't have any questions

about PID version 4.1.

MR. DIXON: That's correct, Your Honor. My

only intent was because it was used on the performance

results that it should be part of the evidentiary

package.

JUDGE RENDAHL: Is that acceptable to all the

parties?

MR. CRAIN: Yes.

JUDGE RENDAHL: Ms. Doberneck, you are going

8399

1 to be asking some questions to Mr. Viveros about
2 what's been admitted as Exhibit 1354-C, which is CLEC
3 electronic flow-through rates. As I noted off the
4 record, this is a confidential exhibit, so I caution
5 you about stating any specific numbers to the extent
6 those numbers are confidential. Why don't you please
7 go ahead and finish with your cross, and then we will
8 go back to questions from the Bench.

9
10

11 FURTHER CROSS-EXAMINATION

12 BY MS. DOBERNECK:

13 Q. Mr. Viveros, do you have Exhibit 1354-C in
14 front of you?

15 A. Yes, I do.

16 Q. In the second column is labeled "state";
17 correct?

18 A. That's correct.

19 Q. In the state for each line item entry, the
20 state code is "RG." Does that stand for "regional"?

21 A. Yes, it does.

22 Q. So from this document, we actually can't tell
23 Washington-specific information or results, can we?

24 A. That's correct.

25 Q. We also can't tell from this chart the

8400

1 specific reason why or explanation for why the
2 individual orders did or did not flow through; is that
3 correct?

4 A. That is correct.

5 MS. DOBERNECK: I have no further questions.

6 JUDGE RENDAHL: Thank you. Before we go back
7 to the Bench, Mr. Crain, before we had taken a lunch
8 break, you made an announcement off the record about
9 Qwest filing something with the Commission, if you can
10 restate that.

11 MR. CRAIN: There was a question of when
12 Qwest would be able to send out the proposal it's
13 making for the PID to measure manual order accuracy,
14 and we will be sending that out to all the parties on
15 Wednesday. We could also file that if that's
16 requested.

17 JUDGE RENDAHL: I would request that you do
18 that. If you could file that with the Commission on
19 June 12th, you can send it electronically and file it
20 in hard copy, and we will designate it as a late-filed
21 exhibit.

22 MR. CRAIN: We will do that.

23 MR. DIXON: I have no objection to that
24 process either.

25 JUDGE RENDAHL: Any objections from anybody

8401

1 else? Are there any questions from the Commissioners
2 to this witness?

3 CHAIRWOMAN SHOWALTER: I have just one more.

4

5

6 FURTHER CROSS-EXAMINATION

7 BY CHAIRWOMAN SHOWALTER:

8 Q. You had a discussion with Mr. Dixon about a
9 measurement that was discussed and then went to the
10 steering committee, which decided on a kind of
11 retroactive application of the Colorado standard. Do
12 you remember that discussion?

13 A. Yes.

14 Q. First of all, what PID or measurement or
15 function were you talking about?

16 A. That was actually PID PO-2B, and it was
17 around the benchmarks for that PID.

18 Q. And when the steering committee decided that
19 it should date from January 2002, did Qwest disagree
20 with that decision -- did Qwest argue against that
21 decision within the steering committee or to the
22 steering committee?

23 A. Certainly the issue was discussed in the TAG,
24 and at the TAG, Qwest's position was that the ROC
25 should adopt the Colorado benchmarks and the tiered

8402

1 structure, so certainly in the impasse document that
2 was sent to the steering committee, yes, Qwest was
3 arguing for adoption of the Colorado PAP benchmark
4 structure.

5 Q. Did Qwest appeal that decision to the
6 executive committee?

7 A. I don't believe they did, but I'm really not
8 sure.

9 Q. If they did not, if Qwest did not, is it fair
10 to say Qwest accepted that decision?

11 A. Yes.

12 CHAIRWOMAN SHOWALTER: Thank you.

13 JUDGE RENDAHL: Are there other questions
14 from the commissioners?

15

16

17 CROSS-EXAMINATION

18 BY JUDGE RENDAHL:

19 Q. Mr. Viveros, I have just a couple of
20 clarifying questions from your Exhibit 1796. If you
21 will look at Page 5, in your discussion of Section 13
22 flow-through, I just wanted to clarify of this last
23 statement, when the subsequent ROC-approved benchmarks
24 are applied to the test results, Qwest met every
25 benchmark.

1 Are those reflected in Exhibit 1795, the most
2 recent performance data, or is that Qwest conducting
3 its own test that's not incorporated into 1795?

4 A. They wouldn't be in 1795 because the test
5 results aren't included in our commercial performance.
6 When you take the literal results of the test that are
7 in KPMG's final report, and in that final report, those
8 results, those criterion where the results are
9 reflected, are deemed diagnostics. If you take those
10 literals and apply the benchmarks from the ROC-approved
11 PID, 4.1, you see that Qwest's performance during the
12 past exceeded those benchmarks across the product
13 families.

14 Q. Thank you. On the next issue down, all of
15 the nondiagnostic criteria were satisfied, and I guess
16 my question is on this capacity test work, do you know
17 if there were any observations or exceptions opened and
18 subsequently closed for Test 15 related to the
19 manual-order-human-error issue?

20 A. No, there were not any.

21 Q. Then I just wanted to clarify a statement you
22 made about EELs and benchmarks for EELs. Do you have
23 the Exhibit 1795 in front of you, the most recent?

24 A. Yes.

25 Q. If you turn to Page 101, in your discussion

8404

1 with Ms. Tribby, I believe it was, you stated that
2 there were no benchmark measurements for EELs, but I
3 notice that the top two PIDs on that page seem to
4 reflect a bench mark, and maybe I misunderstood the
5 question and answer.

6 A. And my answer may not have been very clear.
7 You are correct. For PID OP-3 for EELs, there is a
8 benchmark. I understood the question to be
9 specifically about the OP-4 installation interval,
10 which is a diagnostic measure.

11 JUDGE RENDAHL: Those are the only questions
12 I have. Mr. Crain, I know you have a few follow-up
13 redirect.

14 MR. CRAIN: Yes.

15

16

17 REDIRECT EXAMINATION

18 BY MR. CRAIN:

19 Q. I'll start with additions to flow-through
20 eligible products and functionalities. You weren't
21 able to tell Mr. Dixon the percentages or specific
22 numbers of improvements made in the last several
23 releases to adding functionality or adding products to
24 flow-through eligible lists. Can you just give some
25 examples of either products or scenarios that Qwest has

8405

1 added to the flow-through-eligible list of products and
2 scenarios?

3 A. Certainly. From the first release, from 5.0
4 and moving forward, some examples would include the
5 addition of flavors of loop, including two-wire
6 nonloaded loops to flow-through cancellations for about
7 10 different resale product loops, local number
8 portability, and UNE-P POTS.

9 It would also include eliminating several
10 exceptions that had precluded an order from flowing
11 through. There were scenarios where if an otherwise
12 eligible LSR could flow through, various entries on
13 that request could prevent flow-through, such as a
14 simple indication that there was a related order that
15 had been issued inside of Qwest by the CLEC.

16 We've also eliminated other less standard
17 scenarios, such as CLEC-to-CLEC migrations so that not
18 every flavor of a conversion involving a CLEC migrating
19 service to another CLEC would be prevented from flowing
20 through.

21 Q. Turning to Exhibit 1795, our performance
22 measure results, you were asked by Chairwoman Showalter
23 about the benchmarks that were set by the steering
24 committee. If you turn to Page 51 of that exhibit, are
25 the benchmarks you are talking about shown in the last

8406

1 two boxes of that, which are flow-through-eligible POTS
2 resale and flow-through-eligible EDI POTS resale via
3 EDI?

4 A. Yes.

5 Q. You were asked numerous questions about
6 whether or not Qwest made the benchmark for the fourth
7 box on that page, which is the electronic flow-through
8 for eligible LSRs received via EDI POTS resale. Can
9 you tell me how many orders are being counted in that
10 measure in the last three months month by month?

11 A. In April there were four. In March there was
12 one, and in February, there were two.

13 Q. So is it your testimony because it's just a
14 handful of orders, those results need to be looked at
15 in a greater context? Can you explain why?

16 A. Yes, that's my testimony, and when we are
17 talking about volumes that are this low, obviously --
18 as an example, there were four orders in April. One of
19 them didn't flow through. It might not have flown
20 through for any number of reasons, and the result
21 showing we are only at 75 percent isn't a very accurate
22 representation of Qwest's performance.

23 If you were to add those four orders with the
24 volume that came in through the GUI, you would see that
25 overall, we would be over the 90 percent benchmark.

8407

1 Q. If you look at the month before that on March
2 where we achieved 100 percent flow-through rate on the
3 last page, would you say that that was a good indicator
4 of how we were performing, or should that also be read
5 in context of the flow-through-eligible for those
6 received by the GUI?

7 A. The same would apply. Looking at how we did
8 on one order is not representative of our performance.

9 Q. If you do look at our performance on the GUI,
10 isn't it correct that we have met the benchmark set by
11 the steering committee in each of the last six months?

12 A. Yes, that's correct.

13 Q. If you would then turn the page to Page 52,
14 let's look at results that do have some more greater
15 volumes for EDI. This is electronic flow-through
16 unbundled loops. Is the benchmark that's being shown
17 in the bottom two boxes the benchmark that was set by
18 the steering committee?

19 A. Yes, it is.

20 Q. Then how many orders are being counted or how
21 many LSRs are being counted in the bottom box, which is
22 the EDI results, for the last three months?

23 A. By month?

24 Q. Yes, please.

25 A. April, 1,311; March, 835; February, 1,007.

8408

1 Q. Is it true that we met the benchmark that was
2 set by the steering committee in each of those months?

3 A. Yes.

4 Q. Similarly, if you look at the box above that,
5 which is flow-through rates for loops received via the
6 GUI, is it true that we've met that benchmark for the
7 last three months as well?

8 A. Yes.

9 Q. Looking at the next page, Page 53, if you
10 look at the flow-through-eligible results via EDI for
11 LMP, can you tell us in the last three months how many
12 orders are being reported in that measure?

13 A. For April, it would be 3,032. For March, it
14 would be 2,263, and for February, it would be 2,212.

15 Q. Isn't it true that we are meeting the
16 benchmark in the last three months for that measure as
17 well?

18 A. Yes.

19 Q. Isn't that true also of the box above that,
20 which is electronic flow-through for LSR received via
21 the GUI, are we meeting that benchmark in the last
22 three months?

23 A. Yes.

24 Q. Thanks. If you turn then to Page 101 --

25 CHAIRWOMAN SHOWALTER: May I interject with a

8409

1 question since you are on this subject? Can you look
2 at the bottom chart on Page 52 and compare it to the
3 bottom chart on Page 54? They seem to have the same
4 title. I keep reading it and can't see a difference,
5 but there must be a difference.

6 THE WITNESS: The difference is in the header
7 at the top of the page. Page 52 is for unbundled
8 loops, and Page 54 is for UNE-P POTS.

9 CHAIRWOMAN SHOWALTER: Thank you.

10 Q. (By Mr. Crain) Turning to Page 101, AT&T
11 asked you questions about EEL results, and I believe
12 you were asked in the last four months how many of
13 those results were missed by Qwest. Can you tell us
14 whether or not we met the benchmark in the last two
15 months for installation commitments met, intervals 0
16 and 1 for EELs?

17 A. Yes, we did.

18 Q. Turning then to Page 81 of this document, you
19 were asked some questions about the second box down on
20 Page 81, which is OP-4C results, installation interval,
21 no dispatches for UNE-P. You were asked whether or not
22 we had only met two months of the last five on that
23 measurement. Can you explain the results on that
24 chart?

25 A. The results for average interval, no

8410

1 dispatches, reflected that we met the parity standard
2 for the last two months, the most recent months, March
3 and April of this year, which is completely consistent
4 with what the expectations were, given the process
5 differences that were in play prior to that.

6 We knew that we would not have results prior
7 to March that reflected parity, given the fact that
8 through TAG discussion and agreement, we agreed to cast
9 results that were based on a process that wasn't in
10 place in our service center. So counting Saturday in
11 the interval calculation when, in fact, Saturday was
12 not counted by our centers in determining the due date
13 and therefore the interval, nor was it counted in a
14 CLEC's determination of what was the best date to ask
15 for without expediting a request.

16 Q. Although we recast a date of going back to
17 December, when was the actual change in process made
18 regarding Saturday due dates?

19 A. For UNE-P, it was made in the month of March.

20 Q. The results following that change, the
21 results for March and April, did we meet this benchmark
22 in March and April?

23 A. Yes, we did.

24 MR. CRAIN: I have no further questions.

25 JUDGE RENDAHL: Thank you, Mr. Crain. Are

8411

1 there any questions based on that?

2 MS. TRIBBY: Could I ask just one follow-up?

3

4

5 FURTHER CROSS-EXAMINATION

6 BY MS. TRIBBY:

7 Q. On Page 5 of your Exhibit 1796, Judge Rendahl
8 asked you whether there were any criteria that were
9 unsatisfied having to do with manual handling capacity.
10 Do you recall that?

11 A. I think she asked whether or not there were
12 any observations or exceptions.

13 Q. Actually, the capacity test didn't test
14 manual handling; isn't that true?

15 A. That is correct.

16 MS. TRIBBY: Thank you.

17 JUDGE RENDAHL: With that, I think we are
18 done --

19 MS. DOBERNECK: I just had one question of
20 Mr. Viveros.

21

22

23 FURTHER CROSS-EXAMINATION

24 BY MS. DOBERNECK:

25 Q. On that Page 81, and looking at that last

8412

1 line for April, the second box, so the process change
2 was made in March, so then the first month of reported
3 results where the process change IS reflected is April;
4 is that right?

5 A. No, that's not correct. The process change
6 was actually made during the month of March, so the
7 impact of that would be seen in our March results. The
8 March results would be published in April.

9 Q. Was the process change made at the beginning
10 of March or sometime in the middle? I'm trying to
11 determine whether the process change was in place for
12 the entire month of March as well as the entire month
13 of April?

14 A. It was in place for the entire month of
15 April. It was not in place the entire month of March.

16 Q. So with the process change in place versus
17 sort of the proportionate application for March, the
18 March average interval was 3.06 days, and then it
19 actually went up for the month where it was in place
20 for the whole time to 3.14 days?

21 A. That's correct.

22 MS. DOBERNECK: Thank you.

23 JUDGE RENDAHL: I believe we are finished
24 with you, Mr. Viveros. You may step down. Let's be
25 off the record for a moment while we change witnesses.

8413

1 (Discussion off the record.)

2 JUDGE RENDAHL: We are now starting with
3 Ms. Notarianni's presentation and cross-examination.

4 Before we do that, we have marked off the record
5 Ms. Notarianni's handout as Exhibit 1797, and the
6 replacement for Exhibit 1782 has been marked as 1798.

7 Are there any objections to the admission of those two
8 documents? Hearing nothing, they will be admitted.

9 Ms. Notarianni, if you would state your name
10 and your address for the court reporter and spell your
11 last name, please.

12 MS. NOTARIANNI: My name is Lynn Notarianni,
13 L-y-n-n, N-o-t-a-r-i-a-n-n-i. My address is 930 15th
14 Street, Denver, Colorado, 80202.

15 JUDGE RENDAHL: Thank you. Would you raise
16 your right hand, please.

17 (Witness sworn.)

18 MS. NOTARIANNI: Thank you and good
19 afternoon. I think we heard earlier from Mr. Viveros
20 on several topics -- ordering, provisioning, and
21 billing. Just to round out the other major categories
22 that the FCC looks at when considering the 271
23 application, they fall into the categories of
24 preordering, maintenance and repair, and technical
25 assistance, so I'll focus my discussion on those three

8414

1 areas this afternoon.

2 Turning to Page 2, very briefly, to touch on
3 the category of preordering, which is essentially the
4 information that a CLEC would use in the negotiation
5 process with their customer prior to submitting Qwest
6 and LSR, a local service request, there were several
7 tests that focused on testing both transaction testing
8 as well as looking at our processes and our operations
9 around preorder activity. Those are listed on Page 2
10 of the presentation.

11 Very shortly, the bottom line is for all of
12 the criteria, the evaluation criteria set forth within
13 these tests, Qwest passed all of the criteria or the
14 criteria were diagnostic, so they weren't given a
15 pass-fail result. Similarly, as far as Qwest
16 commercial results are concerned, the predominant
17 measure of preorder functionality has to do with
18 transaction response time, and it's measured in the
19 collective set of PO-1 PIDs, and Qwest has virtually
20 passed all of those PIDs and the benchmark set forth
21 for those PIDS for the past 12 months, so we believe
22 that the preordering functionality is in place, is
23 stable, and it's meeting all the requirements.

24 Page 3, I will talk just briefly about the
25 area of repair. Again, there were what was a set of

8415

1 four tests that focused on repair activities. In Test
2 16, KPMG and HP collectively tested our CEMR, our
3 customer electronic maintenance and repair system,
4 which we've heard quite a bit about. That test was
5 structured in three phases.

6 The first two phases addressed the
7 functionality as well as looking at our documentation
8 of processes and how our repair service attendants
9 handled repair calls from the CLECs. We satisfied the
10 vast majority of the criteria. There was one
11 diagnostic criteria as well as one that was not
12 satisfied which we've heard a lot about and I will talk
13 about on another slide.

14 The third phase of that test was the volume
15 testing or capacity testing of that CEMR interface, and
16 that was where the one not-satisfied criteria occurred,
17 and that's what I will give you more detail on. Test
18 17 tested our electronic bonding terminal
19 administration system. We passed all the criteria
20 regarding that system. There was transaction testing
21 done by KPMG. In fact, they used MCI WorldCom's
22 interface to run that transaction testing, and we
23 virtually received no observations or exceptions in
24 that area.

25 Test 18 was our maintenance and repair

8416

1 end-to-end trouble report processing. Again, there
2 were a significant number of criteria on those 50, and
3 Qwest did pass the majority of them. There was one
4 unable-to-determine and two not-satisfied, and again, I
5 think that's been the subject of many of the
6 presentations leading up to it so far, so I will spend
7 a few minutes on that as well giving some conclusions
8 from Qwest's standpoint, and the last one was the
9 network surveillance and outage support evaluation, and
10 that really is a test that looks at where our portions
11 of our network, where we do proactive monitoring of the
12 network, and again, that test passed 100 percent.

13 Turning to Page 4 and back to Test 16, again,
14 Phase 3 of that test was a capacity test, or a volume
15 test. KPMG tested three levels of capacity against
16 that system, a normal volume, a peak volume, and a
17 stress volume. Benchmarks that were not PID-based
18 benchmarks, but benchmarks that were determined and set
19 up as the part of the test were applied, and Qwest
20 passed all of the benchmarks at the normal volume
21 level.

22 The peak volume level was set up to be 150
23 percent of the normal volume level, and I would also
24 want to point out that the normal volume level is not
25 the normal level we see every day from the CLECs. It's

8417

1 based on a forecast of what the normal volume is
2 projected to be. So I believe it was an August 2002
3 forecast that we used as the normal volume level, so as
4 it stood initially, the normal volume was higher than
5 what we actually experience in commercial activity on
6 this system.

7 When we ran the peak test, there was one
8 benchmark that was set out of 13 that did not meet the
9 benchmark. It was for modifying nondesign trouble
10 tickets. It was missed by three seconds. They set a
11 benchmark of 24 seconds, and it came in at that peak
12 level of 27 seconds, and essentially, the same results,
13 even though benchmarks weren't taken when you look at
14 the results, in the final report that KPMG issued, you
15 get the same result at the peak level as well as the
16 stress level, and the stress level is actually running
17 250 percent of the normal level.

18 I think we've pointed out earlier that the
19 nondesign modified transactions may be just in the
20 verified comments we submitted are actually only .3
21 percent of the actual commercial activity that goes
22 through that system. So this transaction is not one
23 that has a lot of high activity. And also, the
24 benchmarks, and I would just like to touch on this a
25 bit. The benchmarks that were set in this test, while

8418

1 they were discussed, and they were discussed for
2 several months between the parties, they were not
3 scientific in the same sense of setting a benchmark
4 based on historical data and agreements by the TAG as
5 you would get in the capacity test on preordering,
6 ordering, and provisioning.

7 They needed to set a benchmark. The parties
8 needed to decide how to set a benchmark. We spent
9 months deciding how that was going to be, and actually
10 at the eleventh hour, KPMG decided not to go on the
11 originally agreed-upon benchmarks and set new ones.
12 Qwest did have the opportunity to choose to use those
13 or not to use those, and we chose to use them because
14 there really hadn't been a lot of past data set forward
15 to determine any other benchmark, and we wanted to get
16 about testing our system and moving it forward.

17 So we agreed to those benchmarks. In the
18 end, there was only one that was not passed. It was
19 significant in the grand scheme of all of the activity
20 that went on in this system, and so we were very
21 confident in how we've seen the FCC look at other
22 applications that our results more than provide the
23 CLECs what they need in order to run volumes through
24 our maintenance and repair systems. As a matter of
25 fact, there have been other RBOCs who have not even run

8419

1 these kinds of levels on their maintenance and repair
2 interface and had their applications approved.

3 Moving on to Slide 5, this is another
4 maintenance and repair set of activities. It is Test
5 18. I think there has been quite a bit of information
6 put forward on this. It was an end-to-end trouble
7 report processing test. There were two evaluation
8 criteria that were not-satisfied and one that was
9 unable-to-determine. Criterion 18-6-1, which was a
10 not-satisfied, and Criterion 18-6-3, which was
11 unable-to-determine, both fell into the area of what's
12 been talked about as far as disposition coding on our
13 trouble tickets.

14 There is a slightly different situation in
15 both cases, and I will take them separately with the
16 easier one first. Criterion 18-6-3 had to do with
17 trouble ticket coding for DS-1 services, and what the
18 analysis found was that they actually only ended up
19 observing or looking at and inserting the trouble and
20 looking 10 DS-1 circuits or samples, so the sample size
21 was essentially 10.

22 Without going into any of the details as to
23 how we code or why we code and some of the exchange of
24 information that went back and forth between Qwest and
25 KPMG, Qwest only ended up inaccurately coding one out

8420

1 of the 10 circuits. So we either needed to be 100
2 percent or we flunked their test because their
3 benchmark was 95 percent. In order to get to a passing
4 grade where you would have had an opportunity to even
5 miss more than one coding opportunity, we would have
6 had to have gotten up to a sample size, I believe when
7 I figured it out, it was roughly 42 or 52 samples, and
8 there simply wasn't the activity for KPMG to be able to
9 take a look at that. At that point in time, Qwest
10 said, We believe our results are satisfactory. We have
11 good processes in place for those services. Our
12 maintenance and repair PIDS by and large are very
13 satisfactory in this area, so we chose to move on and
14 not spend the time and effort to do additional testing.

15 On Criterion 18-6-1, that was trouble ticket
16 coding for resale UNE-P and Centrex 21. You've heard a
17 lot of discussion around those codes, how we used the
18 codes, what those codes mean, and why you might want to
19 have the second two digits coded appropriately and how
20 do you use those in your business. I think there was
21 consensus around the table that the first two digits
22 are, in fact, used to isolate the trouble, where your
23 trouble is in the network. Is it in the central
24 office? Is it in the outside plant? Is it beyond the
25 demarcation point or not? And I believe everybody

8421

1 understands and agrees that, in fact, it is used for a
2 number of purposes. It does go into factoring how we
3 calculate some of our PIDS. If we do any regulatory
4 reporting at the individual states around, our ability
5 to accurately handle trouble and accurately determine
6 the close-out codes, and I think it also goes to
7 determining whether or not the CLEC is going to
8 experience a charge for trouble ticket or not.

9 What seemed to be of debate was the second
10 two digits. In fact, those second two digits go to
11 some very specific isolation. For example, if you have
12 a trouble in a central office, you've determined
13 through the first two codes it's in the central office.
14 The second two codes might tell you it's a line card on
15 a particular switch that caused the problem. I think
16 what has been misrepresented is that those second two
17 digits, while they are a piece of information, they are
18 not the totality of information that is provided both
19 to Qwest and to the CLEC to know what the problem is
20 that's going on in the network. There is a narrative
21 that goes along with this.

22 And I think where the conversation evolved,
23 both on Mr. Weeks' part from KPMG as well as
24 Mr. Finnigan's part, when they started talking about
25 why would it be important and why is it different than

8422

1 having a parity comparison, and why would you really
2 care about those codes, they evolved into a
3 conversation about, well, your long-term network
4 quality and maintenance processes might want to have
5 that historical data in order to, in fact, determine
6 whether over time, you had consistent and particular
7 problems with any one portion of your network, and
8 those codes and having accuracy in those codes would be
9 a good thing to do, to be able to rely on in order to
10 make those determinations on how you might want to
11 rehab your network.

12 In fact, that is a piece of information.
13 It's only a single piece of information, and quite
14 honestly, how we go about doing our overall maintenance
15 of our network really relies on substantially more data
16 than just the two-digit codes that are at the end of
17 trouble ticket coding. It heavily relies on the
18 narrative. It heavily relies on other tools we use in
19 our network maintenance processes in order to do that.

20 If KPMG or others had really been concerned
21 about those last two digits for purposes of long-term
22 quality maintenance of your network, I think they would
23 have structured a test and set up criteria specifically
24 to address that. That was not part of the test. So I
25 think the issue has evolved in a way that it wasn't

8423

1 intended to evolve, and more of an issue has been made
2 of those last two codes.

3 We, in fact, have demonstrated in this test
4 that we were close to 90 percent. As well, Qwest has
5 very well-run now and week-to-week audit processes that
6 are put in place that literally measure how we are
7 doing our trouble ticket coding, and earlier, I had
8 referenced off the record, I think, that Exhibit 1785
9 shows the State audit summary report for the State of
10 Washington. I believe it is the last eight weeks, and
11 in fact, our trouble ticket coding rates at their
12 lowest are at 97 percent and go all the way up to 99
13 percent. So again, we feel like we are very strong in
14 this area.

15 The last item criteria that was not satisfied
16 was Criterion 18-7-1, and that was the situation in
17 which KPMG, they came in and they basically introduced
18 problems into the circuit, and then they looked to see
19 whether we accurately repaired the circuits and did the
20 right closure activities. When the exception regarding
21 this test first came out, the percentages did look very
22 low. A good percentage of that, after dialogue with
23 KPMG and helping them to understand what our methods
24 and procedures are, how we actually close troubles, and
25 how you close troubles in a maintenance and repair

8424

1 environment and assure the circuits are correct by
2 agreement of KPMG, brought the percentage all the way
3 up to 92.2 percent.

4 A number of the remainder of the circuits
5 when we performed this test, we ended up with a
6 situation where KPMG came in, inserted the trouble, and
7 then three or four months later came out to see if we
8 repaired them correctly. So there was a significant
9 span of time between those two times, and for a lot of
10 the misses that they insisted that we had, we were not
11 able to determine, due to the length of time and the
12 change in their -- and we were not able to get the
13 records and actually validate what had gone wrong.

14 At that point in time, we also had that
15 discussion. We agreed to leave the percentage at 92.2
16 percent. We believe that in this particular case, the
17 appropriate comparison was, in fact, taking a look at
18 some of our PIDS, and that is simply not what KPMG set
19 out to do. They set a benchmark. It was one of those,
20 there was not unanimous agreement on how to do this, I
21 think was the way Mr. Weeks put it, and we simply
22 agreed that we had a difference of opinion as to
23 whether you ought to use PID measurements for this or
24 whether they ought to set a benchmark.

25 At that point, we felt fairly strongly about

8425

1 our PID measurements. We continued to believe that
2 they are very strong in terms of clearing troubles in
3 the required time frames, in terms of very low report
4 rates on the circuits, as well as repeat rates on those
5 circuits, and we felt like those were the appropriate
6 measures and did not feel like additional testing in
7 that area would further provide meaningful data in
8 order to get past this.

9 On Page 6, in the area of technical
10 assistance, that is where it is really the collective
11 set of support processes and procedures that we provide
12 to the CLECs to help them make sure they can get into
13 business as well as do business with us on a
14 going-forward basis. I list out a number of the tests
15 on Page 6, but the one that I really want to focus on,
16 because it's certainly been where the areas of concern
17 have been raised this week, is on Test 24, collect
18 support processes and procedures reviews.

19 In that test, there were 114 evaluation
20 criteria, and I'm referencing Page 7 now, and Qwest
21 satisfied 110 out of 114 of those. Two were not
22 satisfied and two were unable-to-determine. The two
23 unable-to-determine criterion, which were 24.3-9 and
24 24.10-3-4, both were situations where we were asked,
25 based on their review, to put additional rigor and

8426

1 documentation and guidelines around our service manager
2 functions, who are the folks that help the CLECs when
3 they have questions about their operations, as well as
4 in our billing and collections center, and the timing
5 of actually implementing those, the documentation and
6 the activities versus the end of the test, rendered
7 KPMG unable to do enough investigation to look at --
8 they agreed that we had put the capabilities in place.
9 They did not have the time to actually observe how well
10 we were performing on that.

11 What I wanted to wrap up with in technical
12 assistance was Test 24.6, and Test 24.6, as we have
13 heard over the past several days, has to do with
14 Qwest's ability to provide CLECs with an interface
15 testing environment that allows them to build what we
16 call the application-to-application interfaces to Qwest
17 systems, particularly our EDI system and our electronic
18 bonding, EBTA, trouble administration system.

19 As far as the EDI technical environment was
20 concerned, as Mr. Dixon pointed out very clearly with
21 KPMG on the first day and HP, there was not transaction
22 testing of our EDI test environment. KPMG did come in
23 and review documentation and processes, and our
24 understanding, although we were not provided a
25 significant amount of data on it, was that they also

8427

1 spoke to some CLECs about their experience in using our
2 testing environment to build their interfaces.

3 At the end of all of that, they found one
4 criteria with our EDI interface, Criteria 24.6-1-8,
5 that they felt still had some weaknesses. They fell
6 into two areas, the ability to do flow-through testing
7 through that interface and the ability to do real-world
8 testing, and in fact, Qwest has put in place the
9 flow-through capability, finished putting in place that
10 capability on May 20th. So flow-through can be tested
11 by the CLECs and by third-party software service
12 providers so that they can test whether or not, when
13 they are in their development cycle, when they send us
14 a transaction or an LSR, that it will actually
15 flow-through to our order service processors.

16 With the combination of flow-through and the
17 VICKI component of the interface testing that was
18 discussed earlier, half the ability to return postorder
19 transactions in real time -- that was one of the
20 issues -- and to do what they call real-world testing,
21 which is essentially, I want to know how to experience
22 in your test environment what would happen to this LSR
23 the same way as if it were flowing through in your
24 production system. So those are now all in place. We
25 believe we have addressed the issues that KPMG has

8428

1 raised.

2 Additionally, I think for both the
3 stand-alone testing environment as well as the
4 interoperability testing environment, we have had
5 significant usage of those test environments,
6 commercial usage, that demonstrates that CLECs can
7 adequately use our test environments, develop their
8 software, and actually operate in production with
9 Qwest. HP said in their presentation that how, I think
10 it was over four releases, 16 products across those
11 three or four releases that they did extensive testing
12 of our interoperability test environment and came in
13 production and ran over a million transactions,
14 including their capacity test.

15 Similarly, we have 29 CLECs who collectively
16 used our interoperability test environment as well as
17 our SATE environment. I think there is 10 of them that
18 have used the SATE environment now, five of them
19 through a third-party software provider, and between
20 those parties have successfully utilized our test
21 environment over -- gosh. I don't know -- it's six or
22 seven of our IMA releases now, and our commercial
23 volumes, which is the exhibit that I updated earlier,
24 1782, and I believe 1783, those are the preorder and
25 order volumes that we are actually experiencing in

8429

1 production on our EDI system, and to date, we have had
2 over 900,000 EDI preorder transactions run in that
3 environment, in our production environment, as well as
4 over 600,000 order transactions that have been run in
5 our environment. So I think just based on our
6 commercial data, you would be able to conclude that we
7 would not be able to have run and successfully
8 supported this kind of volume in production if CLECs
9 hadn't been able to successfully use our test
10 environment and create their EDI interfaces.

11 The last one I will close with is on the
12 maintenance and repair counterpart to EDI. The
13 maintenance and repair counterpart to EDI is EBTA.
14 Again, KPMG came in and did a review of our processes
15 and our documentation and interviewed some of our
16 folks, as well as CLECs, and set forth some criteria
17 around that test environment as well. One component of
18 that test environment that they found -- according to
19 their criteria, they would have preferred if it had
20 been architected differently -- was a back-end system
21 that sits behind the test environment is actually a
22 production system, and they had some concerns over
23 that.

24 Again, I guess the basic premise with that
25 test environment, number one, is that the FCC has never

8430

1 even required that that interface be in existence, and
2 in fact, has not required that the RBOCs have that in
3 order to successfully achieve 271. However, Qwest does
4 have it. It is robust. We've been using it for five
5 CLECs for over seven years now. It grew up in the
6 interexchange carrier world versus the local world and
7 was modified to accommodate local traffic.

8 We have tested across multiple releases with
9 those CLECs, and we have never experienced a problem in
10 testing by virtue of having that production system sit
11 behind our gateway. So again, we believe at this point
12 that we provide a very robust EBTA interface and have
13 met the requirement to put in place a testing
14 environment that the CLECs can count on and actually
15 get into production. That is all the comments I have.

16 JUDGE RENDAHL: Thank you, Ms. Notarianni.
17 Ms. Tribby, do you have questions?

18 MS. TRIBBY: Thank you, Your Honor.

19

20

21 CROSS-EXAMINATION

22 BY MS. TRIBBY:

23 Q. One of the last comments that you just made,
24 are you saying you've never had problems in your
25 testing environment with CLECs, or you've never had

8431

1 problems based on this one piece that sits behind the
2 interface? I want to make sure I'm clear about what
3 you said.

4 A. What I was saying is, in fact, that component
5 that sits behind the EBTA interface and processes the
6 test transactions is the same system as our production
7 system, and it is that component, in using that
8 component in a production environment that has never
9 caused problems.

10 Q. This Exhibit 1785, field coding process audit
11 summary, are these the results of internal audits by
12 Qwest?

13 A. Yes, they are.

14 Q. Have these been subjected to testing or
15 evaluation by any of the testers in the ROC test or the
16 Arizona test?

17 A. No, they have not. They've been provided,
18 because the testers brought up the situation, and when
19 we look at providing our application, and I think the
20 FCC has been clear in all of their rulings that there
21 are four types of data that they rely upon in order to
22 evaluate an application, and certainly, while
23 independent testing is very important, they've been
24 clear that they rely on commercial data, independent
25 third-party testing, CLEC-to-CLEC testing as well as

8432

1 Qwest's own internal test results. So certainly, we
2 felt it was important to put forward our own internal
3 test results.

4 MS. TRIBBY: Thank you. That's all I have.

5 JUDGE RENDAHL: Mr. Dixon?

6

7

8 CROSS-EXAMINATION

9 BY MR. DIXON:

10 Q. Good afternoon, Ms. Notarianni. How are you?

11 A. I'm great.

12 Q. Just for the record, I'm going to refer to
13 Exhibit 1721, which are the comments of about 147
14 pages, and also Exhibit 1741, which is what's called a
15 white paper relating to stand-alone test environment
16 electronic flow-through. I apologize. I don't know
17 the number of one of the exhibits. It's a confidential
18 listing of all the CLECs and service bureau that tested
19 SATE in their operability testing, and I think it will
20 be the only sheet on yellow paper.

21 JUDGE RENDAHL: Let's be off the record while
22 we locate these exhibits and identify the number.

23 (Discussion off the record.)

24 JUDGE RENDAHL: While we are off the record,
25 we all found Exhibit 1741 and Exhibit 1721, and the

8433

1 question had to do with Exhibit 1783-C, which is a
2 confidential exhibit, number of CLEC certification
3 testing, interoperability versus SATE.

4 While we were off the record, Chairwoman
5 Showalter identified that the cover sheet on Exhibit
6 1785 seems to refer to Minnesota audit results as
7 opposed to Washington. Ms. Notarianni, do you have a
8 clarification on that? Can we verify that these are
9 actually Washington?

10 THE WITNESS: Absolutely. These are, in
11 fact, Washington results, and when you look at the data
12 in the exhibit, the first column indicates the state,
13 and "WA" is for Washington. So that is correct, it
14 should be Washington on the cover sheet.

15 JUDGE RENDAHL: So the cover sheet is merely
16 in error.

17 THE WITNESS: Correct.

18 JUDGE RENDAHL: Mr. Dixon, go ahead.

19 Q. (By Mr. Dixon) Ms. Notarianni, I would like
20 to start with something very simple: VICKI, and we've
21 described that acronym before. Is Qwest willing to
22 allow that KPMG or any other vendors retest the
23 electronic flow-through capability of VICKI between now
24 and the second week of July when you will be filing
25 your application if all goes well?

8434

1 A. We do not see a need to have that testing
2 happen, no.

3 Q. I would like to turn to Page 72 of Exhibit
4 1721. And I would like you to focus on the language
5 that discusses Test 18, the end-to-end trouble report
6 processing test, and Exception 3055, Criterion 18-6-1.

7 CHAIRWOMAN SHOWALTER: Can you wait a minute?

8 JUDGE RENDAHL: Are you referring to Page 72?

9 MR. DIXON: I hope so.

10 MS. DOBERNECK: It's above the bold.

11 MR. CRAIN: Mine shows up on 71.

12 MR. DIXON: It could be I missed a page.

13 I'll double check.

14 CHAIRWOMAN SHOWALTER: What does the
15 paragraph begin with?

16 MS. DOBERNECK: It begins, "Qwest has since
17 implemented additional training of its technicians."

18 MR. DIXON: It's on Page 72.

19 Q. (By Mr. Dixon) Very simply, Qwest asserts
20 that it has implemented additional training of its
21 technicians to insure that they code and close out all
22 trouble tickets correctly. Qwest has also implemented,
23 and I'm paraphrasing, weekly internal audits for
24 trouble tickets which you believe solved the issues
25 that were addressed in Criterion 18-6-1 and Exception

8435

1 30-55.

2 My question is, are you willing to allow a
3 retest of this training between now and the second week
4 of July by one of the vendors to confirm your
5 allegations?

6 A. Again, I don't believe that is necessary or
7 would prove a different result.

8 Q. I would like to turn to Exhibit 1783-C. I
9 have no intention of referring to vendor names. If I
10 talk about the number of vendors that have done
11 something, does that present a confidentiality issue
12 for Qwest?

13 A. No, I don't believe it does.

14 Q. If for any reason my question should cause
15 you to believe your response will be confidential,
16 please advise me so I could ask that the record be
17 treated accordingly.

18 You asserted on, I think it was in response
19 to cross or maybe it was in your summary, that the
20 commercial data supports your OSS interface
21 development, which is what was addressed in Test 24.6.
22 Has Qwest provided in your exhibits or any other
23 exhibits affidavits from any CLECs testing to their
24 testing experience when testing on an interoperability
25 basis or using the stand-alone test environment?

8436

1 A. Just a clarification. Are you asking me if
2 that was just in my testimony or exhibits or in
3 anything that's been presented and filed here?

4 Q. The latter. Are you aware of whether Qwest
5 has filed any affidavits of any sort on the experiences
6 the CLECs had that were written by the CLECs?

7 A. No, not written by the CLECs.

8 Q. Does Qwest when it conducts interoperability
9 testing request the CLECs that are involved or the
10 service bureau prepare some sort of evaluation after
11 the fact that gives Qwest some feedback on how it went?

12 A. The actual feedback loop occurs in two ways.
13 I wouldn't say it's after the fact; although, that's
14 not precluded. It's not a formality to ask for it
15 after the fact.

16 Because we create joint project plans with
17 the CLECs, we actually do that feedback loop as much as
18 once a week directly with the CLECs, and if the other
19 feedback mechanism that the CLECs are currently using,
20 any interface testing requirements issues they have,
21 problems they have, we created a users group as kind of
22 a subteam of our change management process who
23 specifically work on any additional needs they would
24 like in our test environments.

25 Q. To your knowledge, has Qwest put into

8437

1 evidence any feedback through either a joint project
2 plan or through minutes from the users groups' meetings
3 that have dealt with the variety SATE or
4 interoperability testing into evidence in this
5 proceeding, to your knowledge?

6 A. Yes, we have.

7 Q. Can you tell us the exhibits?

8 A. There is an exhibit. It's listed on my paper
9 as Exhibit 1740, SATE user-group-meeting minutes,
10 November 13th, 2001, and the reason this particular
11 meeting was included as opposed to the rest of them,
12 which are made available on our Web Site, is because
13 this was the one that kind of set forth the overview of
14 what that users group was going to be all about, what
15 their mission statement was, and the initial requests
16 that were taken as a result of our first experience
17 running that effort.

18 I also believe that it is within the Exhibit
19 1739, EDI implementation guidelines for IMA dated 5/3
20 of 2002, that they also talk about in general the test
21 interfaces, the test environments, how you experience
22 them and how you interact with us as far as that's
23 concerned. I'm not aware that I've actually filed or
24 that there is file project plants.

25 Q. What was the last exhibit number you

8438

1 referenced?

2 A. 1739.

3 Q. Do you have 1740 in front of you? I didn't
4 realized we would be getting to it, but if you could
5 look at it.

6 JUDGE RENDAHL: Let's be off the record while
7 we locate that.

8 (Discussion off the record.)

9 Q. (By Mr. Dixon) If you turn to the bottom of
10 the page, Page 1 of 1740, there appear to be some
11 paragraphs called SATE, quote, likes, end quote, SATE,
12 quote, dislikes, end quote?

13 A. I do see it.

14 Q. Would that be what you consider the CLEC
15 feedback?

16 A. That is a summary caption of what was
17 discussed, yes.

18 Q. In my review of 1739, I didn't see CLEC
19 feedback in that document, per se. Do you have
20 something in particular you want to point to since
21 you've referenced it?

22 A. It's a fairly extensive document. It's
23 fairly large, but what I recall is in there is not
24 specific CLEC feedback, but it talks about the
25 processes for how you do all the testing and where

8439

1 those opportunities are, how we develop issue logs with
2 the CLECs, etcetera.

3 Q. That's fine. Thank you. If I could turn to
4 Exhibit 1783-C, this is a four-page confidential
5 document, and I think we can agree by looking at the
6 last column, the majority of the testing you reference
7 here is called interoperability testing. Would that be
8 correct?

9 A. Exactly, because it's been around for a
10 significantly longer amount of time.

11 Q. Interoperability testing is conducted in a
12 production environment, we've learned from KPMG;
13 correct?

14 A. That is not correct.

15 Q. It appears that the number of CLECs and/or
16 service bureaus that have tested the SATE interface
17 would be, I think you said 10 if you count the service
18 bureau and who they represented?

19 A. That's correct.

20 Q. What is the most current version of the
21 stand-alone test environment?

22 A. I believe it's 9.0, or SATE 9.0.

23 Q. I'll represent to you on this exhibit, CLEC
24 has tested 9.0; is that correct?

25 A. That's correct.

8440

1 Q. And the service bureau was not tested 9.0;
2 would that be correct?

3 A. I don't think that I can answer that because
4 this does not list service bureaus. This just lists
5 CLECs.

6 Q. If I look to the right on the first page and
7 I go about three-fourths of the way down, the next to
8 the last and last reference to SATE testing says, part
9 of service bureau requirement testing. Would that not
10 tell us whether the service bureau tested 9.0?

11 A. I don't think so in its entirety, and let me
12 tell you why, and it may be there is not as much
13 information on this last column as there ought to be.

14 The service bureau that is listed in each
15 example is only one service bureau. I guess I couldn't
16 say one way or the other whether or not any of the
17 other service bureaus have started testing with SATE.
18 I believe they have, but again, I don't have the
19 information to validate that, so I can't say that it's
20 correct or not.

21 What I can say, Tom, is the vast majority of
22 the CLECs use service bureaus in one capacity or
23 another to do their EDI development these days. So I
24 believe that I would be incorrect in saying that it's
25 absolutely certain that there is not other service

8441

1 bureaus who have been involved with these CLECs.

2 Q. From a practical standpoint, before a
3 competitive local exchange carrier can interact with
4 Qwest's EDI interface or its gateway to its EDI
5 interface, a CLEC has to have a certification. Am I
6 correct?

7 A. That is correct.

8 Q. Part of the requirements for the
9 certification is that the CLEC either conduct
10 satisfactory interoperability testing or stand-alone
11 test environment testing. Would that be correct?

12 A. That's true.

13 Q. Those are both known as "progression
14 testing."

15 A. Yes, generally it's progression testing.

16 Q. Then after they get done with that form of
17 testing, they go into something called "controlled
18 production" and I'm referring to Page 127 of you
19 Exhibit 1721, if you at least want to look at the
20 terms.

21 A. That's correct.

22 Q. How does interoperability testing differ from
23 controlled production testing?

24 A. Interoperability testing is the second step
25 in a three-step process that CLECs use in order to

8442

1 certify that their software can, in fact, interact with
2 Qwest software successfully.

3 The first step really has to do with just
4 obtaining network connectivity between our test
5 environments. The second step, which is the main one
6 we've been focusing on, you have an option to either
7 use our interoperability test environment or our
8 stand-alone test environment or a combination of both,
9 and once you pass that phase, you move into the third
10 phase, which is the controlled production testing.

11 In the second phase, the primary focus and
12 purpose of that phase is to either allow the CLEC as
13 they are developing their software or after they have
14 developed their software to pass transactions back and
15 forth to Qwest environment and make sure that what they
16 have coded can work correctly between our systems and
17 their systems. So you are really essentially still in
18 what I would call a development phase.

19 Once you've assured that that software
20 between the parties is at a certain level of
21 compatibility and you've successfully tested it, then
22 you move into control production, and control
23 production is, in fact, running live CLEC LSRs, or it
24 could be, for example, if they didn't want to use their
25 live customers' LSRs, they could use their own

8443

1 employees' LSRs, for example, their circuits from their
2 homes, and making sure that on a volume basis, you are
3 able to successfully operate with Qwest.

4 So the differences really are in that. In
5 interoperability testing, you are much more in the
6 software development phase, and in control production,
7 you are actually ready to operate. We just manage and
8 monitor real live-world transactions at this point and
9 assure for the first 30 days that we are not going to
10 see significant failures.

11 Q. Thank you for that explanation. In your
12 exhibits, they were LMN-12, now marked Exhibit 1741,
13 and LMN-13, which you need not get, is Exhibit 1742,
14 I'll represent to you both of those documents are white
15 papers on SATE VICKI and a white paper on flow-through
16 in SATE. Different dates, but the documents relate to
17 that subject matter. Would you agree with that, first
18 of all?

19 A. Yes.

20 Q. And there have been other white papers issued
21 regarding SATE and the stand-alone test environment by
22 Qwest; is that correct?

23 A. I don't recall other white papers.

24 MR. DIXON: May I approach the witness, Your
25 Honor?

8444

1 JUDGE RENDAHL: You may, Mr. Dixon.

2 MR. DIXON: I'm placing before the witness a
3 document that is referred to as a white paper on IMA
4 EDI stand-alone test environment dated June 18, 2001,
5 Version 1.01, and you may take as much time to review
6 it. I'm going to focus your attention to one paragraph
7 that I've highlighted in yellow, and this is not an
8 exhibit in the evidence, it appears. I tried to find
9 it. On Page 4 of 10 -- if you want to take a moment to
10 review it, please feel free to do so.

11 JUDGE RENDAHL: Let's be off the record for a
12 moment.

13 (Discussion off the record.)

14 JUDGE RENDAHL: Let's be on our break until
15 3:15.

16 (Recess.)

17 JUDGE RENDAHL: We are back on the record
18 after an extended afternoon break, and Mr. Dixon and
19 Ms. Notarianni, you've got your computerized document
20 here?

21 MR. DIXON: We are ready. I'm going to ask
22 Ms. Notarianni to read into the record a portion of
23 that document on Page 3 that I've highlighted for your
24 benefit. Would you just read that in the record?

25 THE WITNESS: "Qwest recognizes that

8445

1 coproviders feel that their market entry is delayed by
2 limitations of the current EDI interoperability test
3 process. Paper versions of orders must always be sent
4 to Qwest prior to testing. Coproviders cannot attempt
5 a function and get an immediate response. Therefore,
6 the learning process can be time-consuming, and both
7 Qwest and coproviders must have staff to fully review
8 these paper transactions.

9 Coproviders must maintain production accounts
10 for testing as real production systems are called upon
11 during testing. Some providers do not have end-user
12 accounts within Qwest's network. Others are hesitant
13 to run tests on their end-user's accounts.
14 Additionally, interoperability testing has an impact on
15 Qwest product environment as well, such as the
16 reservation of real telephone numbers and appointments
17 during the testing process."

18 Q. Thank you. Will you agree with me as we
19 follow this document for a moment that the paragraph
20 I've asked you to read is under a title known as
21 "business history and need"?

22 A. Yes.

23 Q. And you will also agree with me, I presume,
24 that this document was issued by Qwest on June 18,
25 2001. Would that be correct?

8446

1 A. That's correct.

2 Q. And that I'll represent to you if you compare
3 Exhibits 1741 and 1742 as to their date of issuance,
4 this document would fall between two of them. Would
5 that be correct? If you check the exhibit list, I
6 think you will see the dates.

7 JUDGE RENDAHL: So you are asking whether
8 this document you just referred to falls in between
9 1741 and 1742?

10 MR. DIXON: Yes, Your Honor. I'm looking at
11 1742, and it's dated January 3rd, 2001; although, the
12 cover sheet said it was 2002, and 1741 is dated
13 December 7th, 2001. Would that be correct,
14 Ms. Notarianni?

15 THE WITNESS: That's correct. There is an
16 error on the cover sheet.

17 Q. (By Mr. Dixon) So, in fact, my question that
18 the document I had you read from appears between those
19 two dates.

20 A. Yes, it does.

21 Q. Thank you. Ms. Notarianni, if the Commission
22 were to look at the Exhibit 1741, the latter of the
23 documents, the three white papers dated December of
24 2001, similarly, there would be a business need and a
25 project objective in that document that would describe

8447

1 why Qwest believed a stand-alone test environment and
2 electronic flow-through was necessary for CLECs. Would
3 that be a fair characterization of that?

4 MR. CRAIN: I'm going to object that that is
5 not a fair characterization of the language that
6 Ms. Notarianni just read in the previous document. To
7 the extent you are asking about the particular document
8 and whether or not that's a fair characterization of
9 that, that's fine. I just don't want there to be an
10 implication that she's characterizing the one in your
11 computer the same way.

12 MR. DIXON: No. I'm referring to Exhibit
13 1741 now, not the document on my computer, and I was
14 saying, is there not a similar business history and
15 need and a project objective section in those white
16 papers that describe the need for the stand-alone test
17 environment and any electronic flow-through that you
18 propose in those papers.

19 THE WITNESS: You are confusing me just a
20 little bit. 1741, as I understand it, and it does have
21 a business need and an objective, is the white paper on
22 SATE VICKI.

23 Q. Right, electronic flow-through.

24 A. VICKI is not electronic flow-through.

25 Q. You can explain that to me.

8448

1 A. VICKI is the component of the stand-alone
2 test environment that automates postorder responses,
3 not that creates LSR flow-through.

4 Q. Those postorder responses are part of the
5 electronic flow-through process? Those are the actual
6 responses?

7 A. No.

8 Q. I won't beat it. I just wanted to refer to
9 those two documents. Lastly, coincidentally this morning
10 I received an e-mail, and are you familiar with a
11 person by the name of Kim Jeffries that carries a
12 qwest.com e-mail address?

13 A. I do know Kim, yes.

14 Q. Are you familiar with a Chris Graves, who has
15 a U S West.com e-mail address.

16 A. I do not know Chris Graves.

17 Q. The e-mail makes the following statements,
18 and I want to ask you if you would confirm or take
19 issue with what's stated. This is an e-mail between
20 people that are dealing with MCI WorldCom's "The
21 Neighborhood," and this is coming from a person working
22 on behalf of WorldCom.

23 The question I ask Kim Jeffries, and I am
24 adding "Jeffries" because her name is not in the
25 document itself but in the address, focused on the IVA

8449

1 scenario, in particular, I asked about a PO inquiry
2 where the thoroughfare on the request is different from
3 that what is stored in Qwest's database. For example,
4 if they are storing "AV," request specified "AVE," I
5 wanted to know whether "Z-TEL" would get an exact match
6 or a near match.

7 Kim answered that assuming that the only
8 difference in the inquiry, their system would probably
9 pick the correct address and respond with an exact
10 match. She said that if there was an ambiguity, and it
11 says, e.g. based on a street name misspelling, we would
12 receive a near match.

13 Would you agree with that concept, if someone
14 uses "AV" for "avenue" and the record requires "AVE"?

15 A. I'm not at all certain. I haven't seen this
16 e-mail, so I don't know the context in which the
17 question is being asked, but just taking and assuming
18 everything you read and told me is correct and just
19 very fundamentally, it could be possible that it can
20 process and make a definite determination of an address
21 match based on that or not.

22 Q. There was a reference to a thoroughfare.
23 What is thoroughfare? It talked about --

24 A. I assume it's a major street.

25 Q. In this context? If that's your answer, I'll

8450

1 go on.

2 JUDGE RENDAHL: If you would like to share a
3 paper copy or share a copy with the witness -- I'm not
4 sure what the value of this is if this is not the
5 person that received the e-mail.

6 MR. DIXON: I understand. The only value is
7 whether the e-mail is correct and what Qwest has
8 asserted in the e-mail.

9 JUDGE RENDAHL: She's not the person that
10 wrote the e-mail.

11 MR. DIXON: But a Qwest representative has,
12 and I'm asking her if she can confirm --

13 JUDGE RENDAHL: Let's be off the record.

14 (Discussion off the record.)

15 JUDGE RENDAHL: Mr. Dixon, this type of
16 cross-examination, while it may be highly
17 technologically available, is not appropriate here. If
18 you have a cross-examination exhibit, it needs to be
19 provided in paper to all the parties, and I'm not sure
20 this is really appropriate.

21 MR. DIXON: Let me say this and I'll stop.
22 First of all, it would be impossible, given the fact
23 that I received it this morning, for me to print it out
24 when I don't have a printer with me, so I can't meet
25 that requirement, but I understand your concerns, so I

8451

1 won't proceed with it any further, and I don't have any
2 further questions.

3 JUDGE RENDAHL: Ms. Doberneck, do you have
4 questions for this witness?

5 MS. DOBERNECK: I do. I have just a few.

6

7

8 CROSS-EXAMINATION

9 BY MS. DOBERNECK:

10 Q. Looking at Exhibit 1740, which is a SATE
11 user-group meeting, and there is -- first, can you tell
12 me who are the members or the regular participants in
13 this SATE users group? Do you know?

14 A. Right off the top of my head, I can't give
15 you the specific CLECs that participate. I do know
16 that AT&T participates. I'm not certain about WorldCom
17 or Covad. I do know it is a mixture of both CLECs as
18 well as third-party software bureaus.

19 Q. Perhaps you may not be able to answer this
20 question then. If you turn to Exhibit 1740, at the top
21 quarter of the page, there is a list of the attendees.
22 Do you see that?

23 A. Give me one second. I do see it.

24 Q. Do you recognize the names of the list of
25 attendees for this SATE user-group meeting on November

8452

1 13, 2001?

2 A. Some of them I do and some I don't.

3 Q. Of those that you do recognize, can you state
4 their name and the company with which they are
5 affiliated?

6 A. Wendy Green, Kelly Joins and Jake Pearlman
7 are with Qwest, and Rick Woodhouse is KPMG, and I do
8 not recognize the other names.

9 Q. I was a little unclear. Mr. Dixon asked you
10 something along the lines of, has Qwest provided
11 evidence or something from a CLEC saying, We are happy
12 with SATE, and I believe that was sort of the gist of
13 his question, and I believe in response, you referred
14 him to Exhibit 1740 as documentary evidence relating
15 to, I guess, CLEC input with regard to SATE. Did I
16 understand correctly what happened in that exchange?

17 A. I don't exactly recall the question because
18 being, Did you get any input from CLECs that they are
19 happy with SATE. That generally isn't something our
20 meetings are about. They are more at a technical level
21 in which we try to discern what additional things do
22 you think you need in our interface testing
23 environment.

24 So it's not spending time on what we already
25 have. It's about spending time on what kinds of

8453

1 enhancements would they like to see, and I did point to
2 that particular meeting as one item that did talk about
3 going out and trying to discern and the opportunities
4 the CLECs have to provide us what they would
5 additionally like in our test environments.

6 Q. Have there been SATE user-group meetings
7 subsequent to November 13th, 2001?

8 A. Yes, there have.

9 Q. Are those included anywhere in the record
10 before this Commission, do you know?

11 A. I do not believe that we file them, no.

12 Q. Then what I was trying to get at, and I guess
13 I misunderstood sort of the exchange, has Qwest then
14 provided documentation regarding or any sort of
15 evidence from CLECs saying, We think SATE is great?

16 A. Again, we don't generally look during these
17 meetings to focus on going through and documenting all
18 of the things that CLECs like. It's generally focused
19 on what more do you need. So no, we didn't attempt to
20 go out and say, Give us a statement of everything you
21 like, nor do we approach these meetings to say, Let's
22 put together documentation around what CLECs like, so
23 there is nothing filed to that extent.

24 Q. My question was not just limited to something
25 that would occur during the SATE user-group meeting but

8454

1 more generally, does Qwest have any evidence or has it
2 provided any evidence regarding CLEC satisfaction or
3 not with SATE?

4 A. And you are asking that are direct comments
5 from the CLECs?

6 Q. Yes.

7 A. Not that I'm aware of.

8 Q. Then looking at Exhibit 1783-C, with the list
9 of entities that have utilized SATE, can you tell me --
10 and I'm sorry, I don't recall. Is the number of CLECs
11 or entities that have utilized SATE confidential, or is
12 it the identity of the entities?

13 A. It's the identity.

14 Q. Of the 10 entities or service bureaus that
15 have utilized SATE, do you know what number or
16 percentage provide service within the State of
17 Washington?

18 A. I have not done that mapping. I know -- let
19 me look. I don't know the percentage. I know there is
20 at least one.

21 Q. Looking at the one entity that has tested --
22 what I believe you testified, it was the most recent
23 version or release of SATE, that's 9.0 -- do you know
24 whether that entities does provide service in the State
25 of Washington, if you know?

8455

1 A. I don't know.

2 MS. DOBERNECK: I have no further questions.

3 JUDGE RENDAHL: Thank you, Ms. Doberneck.

4 Are there any questions from the Commissioners?

5

6

7

CROSS-EXAMINATION

8 BY CHAIRWOMAN SHOWALTER:

9 Q. How many service bureaus are there?

10 A. I believe, and this will be subject to check.

11 I believe that currently there are three active service

12 bureaus, at least in our territory, that CLECs are

13 using to do their software development.

14 As I recall thinking back over time, I'm

15 aware of off and on, probably, five or six that have

16 actually worked with CLECs in our territory.

17 Q. In general, what do service bureaus do?

18 A. What the service bureau does is they

19 predominantly act as the software developer on behalf

20 of the CLEC. So when the CLEC wants to interface with

21 Qwest, the service bureau themselves have the

22 applications that know how to talk to Qwest systems,

23 and often times, that service bureau will establish the

24 link in the software connection with Qwest and also

25 provide the CLEC with their customer service rep

8456

1 applications such that when a CLEC sends a transaction,
2 it gets sent to the service bureau's EDI platform, and
3 the service bureau then interfaces with us to send that
4 transaction. So they can be as simple as just the
5 software developer, or they on an operational basis can
6 act as the ongoing entity that the CLEC actually
7 processes their transactions through.

8 CHAIRWOMAN SHOWALTER: Thank you.

9 JUDGE RENDAHL: Any other questions?

10

11

12

CROSS-EXAMINATION

13 BY JUDGE RENDAHL:

14 Q. Ms. Notarianni, I just wanted to verify
15 something based on your Exhibit 1797. Where you
16 discuss performance being satisfactory for the various
17 issues, resolutions of the test that either were not
18 satisfied or unable-to-determine, do you discuss in
19 Exhibit 1721 which PIDS correlate, if there are PIDS
20 that correlate, to these test criteria?

21 A. I'm sorry.

22 Q. Your Qwest comments, and the more detailed
23 comments when you state that the performance is
24 satisfactory, do you explain which PID correlates, if
25 there is a PID that correlates, to that test criteria?

8457

1 A. Generally, we did within the test results
2 section when something was not satisfied put -- if
3 there were associated PIDS, we attempted to identify
4 them in here. What I would say is that, for example,
5 when you look at maintenance and repair, we talk about
6 MR-7 as a PID and how that relates to Criteria 18-6-3.

7 What I don't do is, in general, if you look
8 across the broad spectrum of maintenance and repair,
9 the vast majority of the repair and maintenance PIDS
10 correlate to each other, and when you look at the
11 totality of PIDS, they have an impact, and I don't
12 identify that broad set of PIDs. I do identify some
13 specific PIDS within Exhibit 1721.

14 JUDGE RENDAHL: That's all I have. Do you
15 have any redirect, Mr. Crain?

16

17

18 REDIRECT EXAMINATION

19 BY MR. CRAIN:

20 Q. Handing you again Tom's computer, which is a
21 copy of the white paper dated June 18, 2001, and he had
22 you read the highlighted paragraph there. Can you tell
23 me if that was Qwest identifying particular issues, or
24 is that Qwest sort of summarizing some of the issues
25 that may have been raised by CLECs directly or in

8458

1 regulatory matters overall?

2 A. It's my understanding, having been involved
3 in quite a bit of the requirements definition and the
4 initial substantiation of the SATE test environment
5 that these are, in fact, comments not -- they aren't
6 actually direct comments that I'm aware of. They are
7 interpretations of needs based on items that came up in
8 places like various other workshops, the observations
9 and exceptions generated by KPMG, etcetera, and in
10 particular, did not, to my knowledge, directly come
11 from folks at the CLECs who were actually responsible
12 for the development of their interfaces and the folks
13 from the CLECs who work with Qwest to develop their
14 interfaces. Generally, those people that we have
15 talked to have been very happy with Qwest's team and
16 Qwest's development process.

17 Q. There are three specific issues that were
18 identified in that summary of CLEC comments or
19 whatever. First is that in interoperability, at that
20 time paper copies, of orders were required before
21 testing. Has SATE addressed that issue?

22 A. Yes, they have. SATE provides for test
23 accounts for the CLECs to use as well as generates
24 automated responses such that the development of test
25 accounts or papers to be submitted to Qwest is not

8459

1 required.

2 Q. The second bullet in that paragraph is
3 relating to that same issue, which is actual accounts
4 were necessary. Has SATE addressed that issue as well?

5 A. Again, accounts are provided to the CLECs for
6 use in SATE as well.

7 Q. The third bullet in that section relates to
8 the potential for reservation of actual numbers and
9 appointments in the production environment. Has SATE
10 addressed that issue?

11 A. Yes. SATE also provides the data, telephone
12 numbers, appointments and other data so that the
13 production environments are not utilized.

14 MR. CRAIN: That's all the questions I had.

15 JUDGE RENDAHL: Thank you, Mr. Crain. Mr.
16 Dixon?

17 MR. DIXON: Might I ask one question to that
18 very response?

19 JUDGE RENDAHL: Very briefly.

20

21

22 FURTHER CROSS-EXAMINATION

23 BY MR. DIXON:

24 Q. As I understand it, you indicated that SATE
25 addresses all these issues; am I correct?

8460

1 A. Yes.

2 Q. But the interoperability testing environment
3 remains the same as identified in those paragraphs?

4 A. I would disagree with that.

5 MR. DIXON: Thank you.

6 JUDGE RENDAHL: Let's be off the record while
7 we regroup for the next witness. We will be off the
8 record.

9 (Discussion off the record.)

10 JUDGE RENDAHL: While we are off the record
11 we changed witnesses. We now have Ms. Dana Filip on
12 the stand. She has three exhibits to be identified.
13 Her handout titled, "CLEC Qwest change management
14 process, OSS final report," is marked as 1799. A
15 document titled "Ranking of AT&T priority list items
16 identified as ones," dated 6/6/02 is Exhibit 1800, and
17 the last is titled "IMA releases from 2000 to 3/25/02,"
18 and that is marked as Exhibit 1801. Are there any
19 objections to admitting those documents? Hearing no
20 objections, they will be admitted.

21 A few housekeeping matters, the first is from
22 the argument yesterday concerning the 90-day
23 requirement. The Commission will be not requiring 90
24 days prior to filing, and an order concerning that will
25 be served early next week. The second issue, and this

8461

1 is really for the attorneys here. I understand there
2 really isn't a witness to address this, but to the
3 extent you have information that we can put on the
4 record about the status of the long-term PID
5 administration addressing the human error adequacy
6 study PID development issue. What's the status? When
7 is the next meeting? Do you have any knowledge of
8 that; Mr. Dixon?

9 MR. DIXON: I cannot tell you the date of the
10 next meeting. I don't believe there is a date set for
11 the next long-term PID administration meeting, so I
12 don't know when it will be.

13 One of the people that was leading that
14 particular effort, his wife passed away about a week
15 ago, and I have a suspicion that people are being
16 sensitive to that issue, so we haven't set a new date.
17 I am speculating on the reason, but there is no date at
18 this time.

19 JUDGE RENDAHL: Anybody else wish to add to
20 that? Mr. Finnegan, you are still under oath.

21 MR. FINNEGAN. There was a meeting two or
22 three weeks ago. There was a proposal made by Qwest
23 shortly before that meeting, and the steering
24 committee, the TAG steering committee was going to
25 think about the proposal in the interim period, and my

8462

1 recollection is the same as Mr. Dixon's. They haven't
2 set a meeting yet. My understanding was it's in the
3 hand of the TAG steering committee as far as the next
4 step.

5 JUDGE RENDAHL: To that extent, it's
6 information that's available to this Commission given
7 that there are members on the steering committee. So I
8 just wanted to know and get it on the record today what
9 the known status is at this time. As we go forward,
10 that is knowledge that's available to all the parties
11 and to this Commission.

12 MR. DIXON: I actually do know what's
13 occurred in terms of proposals, etcetera, but I assume
14 you don't want to get to that detail now.

15 JUDGE RENDAHL: I don't know that it's
16 necessary at this point. Thank you.

17 Ms. Filip, could you state your name, spell
18 your last name for the court reporter, and state
19 address.

20 MS. FILIP: My name is Dana, D-a-n-a, Filip,
21 F-i-l-i-p. My address is 555 17th street, Denver,
22 Colorado, 80202.

23 MS. RENDAHL: Thank you. Would you raise
24 your right hand please?

25 (Witness sworn.)

8463

1 MR. CRAIN: Ms. Filip is going to be adopting
2 the verified comments of Judy Schultz that were filed
3 by Qwest in this matter, and to put that in context, I
4 would ask you, Dana, to give an explanation of your job
5 responsibilities and background, please.

6 MS. FILIP: I am a senior vice president of
7 global wholesale service delivery for Qwest. I have
8 the operational responsibility for supporting service
9 delivery for wholesale customers in the 14-state
10 territory and worldwide, and I have been the executive
11 sponsor for the change management effort, and Judy
12 Schultz reports in my organization.

13 In terms of history, I have about 15 years of
14 experience in telecommunications and a combination of
15 telecommunications companies, including AT&T, U S West,
16 and Qwest. My most recent job history, starting with
17 Qwest about four years ago, I was the vice president of
18 engineering. I was responsible for engineering and
19 deploying the Qwest nationwide network, and then I
20 moved into the particular wholesale role, which I have
21 held for about two-and-a-half years.

22 I have a bachelor's degree in electrical
23 engineering from the University of Denver and a
24 master's from Northwestern's Kellogg graduate school.

25 MR. CRAIN: Can you give your presentation,

8464

1 please?

2 MS. FILIP: I will begin with Exhibit 1799.

3 I was actually hoping I would be here today to tell the
4 Washington Commission that we had closed all the issues
5 associated with our redesign effort. We will talk a
6 little bit today about the progress we have made. I do
7 think that there is probably at least one more session
8 that we will have to have with the redesign team that
9 has been assembled.

10 Essentially on Page 1 of my presentation,
11 this is a summary, as many of my colleagues have done,
12 on the performance results concluded by KPMG in their
13 final report. In the systems change management area in
14 particular, there were nine criteria that were
15 evaluated. Six of those criteria were determined to be
16 satisfied. Three were in an unable-to-determine
17 category.

18 Between the draft final and the final report,
19 two criteria that had been unable-to-determine are now
20 satisfied. Those are primarily related to the fact
21 that KPMG had the opportunity to go in and evaluate the
22 processes that were in place and the documentation in
23 place to support the notification processes that were
24 defined for the OSS process, and also that they have
25 verified that the framework associated with the

8465

1 prioritization process and the prioritization of
2 proposed change requests is, in fact, in place.

3 The one remaining issue from a systems
4 perspective has to do with the fact in 23-1-7, 8, and
5 9, that they did not feel that they had enough of an
6 opportunity to look at transactions and verify, in fact
7 that the notification process had been followed, and I
8 will address that issue specifically in one of my later
9 slides as we talk about Qwest's record for compliance.

10 On Page 2 of the presentation, specifically
11 summarizing Qwest's performance against KPMG's final
12 report in the product and process area, and again, I
13 would like to draw the Commission's attention to the
14 fact that Qwest believes that we have gone over and
15 above what is expected or has been expected of other
16 regional bell operating companies as it relates to
17 product and process.

18 In this particular test, we have satisfied
19 six of the criteria. There are three in an
20 unable-to-determine status. One of the criteria that
21 had been identified in the draft final report has now
22 been closed, very similar to the item identified on the
23 systems exceptions. This is the fact that they have
24 been able to identify and evaluate our framework
25 associated with the prioritization of proposed changes.

8466

1 The items that remain open, 23-1-2, primarily
2 relates to KPMG's determination that they were unable
3 to draw a conclusion because elements of the product
4 and process had not been finalized through the change
5 management redesign effort, and that relates
6 specifically to two processes. One called, the
7 postponement process, or the stay-and-delay process as
8 we sometimes refer to it, and the second being the
9 exception process. Both of those process issues have
10 been closed in the change management redesign sessions
11 that happened this week on the fifth and the sixth, and
12 in a later slide, again, I'll give you some more
13 specifics around how those items were closed.

14 The last item that was remaining open,
15 23-1-7, 8, and 9, again refers to the fact that as it
16 relates to notifications on our product and process
17 change, KPMG did not feel they had sufficient
18 opportunity to evaluate the process at work, and we are
19 going to look in a later slide at the core elements of
20 the change management process and what we believe are
21 real commercial results as it relates to the activities
22 that have been going on since this process has been
23 implemented.

24 If you go to Slide 3, this is really to give
25 you a status of the redesign effort that happened on

8467

1 Wednesday and Thursday of this last week. I told you
2 earlier that the postponement process has been closed.
3 Language has been defined and adopted. It now has been
4 implemented in and incorporated into the overall change
5 management process. To give you a preview of how that
6 process actually works, in this particular process,
7 either a CLEC or Qwest can request a stay or a delay
8 associated with any product or process change in total
9 or any aspect of that change.

10 The way that this process works is that the
11 process is typically described in a notification. The
12 CLEC can raise the issues and request a stay or delay
13 in an e-mail during the comment cycle associated with
14 that implementation. All of these comments cycle and
15 Qwest's obligation to respond to those comments are
16 operated according to a fixed set of time line
17 criteria.

18 Qwest often changes the implementation plan
19 associated with a product and process change based upon
20 the comments they receive from CLECs. If the
21 implementation plan is changed, CLECs have a second
22 option to come in again and request a stay or delay if
23 one of the changes has now created a concern for them
24 that didn't exist before.

25 The way that the stay-or-delay process works

8468

1 is that they do have the option of using third-party
2 arbitration to make the stay decision and using the
3 regulatory body to make the final decision around
4 implementation, or they can use the regulatory body to
5 make both the stay and the ultimate decision on
6 implementation.

7 The exception process, again, is the second
8 part of the process that has been finalized this last
9 week. Complete language, again, has been developed,
10 agreed upon by all of the CLECs in the redesign effort
11 and now will be implemented. Again, to give you a
12 preview of this exception process, the exception
13 process has been defined to give either a CLEC or Qwest
14 the option of deviating from any part of the defined
15 change management process, and again, this process is
16 looked at in two ways.

17 One is in the event that the deviation has to
18 do with anything except timing, it does require a
19 unanimous vote on behalf of the CLECs and Qwest. The
20 second aspect of the change has to do with exceptions
21 that deal with time line, primarily time line for
22 implementation, and those were evaluated in two ways.
23 In the event that the individual that is asking for the
24 exception is requesting a specific time line for
25 implementation -- let's say that a product release

8469

1 would happen three weeks from today or a systems
2 release would happen three weeks from today, that kind
3 of change does require unanimous agreement. If the
4 request or the exception request just has to do with
5 the expediting of a particular implementation date,
6 then that is based on the super majority, which is
7 two-thirds of the population agreeing.

8 So again, both of those processes that were
9 identified as a core part of KPMG's inability to close
10 the product and process area satisfied have now been
11 closed with the agreement of the CLECs and been
12 implemented. In addition to that, we have in these
13 particular sessions have also closed all of what is
14 referred to as the AT&T priority list, 1's and zeros.
15 For the court's benefit, that is the exhibit that you
16 identified as 1800. These are the lists of items
17 identified at the request of the Colorado and Arizona
18 Commissions and prioritized in the change management
19 session. This is essentially the list of items that
20 the CLECs determined were critical to be closed in
21 order for the change management effort to be
22 successful.

23 All of the priority 1's and zeros are closed
24 with one small exception, and that is a subsection of
25 what we call "production support," and production

8470

1 support really deals with, or this particular issue
2 deals with a manual work-around in the event that a
3 systems fix cannot be implemented in a very expedited
4 time frame. We have examples of this today where we
5 have worked with CLECs where maybe one release that we
6 put in place has created an issue associated with a
7 group of LSRs where we may have gone back to the CLEC
8 and said, "If you will set these LSRs for a different
9 due date, then we can go ahead and work around that
10 systems issue."

11 In this particular example, they asked Qwest
12 if we would do that on their behalf. We made manual
13 corrections on those LSRs, and we were able to work
14 through that. So while the language associated with
15 that particular subsection of the process is not agreed
16 to, we do believe operationally that we have been
17 managing in that context for some time.

18 Moving on to Slide No. 4, if you think back
19 to the subsections of the exceptions related to the
20 KPMG report, it was really the postponement process,
21 the exception process, and then sort of Qwest's
22 demonstrated compliance against the change management
23 process that we put in place. So for the purposes of
24 updated the Commission, we have updated our process
25 compliance in these four core areas of the change

8471

1 management process. This essentially provides an
2 additional 45 days worth of real operating results
3 beyond what was filed with the Commission earlier.

4 To walk through that, in particular around
5 the Qwest-originated product and process changes, that
6 process was baselined in the change management redesign
7 session about two months ago. Just to help you with
8 your recall, that is a process that has a tiered set of
9 changes that have different implementation time lines
10 depending upon the impact of the change on the CLEC
11 operating procedure. The highest level of change
12 associated with that is a level four. Level four
13 changes require a formal change request process and
14 also require that the CLECs and Qwest agree on a
15 collaboration process because that change is believed
16 to be significant in terms of its impact on CLECs.

17 Our pattern of compliance here is we have
18 processed 44 new changes with 270 associated milestones
19 and demonstrated a compliance of 97 percent with that
20 process. To give you a sense of our compliance across
21 the various different levels of change, we have
22 processed zero Level Zero changes, 26 Level 1 changes,
23 13 Level 2 changes, one Level 3 change, and four Level
24 4 changes. So not only do we have a record of
25 compliance, we've also tested the process, we believe,

8472

1 across all of the dimensions associated with the
2 complexity that might exist there associated with that
3 change.

4 In the second core area, this is CLEC Qwest
5 OSS interface change request. This particular process
6 has been in place for over seven months, and Qwest has
7 demonstrated a process compliance here associated with
8 127 new changes and 812 possible milestones. To give
9 you a perspective here, every change request that goes
10 through this process has nine milestones for each
11 change request, which are all the components of
12 verification and documentation that's passed between
13 CLECs and Qwest, and we have a demonstrated compliance
14 rate of 99 percent with this process.

15 The third area that I chose to highlight for
16 you is the CLEC product process change request
17 initiation process. Again, this process has been in
18 place and operating for over seven months now. We've
19 processed 36 CLEC initiated change requests with a
20 possible 301 milestones, and we've demonstrated 98
21 percent compliance with this particular process.

22 One thing I want to note, the way that we
23 track each of those processes through the change
24 management process, every milestone and our obligations
25 are tracked publicly on the change management Web Site.

8473

1 The data that I'm referring to can be referenced
2 through what we call our interactive reports on that
3 change management Web Site where anyone can go and
4 access the information associated with an individual
5 change, its history, and likewise, our demonstrated
6 pattern of compliance there.

7 And finally, the last issue on this page that
8 I would like to address is in the systems arena, KPMG
9 raised a question about our pattern of compliance.
10 They closed the issue associated with prioritization
11 but basically left the particular item as
12 unable-to-determine, and they left it
13 unable-to-determine because they had not had the
14 ability to watch the systems process work on a single
15 release through it's entire life cycle. While they may
16 have been able to look at prioritization at IMA 9.0,
17 they did not necessarily have the ability to see all
18 the aspects of the process work for 9.0.

19 On the 16th of June, Qwest will deploy IMA
20 10.0. Every associated milestone with that particular
21 release has followed the guidelines associated with
22 this redesign process, and we are on track to meet that
23 delivery date of June 16th, and when we do that, we
24 will have successfully demonstrated a level of
25 compliance around that process of 100 percent.

1 Finally, I would like to note with respect to
2 the change management process that since April of 2002,
3 managing the change management process has been in
4 place, and essentially, this is the process that gives
5 both CLECs and Qwest the ability to continue to refine
6 and evolve the overall performance of the change
7 management process. So in the event that somebody
8 thinks that it should work differently, we have a
9 formalized process to allow ongoing change to the
10 change management process.

11 The last thing I would like to do before I
12 end my testimony is I would like to address a couple of
13 the questions that Mr. Dixon had asked earlier.
14 Specifically, he had asked two questions related to
15 change requests associated with flow-through, and I
16 wanted to offer a couple of comments. He had asked the
17 question specifically about whether or not any CLEC had
18 followed the change request process for a flow-through
19 enhancement of any kind or for adding a product to the
20 flow-through environment, and since January of 2000,
21 there have been five CLECs' CR's, change requests, that
22 have been processed. Four of them were initiated by
23 Eschelon Telecom, and one was initiated by AT&T.

24 These through a combination have put edits in
25 place, and one of the requests was specifically to put

8475

1 Centrex 21 into the flow-through capability. With the
2 exception of the Centrex 21 CR, three of these change
3 requests have already been implemented. The AT&T
4 change request will be implemented in IMA 10.0, which
5 will be released in June, and the other change request
6 associated with Centrex 21 was never prioritized high
7 enough by the CLEC communities and Qwest to get an
8 opportunity for it to go through the overall
9 development process.

10 Now, in addition to that, I would also like
11 to draw your attention to Exhibit 1801, and this is the
12 second part of the question, I believe, Mr. Dixon
13 asked, and this specifically is what kinds of
14 flow-through improvements has Qwest made in IMA release
15 5.0 through IMA release 9.0. I'm going to speculate
16 that Mr. Dixon is asking that question related to a
17 particular issue that was the only issue in the
18 redesign process that went to impasse, and that was an
19 issue around Qwest's position asking that PID or
20 PAP-related performance improvements be considered as
21 regulatory CR's, and for the purposes of handling those
22 regulatory CR's, they would kind of go above the line.
23 They would always be considered for implementation.

24 The only exception would be whether or not
25 there was a date certain ordered by the public utility

8476

1 commission for implementation. We did lose that
2 impasse issue. The Colorado Commission decided it in
3 the favor of the CLECs, and we have agreed to implement
4 that across the 14 states, but this particular exhibit
5 shows, I believe for the record, that Qwest has been
6 working very hard on the issue of flow-through since,
7 actually, this particular exhibit shows release 4.2.3
8 that was available in February of 2000.

9 The summary list that you have here
10 represents a total of 54 change requests that have been
11 implemented over this period of time to address edits,
12 to add products, to add a whole series of activities to
13 improve Qwest flow-through capability and that, I
14 think, ends my testimony.

15 MR. CRAIN: Actually, I just have one
16 follow-up question.

17

18

19 DIRECT EXAMINATION

20 BY MR. CRAIN:

21 Q. Turning to Exhibit 1800, this is the list of
22 the issues that were prioritized as Level 1's and Level
23 zero issues by CLEC and Qwest in their redesign
24 process. Am I correct in that the sixth issue down is
25 the only remaining issue where language is being worked

8477

1 out?

2 A. That's correct.

3 Q. It's only one subissue in relation to that
4 issue?

5 A. That is a subsection of Section 12, which is
6 production support.

7 Q. With the exception of that, language has been
8 worked out for every single other 1 and zero issue
9 where language was appropriate?

10 A. Correct.

11 Q. And even that issue, all the issues have been
12 agreed to in concept as demonstrated by the column on
13 the left; is that correct?

14 A. That's correct.

15 Q. For every 1 and zero issue, all of those have
16 been agreed to in concept; is that correct?

17 A. Where they were applicable, yes.

18 MR. CRAIN: That's all I have.

19 JUDGE RENDAHL: Thank you, Mr. Crain.

20 Ms. Tribby, do you have any questions for this witness?

21 MS. TRIBBY: I have a few, Your Honor.

22

23

24 CROSS-EXAMINATION

25 BY MS. TRIBBY:

8478

1 Q. Good afternoon, Ms. Filip. When we were last
2 here addressing this Commission about change
3 management, and I realize probably neither of us was
4 here but our colleagues were, Exceptions 3094, 3110,
5 and 3111 at the time had been closed as either
6 unresolved or inconclusive. Would you agree with that?

7 A. Yes.

8 Q. And between the time of the draft report and
9 the final report, Qwest requested that retesting occur
10 for Exceptions 3094 and 3110; correct?

11 A. Correct.

12 Q. Now, as of the date of the final report, all
13 of those three exceptions, including those that were
14 retested, continue to be closed under their previous
15 status, which is either inconclusive or unresolved;
16 correct?

17 A. Well, they were components of the exceptions
18 that were actually closed-satisfied. I need to think
19 about this just a minute. I believe it's Exception
20 3110 where there were a whole series of documentation,
21 role and responsibility, prioritization framework
22 issues that had been identified in the KPMG exception.

23 When they went back through the retest
24 process, they closed five of the six exceptions under
25 that particular exception, and the one that they left

8479

1 open was really their ability -- they confirmed, to be
2 clear, that the processes were documented, the rules
3 and responsibilities were clear, that the
4 prioritization framework was clear, but what they did
5 not close was they were not satisfied that there were
6 enough notification opportunities to observe to
7 conclude that the process was in compliance.

8 Q. So 3110 that you are referring to, that had
9 to do with Qwest not adhering to the change management
10 process document management standards and tracking of
11 CLEC notifications through the mail-out notification
12 system; correct?

13 A. Correct.

14 Q. At the end of the retest, KPMG Consulting
15 determined that it was unable to issue a resolved for
16 the portion relating to Qwest's adherence to software
17 release notification intervals. Is that accurate?

18 A. That is correct.

19 Q. Now, Exception 3094 relates to unresolved
20 prioritization systems and severity coding, and during
21 the test, KPMG determined that Qwest had implemented
22 process changes over CLEC objections; correct?

23 A. I don't know that that is correct.

24 Q. Do you have a copy of Exhibit 1697, which is
25 the final report, in front of you?

8480

1 A. I do not.

2 JUDGE RENDAHL: Let's be off the record for a
3 moment.

4 (Discussion off the record.)

5 Q. (By Ms. Tribby) Are you there?

6 A. Yes, I am.

7 Q. I'm looking a little over half the way down.

8 JUDGE RENDAHL: We identified it off the
9 record. We are looking at Page 531 of Exhibit 1697 at
10 Section Test Criteria 23-2-8.

11 Q. Thank you. Do you see the paragraph that
12 says, "During testing, KPMG Consulting observed that
13 Qwest implemented a desired process change over CLEC
14 objections"?

15 A. I do.

16 Q. So you would agree that was one of findings
17 during KPMG's test having reviewed this?

18 A. Yes, and I believe that the particular
19 example or changes that they are referring to here was
20 implemented prior to the time that this product and
21 process change was adopted by the change management
22 redesign effort, and it was implemented under an
23 interim process that had been agreed to, and I think
24 between the CLECs and Qwest, there was a
25 misinterpretation of when that process would apply.

8481

1 Q. And again, if you look at the bottom of Page
2 531 and the top of Page 532, the ultimate resolution of
3 this is that 3094 remains unresolved, and KPMG was
4 unable to verify that the new process had been fully
5 implemented; correct?

6 A. Well, as a point of clarification, I think
7 that KPMG determined that 3094 could not be closed,
8 resolved or closed-satisfied for three reasons. One
9 was the postponement process. One was the exception
10 process, and then the third was their inability to
11 watch it work.

12 Q. So there were actually three issues
13 outstanding with respect to Exception 3094 at the end
14 of the test; correct?

15 A. Correct.

16 Q. Now, with respect to Exception 3111, and
17 that's discussed on Pages 522 and 523 of Exhibit 1697,
18 and this exception had to do with Qwest's CMP process
19 lacking guidelines for prioritizing CLEC-initiated
20 system CR's and criteria for developing those; correct?

21 A. Correct.

22 Q. And KPMG found that Qwest didn't publish
23 defects and implementation dates and assigned severity
24 rankings to the issues without input from the CLECs;
25 correct?

8482

1 A. Correct.

2 Q. And again, that Exception 3111 at the end of
3 the test remains closed-inconclusive; is that accurate?

4 A. That is correct. With respect to that
5 particular exception, just to give a little context
6 here, in the initial observations that KPMG made around
7 the prioritization process, the change management
8 redesign team was currently at impasse regarding the
9 prioritization of regulatory CR's. This is the issue
10 that I referred to before that we took to the Colorado
11 Commission and Qwest lost on impasse.

12 They had the opportunity to observe
13 prioritization, but at that time, we did use the
14 regulatory CR consideration to find in the change
15 management process and put regulatory CR's above the
16 line, and I believe that that was originally what
17 created the exception, and once that issue was
18 resolved, they resolved, essentially, the issue around
19 the prioritization framework.

20 Q. KPMG was not able to review or issue a
21 closed-resolved with respect to either the portions of
22 this exception having to do with publishing defects and
23 implementation dates or assigning severity rankings
24 prior to closing it as unresolved or as inconclusive;
25 is that correct?

8483

1 A. That's correct. They believe the sample size
2 in the retest was not large enough for them to make
3 that conclusion.

4 MS. TRIBBY: Thank you. That's all I have.

5 JUDGE RENDAHL: Sorry, Mr. Dixon, I think you
6 are out of time. Did you have any questions for this
7 witness?

8 MR. DIXON: I have one based on the slides.

9 JUDGE RENDAHL: You may ask your question.

10 MR. DIXON: Thank you for that dispensation.

11

12

13 CROSS-EXAMINATION

14 BY MR. DIXON:

15 Q. Ms. Filip, turning to the last point on
16 prioritization, you would agree with me that the
17 agreed-upon prioritization process that occurred after
18 the Colorado impasse issue, was resolved by the
19 Colorado Commission, has not yet been used to
20 prioritize a major software release?

21 A. No, I don't believe that's correct.

22 Q. Could you explain why?

23 A. We actually agreed as a part of the early
24 discussions in the change management redesign process
25 that the first application would be for IMA 10.0, and

8484

1 the prioritization framework was used to prioritize the
2 IMA 10.0.

3 Q. Just to follow up on that point, the CLECs
4 were not permitted to prioritize the regulatory-type
5 change in major release 10.0; am I correct?

6 A. With that clarification, you are correct.

7 Q. And therefore, the first time they will be
8 able to do that and do the entire agreed-upon
9 prioritization process will occur with the next major
10 software release, which I believe is 12.0; is that
11 correct?

12 A. That is correct.

13 MR. DIXON: I have nothing further. Thank
14 you, Your Honor

15

16

17 CROSS-EXAMINATION

18 BY MS. DOBERNECK:

19 Q. Ms. Filip, you are familiar with the fact,
20 aren't you, that KPMG did establish criteria and review
21 Qwest's change management process as it addresses
22 product and process changes.

23 A. Right.

24 Q. And you are aware of the fact that KPMG
25 judged that how Qwest administers product and process

8485

1 changes can have an impact on CLECs and their business
2 operations and ability to conduct business; right?

3 A. Correct.

4 Q. Do you have any reason to disagree generally
5 with the statement that the way that Qwest processes
6 and how it uses those processes to handle or administer
7 CLEC orders, CLEC business, do you disagree with the
8 fact that how Qwest uses those processes can, in fact,
9 impact a CLEC's business operations and how it conducts
10 its business with respect to Qwest?

11 A. I agree, and I think that's reflected in the
12 way that the process is defined.

13 Q. Would you agree that if there was a break or
14 a problem in a Qwest process that negatively impacted,
15 for example, a CLEC's ability to place orders that that
16 would, in fact, impair the CLEC's ability to compete
17 with Qwest?

18 A. It could.

19 MS. DOBERNECK: Thank you. I have no further
20 questions.

21 JUDGE RENDAHL: Are there any questions for
22 Ms. Filip the bench? Ms. Filip, I have just a couple
23 of clarifying questions.

24

25

1 CROSS-EXAMINATION

2 BY JUDGE RENDAHL:

3 Q. Looking at Exhibit 1800, which is the ranking
4 of AT&T priority list items, and that one issue that's
5 pending modification, when is the next identified
6 redesign meeting?

7 A. I don't know off the top of my head. It's
8 roughly four weeks from this week, so it will be in the
9 early part of July.

10 MR. CRAIN: I actually think it's the last
11 week of June.

12 THE WITNESS: I don't know for sure.

13 JUDGE RENDAHL: I'm going to ask as Bench
14 Request, and I will make this 58 because there was a
15 Bench request that was sen out today to Qwest. You
16 will receive it. As 58, please provide the results to
17 the Commission of the next meeting, and I would like
18 that by the end of June, the last day of June, if the
19 meeting has occurred, and even if there is not a chart,
20 but if you could just respond as to whether this issue
21 has been resolved.

22 MR. CRAIN: We will do that, and I will
23 commit that -- Tom, do you know what dates the next
24 redesign meeting is?

25 MR. DIXON: It reflects on my calendar June

8487

1 17th and 18th of 2002.

2 MR. CRAIN: We will certainly provide it to
3 you by the end of June. We will try to do it the day
4 after that meeting closes.

5 JUDGE RENDAHL: That would be fantastic.

6 Q. (By Judge Rendahl) The only other question I
7 had is on your Exhibit 1799. You stated that the data
8 that's on the last page of your exhibit about the
9 compliance data, that that's available on Qwest's
10 interactive Web Site?

11 A. That's correct. It's called the interactive
12 reports.

13 Q. Is this compliance data Qwest's own internal
14 tracking based on the steps within the processes?

15 A. Yes, it is.

16 Q. Just to confirm, if you look at the second
17 page of your exhibit, which talks about the product
18 process, where you refer to where it might state first
19 23-1-3. That should be 23-2-3 for product process
20 issues, and so all of those should be 23-2, and it
21 would be five satisfied and four unable-to-determine
22 for the product process?

23 MR. CRAIN: That is correct.

24 JUDGE RENDAHL: With that, I don't have any
25 further questions. Do you have any redirect,

8488

1 Mr. Crain?

2 MR. CRAIN: No, other than to state I think
3 it was me that made those mistakes last night.

4 JUDGE RENDAHL: Is there anything else we
5 need to address on the record? Hearing nothing --
6 Mr. Dixon?

7 MR. DIXON: Are we doing any kind of briefing
8 or anything of that nature, or we'll do that off the
9 record?

10 JUDGE RENDAHL: We can do that off the
11 record. I just want to thank you all for your
12 participation in this process. It's been a long time,
13 and I think it's been a good process. I've enjoyed the
14 interaction between all of you, and anyway, thank you
15 all for your presentations, and we are done.

16 CHAIRWOMAN SHOWALTER: We thank you too, and
17 also we thank Judge Rendahl for the job that she's done
18 marshalling this whole exercise over all these months.

19 JUDGE RENDAHL: Thank you all for your
20 efforts, and we are done early, and I thank you all for
21 that too.

22

23 (Hearing concluded at 4:40 p.m.)

24

25