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Carole J. Washburn
Executive Secretary
Washington Utilities and
Transportation Commission
1300 Evergreen Park Drive, S.W.
Olympia, WA 98504-7250

Re: Docket No. UT 990146
Chapter 480-120-Telecommunications-Operations
Technical Rules

Dear Ms. Washburn:

WorldCom, Inc. (WCOM) submits its comments regarding the proposed "Technical Rules" as follows:

WAC 480-120-051 – Application for and installation of service

It is difficult for WCOM to understand why the Commission is proposing installation standards on CLEC's, like WCOM, who are dependent on the ILECs to provide the underlying facilities. CLEC's are totally dependent on the ILECs for pre-order, order and provisioning. As the CLEC industry has seen in New York, even after Verizon completed their 271 checklist, there were still numerous unforeseen problems with provisioning. CLECs in Washington are likely to run into many unexpected obstacles as they enter the market and start providing service on a broad scale. As long as Qwest is subject to a 5-day installation requirement, competition in the market will force CLECs to meet that standard as well in order to compete with Qwest. CLECs must make every effort to meet the standards set for Qwest.

WAC 480-120-535 Service quality performance reports

In regards to service quality performance reporting for CLECs, WCOM believes that CLEC's should not be held to the same reporting standards as the ILEC for the same reasons stated above. The imposition of such a requirement would impede competition, not enhance it.

UNE-P metrics are collected and published by the ILEC. CLECs can only track the statistics for which they are directly responsible - mean time to answer, average hold times. All other metrics are taken from the ILEC systems which the ILECs own, maintain, and report on. Therefore, service quality reporting for CLEC's relying on ILEC data, is, at a minimum, anti-competitive prior to the completion of OSS testing. Even with the completion of OSS testing, delays still exist in provisioning, as we continue to see with Verizon. Even when penalties imposed due to the delay of the ILEC are reimbursed to the CLEC, the CLEC receives the "black mark" for the delay. This again is extremely anti-competitive and leaves the door open for ILEC abuse.

WAC 480-120-x08 - Service Quality Guarantees

WCOM believes that the Commission should not establish service quality guarantees for CLECs at this time. Service quality guarantees can not be expected by a CLEC for the same reasons stated above for installation standards. Such guarantees are not necessary in a competitive marketplace and such a requirement fails to recognize the CLECs dependence on the ILEC for pre-order and order provisioning. For example, in New York, Verizon's systems lost tens of thousands of CLEC orders and was fined by the FCC and the NY PUC. In this case, CLEC customer accounts did not get provisioned because Verizon had no record of it. In delivering UNE-P, CLECs are totally dependent on the ILEC for pre-order, order, and provisioning. If the ILEC interface is not working or the ILEC's provisioning process is poor, CLECs will suffer the consequences.

In summary, WCOM is concerned that if such service quality and installation standards are set on CLECs that WCOM and other CLECs can not meet or will fail to meet, irreversible damage to our reputation will be eminent. WCOM believes that the market will force CLECs to maintain a level or quality at or above the level of the ILEC. If a standard must be set, WCOM believes, based on its experience in other markets, a generous standard of 9 days for installation orders (480-120-051(6)(a)(ii)) for CLECs would be appropriate. Once CLECs have entered the market and real marketshare is achieved, then and only then would it be appropriate to revisit these rules.

Respectfully submitted,

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