Decision No. C02-1029

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02M-259T

IN THE MATTER OF QWEST CORPORATION'S COLORADO PERFORMANCE ASSURANCE PLAN.

ORDER DENYING MOTION

Mailed Date: September 24, 2002
Adopted Date: September 18, 2002

I. BY THE COMMISSION

Statement

1. On August 19, 2002, Qwest Corporation (Qwest) filed a Request for Acceptance of PO-20 for Inclusion in the Colorado Performance Assurance Plan (CPAP). In this request, Qwest states that in an *ex parte* discussion with the Federal Communications Commission (FCC) concerning Qwest's application for § 271 approval, Docket No. WC 02-148, Qwest agreed that it would request that this Commission accept Qwest's proposed PO-20 with a 95 percent benchmark standard for inclusion in our CPAP. The PO-20 measurement is defined to capture data on Manual Service Order Accuracy.

2. Qwest requests that the PO-20 definition attached to its request, be included in § 7.4 of the CPAP which contains

the payment amounts for other Tier 2 regional measurements. Qwest also proposes payment amounts for non-conformance.

3. On August 30, 2002, AT&T Communications of the Mountain States, Inc., and TCG Colorado (AT&T) and WorldCom, Inc. (WorldCom), jointly filed a Response in Opposition to Qwest's Request for Acceptance of PO-20. AT&T and WorldCom object to Qwest's "unilateral PID development and its rush to receive the Commmission's approval." They state that the collaborative approach that has been used historically is the best approach to use. AT&T and WorldCom state that Qwest has made no attempt to work with other parties on this Performance Indicator Definition (PID) development other than during one TAG call in Arizona, at which many concerns were raised.

4. AT&T and WorldCom, while they believe the collaborative approach is the only appropriate approach for PID development, do continue in their comments to identify many areas of concern with PO-20 and the way it is currently defined.

5. In Commission Decision No. C02-718 in Docket No. 02I-260T, we required Qwest to:

> work with interested parties to complete development of a PID for manual service order accuracy. This PID shall be added to the CPAP at the first six-month review.
>
> The PID can be developed through a functioning long-term PID administration process. The lack of such a process does not extend Qwest's time to complete

> development of a PID for manual service order accuracy. If parties cannot reach agreement on a PID, then Qwest shall file its proposed PID with the Commission. The Commission will then seek comment on Qwest's proposal and make a decision before completion of the first six-month review of the CPAP.
>
> If parties reach agreement on a PID for manual service order accuracy before the first six-month review of the CPAP, then Qwest shall file the PID for Commission approval pursuant to § 18.9 of the CPAP.
>
> The standard for the PID initially shall be diagnostic. At the second six-month review of the CPAP, a benchmark will be established and the PID for manual service order accuracy will be added as a Tier 1B measure to the CPAP, unless parties agree that Qwest's performance does not warrant the addition of such a PID to the CPAP.

6. We see no reason to deviate from our original decision. As stated in Decision No. C02-718, we see the need to address the human error concern, but believe the best way to handle the development of a PID is with the upfront input and collaboration of all parties. While we acknowledge Qwest has entered into an agreement with the FCC to request the acceptance of Qwest's defined PO-20 from the state commissions, our concern that PO-20 as currently defined will result in more confusion and errors in reporting outweighs our concerns about waiting until the first six-month review for inclusion. Just as an example, Qwest has indicated that PO-20 should be a Tier 2

measurement, when we clearly stated in our decision that it should be a Tier 1B.

7. At the August 22, 2002 Weekly Meeting, the Commission shortened response time to Qwest's request. Since response time to the request has now expired we vacate our prior order as moot.

II. ORDER

A. The Commission Orders That:

1. Qwest Corporation's Request for Acceptance of PO-20 for Inclusion in the CPAP is denied.

2. This Order is effective on its Mailed Date.

B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING September 18, 2002.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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Commissioners

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