

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Six-Month Review)
of Qwest Corporation's Performance) DOCKET NO. UT-033020
Assurance Plan)
)
) SECOND COMMENTS OF
) QWEST CORPORATION
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COMES NOW Qwest Corporation ("Qwest") and submits its second comments in the above proceeding in response to Order No. 02, based on the list of issues that was distributed by the Administrative Law Judge to the parties at the prehearing conference October 2, 2003. In the Executive Summary, Qwest presents a very abbreviated summary of its comments by issue in tabular form. In the body of the detailed comments, the issues as posed by the ALJ from parties' previous comments are in bold text. Following each issue, Qwest's comments state and then respond to the five questions which the ALJ requested the parties to address.

QWEST CORPORATION'S
SECOND COMMENTS

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Executive Summary

Issue	In LTPA now/Approp. for LTPA?	Wash. – Specific?	Has Issue Changed ?	Approp. for 6-month review?	Now or Jan. 2004?
1. Add Modified PIDs into QPAP that are agreed to in LTPA?	No, not approp.	See text	Yes	No	Jan. '04
2. Classify or Weight New PIDs?	No, not approp.	Yes	No	Yes	Jan. '04
3. Is PO-2 Appropriately in QPAP?	No, not approp.	Yes	No	Yes	Jan. '04 unless review anyway
4. Include Line-Splitting/Sharing in PIDs?	Yes	No	No	No	Jan. '04
5. Include PIDs for migration scenarios?	Should be in LTPA	No	No	No	Jan. '04
6. Shorten OP-4 Loop Conditioning Intervals?	Should be in LTPA	No	No	No	Jan. '04
7. Change OP-6, 15 to parity w/ res, bus POTS?	Should be in LTPA	No	No	No	Jan. '04
8. Change PO-15/line sharing to parity w/ res, bus POTS?	Should be in LTPA	No	No	No	Jan. '04
9. "Synch up" stds. In QPAP PIDs w/ ROC PIDs?	No, not approp.	Yes	No	No	Jan. '04
10. Create Separate Category for disconn. FOC?	Should be in LTPA	No	No	No	Jan. '04
11. Stds. For EELs?	Yes	No	No	No	Jan. '04
12. Tier designations for PO-20, others?	No, not approp.	Yes	No	Yes	Jan. '04
13. Include PID changes proposed to LTPA by 7/1/03?	No, not approp.	See text	Yes	No	Jan. '04
14. EELs, LIS and UDIT add to Low Vol. Develop. Mkt.?	No, not approp.	Yes	Yes	Yes	Jan. '04
15. Change diagnostic PIDs to benchmark or parity?	Should be in LTPA	No	No	No	Jan. '04
16. Add new measures for Qwest wholesale w/o PIDs?	Yes	No	No	No	Jan. '04

Qwest's Detailed Comments

QWEST CORPORATION'S
SECOND COMMENTS

Law Offices of
Douglas N. Owens

1. Add modified PIDs into QPAP that are agreed to in LTPA, i.e., PO-20, OP-5 (Qwest, AT&T, Eschelon – including partially agreed upon PIDs)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: No, the issue is not being addressed by the LTPA. The LTPA and the QPAP are separate and distinct. The formal LTPA process is just getting underway, with the facilitator having signed his contract October 13, 2003. However, there has been an effective informal LTPA process among Qwest, CLECs and regulators which has, over the past fourteen months, produced agreement on OP-5, and ongoing discussions on PO-20. Qwest submitted the revised OP-5 to the WUTC as a revision to the SGAT on October 2, 2003. Agreements reached in the LTPA do not automatically modify the QPAP.

Modifications to the QPAP resulting from agreements reached in the LTPA are not issues that have been considered in the LTPA process, nor should they be considered in the LTPA. Section 16.1.1 in the Washington QPAP requires that agreed changes to the QPAP be submitted to the Washington Commission:

- 16.1.1 If any agreements on adding, modifying, or deleting performance measurements as permitted by section 16.1 are reached between Qwest and CLECs participating in an industry Regional Oversight Committee (ROC) PID administration forum, those agreements shall be incorporated into the QPAP and modify the agreement between CLEC and Qwest at any time those agreements are submitted to the Commission, whether before or after a six-month review.

Neither the governance document for LTPA nor the QPAP contemplates that partially agreed upon PIDs (new or changes) will be automatically incorporated into the QPAP or any other contractual agreement. On the contrary, LTPA governance envisions that agreements will be finalized either through consensus or the impasse process and then put into effect in the individual States. These governance principles are appropriate.

If by “partially agreed upon PIDs,” the proponent means PIDs which contain elements which are logically segregable and of which the preponderance are agreed but there may be some follow-on work to be done, Qwest assumes that the normal process of submitting such agreements for inclusion in the QPAP would occur. If the proponent of this issue on the other hand means PID changes which are at impasse, and that one party’s view of the disputed PID should be included in the QPAP, Qwest believes that this is contrary to the governance of the LTPA and Exhibit K of Qwest’s Washington SGAT, as well as not making sense from an administrative or fairness standpoint.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: The answer to this question is neither a clear yes nor a clear no. Specific language in 16.1.1 of Washington’s Exhibit K of the SGAT addresses the process for submitting PID changes for the Washington QPAP, making it a Washington specific issue. However the general issue of a process to incorporate a PID change into a state’s PAP is not unique to Washington.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunk? Should others be added?

RESPONSE: Yes. There are changes to the issues. OP-5 has been accepted by the informal LTPA process. Qwest filed the redefined OP-5 in the amended SGAT filings on October 2, 2003. PO-20 is still being negotiated in the LTPA and continues to progress toward agreement.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No. It is better for all parties to allow CLECs and Qwest to discuss the PIDs in the LTPA until resolution is reached, and to use the follow-on processes to include new PIDs and changes to PIDs in the SGAT and PAPs.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, this issue does not need to be addressed now. Qwest proposes to let the discussions follow their normal course to completion and resolution rather than addressing PO-20 outside of the LTPA negotiations. Qwest submits that waiting until January to allow the LTPA process to occur should be followed for all of the issues raised in parties' comments. There is value to obtaining experience by operating under the QPAP while the LTPA resolves the issues which apply to PID administration throughout the region. Most of the listed issues relate either to non Washington specific issues or issues which are common to all jurisdictions. The listed issues which relate only to Washington are: issues 2, 9 and 14, none of which includes any actual decisions to be made; issue 12, which involves the PO-20 issue that is already under discussion in the LTPA; and issue 3, for which Qwest is the proponent and as to which

Qwest has agreed to wait until January. Therefore issue 1 and the six month review process can wait until January.

2. Classify or weight new PIDs, assuming agreement in LTPA (Qwest)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: No. Classifying and weighting of new PIDs for QPAP purposes is not an LTPA issue and should not be addressed in that forum.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: Yes. Classifying and weighting of new PIDs in Washington's QPAP is specific to Washington.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded?

Shrunk? Should others be added?

RESPONSE: No. The issues have not changed.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: Yes.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, this issue does not need to be addressed now. Since there are no new PIDs being added to the QPAP at this time, the issue can wait until January. OP-5 is already in the QPAP and the new revised OP-5, subpart A, that subpart which specifies standards, should be treated the same as the old OP-5 for QPAP purposes.

3. Is PO-2 appropriately included in QPAP (Qwest)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: No, it is not being addressed by LTPA at this time; Qwest has consistently urged that the Washington use of PO-2 to require both Tier 1 and Tier 2 payments is not appropriate, and that the QPAP should be changed to correct this by selecting a single tier for this measurement. Since it is not a definitional issue but is instead a QPAP issue, it would not be appropriate to address it in the LTPA. It would be appropriate to discuss the issue in a 6-month review.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: Yes. The manner in which PO-2 is used in QPAP is specific to Washington.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunk? Should others be added?

RESPONSE: No. There are no changes to the issues.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: Yes.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue does not need to be addressed now, unless the WUTC determines to conduct a six month review in the current cycle. If such a review were held, Qwest would request consideration of this issue. Otherwise, the issue can wait until January.

4. Include line splitting and line-sharing products in relevant PIDs, e.g., OP-5 and PO-20 (Covad)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: Yes, this is being addressed in the LTPA negotiations. The recently filed OP-5 definition included line splitting as a new product disaggregation but with a diagnostic standard due to low volumes. In the informal LTPA discussions of the relevancy of including line splitting and line sharing as products in PO-20, Qwest pointed out to the CLECs that PO-20 should focus on areas where there is a likelihood of service impacting problems caused by service order errors. Order writing methods for line sharing and line splitting require minimal LSR to service order field entries; therefore, the likelihood of service order errors is diminished. There is no evidence of systemic problems associated with these products.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: No.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunken? Should others be added?

RESPONSE: No. There are no changes to the issues.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No. This is initially a matter of PID definition that should be discussed in LTPA.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue does not need to be addressed now. It can wait until January. LTPA should be allowed to continue work on PO-20 including any consideration of additional products to be included in the measurements.

5. Include PIDs for migrations scenarios (Covad)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: Please see response 1(a) above about the current status of the LTPA. This issue deals with the development of new PIDs which do not now appear in the QPAP. The development of new PIDs should be negotiated in the LTPA.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: No.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunk? Should others be added?

RESPONSE: No. There are no changes to the issues.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No. It is a PID issue that should be considered through LTPA.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue does not need to be addressed now. It can wait until January or later. It should be addressed if and when the LTPA reaches agreement on additional PIDs, including any changes required by the FCC's *Triennial Review*

*Order.*¹ The governance process will be followed with the changes being brought back to Washington.

6. Shorten OP-4 loop conditioning intervals (Covad)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: Please see response 1(a) above about the current status of the LTPA.

Since the issue involves a PID standard, it should be discussed in LTPA first. If Covad wants to discuss a change in the standard for the interval, it should bring a proposal to LTPA.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: No.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunk? Should others be added?

RESPONSE: No. There are no changes to the issues.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No. The issue should be addressed in LTPA.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue does not need to be addressed now. It can wait until January or later. It should be addressed in LTPA and then considered for QPAP.

7. Change OP-6 and OP-15 from diagnostic to parity with residential and business POTS (Covad) (proposed for line sharing & line splitting)

¹ *In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Dockets Nos. 96-96, 01-338, 98-147, FCC 03-36, Report and Order on Remand and Further Notice of Proposed Rulemaking (August 21, 2003)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: Please see response 1(a) above about the current status of the LTPA.

Since the issue involves the standard for a measurement, it should be discussed in LTPA, and Qwest anticipates it will be discussed in LTPA.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: No.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunk? Should others be added?

RESPONSE: No. There are no changes to the issues.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No. It should wait for LTPA consideration.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue does not need to be addressed now. It can wait until January or later, for the reasons stated in item 5(e) above.

8. Change PO-15 for line sharing from diagnostic to parity with residential and business POTS (Covad)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

Please see response 1(a) above about the current status of the LTPA. Since the issue is a change in a PID standard, it should be dealt with in LTPA and Qwest anticipates that it will be dealt with in LTPA.

b. Does this issue deal with something that is Washington-specific?

RESPONSE: No.

c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunken? Should others be added?

RESPONSE: No. There are no changes to the issues.

d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No. It should be considered in LTPA first.

e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue does not need to be considered now. It can wait until January or later, for the reasons stated above in item 5(e) above.

9. “Synch up” Standards in QPAP PIDs with ROC PIDs (Covad)

a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: No, this is not currently being discussed in LTPA, nor should it be because it is a QPAP related issue. The QPAP refers back to Exhibit B, which contains the 14 state PID. The Washington QPAP does not specify any different standards than the 14 state PID.

b. Does this issue deal with something that is Washington-specific?

RESPONSE: Yes.

c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunken? Should others be added?

RESPONSE: No. There are no changes to the issues.

d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No, because there are no differences between Washington PIDs and ROC PIDs.

e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No. There are no actual issues that require resolution at this time. The issue can wait until January.

10. Create separate reporting category for disconnect FOCs (Covad)

a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: Please see response 1(a) above about the current status of the LTPA. Since it is a PID disaggregation proposal, it should be dealt with in LTPA.

b. Does this issue deal with something that is Washington-specific?

RESPONSE: No. This issue applies to all states.

c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunk? Should others be added?

RESPONSE: No. There are no changes to the issues.

d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No, the issue does not need to be addressed until after LTPA consideration.

e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue does not need to be addressed now. It can wait until January or later. It should wait until after LTPA consideration.

11. Establish standards for EELs in PO-5, OP-4, OP-5, OP-6, MR-5, MR-6, MR-7, and MR-8, and revisit EELs standards in OP-3 (Eschelon)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: Please see response 1(a) above about the current status of the LTPA.

This is a PID standard issue and it should be discussed in LTPA. The informal LTPA process has addressed EELs in OP-5 and the new OP-5 includes DS0, DS1 and above DS1 level EELs with a parity standard applied to DS1 EELs. Qwest suggests that Eschelon bring additional requests for other PIDs to LTPA.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: No.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunk? Should others be added?

RESPONSE: No. There are no changes to the issues.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No. This should be considered in LTPA.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No. The issue does not need to be addressed now. It can wait until January or later. It should wait until it is considered in LTPA.

12. Establish tier designations for PO-20 and other PIDs (Eschelon)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: No. This issue has not been, and it should not be, addressed in LTPA.

Tier designations are QPAP issues and not LTPA issues.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: Yes. Tiers are state specific issues.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded?

Shrunk? Should others be added?

RESPONSE: No. There are no changes to the issues.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: Yes.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue does not need to be addressed now. It can wait until January or until the first six month review after agreement is reached on the revised PO-20.

13. Include any PID changes proposed to LTPA by July 1, 2003 (Eschelon)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: Please see response 1(a) above on the status of the LTPA and the relationship of the LTPA to the QPAP and changes to the QPAP. Inclusion of PID changes should be based on whether or not the proposed PIDs are approved by the LTPA and should not be implemented until accepted or resolved through the impasse

process. Qwest does not agree with implementing proposed PIDS due to the complexity of implementing definitional changes.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: Please see Qwest's response to item 1(b) above.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded?

Shrunk? Should others be added?

RESPONSE: Yes. There are changes to the issues. The new OP-5 was resolved and filed with the WUTC on October 2, 2003 and incorporated by reference.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No. PID changes should be allowed to progress through the LTPA and then be considered for QPAP.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue is not something that needs to be addressed now. It should only be addressed in January to the extent that any PID change proposed to LTPA is accepted in LTPA.

14. Add EELs, LIS, and UDIT to Low Volume, Developing Market Products listed in QPAP Section 10.1 (Eschelon)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: No. This is not being addressed by the LTPA and it should not be addressed by the LTPA. This is a Washington QPAP specific issue.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: Yes, this is a QPAP specific issue.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunken? Should others be added?

RESPONSE: Yes. There are changes to the issues. One issue is that the proposed products do not meet the volume criteria specified in section 10.1. of the SGAT Exhibit K for inclusion in these categories. Volumes need to be more than 10 and fewer than 100. EELs were above 100 for the last three months. UDIT and LIS average fewer than 10 per month.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: Yes.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue does not need to be addressed now. It can wait until January because there are no qualifying products to be considered now.

15. Change diagnostic PIDs to benchmark or parity standards (AT&T)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: Please see response 1(a) above about the current status of the LTPA.

However since this issue involves PID standards, it should be discussed in LTPA and Qwest anticipates that it will be discussed in LTPA.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: No.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunk? Should others be added?

RESPONSE: No. There are no changes to the issues.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No. It should wait for LTPA discussion and agreement.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue does not need to be addressed now. It can wait until January or later, after LTPA considers the issue.

16. Add new measures for Qwest wholesale processes that have no associated PIDs (AT&T)

- a. Is this issue being addressed by the LTPA? If not, should it be addressed in the LTPA and why? If so, what is its status?

RESPONSE: Please see response 1(a) above about the current status of the LTPA.

This issue has not been addressed in the “ad hoc” process. However, since this involves negotiating new PIDs, it should be discussed in LTPA. LTPA already has plans to consider two new PIDs covering additional wholesale processes. BI-5 Billing Claims Processing and a CLEC proposed Line Loss Notification measurement will be discussed in the LTPA.

- b. Does this issue deal with something that is Washington-specific?

RESPONSE: No.

- c. Are there changes to the issues on the list? Have they been resolved? Expanded? Shrunk? Should others be added?

RESPONSE: No. There are no changes to the issues.

- d. Is this something that needs to be addressed in a QPAP 6-month review?

RESPONSE: No.

- e. Is the issue something that needs to be addressed now? Or can it wait until January?

RESPONSE: No, the issue does not need to be addressed now. The issue can wait until January or later. This issue should be considered in LTPA first.

Respectfully submitted this 17th day of October, 2003,

QWEST CORPORATION

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QWEST CORPORATION'S
SECOND COMMENTS