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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Review of Unbundled
Loop and Switching Rates and Review of the
Deaveraged Zone Rate Structure

Docket No. UT-023003

QWEST’S ANSWER TO AT&T’S
MOTION TO COMPEL DISCOVERY

Pursuant to the Commission’s notice dated July 16, 2003, Qwest Corporation (“Qwest”) hereby files its answer in opposition to AT&T’s motion to compel discovery.

I. INTRODUCTION

AT&T asks the Commission to order Qwest to provide a further response to AT&T’s data request number 01-002. Qwest opposes AT&T’s motion to compel on several grounds. First, the motion was not timely filed. Second, the motion seeks to require Qwest to produce information that it simply does not have, and which would require a time consuming and expensive special study to prepare. Finally, the specific information that Qwest could produce is not relevant to this proceeding, as the information is not suitable for use in a cost model.

II. ARGUMENT

AT&T’s motion is untimely. WAC 480-09-480 clearly states that motions regarding discovery disputes “shall be timely filed.” The rule does not further define the filing requirements. However, it seems readily apparent that in order to be timely, the dispute must be raised within a reasonable time after

1 the parties realize they are at impasse, and to allow a reasonable time for the dispute to be resolved, given
2 the overall schedule. AT&T's motion does not meet this standard.

3 As AT&T's motion demonstrates, this data request has been pending since December 3, 2002.
4 AT&T received Qwest's formal objection to this data request on December 18, 2002. Qwest
5 supplemented its data request response in March 2003, without waiving its objection. Yet AT&T waited
6 nearly seven months to file its motion to compel. Qwest made it clear in its objection last year that
7 customer location data as requested by AT&T did not exist in the form requested by AT&T. If AT&T
8 truly wanted this information for use in this proceeding, it could have filed this motion much sooner.¹ At
9 this point it is doubtful that the information that AT&T is now requesting could even be provided in time
10 for use in AT&T's September 4, 2003 testimony filing, thus potentially prejudicing all parties who would
11 not be able to respond if the information were used in final rebuttal on October 16, 2003.

12 Qwest also opposes AT&T's motion to compel on the same basis that it objected to the data
13 request in the first instance. The data requested does not exist, and would require a special study to
14 produce, consuming five to six months of time. Specifically, Qwest does not have information that shows
15 every customer location, or the number of lines to that location, without performing a special study,
16 including a time consuming manual analysis as described in the objection. Additionally, some of the
17 information is not in Qwest's records at all, such as the "mcode", "lcode, and "block" information
18 requested. In response to this objection, AT&T now claims that Qwest should simply provide the same
19 type of information that it provided in Arizona. AT&T states that Qwest should provide the customer
20 location data from the same Qwest data source utilized in responding to an Order from the Arizona
21 Commission.

22 First, this data is not responsive to AT&T's data request. The data does not include most of the
23 information that AT&T requested be compiled into a table (*see*, Exhibit A to AT&T's petition). Further,

24 ¹ AT&T apparently does not dispute that the information is not available in the form it originally requested, so it has
25 modified its request, in the motion to compel, to ask for the Washington equivalent of data that was provided in
26 Arizona. This issue was resolved in Arizona in April 2002. Thus, it is clear that AT&T knew of the Arizona data well
over a year ago. Thus, there is nothing about what happened in the Arizona proceeding that would excuse AT&T's
delay.

1 as will be shown below, the information is not relevant for use in a cost proceeding, because it does not
2 provide complete or accurate customer location information.

3 The customer data Qwest provided in response to an order of the Arizona Commission is not
4 data that is utilized in Qwest's loop model. The data is utilized for internal Qwest marketing purposes and
5 has not undergone the data "scrubbing" processes necessary to provide accurate geographic data for use
6 in loop modeling. "Scrubbing" the data entails detailed comparisons between street addresses and geo-
7 coded census information to determine accurate "true locations". Variances with the census data in
8 terms of the number of customer locations in census blocks would be subject to additional investigation
9 and verification.²

10 Qwest's customer data base contains data from Qwest engineering records and billing systems.
11 The primary source of the customer service address is the engineering records. This data is based on the
12 subscriber's telephone number and yields an actual service location less than 64 percent of the time.
13 When an actual service location is not available in the engineering records, the billing system records
14 provide surrogate addresses for the actual customer service address. In some limited instances the billing
15 system may provide a service location that is not available in the engineering system. However, for the
16 most part these two systems contain the same customer service address information. When a customer
17 service location is not available in the billing system, the next customer location data used in the data base
18 is the customer listing address. If a customer listing address is not available, the data base defaults to the
19 billing address.

20 The use of a billing address data skews customer location data in several ways. Many businesses
21 that operate in multiple locations have a single billing address. This creates an over-concentration of lines
22 at single point. Many residential customers have a post office box for a billing address. For these
23 customers it is not possible to accurately provide a customer service location.

24 ² In fact, during the processing of Qwest's Arizona customer location data, Kevin Landis of TNS Telecoms
25 (AT&T/WorldCom's data supplier for HAI and the group that processed the Qwest Arizona customer location data)
26 stated, "Based on the number of issues that have been appearing with the customer data I have some concerns about
it's reliability."

1 Other areas of concern include service locations of customers in campus arrangements and trailer
2 parks. In many cases the address data for these customers appear in the data base as a single location
3 per trailer park or campus and do not reflect the true dispersion of the customers in separate trailers or
4 campus buildings. According to the 2000 U.S. Census data, over eight percent of the households in the
5 state of Washington dwell in trailers. This type of systematic understatement of customer location
6 dispersion undermines the use of the Qwest customer data in loop cost models.

7 Qwest agrees with AT&T that reliable and accurate customer location information is essential to
8 producing reliable and accurate cost study results. Qwest also agrees that if the requested information
9 had been used by Qwest or relied upon in any way in this proceeding, it would be discoverable. But it
10 has not. All of the flaws with the internal data, as described above, have driven Qwest to use publicly
11 available data in its cost study, the same data that is used in the FCC's universal service model.

12 **III. CONCLUSION**

13 In conclusion, the Commission should deny AT&T's motion to compel discovery. The motion
14 was not timely filed, and it requests data that simply does not exist at this time. The data that AT&T now
15 claims it wants under this data request is not suitable for use in a cost model, as it has been shown to be
16 inaccurate and incomplete for modeling purposes.

17 Dated this 23rd day of July, 2003.

18 QWEST CORPORATION

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