



1 make all necessary network modifications, including providing nondiscriminatory  
2 access to [OSS] necessary for pre-ordering, provisioning, maintenance and  
3 repair, and billing.”<sup>1</sup>

4 As noted in this Commission’s 4<sup>th</sup> Order, it is appropriate to address  
5 performance measures for Line Splitting now, rather than wait for Long Term PID  
6 Administration (“LTPA”) review. The Colorado and Minnesota Performance  
7 Assurance Plans (“PAPs”) already incorporate Line Splitting in performance  
8 reporting and payments. As a result of the first Colorado 6-month PAP review  
9 proceeding, the Colorado Commission ordered Qwest to provide separate  
10 performance reporting for Line Splitting under: OP-3 Installation Commitments  
11 Met, OP-4 Installation Interval, OP-5 New Service Quality, OP-6 Delayed Days,  
12 MR-3 Out of Service Cleared within 24 Hours, MR-6 Mean Time to Restore, MR-  
13 7 Repair Repeat Report Rate, and MR-8 Trouble Rate. MCI asks the  
14 Washington Commission to order Qwest to incorporate this same performance  
15 reporting for Line Splitting in the Washington PAP.

16 MCI has since uncovered several problems with Qwest’s reporting of Line  
17 Splitting results in Colorado. First, it did not appear that Qwest was reporting  
18 Line Splitting as a separate category in its CLEC specific performance results for  
19 MCI. After MCI brought this to Qwest’s attention, in its November 4, 2003  
20 Colorado PAP review comments, Qwest responded, “Qwest had identified a

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<sup>1</sup> *Report and Order and Order on Remand and Further Notice of Proposed Rulemaking*, In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, Implementation of the Local Competition Provisions of the Telecommunications act of 1996, and Deployment of Wireline Services Offering Advanced Telecommunications Capability, FCC Order No. 03-36, CC Docket Nos. 01-338, 96-98, 98-14 (hereafter Triennial Review Order or TRO) at paragraphs 251-252; 51 C.F.R. section 319(a)(1)(ii).

1 problem which was being corrected and that line splitting would be reported as a  
2 separate product category in the CLEC specific performance results reports for  
3 September 2003, and would also reflect August 2003 historical results, if any.”<sup>2</sup>

4 Nonetheless, even after reviewing the corrected September 2003  
5 reporting, MCI doubted the accuracy of the Line Splitting reporting. Line Splitting  
6 results were not reported for the provisioning measures under “MCI Metro” as the  
7 underlying carrier, which is where MCI expected the orders to be tracked.  
8 Additionally, Line Sharing reporting that appeared under “MCI Metro” should  
9 have been reported with “Rhythms” as the underlying carrier.

10 MCI pointed out these problems to Qwest, to which Qwest responded on  
11 November 20, 2003, stating:

12 Line splitting and line sharing were reported as separate product  
13 categories in September 2003, reflecting August results. In service  
14 line counts were separated between line sharing and line splitting in  
15 the September results reported in October. Up until this point in  
16 time, line splitting lines would have been grouped with line sharing  
17 and reported as such. Qwest has subsequently discovered that in  
18 line splitting situations, where MCI Metro is the underlying carrier  
19 and Rhythms is the data provider, it had incorrectly identified the  
20 underlying carrier as Rhythms. This is being addressed and Qwest  
21 anticipates a correction with November results due in December.

22 Additionally, Qwest has discovered a small number of records  
23 identified in the September performance report as line sharing and  
24 incorrectly belonging to MCI Metro. This can happen when the  
25 order is written without the proper FIDs that indicate line splitting. In  
26 this event, the record was bucketed as line sharing instead of line

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<sup>2</sup> See Qwest’s November 4, 2003 Colorado Second 6-Month PAP Review Informal Reply Comments, attached as Exhibit A.

1 splitting. These records will be corrected with the December results  
2 due in January.<sup>3</sup>

3 Given these problems with Qwest's Line Splitting reporting in Colorado  
4 and the importance of Line Splitting as a product offering, MCI would like the  
5 ability to monitor separately Qwest's ability to service and report on Line Splitting.  
6 MCI requests that this Commission order Qwest to include Line Splitting  
7 performance measurement results and PAP payment results separately from  
8 Line Sharing results. The Commission should order Qwest to add Line Splitting  
9 as a separate product category to all measures where Line Sharing is currently  
10 included.<sup>4</sup> Also, any payment for missed measures should be made for Line  
11 Sharing and Line Splitting separately.<sup>5</sup> This is the only way to assure CLECs  
12 and regulatory bodies of Qwest's commitment to satisfactory performance in  
13 these key areas.

14 Measurement OP-5A New Service Quality currently has a standard for  
15 Line Sharing of "Parity with retail RES & BUS POTS." However, the Line Splitting  
16 standard, which is currently diagnostic (no performance standard), should also  
17 be set to a standard of "Parity with retail RES & BUS POTS." In addition, OP-6  
18 Delayed Days, which is currently diagnostic for Line Sharing and Line Splitting,  
19 should also implement the same standard of "Parity with retail RES & BUS  
20 POTS." These standards should be applied for reporting and PAP payment  
21 purposes.

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<sup>3</sup> November 20, 2003 Electronic Mail response from MCI's Account Manager at Qwest, attached as Exhibit B.

<sup>4</sup> Includes PID measures PO-5, OP-3, OP-4, OP-5, OP-6, OP-15, MR-3, MR-4, MR-6, MR-7, MR-8.

<sup>5</sup> Includes PAP measures PO-5, OP-3, OP-4, OP-5, OP-6, MR-3, MR-6, MR-7, MR-8.

1           **2. Performance Standards And Payment Opportunities For EELs**

2           The Washington PID Exhibit B includes EELs under the product reporting  
3 for the measures OP-3 Installation Commitments Met, OP-4 Installation Intervals,  
4 OP-5 New Service Quality, OP-6 Delayed Days, OP-15 Number of Due Date  
5 Changes Per Order, MR-5 All Troubles Cleared within 4 hours, MR-6 Mean Time  
6 to Restore, MR-7 Repair Repeat Report Rate, and MR-8 Trouble Rate. All  
7 measurements have a diagnostic standard except for OP-3 Installation  
8 Commitments Met, which lists a standard of 90%. In Qwest’s Section 271  
9 proceeding in Washington, the Commission ruled, “Qwest must provide payment  
10 opportunities in the QPAP for these measures as the standards are determined  
11 and not wait until a six-month review to do so”. *Thirtieth Supplemental Order,*  
12 *Docket Nos. UT-003022 and UT-003044, at ¶124.* Despite this mandate, Qwest  
13 has not filed anything with the Commission to address payment opportunities for  
14 EELs standards. Moreover, Qwest has since agreed to payment opportunities  
15 for EELs in Colorado. The Washington Commission should order Qwest  
16 immediately to incorporate the same standards and payments opportunities into  
17 the Washington PAP that parties agreed to in Colorado.<sup>6</sup>

18           **3. Propriety Of Including PID PO-2 In The QPAP**

19           As this Commission noted in its 4<sup>th</sup> Order in this proceeding, including PO-  
20 2 in the QPAP was a contested issue during the Section 271 proceedings. At  
21 that time, this Commission ordered Qwest to include PID PO-2(b) in the QPAP,  
22 finding that the PID was developed, standards had been agreed upon, and the  
23 “measure is important to a CLEC’s ability to compete with Qwest.” *Thirtieth*

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<sup>6</sup> Includes measures PO-5, OP-3, OP-4, OP-5, OP-6, MR-5, MR-6, MR-7, and MR-8

1 *Supplemental Order, Docket Nos. UT-003022 and UT-003044, at ¶129.* The  
2 ability of orders to “flow through” the system is important for CLECs because  
3 manual handling can lead to errors that do not occur with “flow through.” The  
4 Commission has already decided this issue. MCI asks the Commission to  
5 continue to enforce its earlier decision to require Qwest to include PO-2(b) in the  
6 Washington PAP both Tier 1 and Tier 2 payments, given that Qwest has not  
7 presented to this Commission any new argument or additional information as to  
8 why the Commission should now reverse its decision and only require a single  
9 tier for this measurement.

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11 Dated this 8<sup>th</sup> day of December 2003.

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**MCI**

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