BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Investigation Into U S WEST COMMUNICATIONS, INC.'s Compliance with Section 271 of the Telecommunications Act of 1996.	Docket No. UT-003022

DIRECT TESTIMONY OF

T.D. HUYNH

ON BEHALF OF

WORLDCOM, INC.

ADDRESSING

LOOPS AND EMERGING SERVICES

June 7, 2001

Q. PLEASE STATE YOUR NAME, TITLE AND BUSINESS ADDRESS?

A. My name is T.D. Huynh. I am employed by WORLDCOM, Inc. (WCOM). My position is Carrier Agreements Manager, West Telco Line Cost Management. My business address is 2678 Bishop Drive, Suite 200, San Ramon, CA 94583.

Q. PLEASE DESCRIBE YOUR RESPONSIBILITIES FOR WCOM.

A. As a Negotiator, my primary responsibility is managing negotiations and assisting in arbitrations with Qwest, Pacific Bell and Southern New England Telephone on behalf of WCOM's local entities Brooks Fiber Corp. (Brooks), MCI Metro Access Transmission Services, LLC, (MCImetro) and MCI WorldCom Communications, Inc. f/k/a Metropolitan Fiber Systems (MFS). I handle issues that arise under our interconnection agreements ("ICA") with Qwest in their 14 state territory. I am additionally responsible for developing cost analysis for rate changes and regulatory decisions, and assessing the impact of new ICA requirements in the course of WCOM's business, and communicating such requirements to our contract management teams.

Q. PLEASE DESCRIBE YOUR RELEVANT EXPERIENCE.

A. I began working for MFS in 1996 (MFS was eventually acquired by WCOM) in their Local Development Group. My responsibilities included working with Qwest (US West) to interconnect MFS's local networks with Qwest's network in the Seattle Metropolitan area and to turn up local dialtone service. I also had responsibility for carrier relations and acted as the single point of contact between Qwest's account team and WCOM, handling escalations and any implementation issues that arose. I joined the Carrier Agreements Team in September of 1998. I received a BS in Business

Administration from UC Berkeley and a Masters in Public Policy from Harvard University.

Q. WHAT IS THE PURPOSE OF YOUR APPEARANCE IN THIS PROCEEDING.

A. The purpose of my testimony is to assist this Commission in making its recommendation to the Federal Communications Commission ("FCC") regarding Qwest Corporation's ("Qwest") application to provide interLATA and interstate long distance service. Specifically, I will assist this Commission in determining whether Qwest has met some of the 14-point checklist items for long distance entry as provided by Section 271 of the Telecommunications Act of 1996. In this testimony, I will address WCom positions on unbundled loops and what is generally referred to the provisioning of advanced services, including resale of DSL, line sharing, and access to dark fiber and dark fiber. Qwest has already addressed many of WCom's concerns relating to unbundled loops and advanced services. Accordingly, in Washington WCom has limited its testimony to only those issues that have not been addressed or continue to be at impasse in other jurisdictions.

UNBUNDLED LOCAL LOOP

Q. WHAT IS UNBUNDLED LOCAL LOOP TRANSMISSION AND WHY IS IT IMPORTANT?

A. The FCC 's First Report and Order and UNE Remand Order both define a local loop as "a transmission facility between a distribution frame (or its equivalent) in an incumbent LEC central office and an end user customer premises." This definition of

unbundled loops includes two-wire and four-wire analog voice-grade loops and two-wire and four wire loops that are conditioned to transmit the digital signals needed to provide services such as ISDN, ADSL, HDSL and DS1-level signals. The Act requires Qwest to provide "local loop transmission from the central office to the customer's premises, unbundled from local switching or other services."

Without access to the features, functions and capabilities of the loop, CLECs are impaired in entering the local market as there are no other viable, cost-effective alternatives that CLECs could turn to for loops. It is imperative that Qwest have enforceable procedures in place that will ensure unbundled loops are available without adversely affecting the quality of service provided to end-users when switching carriers.

Q. PLEASE DISCUSS WCOM'S SPECIFIC CONCERNS REGARDING QWEST'S PROPOSED SGAT ON UNBUNDLED LOCAL LOOPS.

A. I will discuss WCom's concern by section number. I will rely on language found in Qwest's SGAT-lite attached to Jean Liston's testimony as Exhibit JML-2.

Section 9.2.2.3.1 – Unbundled Fiber/High Capacity Loops.

Section 9.2.2.3.1 states Qwest's general obligation to provide unbundled fiber and high capacity loops to CLECs. The language in this section is insufficient and Qwest includes exclusionary language that binds it to only provide such portions of the loop "where facilities are available and existing on an ICB basis." High capacity loops are an essential feature to the loop. Without non-discriminatory and consistent access to high capacity loops, CLECs entry into the local market, and their ability to compete with the suite of services Qwest provides to its customers is significantly hindered. The FCC

supports the inclusion of high capacity lines in the definition of loop. "High-capacity loops retain the essential characteristic of the loop: they transmit a signal from the central office to the subscriber, or vice versa (FCC 99-238 176)." Moreover, denying CLECs access to fiber and high capacity loops because of a lack of facilities ensures CLECs are not able to meet customer needs where Qwest has failed to install adequate facilities. Qwest's rates for retail services and rates for wholesale services include revenues to allow Qwest to expand its network to account for new growth. For example, in various costing and pricing proceedings conducted throughout Qwest's region under Section 252 of the Federal Act, Qwest reported that it installs 3 lines per customer to anticipate growth. The wholesale rates, both for recurring charges and non-recurring charges, established for interconnection services, all unbundled elements, and resold services include sufficient revenues to ensure Qwest is able to construct new network and re-enforce existing network. Finally, while Qwest relies heavily on pricing certain activity on an "ICB", there is no process contained in the SGAT describing how the ICB process works. Without such an explanation of the ICB process in the SGAT, CLECs are left to Qwest's determination of cost and consequent pricing with no speedy recourse. While Qwest may not have a price established for certain fiber and high capacity loops, it would be more appropriate to establish an interim price subject to true-up for these UNEs. This allows CLECs to obtain these UNEs to provide competitive services in a timely manner without having to go through a time consuming ICB process while allowing Qwest the opportunity to recover their costs. Accordingly, WCom proposes that Section 9.2.2.3.1 be changed to read as follows:

> Qwest shall provide fiber and other high capacity Loops including but not limited to OC3, OC12, OC48 and OC192 Loops. With the exception of the digital Loops identified in Section 9.2.2.3, Qwest shall provide unbundled fiber and high capacity Loops to CLEC(s). Qwest will provision fiber and other high capacity Loops in a non-discriminatory manner, using the same facilities assignment processes that Qwest uses for itself to provide the requisite service. DC continuity does not apply to fiber and other high capacity Loops provided under this Section. Qwest shall allow CLEC to access these high capacity Loops at accessible terminals including DSXs, FDPs or equivalent in the central office, customer premises, or at Qwest owned outside plant structures (e.g., CEVs, RTs or huts) as defined in Section 9.3.1.1. Nonrecurring and recurring charges shall apply for fiber and other high capacity Loops provided under this Section.

Section 9.2.2.3.2 - Ordering Process

WorldCom believes if there is no copper facility meeting parameters specified by the CLEC, Qwest should notify CLEC, and parties should work together to rectify the problem, rather than a unilateral rejection of the order. Rejection of the order places CLEC at the end of the process queue, causing unnecessary delay. Therefore WCOM proposes a deletion of the last sentence in 9.2.2.3.2.

Section 9.2.2.4 - Loop Conditioning

Jean Liston on page 23 of her direct testimony dated May 16, 2001 describes Qwest's compliance with the FCC ruling on recovery of costs for loop conditioning over 18,000 feet. However, there is no distinguishing language under this section that limits Qwest's costs for conditioning over 18,000 feet. WorldCom requests the language in the SGAT be adjusted to more accurately reflect Qwest's cost recovery for conditioning both over and under the 18,000 threshold. More accurately, WorldCom requests specifically that Qwest note that no cost recovery is available for loop conditioning under 18,000 feet.

WorldCom advocates additional clarity on the provision of the types of digital capable loops as described in WorldCom's proposed text below:

> *A 2-wire xDSL loop is a copper loop over which CLEC may provision various DSL technologies. A copper loop used for such purposes will meet basic electrical standards such as metallic connectivity and capacitive and resistive balance, and will not include load coils, mid-span repeaters or excessive bridged tap (bridged tap in excess of 2,500 feet in length) for loops 18, 000 feet or less per RRD/CSA loop design guidelines. QWEST shall provide removal of load coils, repeaters, and excessive bridged tap on an existing loop length of 18,000 feet or less at no charge to CLEC.*
>
> *A 2-Wire Digital Loop for purposes of this Section is 160Kbps and supports Basic Rate ISDN (BRI) digital exchange services.*
>
> *A 4-Wire xDSL loop for purposes of this section, is a copper loop over which CLEC may provision DSL Technologies. A copper loop used for such purposes will meet basic electrical standards such as metallic connectivity and capacitive and resistive balance, and will not include load coils, mid-span repeaters or excessive bridged tap (bridged tap in excess of 2,500 feet in length) for loops less than 18,000 feet or less per RRD/CSA loop design guidelines. QWEST shall provide removal of load coils, repeaters, and excessive bridged tap on an existing loop length of 18,000 feet or less at no charge to CLEC.*

WorldCom believes the loop description should provide basic electrical services. Further, descriptions should note that the loops are free of load coals, repeaters, excessive bridge taps below 18,000 feet.

Section 9.2.2.5 - Extension Technology

Qwest requires CLEC to pay cost of Extension Technology in section 9.2.2.5 when the technology is defined by Qwest is "not required." The technical requirements are listed and cited in Qwest's technical publication, which is under Qwest's unilateral control. This is an example where Qwest could deem something unilaterally not

technically required in order to collect charges from a CLEC for work that may otherwise be necessary for service. WorldCom objects to the inclusion of this language.

9.2.2.8 - Loop Qualification

WorldCom believes there are certain circumstances where a CLEC may need to get loop make up information via manual process. Hence, WorldCom proposes the additional language below. WorldCom argues the interval to provide such data should be at a maximum 3-5 days, as is the offering of other carriers throughout the country.

If CLEC elects to have QWEST provide loop makeup through a manual process for information not available electronically, then the loop qualification interval will be 3-5 business days, or the interval provided to Qwest's affiliate, whichever is shorter.

If the results of the loop qualification indicate that conditioning is available, CLEC may request that QWEST perform conditioning at charges set forth in Appendix Pricing. CLEC may order the loop without conditioning or with partial conditioning if desired.

WorldCom believes certain information should be provided in the loop make up data. This information is being provided by other carriers throughout the country and is considered necessary for WorldCom to evaluate xDSL, Line Sharing, and Line-splitting viability.

The Parties agree that OSS information includes, but is not limited to the following:

Loop length
Loop length by segment
Length by gauge
26 gauge equivalent loop length (calculated)
Presence of load coils
Quantity of load coils (if applicable)

Presence of bridged taps
Length of bridged taps (if applicable)
Presence of pair gain/DLC/DAML
Qualification status of the loop based on specified PSD. If no PSD class is specified, the default PSD is class 5 (ADSL).
Presence of repeaters
Location of repeaters
Type of repeaters
Quantity of repeaters
Type of Plant (aerial or buried)
Type of Loop (copper or fiber)
Portion that is copper or fiber
Length that is copper or fiber
Availability of spare facilities
Quantity of bridged tap by occurrence
Location of bridged tap by occurrence
Quantity of Low pass filters
Location of Low pass filters
Quantity of Range extenders
Location of Range extenders
Number of gauge changes
Location of pair gain devices
Location of DLC
Quantity of DLCs
Location of RSU (Remote Switching Unit)
Type of RSU (Remote Switching Unit)
Resistance Zone
Taper Code
Wire Center
Electronic parameters of the loop
Disturbers such as AMI T-1s in the same adjacent binder groups

In addition to the OSS information above, QWEST shall provide the following OSS information related to xDSL UNE, line-shared, or line-split loops configured on a Fiber-Fed DLC configuration:

Element manager for PVC and PVP;
Whether the loop originates at an ADSL-capable RT;
Whether the loop originates at a non-ADSL-capable RT;
Indicators of whether an ADSL-capable RT is available;
Target date of when ADSL-capable RT will be deployed;
Location of ADSL-capable RT by address and by CLLI;
Location of non-ADSL-capable RT by address and by CLLI;

Wire center served by the RT;
Type of structure for RT (i.e., hut, cabinet, or CEV);
Slots available for xDSL cards in the DLC in the RT;
Number of ports initially available on the DLC equipment in the RT;
Fill rates for the DLC ports;
Fill rate for the RT (for collocated CLEC equipment); and;
Any other OSS information related to planned loop infrastructure modifications

Section 9.2.2.15.2 Re-Use of Loop

WorldCom requests clarification as to the requirement of reuse for a loop. In section 9.2.2.15.2, Qwest provides that it will reuse the loop for service requested by a new CLEC. Such reuse of loops should be subject to parity, and Qwest should demonstrate that Qwest always reuse loops for Qwest's own retail customers. The harm in reuse of loop comes in service degradation of the customer. For example, if a CLEC customer discontinues service due to service degradation on the loop from a CLEC, Qwest may have the option of provisioning a new loop and providing better quality for that customer. This would be opposed to the requirement of reusing that loop for a new CLEC that would face the same service degradation problems in loop reuse. Therefore, the service offering would not be equal in quality to a CLEC as what is available to Qwest, and ultimately an anti-competitive advantage of Qwest over CLECs.

9.2.4.3.1 Loop Makeup Request

WorldCom believes CLEC should be able to request Loop Makeup data via the electronic tools provided by Qwest. However, WorldCom does not believe that this should be a requirement of the CLEC, as the CLEC may not need such information for all loop orders. In particular, WorldCom does not believe a CLEC should be forced to obtain

this information if there is a charge for such information retrieval. Correspondingly, WorldCom advocates a change from "should" to "may" in 9.2.4.3.1.

9.2.4.3.1.1.

Consistent with WCOM's argument for loop conditioning above, WCOM believes CLEC would only order conditioning for loops greater than 18,000 feet as all loops under that length are presumed to be free of repeaters, load coils, and bridge taps. Therefore, WCOM edits the first sentence to be:

> Based on the Loop make up information provided through Qwest tools, *for loops greater than 18,000 ft*, CLEC must determine whether conditioning is required to provide the xDSL service it intends to offer.

9.2.4.9.2 FOC Interval

WorldCom believes the FOC interval should be no greater than 15 days consistent with other carriers. Therefore, WCOM advocates the following change:

> *When load coils and/or bridged taps do exist, the maximum interval shall be fifteen (15) business days. CLEC can determine the existence of load coils or bridge tap by using one of the Loop make-up tools. For loops greater than 18,000 ft., CLEC may pre-approve line conditioning on the LSR and, by doing so, CLEC agrees to pay any applicable conditioning charges.*

Section 9.2.6.2 - Provisioning of PSD Mask Information

WorldCom believes it is not necessary for CLEC to provide PSD Masks when ordering loops. WorldCom is concerned PSD Mask information is not subject to confidentiality and therefore may be used for Qwest marketing and other non-provisioning purposes. Additionally, WorldCom is concerned that if a CLEC were to provide this information, it would enable Qwest to unilaterally reject the order based on Qwest's own discretion that such a PSD mask would not work on the particular loop

without demonstrating the PSD Mask is not viable. WorldCom intends to use such loops for pre-approved (industry standard) PSD Mask. As such, there is no reason for WCOM to specify which PSD mask is used.

Section 9.2.2.7 – Spectrum Compatibility.

Qwest's spectrum compatibility limitation places restrictions on rolling out loop technology that is not be consistent with emerging technologies and prevents CLECs from meeting customer needs. The FCC addressed the means by which an ILEC can make such restrictions. (See, FCC Decision No. 99-48 at paragraphs 70 through 91, which address Spectrum Management.) These paragraphs oblige the ILEC to disclose information with respect to rejection of requests for such services based on spectrum compatibility, and places the burden upon the ILEC to demonstrate significant degradation in performance of services based on spectrum compatibility issues. Qwest's Section 9.2.2.7 contains no such requirements and leaves spectrum management completely within the control of Qwest with no explanation to CLECs of Qwest alleged spectrum compatibility problems. The FCC recognizes the need to resolve such issues in order to allow competitive service offerings to end user customers. Consistent with FCC requirements, WCom requests that Section 9.2.2.7 be changed to read as follows:

> *Qwest will provision BRI-ISDN, DS1, or DS3 capable or ADSL capable Loops in areas served by Loop facilities and/or transmission equipment. In the event Qwest believes that the provisioning of such a service is not compatible with the Loop facilities and/or transmission equipment, Qwest will disclose to requesting carrier, in writing, within 10 calendar days of the request to provision such a service, Qwest's basis for believing that provisioning the requested service is not compatible with the Loop facilities and/or transmission facilities. Qwest will bear the full burden of demonstrating incompatibility with the requested order. Claims of*

spectrum incompatibility must be supported with specific and verifiable supporting information. Qwest will adhere to and incorporate industry standards in regard to spectrum compatibility as they become available.

If Qwest claims a service is significantly degrading the performance of other advanced services or traditional voice band services, then Qwest must notify the affected carrier and allow that carrier a reasonable opportunity to correct the problem. Any claims of network harm must be supported with specific and verifiable supporting information.

Spectrum Exhaust

WorldCom believes Qwest should manage spectrum exhaust in a competitively neutral manner. WorldCom proposes a paragraph to reflect such. This is consistent with what the FCC has provided for in the Advanced Services Order.

QWEST agrees that CLEC's order for xDSL-capable Loops will not be delayed by any lack of availability of a specific binder group or "spectrum exhaust." If QWEST reconfigures loops into a different binder group, it shall do so in a competitively neutral manner consistent with all relevant industry standards and at no cost to CLEC.

Q. PLEASE DISCUSS WORLDCOM'S CONCERNS ABOUT DSL.

A. WCOM seeks or language to clarify that we are allowed to resale DSL. Since Qwest offers DSL as a retail product, CLECs must be permitted to resell DSL at the retail price less an appropriately determined avoided cost discount. The recent D.C Circuit court decision[1] makes it clear that advanced services should be subject to the resale requirements of the act: "As the Commission [the FCC] concedes, Congress did not treat advanced services differently from other telecommunications services. (See Deployment Order p 11.) It did not limit the regulation of telecommunications services to those

[1] Association of Communications Enterprises, Appellant v. Federal Communications Commission, Appellee, AT&T Corporation, et al., Intervenors, Appeal of an Order of the Federal Communications

services that rely on the local loop. For that reason, the Commission may not permit an ILEC to avoid s 251(c) obligations as applied to advanced services by setting up a wholly owned affiliate to offer those services." While WCom understands that Qwest has stated its willingness resell DSL, WCom believes the SGAT should incorporate such a commitment.

Q. PLEASE DISCUSS WCOM'S CONCERNS ABOUT LINE SHARING FOUND IN SECTION 9.4 OF THE SGAT.

A. Qwest's SGAT Section 9.4.1.1 improperly limits line sharing to copper loop facilities as follows:

> 9.4.1.1. Line sharing occurs on the copper portion of the loop (i.e., copper loop or shared copper distribution). Qwest provides CLECs with the network elements to transport data from Qwest Remote Terminals including unbundled dark fiber, DS1 capable loop, and OCN. Qwest also provides CLECs with the ability to commingle its data with Qwest's pursuant to Section 9.20 with unbundled packet switching. To the extent additional line sharing technologies and transport mechanisms are identified, and Qwest has deployed such technology for its own use, and Qwest is obligated by law to provide access to such technology, Qwest will allow CLECs to line share in that same manner, provided, however, that the rates, terms and conditions for line sharing may need to be amended in order to provide such access.

FCC Decision 01-26 issued in CC Docket Nos. 96-98 and 98-147, provides in pertinent part as follows:

> We clarify that the requirement to provide line sharing applies to the entire loop, even where the incumbent has deployed fiber in the loop (*e.g.*, where the loop is served by a remote terminal). Our use of the word "copper" in section 51.319(h)(1) was not intended to limit an incumbent LEC's obligation to provide competitive LECs with access to the fiber

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Commission, United States Court of Appeals for the District of Columbia Circuit, Argued October 11, 2000, Decided January 9, 2001, No. 99-1441.

portion of a DLC loop for the provision of line-shared xDSL services. As noted above, incumbent LECs are required to unbundle the high frequency portion of *the local loop* even where the incumbent LEC's voice customer is served by DLC facilities. The local loop is defined as a transmission facility between a distribution frame (or its equivalent) in an incumbent LEC central office and the loop demarcation point at an end user customer premises, including inside wire owned by the incumbent LEC. By using the word "transmission facility" rather than "copper" or "fiber," we specifically intended to ensure that this definition was technology-neutral. (Emphasis supplied-footnotes omitted)[2]

* * *

We clarify that where a competitive LEC has collocated a DSLAM at the remote terminal, an incumbent LEC must enable the competitive LEC to transmit its data traffic from the remote terminal to the central office. The incumbent LEC can do this, at a minimum, by leasing access to the dark fiber element or by leasing access to the subloop element. We also recognize that there are other ways in which line sharing may be implemented where there is fiber in the loop and we do not mandate any particular means in this Order. Solutions largely turn on the inherent capabilities of equipment that incumbent LECs have deployed, and are planning to deploy, in remote terminals. A competitive LEC's choice of various line-sharing arrangements may also be influenced by whether it has already collocated, or is capable of collocating at a remote terminal. For these reasons, we are initiating a *Third Further Notice of Proposed Rulemaking* today in the Advanced Services docket and a *Sixth Further Notice of Proposed Rulemaking* in the Local Competition docket that requests comment on the feasibility of different methods of providing line sharing where an incumbent LEC has deployed fiber in the loop. (footnotes omitted)[3]

All indications are that fiber deployment by incumbent LECs is increasing, and that collocation by competitive LECs at remote terminals is likely to be costly, time consuming, and often unavailable. We provide this clarification because we find that it would be inconsistent with the intent of the *Line Sharing Order* and the statutory goals behind sections 706 and 251 of the 1996 Act to permit the increased deployment of fiber-based networks by incumbent LECs to unduly inhibit the competitive provision of xDSL services. This clarification promotes the 1996 Act's goal of rapid deployment of advanced services because it makes clear that

[2] See, FCC Decision No. 01-26, para. 10, released January 19, 2001.
[3] *Id*. at para. 12.

> competitive LECs have the flexibility to engage in line sharing using DSLAM facilities that they have already deployed in central offices rather than having to duplicate those facilities at remote terminals. In addition, our ruling in the instant Order ensures that in situations where there is no room in the remote terminal for the placement of competitive LEC facilities, competitors nevertheless are able to obtain line sharing from the incumbents. (footnotes omitted)[4]

Qwest language in Section 9.4.1.1 is inconsistent with the above-cited paragraphs of the FCC's January 19, 2001 order in the advanced services docket. This section must be revised to reflect that Qwest will provide for line sharing over fiber when it becomes available from Qwest.

Q. PLEASE DISCUSS WORLDCOM'S CONCERNS ABOUT DARK FIBER ADDRESSED IN SECTION 9.7 OF THE SGAT.

A. Section 9.7.1 - UDF vs. E-UDF

WorldCom raises the same objections as it has in previous testimony regarding UDIT/EUDIT, that Qwest is making an unnecessary distinction of transport between Qwest's offices, and between Qwest and the CLEC Central Office. While specific pricing will be addressed in the cost docket, WCOM objects to the language that argues a false distinction. Qwest has indicated no functional difference between transport between their wire centers, and between their switch and our switch, therefore, they should be priced in the same way. The only reason Qwest has given for the distinction is an adjustment Qwest would like to make in pricing that has not yet been ruled upon.

Section 9.7.2.17 - UDF/IOF

[4] *Id*. at para. 13.

Qwest provides language that parties should mutually agree on the wire center at which Qwest must provide a light detector and the Wire Center at which CLEC must provide light generating equipment. WCOM believes such mutual agreement is an unnecessary step, and may add time to the process for where the light detector/generating equipment should be located. As CLEC will be putting in the order, CLEC should be able to designate, at its option, the location for such equipment.

Section 9.7.5.1 - IRI and FVQP

WorldCom objects to charges based on inquiry and field verification of dark fiber location. Qwest should have inventory and location for its dark fiber that does not require investigation of location of fiber. Similarly Field Verification and Quote preparation should not require extent of labor that warrants a charge for such service. Unlike Collocation, such information is readily available. UDF is a UNE and like other UNEs such as loop and dedicated transport, should be ordered without having to go through a time consuming, costly and unnecessary inquiry and field verification process. CLEC's should not be required to pay for inefficient administration and/or lack of documentation of Qwest's own network and location of dark fiber.

Sections 9.7.5.2(b), 9.7.5.2.2, 9.7.5.2.3 - UDF/IOF Transport and Cross Connect Charges.

Qwest is charging a rate element based on a per pair basis, rather than per mile basis as was originally proposed by Qwest. WCOM seeks to understand the basis for this change and questions why UDF, which is a “lit” version of IOF Transport, has a different

cost structure; that is, why UDF is based on per pair rather than the per mile structure used for IOF Transport. WCOM is concerned that Qwest may be seeking double recovery for costs via the "per pair" cost structure. Additionally, Qwest includes what seems like two cross connect charges for the UDF Loop Termination and the Loop Fiber Cross-Connect Rate Element. While there may be a cross connect to connect the UDF Loop and UDF Transport, the application of both a UDF Loop Fiber Cross Connect and UDF IOF Cross Connect appears to be double recovery.

Q. PLEASE DISCUSS WCOM'S CONCERNS ABOUT PACKET SWITCHING ADDRESSED IN SECTION 9.10.

A. Section 9.10.1.1 - Tandem Aggregation of Custom Routed Calls

WorldCom agrees with the language Qwest has provided in 9.11.1.1 that includes access to all technically feasible customized routing functions. In order to better utilize network efficiencies, and offer CLECs the ability to aggregate and access such custom routed traffic at the tandem, WCOM requests the same language regarding customized routing functions be included in the Tandem Switching section 9.10.1.1:

> *Access to local tandem switching includes the facilities connecting the trunk distribution frames to the switch and all the features, functions, and capabilities of the switch itself, including those facilities that establish a temporary transmission path between two other switches, but does not include the transport needed to complete the call. The local tandem switching element also includes the features, functions, and capabilities that are centralized in local tandem switches and their adjuncts, if any, rather than in separate end-office switches as well as any technically feasible customized routing functions.*

Section 9.11.1.5 - Local Switching

Qwest misrepresents the UNE remand order, by stating Unbundled local switching is not a UNE. While WCOM agrees Qwest is not required to provide Unbundled Local Switching, stating it is not an element misinterprets the Remand order. WCOM requests this section be replaced with the wording of the UNE remand order.

Section 9.11.3.3 - Originating Local Usage

WCOM seeks to clarify billing of originating local usage MOUs by adding the phrase that these MOUs should be based on completed calls. Including "per completed call" at the end of the first sentence will further clarify when local usage will be applied.

Q. DOES WORLDCOM HAVE ANY ADDITIONAL CONCERNS RELATING TO PACKET SWITCHING?

A. Yes. WCom recommends that Qwest incorporate definitions for “packet switch” and “packet switch” and “packet switch technology” as set forth in Exhibit MSW-3. In addition, the definition of “switch” should be expanded consistent with Mr. Schneider’s exhibit MSW-3 to incorporate reference to packet switching technology. These changes are consistent with the UNE Remand Order’s requirement that packet switching be unbundled.

Q. DOES THIS CONCLUDE YOUR TESTIMONY REGARDING ADVANCED SERVICES?

A. Yes, it does. Thank you.