

00133

1                           BEFORE THE WASHINGTON UTILITIES AND  
2                           TRANSPORTATION COMMISSION

3

4 In the Matter of the                           ) Docket No. UT-003022  
5 Investigation Into US WEST                   ) Volume III  
6 Communications, Inc,'s                       ) Pages 133-242  
7 Compliance with Section 271 of               )  
8 the Telecommunications Act of                )  
9 1996.   )

10 In the Matter of US WEST                   ) Docket No. UT-003040  
11 Communications, Inc.'s                     )  
12 Statement of Generally                     )  
13 Available Terms Pursuant to                )  
14 Section 252(f) of the                     )  
15 Telecommunications Act of 1996.)  
16 \_\_\_\_\_)

17                           A workshop in the above matter was  
18 held on June 21, 2000, at 9:51 a.m., at 1300  
19 Evergreen Park Drive Southwest, Olympia, Washington,  
20 before Administrative Law Judge C. ROBERT WALLIS.

21                           The parties were present as  
22 follows:

23                           AT&T, by Rebecca DeCook, Attorney  
24 at Law, 1875 Lawrence Street, Suite 1575, Denver,  
25 Colorado, 80202.

26                           US WEST COMMUNICATIONS, INC., by  
27 Kara M. Sacilotto, Attorney at Law, Perkins Coie, 607  
28 14th Street, N.W., Washington, D.C., 20005, Steven R.  
29 Beck, Attorney at Law, 1801 California Street, Suite  
30 5100, Denver, Colorado, 80202, and Lisa A. Anderl,  
31 Attorney at Law, 1600 Seventh Avenue, Room 3206,  
32 Seattle, Washington, 98191.

33                           WORLDCOM, by Ann E. Hopfenbeck and  
34 Thomas F. Dixon, Attorneys at Law, 707 17th Street,  
35 Suite 3900, Denver, Colorado, 80202.

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1                               NEXTLINK, ELI, ATG, NEW EDGE  
2 NETWORKS, NORTH POINT, McLEOD USA, FOCAL, ALTS, JATO,  
3 and GLOBAL CROSSING, by Gregory J. Kopta, Attorney at  
4 Law, Davis, Wright, Tremaine, LLP, 2600 Century  
5 Square, 1501 Fourth Avenue, Seattle, Washington,  
6 98101.

7                               COVAD, METRONET, MGC, and ICG, by  
8 Brooks E. Harlow, Miller Nash, 4400 Two Union Square,  
9 601 Union Street, Seattle, Washington, 98101.

10                              TRACER, RHYTHMS LINKS, INC.,  
11 TELIGENT, and BROADBAND OFFICE COMMUNICATIONS, INC.,  
12 by Arthur A. Butler, Attorney at Law, Ater Wynne, 601  
13 Union Street, Suite 5450, Seattle, Washington 98101.

14                              SPRINT, by Eric S. Heath, Attorney  
15 at Law, 330 S. Valley View Boulevard, Las Vegas,  
16 Nevada, 89107.

17                              PUBLIC COUNSEL, by Simon ffitch,  
18 Assistant Attorney General, 900 Fourth Avenue, Suite  
19 2000, Seattle, Washington, 98164.

20  
21  
22  
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24 Barbara L. Nelson, CSR  
25 Court Reporter

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1 JUDGE WALLIS: Let's be on the record,  
2 please, for the June 21, year 2000 session in the  
3 matter of Docket Numbers 003022 and 003040, which  
4 constitute the investigation into US West  
5 Communications' compliance with Section 271 of the  
6 Telecommunications Act of 1996, and the request by US  
7 West Communications, Inc. for review of its statement  
8 of generally available terms, pursuant to Section  
9 252(f) of the Telecommunications Act of 1996. This  
10 hearing is being held at Olympia, Washington,  
11 pursuant to due and proper notice to all interested  
12 parties.

13 My name is Robert Wallis, and I am the  
14 presiding Administrative Law Judge today. I would  
15 like to ask Commission Staff members and counsel to  
16 introduce themselves at this time.

17 MS. STRAIN: I'm Paula Strain. I'm with  
18 the telecom staff.

19 MS. SMITH: I'm Shannon Smith, I'm with the  
20 Attorney General's office, and I will be providing  
21 the Commission Staff with legal advice in this  
22 proceeding.

23 MR. GRIFFITH: I'm Dave Griffith, with  
24 Commission Staff.

25 MS. OSINSKI: I'm Teresa Osinski, policy

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1 adviser to the Commission.

2 MR. DITTEMORE: Dave Dittimore, telecom  
3 staff.

4 JUDGE WALLIS: Okay. Thank you very much.  
5 Let's now go around the table, beginning with US  
6 West.

7 MS. SACILOTTO: Kara Sacilotto, with the  
8 law firms Perkins Coie, on behalf of US West. With  
9 me today, starting from my right, Jeff Owens, who is  
10 the Executive Director of Regulatory Strategy at US  
11 West. He'll be participating in a witness capacity  
12 today. Ms. Lori Simpson, Director of  
13 Interconnection. She'll be participating in a  
14 witness capacity today. And to my immediate left,  
15 Steve Beck, an attorney in the law department of US  
16 West.

17 Oh, yes, and Margaret Bumgarner, who is not  
18 at the table, later on she will be participating in a  
19 witness capacity. Mr. Mark Reynolds is also sitting  
20 behind the table. I do not anticipate that he will  
21 be joining us at the table today, but he might. Oh,  
22 and Tom Freeberg. He will be with us hopefully  
23 tomorrow as a witness. Sorry, Tom. Didn't see you  
24 there. Lisa Anderl also will be here at some point,  
25 probably not sitting at the table, but observing, and

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1 she's also an attorney in the law department.

2 JUDGE WALLIS: Very good. Thank you very  
3 much. Let's proceed around the table now with other  
4 participants.

5 MS. DeCOOK: Thank you, Your Honor.  
6 Rebecca DeCook, on behalf of AT&T. I'm an attorney  
7 in the law department. With me on my right is  
8 Kenneth Wilson, who is an outside consultant who will  
9 be appearing as a witness. Also behind me is  
10 Dominick Sekich, who is commercial attorney in the  
11 law department, and he will be appearing in a witness  
12 capacity on SGAT language. Next to him is Michael  
13 Hydock, who is a district manager at AT&T with  
14 responsibility for interconnection negotiations.

15 At some point, Richard Thayer will be  
16 joining us. He's a commercial lawyer in the law  
17 department, and he has -- he'll be appearing as a  
18 witness on poles, ducts and rights-of-way. Thank  
19 you.

20 JUDGE WALLIS: Thank you.

21 MR. BUTLER: Art Butler, attorney with the  
22 law firm of Ater Wynne. I'm appearing on behalf of  
23 Tracer, Rhythms Links, Inc., Teligent Services, Inc.,  
24 and Broadband Office Communications, Inc.

25 MR. KOPTA: Gregory Kopta, of the law firm

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1 Davis, Wright, Tremaine, on behalf of  
2 Nextlink-Washington, Inc., and, with respect to the  
3 Checklist Item 13, reciprocal compensation, on behalf  
4 of Electric Lightwave, Inc. and Advanced TelCom  
5 Group, Inc. Appearing probably tomorrow and/or  
6 Friday would be two additional witnesses on behalf of  
7 Nextlink, Kaylene Anderson and Greg Nilges.

8 MR. HEATH: Eric Heath, appearing on behalf  
9 of Sprint Corporation. I'm an attorney in the law  
10 department. Tomorrow I should be joined by David  
11 Stahly, S-t-a-h-l-y. He's a policy manager with  
12 Sprint.

13 MS. HOPFENBECK: Good morning. Ann  
14 Hopfenbeck, appearing on behalf of WorldCom, Inc.  
15 I'm an attorney in the law and public policy  
16 department. With me today, and I imagine will also  
17 be participating, is Tom Dixon, also an attorney in  
18 the law department, and Thomas Priday. Tom Priday is  
19 a senior manager for carrier management and will be  
20 providing testimony today, substituting for Michael  
21 Beach, on all of the checklist items other than  
22 reciprocal compensation.

23 Reciprocal compensation will be addressed  
24 by Mark Argenbright, who will arrive tomorrow. He's  
25 a senior staff specialist with state regulatory



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1 policy in WorldCom.

2 MR. HARLOW: Good morning. Brooks Harlow,  
3 appearing on behalf of ICG Communications at this  
4 workshop.

5 JUDGE WALLIS: Thank you. Are there any  
6 people seated in the room who are also appearing in a  
7 representative capacity? Let the record show that  
8 there's no response. Is there anyone on the bridge  
9 line who is appearing in a representative capacity?  
10 Let the record show that there is no response.

11 A couple of administrative matters.  
12 Neither this room nor the bridge line are available  
13 tomorrow or on Friday. We could have the room for  
14 parts of the day, I believe, on each day, but the  
15 scheduling is contingent, and I'm going to suggest  
16 that we just move our show down to Room 108, which  
17 has also been reserved for us, and we will take up  
18 there for the entirety of both days' sessions.

19 A couple of matters remain to be discussed  
20 and resolved. Some of the participants have asked  
21 for a rearrangement of checklist items within  
22 workshop sessions, and we've agreed to take some time  
23 or provide some time so that parties can discuss that  
24 amongst themselves and then report back as to their  
25 thoughts on whether that's advisable.

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1           In addition, we have indicated that we want  
2 parties' comments on post workshop process and the  
3 form of recommendation or proposal that Commission  
4 Staff will prepare and send on to the Commissioners  
5 and the schedule on which that review will be  
6 accomplished. And we will also reserve some time and  
7 spend some time together talking about that topic.

8           We have entered a prehearing conference  
9 order and copies have been distributed. If there are  
10 any errors in that or omissions, please advise me at  
11 some time when we're talking about administrative  
12 matters and we will attend to them. We do, I  
13 believe, have a late arrival.

14           MR. FFITCH: Thank you, Your Honor. I  
15 apologize.

16           JUDGE WALLIS: If you would step forward  
17 and come to the table and introduce yourself, please.

18           MR. FFITCH: I can't read the labels. Is  
19 this the spot for my office?

20           MR. KOPTA: Yours is behind there.

21           MR. FFITCH: Is this the right place?

22           MR. KOPTA: Wherever you want to grab.

23           MR. FFITCH: Oh, okay. I thought --

24           JUDGE WALLIS: Let's be off the record for  
25 this.

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1 (Discussion off the record.)

2 MR. FFITCH: I apologize for my late  
3 arrival, Your Honor. And for the record, Simon  
4 ffitch, Public Counsel.

5 JUDGE WALLIS: All right. We're just  
6 getting into the preliminary matters, and we have  
7 taken appearances on behalf of the participants, and  
8 we are going to go off the record at this point to  
9 discuss the exhibit list and the exhibits to be  
10 received. So let's be off the record for that.

11 (Discussion off the record.)

12 JUDGE WALLIS: Let's be back on the record,  
13 please. During a recess in the proceeding, we have  
14 reviewed the exhibit list and have assigned exhibit  
15 numbers to a number of documents. And we will take  
16 that up at this time along with a couple of minor  
17 administrative matters.

18 One administrative matter is that the  
19 person who is seated to my right appears -- she  
20 declined to introduce herself on the first round --  
21 appears today through the courtesy of the Attorney  
22 General Division, but anticipates joining the  
23 Commission as of the 1st of July and will be the  
24 presiding Administrative Law Judge on this matter in  
25 later sessions. This is Ann Rendahl.

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1           Let's turn to the exhibit list now. We  
2 have marked as Exhibit 100 the March 22, 2000 version  
3 of the SGAT filed with the Commission. Exhibit 101  
4 is the red-lined version of the SGAT, which appears  
5 in bound form. Exhibit 102 is a document designated  
6 Exhibit A, dated March 22 of the year 2000, which is  
7 a revision of the Exhibit A bound in Exhibit 101. We  
8 are further advised that there will be an additional  
9 revision, which will be so identified as a revision,  
10 with the date, and we will mark that document when it  
11 is supplied to us.

12           Exhibit 103 is the list of  
13 Washington-specific clauses in the the SGAT. And  
14 Exhibit 104 is, at least for the moment, designated  
15 104-C, subject to US West's review. That's US West's  
16 response to WUTC Bench Request Number One, Checklist  
17 references to interconnection contracts in Washington  
18 State. Exhibit 105-C, again, at least for the  
19 moment, is US West's response to WUTC Bench Request  
20 Number One, confidential exhibit, the adopted  
21 contracts in Washington.

22           MS. SACILOTTO: Your Honor, I think we're  
23 prepared to remove the C.

24           JUDGE WALLIS: Very well.

25           MS. SACILOTTO: On both of those.

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1                   JUDGE WALLIS: So those will no longer  
2 carry a confidential designation. Now taking up with  
3 documents prefiled for the appearance of various  
4 witnesses during this session, Exhibit 111-T is the  
5 testimony of Lori A. Simpson, appearing on behalf of  
6 US West. 112 is white pages directory listing  
7 process for CLECs in US West retail operations.  
8 Exhibit 113-C is designated CLECs using US West  
9 directory assistance service Checklist Item Seven  
10 (II).

11                   Exhibit 114-T is the rebuttal testimony of  
12 Lori Simpson, dated June 5 of the year 2000. Exhibit  
13 115-C is performance results for directory assistance  
14 service and operator services. Exhibit 116 is white  
15 pages directory listings examples. 117 is sample  
16 page from Seattle, Washington white pages directory.  
17 Exhibit 118 is US West reseller co-provider directory  
18 listing user document, et al., with a corrected URL  
19 of <http://www.uswest.com/wholesale/>, and I'll leave  
20 it to the parties to determine whether those are  
21 forward or backward slashes.

22                   119 is e-mail message regarding US West  
23 provision of directory listings service. 120 is  
24 performance indicator definitions, or PIDs, regarding  
25 -- designated DB-1 and DB-2. And 121 are the PIDs

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1 for DA-1, DA-2, OS-1 and OS-2.

2 Moving to witness Margaret Bumgarner, her  
3 direct testimony is marked as 131-T. Process flows  
4 access to 911/E911 and database updates is Exhibit  
5 132. 133 is enhanced 911 diagram. 134-C is the SCC  
6 contract amendment. 135 is SCC TSS E911 system  
7 performance report, Washington. 136 is US West CO  
8 code assignments. 137 is process flows, NXX  
9 activations. 138 is process flows, access to SS7  
10 signaling and call-related databases.

11 139 is US West SS7 signaling network and  
12 call-related databases. 140-C is CLECs by checklist  
13 item. 141 is rebuttal testimony of Margaret  
14 Bumgarner, dated June 5 of the year 2000. That would  
15 be 141-T. 142-C is regional practice special service  
16 circuit protection. 143 is 911/E911 PIDs for  
17 ordering and installation. 144 is 911/E911 PIDs for  
18 repair. 145 is 911/E911 and LIDB database PIDs for  
19 database updates.

20 146-C is performance results summary seven  
21 (1). 147 is numbering administration PID. 148 is  
22 North American numbering plan. And 149-C is direct  
23 connection documentation.

24 For witness Thomas R. Freeberg, Exhibit 151  
25 is the direct testimony of Mr. Freeberg. That would

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1 be 151-T. 152 is designated poles, ducts and  
2 rights-of-way process flow. 153 is poles, ducts and  
3 rights-of-way process task list. 154 is reciprocal  
4 compensation billing process flow. 155 is reciprocal  
5 compensation billing process task list. 156-C, is  
6 pole, duct or right-of-way requester list.  
7 157 is rebuttal testimony of Thomas  
8 Freeberg. That would be 157-T. 158 is Washington  
9 interconnection diagram. 159 is local  
10 interconnection service, LIS diagram. 160 is  
11 Washington alternative routing diagram. 161 is local  
12 calling area diagram. 162 is interLCA facilities  
13 diagram. 163 is transiting diagram. 164 is  
14 host-remote diagram. 165 is all CLECs diagram. 166  
15 is response to Nextlink data request number  
16 Nextlink-WA 01-008.  
17 Exhibit 181-T is the direct testimony of  
18 Mark Argenbright. 186-T is the direct testimony of  
19 Thomas T. Priday. And 187 is the errata to that  
20 testimony.  
21 191-T is the testimony of Kaylene Anderson.  
22 And 201-T is the testimony of Kenneth Wilson. 202 is  
23 typical collocation configuration. 203 is ILEC  
24 network architecture. 204 is AT&T network  
25 architecture. 205 is equivalent interconnection.

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1 206 is US West proposed interconnection arrangement.  
2 207 is basic interconnection. 208 is central office.  
3 209 is interconnection with remote office. 210 is US  
4 West does not allow CLEC to collocate RSUs.  
5 211 is tandem level one-way trunking. 212  
6 is multiple tandem level one-way trunking. 213 is  
7 diverse interconnection points.

8 And those are all of the documents that we  
9 have marked for identification to date. It's my  
10 understanding that the parties are willing that those  
11 documents be received by stipulation; is that  
12 correct?

13 MS. SACILOTTO: Yes, Your Honor.

14 MS. DeCOOK: That's correct.

15 MR. KOPTA: That's correct.

16 JUDGE WALLIS: Hearing no objection, those  
17 documents are received in evidence. Are there any  
18 preliminary matters that we need to address at this  
19 point?

20 MR. KOPTA: Yes, Your Honor. At the  
21 prehearing conference, we had raised the issue of the  
22 ability of an additional Nextlink witness to provide  
23 some testimony that was alluded to in Ms. Anderson's  
24 prefiled testimony.

25 In discussions with Counsel for US West,



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1 we've agreed that Mr. Nilges, for Nextlink, may  
2 provide testimony at the workshop with respect to  
3 poles, ducts and conduits on those issues that were  
4 identified in Ms. Anderson's prefiled direct  
5 testimony and, as with other witnesses, would be  
6 available in case other issues arise during the  
7 workshops, but that he would not be raising any  
8 additional issues.

9 MS. SACILOTTO: That accurately reflects  
10 our agreement.

11 JUDGE WALLIS: Very well. Thank you, Mr.  
12 Kopta. Any further administrative matters? Ms.  
13 DeCook.

14 MS. DeCOOK: Your Honor, I'm not sure this  
15 is an administrative matter, but I do notice that  
16 some of Ms. Simpson's testimony does deal with  
17 performance results, and I know we had talked about  
18 dealing with this issue at a subsequent time.  
19 However, if this is going to be part of her oral  
20 presentation, then I'm not sure that it would be  
21 appropriate to defer the issue. And we may want to  
22 take a short break just so the parties can confer on  
23 this issue offline before we address it online, but  
24 I'm reluctant to wait until the lunch hour, since her  
25 presentation may address those results.

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1 MS. SACILOTTO: I think that's a good idea,  
2 because to the extent that we can agree to at least  
3 start discussing some of these issues, we won't have  
4 to go back after the lunch break. So if we could  
5 just take a few minutes, and then we could resolve  
6 this issue now.

7 JUDGE WALLIS: Very well. Is there  
8 anything else preliminary before we proceed?

9 MR. FFITCH: Your Honor, just one matter  
10 for the record.

11 JUDGE WALLIS: Mr. ffitich, would you grab  
12 the microphone, please?

13 MR. FFITCH: I'm just restating a matter I  
14 raised at the prehearing conference regarding the  
15 issue of the application of the evidentiary  
16 requirements referenced in the Commission's -- pardon  
17 me, the supplemental interpretive and policy  
18 statement and the order adopting supplemental  
19 interpretive policy statements March 15th.

20 In those documents, the Commission adopted  
21 certain detailed evidentiary requirements applying to  
22 both US West and the CLECs with relation to many of  
23 the issues addressed in 271 application. It's just  
24 not clear to me from the process so far how those  
25 apply in the workshop proceeding and -- or if they

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1 do. I just wanted to raise that again for the  
2 record. And I indicated at the prehearing I'd be  
3 discussing with US West that issue with regard to the  
4 public interest and Track A type issues that I'm  
5 particularly concerned with right now.

6 JUDGE WALLIS: Very well. I believe that  
7 it is US West's responsibility to indicate how its  
8 presentation satisfies the evidentiary requirements.  
9 And the Commission does, I believe, acknowledge the  
10 requirements that are set out and will expect US West  
11 and others to comply with those requirements.

12 MS. SACILOTTO: Can I just briefly respond?  
13 In our testimony preparing for this particular  
14 workshop, we attempted to answer those questions in  
15 the context of our prefiled testimony and work it in.  
16 We didn't -- I don't know that we, you know, put a  
17 red line or a marker around the question, but we  
18 tried to, in formulating the testimony, respond to  
19 the inquiries that relate to these checklist items.

20 And I do -- I believe, if I've read the  
21 schedule correctly, that some of the other issues  
22 that Public Counsel is concerned with will be taken  
23 up in other workshops, and we will try to obviously  
24 comply and incorporate all of their concerns in our  
25 testimony as it arises. So while, for example,

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1 testimony on signaling might not talk about public  
2 interest, it will be addressed as the workshops go  
3 on. We're just trying to do it in a place in which  
4 it naturally flows and fits.

5 JUDGE WALLIS: Very well. Let's take a  
6 five-minute recess at this time.

7 (Recess taken.)

8 JUDGE WALLIS: Let's be back on the record,  
9 please, following a recess during which the parties  
10 consulted amongst themselves. Ms. DeCook.

11 MS. DeCOOK: Thank you, Your Honor. I  
12 think I can sort of lay out the two issues that were  
13 being discussed by the group. One related to the  
14 PIDs and whether they could be introduced into the  
15 record and discussed as part of this workshop and  
16 subsequent workshops. And I believe the consensus  
17 was that, similar to what's been resolved in  
18 Colorado, is that the PIDs could be offered and  
19 discussed. And WorldCom and AT&T and US West have  
20 all been part of the ROC process and have debated  
21 these PIDs, but other CLECs have not been part of  
22 those discussions, and so to the extent that other  
23 CLECs have objections to the PIDs, they should assert  
24 those objections now and get them resolved, to the  
25 extent they can be resolved.

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1           The other issue related to the introduction  
2 of performance data as part of this workshop and  
3 subsequent workshops on non-OSS and OSS issues before  
4 auditing and testing is completed. And my  
5 understanding, from discussions with US West, is the  
6 primary reason they want to produce that information  
7 is to give parties, including the Commission and  
8 Staff, some information about how they are collecting  
9 data, the methodology involved in that process.

10           And to that extent, I think the CLECs --  
11 speak for the CLECs, that we don't have any objection  
12 to them providing information about how US West is  
13 collecting data, their methodology, but we do have  
14 some remaining concerns about putting results into  
15 the record. We don't believe that providing the  
16 results necessarily provides any explanation about  
17 the methodology that's being employed or aids the  
18 Commission in understanding how US West is tracking  
19 data at this point.

20           And our concern principally relates to the  
21 fact that the data that's being provided today is  
22 unaudited, it hasn't gone through the ROC process,  
23 and so we believe that there is a high potential that  
24 this will be a redundant exercise. We'll be putting  
25 in results, rebutting results, going through

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1 discovery on results, and those -- the PID could  
2 change as a result of the ROC process, the  
3 methodology for tracking data could change, and we'll  
4 have to go through that whole exercise all over  
5 again.

6           So as a compromise to what US West wants to  
7 do, we believe that they can achieve what they want  
8 to do by putting in a description of how they're  
9 tracking data, their methodology, but not putting in  
10 any numbers that represent results of that tracking  
11 process.

12           JUDGE WALLIS: I take it that is a proposal  
13 on your part, as opposed to the statement of  
14 agreement?

15           MS. DeCOOK: It's a proposal.

16           JUDGE WALLIS: Ms. Sacilotto.

17           MS. SACILOTTO: I'm going to defer this  
18 issue to Mr. Owens.

19           JUDGE WALLIS: Mr. Owens.

20           MR. OWENS: I think there's quite a bit of  
21 agreement between the parties, particularly with  
22 regard to the treatment of the performance indicator  
23 descriptions. We have been working on those  
24 performance indicator descriptions through the ROC  
25 process, not only with AT&T and MCI, but a number of

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1 other CLECs and Commission Staff members, and we do  
2 think it's appropriate and agreed that we should  
3 introduce the PIDs in the workshop and have  
4 discussion if there's any concerns about those PIDs.

5 With regard to discussing our methodology  
6 for developing results, we think that's important, so  
7 we have agreement there.

8 Where we disagree is the CLECs object to  
9 our placing our results on the record. We would like  
10 to put our results on the record. We think that that  
11 would be helpful to the Commission Staff, who is  
12 receiving copies of those results through the ROC  
13 process, those confidential documents, and we think  
14 it would be helpful for the workshop participants for  
15 the Staff to see our results, because we will be  
16 relying on them in the third party test. We'll be  
17 relying on them in this workshop.

18 We agree that they have not yet been  
19 audited. The audit process began through the ROC on  
20 Monday of this week. The auditor selected by the ROC  
21 is Liberty Consulting, and they literally showed up  
22 on our premise on Monday and are beginning the audit  
23 process as we speak.

24 What we would agree to do is to allow the  
25 results to go on the record, but subject to an

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1 understanding that they have not yet been audited,  
2 and that the parties can challenge those results  
3 after the third party test has been completed and  
4 after the audit is completed. And we would be very  
5 comfortable with the Commission, at the end of this  
6 workshop, if they were to approve a checklist item,  
7 if that order were to state something to the effect  
8 that that approval is conditional upon successful  
9 completion of the audit, upon further introduction of  
10 performance measure data in the future and continued  
11 performance, we would find that acceptable.

12 But we don't think it's appropriate to  
13 prevent and block US West from putting the evidence  
14 it has available with regard to performance results.

15 JUDGE WALLIS: Do others wish to comment?

16 MR. DIXON: Your Honor.

17 JUDGE WALLIS: Mr. Dixon.

18 MR. DIXON: Tom Dixon, for WorldCom. I'm  
19 listening to Mr. Owens' rationale, and he says one of  
20 his reasons is so Staff could see the reports, and  
21 then tells us Staff's already getting the reports and  
22 seeing them. So I think that solved whether or not  
23 they'd become part of the record.

24 The issue in this proceeding is why should  
25 they be a part of the record now. Are they



00157

1 probative. One of the critical paths of the OSS  
2 testing process from the ROC was auditing the  
3 results. So we are, by definition, putting in less  
4 than best evidence at this point. We are not meeting  
5 one of the critical paths that the ROC process  
6 determined was relevant, and that was the auditing of  
7 the measures, the auditing of what was being  
8 measured.

9           So then the question is what are these  
10 going to add to the record. They may be totally  
11 accurate when we're done. When the auditing process  
12 is finished, those numbers may be correct and there's  
13 no problem. On the other hand, they may not be, in  
14 which case they're misleading. They don't, at that  
15 point, represent what, in fact, is going on.

16           Given the fact that they're not audited,  
17 and that is critical to the OSS process, it seems  
18 contrary to what we're doing here to put in something  
19 less than what we've already agreed is required. I  
20 don't think that it's necessary for this record at  
21 this time to contain those numbers.

22           I think Staff's getting to see the reports  
23 now. If they have questions, they certainly can  
24 raise them with US West. They'll do so off the  
25 record, because it's separate from this proceeding.

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1 They'll do it as part of the ROC OSS testing process,  
2 not part of the 271 process in Washington.

3           So I think our compromise addresses the  
4 issues that US West is seeking to do, which is show  
5 the formats, discuss the methodologies. Staff, in  
6 the meantime, is getting the numbers, has the right  
7 to contact US West and discuss what those numbers  
8 show, and we don't put in what may be misleading  
9 evidence into this record at this time.

10           JUDGE WALLIS: Any other comments?

11           MS. SACILOTTO: I would just respond that  
12 to the extent Mr. Dixon is concerned that the  
13 evidence will be misleading, I think Mr. Owens was  
14 rather clear that the audited results will be  
15 presented. And we're not trying to foreclose them.  
16 We're not suggesting that that process is  
17 unnecessary, and we're not even asking that the  
18 Commission accept this data in the context of making  
19 its recommendation. We would just like the  
20 opportunity to present it.

21           MS. DeCOOK: Your Honor.

22           JUDGE WALLIS: What I would like to do is  
23 take a brief recess at this time. Mickey's big and  
24 little hands are both pointing up, and I have a noon  
25 meeting, I know that two of the participants have a

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1 noon conference call, and we are not going to be able  
2 to continue through the noon hour, nor to begin early  
3 as a consequence of those factors.

4           What I'd like to do is take our recess now  
5 and resume at 1:30 and start with ruling on that, but  
6 I'd also like to get a read for exactly what is going  
7 to happen. We'll have Ms. Simpson coming forward  
8 regarding the first agenda item. Who else will we  
9 have addressing that?

10           MS. DeCOOK: Mr. Wilson will be.

11           JUDGE WALLIS: Mr. Wilson.

12           MR. DIXON: And Mr. Priday will briefly  
13 address those items, also.

14           JUDGE WALLIS: And Mr. Priday. When we  
15 come back, let's come back prepared to begin  
16 immediately with those presentations. Okay. So  
17 we'll resume at 1:30.

18           (Lunch recess taken.).

19           JUDGE WALLIS: Let's be back on the record,  
20 please, following our lunch recess. One matter was  
21 left pending at the conclusion of the morning  
22 session. That was as to treatment of experience.  
23 That is, the results of certain behaviors, as opposed  
24 to methodology, and whether that should be included,  
25 allowed in testimony, and what the consequences of

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1 that would be.

2           We have decided that the company, US West,  
3 will be allowed to present that information, but  
4 because it's recognized that that information is not  
5 audited and is not final, there will be no  
6 cross-examination upon it, but all examination will  
7 be deferred until the time final numbers are  
8 available.

9           So we recognize that that is of a tentative  
10 nature and no final decision will be made upon the  
11 results until adequate information and/or the full  
12 opportunity for examination upon the information may  
13 be completed.

14           MS. DeCOOK: One question on that, Your  
15 Honor. Based upon that, is it your view that the  
16 report that would be drafted at this point in time,  
17 at least, on the checklist items where performance  
18 information is submitted would not consider whether  
19 they've satisfied the performance aspects of the  
20 checklist?

21           JUDGE WALLIS: I can't predict that, but I  
22 can state clearly for the record that any finding or  
23 conclusion that's based upon performance data will be  
24 considered tentative until full opportunity for  
25 examination on numbers that people believe to be

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1 final is afforded.

2 MS. SACILOTTO: Your Honor, I have one  
3 question with respect to the performance indicator  
4 definitions with this. When those are defined, can  
5 we at least reach closure on those in the context of  
6 these workshops?

7 JUDGE WALLIS: Would you define what you  
8 mean by performance indicator definitions?

9 MS. SACILOTTO: Well, I'm referring to, in  
10 the smallest part, the PIDs, but, for example, if the  
11 ROC has settled on PIDs and the matter is closed in  
12 the context of the ROC, we would like to present  
13 those here. And to the extent that there are any  
14 CLECs who have not been participating in the ROC  
15 process, but have comments or concerns about those  
16 PIDs, we would prefer to have that issue raised at  
17 the earliest possible moment, rather than waiting  
18 until the end of the process, finding out that  
19 somebody has a problem with one of the PIDs from this  
20 workshop, and having to go back to square one.

21 JUDGE WALLIS: Is there any objection to  
22 that? It appears that there is not.

23 MS. SACILOTTO: Thank you.

24 JUDGE WALLIS: All right. Now, I  
25 understand that we have three witnesses who will be

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1 addressing the first agenda item; is that correct?

2 MS. SACILOTTO: We have -- oh, yes. I'm  
3 sorry, I misunderstood.

4 MS. DeCOOK: I believe that's correct.

5 MS. SACILOTTO: Yes, we have one witness.

6 It will be Ms. Lori Simpson.

7 JUDGE WALLIS: Ms. Simpson. And for AT&T?

8 MS. DeCOOK: Kenneth Wilson.

9 JUDGE WALLIS: Kenneth Wilson.

10 MS. HOPFENBECK: Mr. Priday will be

11 addressing Checklist Number Eight briefly.

12 JUDGE WALLIS: And Mr. Priday. Are all of

13 the witnesses seated at the table?

14 MS. DeCOOK: Yes, Your Honor.

15 JUDGE WALLIS: Would these witnesses please

16 stand and raise your right hand?

17 Whereupon,

18 LORI A. SIMPSON, KENNETH WILSON,

19 and THOMAS T. PRIDAY,

20 having been first duly sworn, were called as

21 witnesses herein and testified as follows:

22 JUDGE WALLIS: I believe that, now the

23 witnesses are sworn, US West wishes to proceed first.

24 MS. SACILOTTO: Your Honor, we have one

25 additional witness that we might as well swear. He's

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1 not necessarily the checklist witness, but Mr. Owens  
2 is key to our SGAT process and may chime in at some  
3 point, so we should probably swear him in, as well.  
4 Sorry.

5 Whereupon,

6

JEFF OWENS,

7 having been first duly sworn, was called as a witness  
8 herein and testified as follows:

9

MS. SIMPSON: Good afternoon. My name is  
10 Lori Simpson, from US West. Let me make sure you can  
11 hear me. I filed direct and rebuttal testimony in  
12 this matter concerning white pages directory  
13 listings, which is Checklist Item Eight, and I'll  
14 summarize that testimony for you now.

15

First I want to begin with the definition  
16 of white pages directory listings. White pages  
17 directory listings are name, address and telephone  
18 number of telephone subscribers published in  
19 alphabetical directories known as white pages.

20

The Telecommunication Act of 1996 requires  
21 US West to provide white pages directory listings for  
22 CLECs' end users, and US West has more than 90  
23 Commission-approved agreements, as well as an SGAT  
24 that legally bind us to provide white pages directory  
25 listings to CLECs.

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1 Under this SGAT and under the terms of our  
2 interconnection contracts, we provide exactly the  
3 same listings options to CLECs' end users as we  
4 provide to US West retail end users. I'd like to  
5 show you an exhibit that demonstrates the types of  
6 listings options that are available to end users, and  
7 this is my Exhibit 116. For those who don't have a  
8 copy, I'll hand out another one now, if I may.

9 Again, we provide the same listing options  
10 for CLEC end users and for US West retail end users,  
11 and those options include primary listings, premium  
12 listings, and privacy listings.

13 Primary listings are provided to CLECs at  
14 no charge, and you can see an example of that on the  
15 first bullet on this exhibit, 116. It's basically  
16 name, address, and telephone number.

17 Premium listings are something in addition  
18 to a primary listing, and you can see an example of  
19 that. Susie's line, for example, under the premium  
20 -- under George Jones' listing, which would be a  
21 primary listing, is an example of a premium listing.  
22 Another example would be Tammy Jones. If there are  
23 two people with different names in a residence and  
24 they both want a listing, one would be a primary  
25 listing and one would be a premium listing.



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1           And lastly, privacy listings are available,  
2 and those include nonpublished and nonlisted  
3 listings. Nonpublished listings are not available in  
4 directory assistance and are also not published in  
5 the white pages. Nonlisted listings are available on  
6 directory assistance, but are not printed in the  
7 white pages. And once again, exactly the same  
8 listings options are available for CLECs' end users  
9 and for US West retail end users.

10           The FCC determined in its BellSouth  
11 Louisiana Two and its Bell Atlantic New York decision  
12 that BOCs meet this checklist item if they provide  
13 CLECs' listings that are nondiscriminatory in  
14 appearance and integration. And US West indeed  
15 provides listings for CLECs that are  
16 nondiscriminatory in appearance and integration.

17           What this means, according to the FCC, is  
18 that listings must be in the same font and size for  
19 CLECs as for US West in the white pages directory,  
20 and they must not be separately classified in the  
21 white pages directory.

22           And I have an exhibit, it is 117, that  
23 demonstrates that point. And for those of you who  
24 don't have that with you, I'll hand you another copy  
25 here.

00166

1 JUDGE WALLIS: Let's be off the record for  
2 just a moment.

3 (Discussion off the record.)

4 JUDGE WALLIS: Let's be back on the record,  
5 please.

6 MS. SIMPSON: Thank you, Your Honor.

7 JUDGE WALLIS: Ms. Simpson.

8 MS. SIMPSON: Thank you. In the Exhibit  
9 117 that you have in front of you, this is a page  
10 from the Seattle Metropolitan White Pages Directory,  
11 and I want to use it to demonstrate the point that  
12 you can't distinguish CLECs' listings from US West  
13 retail end user listings.

14 There is one listing on this page, it's in  
15 the middle column, in the bottom couple of inches,  
16 that belongs to a CLEC. Again, it's in the same font  
17 and size as are all CLEC listings in our white pages,  
18 and it's not separately classified. It's not set  
19 apart from US West's listings.

20 The FCC also determined in its BellSouth  
21 Louisiana Two order and its Bell Atlantic New York  
22 order that BOCs meet Checklist Item Eight if they  
23 provide listings for CLECs that are as accurate and  
24 reliable as listings they provide for their own end  
25 users. And US West has processes and procedures that

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1 ensure that CLECs' listings are as accurate and  
2 reliable as US West listings. Our procedures  
3 minimize the potential for errors in CLECs' listings.  
4 We use the same systems for all listings, we use the  
5 same manual and mechanical edits for all listings, we  
6 commingle CLEC and US West retail listings in our  
7 listings database, and we provide commingled listings  
8 to our directory publisher, Dex, and finally, we  
9 enforce the terms and conditions of our contract with  
10 Dex equally for all listings that we supply to Dex.

11 CLECs can verify the accuracy of their end  
12 users' listings. We provide to them verification  
13 proof reports on a monthly basis. Verification  
14 proofs are reports that show a CLEC all of its  
15 listings activity since the prior month's report, and  
16 there is no comparable process to that in our retail  
17 side of the business.

18 We also provide CLECs on-demand listings  
19 reports. This is where a CLEC could call US West and  
20 ask for a printout or an electronic file of all of  
21 its listings that are contained in our listings  
22 database at any time. Again, this is provided for  
23 purposes of a CLEC verifying the accuracy and the  
24 existence and the completeness of their listings.  
25 And a CLEC can check on any individual listing at any

00168

1 point in time with US West.

2 We also provide training for CLECs on  
3 listings. We have extensive, detailed, in-person  
4 training for CLECs at no charge. We've held many  
5 sessions in numerous cities. We've had CLEC  
6 representatives -- we've had representatives from  
7 more than 17 CLECs attend this training. It's  
8 received very good feedback. At this training, we  
9 provide extensive detailed listings materials, again,  
10 at no charge to CLECs, and that's what these three  
11 volumes are in front of me.

12 Exhibit 118 documents these three volumes  
13 and provides the Web site where these three volumes  
14 can be accessed by CLECs. If they don't want to  
15 attend our listings training, but simply want these  
16 materials, they can go to the Web site and print  
17 these materials and use them.

18 We provide directory close dates to CLECs.  
19 Directory close dates are the date by which all  
20 listings must be into our directory publisher for  
21 purposes of being included in an upcoming directory.  
22 The same directory close dates apply to US West  
23 retail as apply to CLECs.

24 We provide for delivery of directory to  
25 CLECs' end users. We have the directories delivered

00169

1 to CLECs' end users on exactly the same terms and  
2 conditions under which those directories are  
3 delivered to our own retail end users, and the  
4 process is nondiscriminatory.

5 We provide directory listings to CLECs for  
6 purposes of publishing their own directories and we  
7 have measurements for directory listings. We are  
8 implementing two new measurements for directory  
9 listings, and this is reflected in Exhibit 120. The  
10 performance indicator definitions for these two  
11 measurements are in Exhibit 120, that was handed out  
12 earlier this morning, and they are DB-1, which  
13 measures the timeliness of updates to the listings  
14 database, and DB-2, which measures the accuracy of  
15 updates to the listings database.

16 We will be providing performance results  
17 under these two measurements within the next seven to  
18 ten days through the ROC process, so the Staff would  
19 receive these first performance results, and they'll  
20 be for April 2000, within the next seven to ten days.  
21 And the measurements and the results under these  
22 measurements will, of course, be audited by the ROC  
23 during the third party OSS test.

24 Currently, in Washington, we provide more  
25 than 31,000 listings for CLECs.

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1           Next I'm going to summarize my rebuttal  
2 testimony. As you know, US West has participated in  
3 workshops like this one in Arizona and Colorado, and  
4 as a result, we've had an opportunity to address  
5 issues that have been raised by the CLECs with some  
6 success. We reached resolution on all of those  
7 issues under this checklist item.

8           AT&T did file comments, testimony in  
9 Washington, where it noted the issues that it had  
10 raised in Arizona that were satisfactorily addressed,  
11 both in Arizona and in Colorado, and I'll summarize  
12 those briefly for you now, as well as the resolution.

13           First, AT&T requested in Arizona that US  
14 West include language in their SGAT wherein US West  
15 would warrant that we intend to hold Dex responsible  
16 for the nondiscriminatory publishing of CLECs'  
17 listings. And US West did, in fact, include that  
18 language in our Arizona SGAT. We also included it in  
19 our Colorado SGAT, and it's included in our  
20 Washington SGAT, and will be in all subsequent -- it  
21 is in all subsequent SGATs.

22           And with that language, we believe that  
23 that particular item has been satisfied to AT&T's  
24 satisfaction.

25           The second issue that AT&T raised in

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1 Arizona and that also they noted in their Washington  
2 testimony concerns the nondiscriminatory treatment of  
3 CLECs' listings.

4           As we have noted in Arizona and in Colorado  
5 and again here in Washington, the SGAT fully provides  
6 for nondiscriminatory treatment of CLECs' listings.  
7 Specifically in Section 10.4.2.11, we have language  
8 that covers nondiscriminatory treatment of CLECs'  
9 listings, and I believe that we have reassured AT&T  
10 in prior workshops and do so in this one that the  
11 process for their listings is the same in Washington  
12 as it is in other US West states.

13           The final issue that AT&T raised in its  
14 Washington testimony concerns the process for  
15 correcting errors in CLEC listings and whether that  
16 process is identical to the process used in US West's  
17 retail operation. And in answer, we would point  
18 again to the verification proof reports that we  
19 provide to CLECs so that they may verify and correct  
20 any errors in their listings.

21           And I would also assure AT&T again that the  
22 process for correcting errors is the same on our  
23 retail side of the business as it is for CLECs'  
24 listings.

25           And that concludes the summary of my

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1 testimony. Thank you.

2 MS. DeCOOK: Mr. Wilson will be presenting  
3 any comments he has on behalf of AT&T.

4 JUDGE WALLIS: Mr. Wilson.

5 MR. WILSON: Thank you, Your Honor. As Ms.  
6 Simpson said, AT&T had three issues that we raised in  
7 our testimony here in Washington. The first was the  
8 inclusion of some assurance that Dex would be bound  
9 to provide nondiscriminatory treatment of CLEC  
10 listings. We are satisfied that the addition that US  
11 West made to the SGAT satisfies that concern.

12 The second issue that we raised was for the  
13 nondiscriminatory processing of CLEC listings. We've  
14 been assured by US West that the processes are  
15 identical. We went into the processes in some length  
16 in Arizona, and have been assured by US West that the  
17 processes are the same in all states, all their 14  
18 states. So we believe that they have, at least on  
19 the record, assured us that those are the same.

20 And then the third issue, which kind of  
21 links to that, is the accuracy of the listings. And  
22 I think that, with the assurance of the process, the  
23 only remaining issue is to wait for the performance  
24 results to see if indeed the process is delivering  
25 the same nondiscriminatory treatment.



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1                   So I believe that as far as the issues we  
2 have raised in testimony, we are satisfied that those  
3 issues are covered, reserving judgment on the  
4 accuracy issue until the performance audit and the  
5 results are looked at at a later time. That  
6 concludes my comments.

7                   MS. HOPFENBECK: Mr. Priday will be  
8 providing brief comments on behalf of WorldCom.

9                   JUDGE WALLIS: For WorldCom, Mr. Priday.

10                  MS. HOPFENBECK: Actually, I haven't  
11 noticed -- how are you handling, Your Honor, the  
12 offering of the specific exhibits? Do you want to do  
13 that at the conclusion of the witness' testimony? I  
14 mean, we had referenced earlier that you wanted us to  
15 actually qualify the witnesses and introduce the  
16 exhibits.

17                  JUDGE WALLIS: I think we superseded that  
18 observation by saying that we would accept them by  
19 stipulation, and they were received.

20                  MS. HOPFENBECK: Thanks.

21                  MR. PRIDAY: In Colorado, we discussed some  
22 of the wording from the SGAT, and I would like to  
23 reference 10.4.2.13. And we do appreciate the fact  
24 that US West has removed the warranty information.  
25 With the new wording, as passed out this morning, in

00174

1 the Washington SGAT states the following: The CLECs  
2 shall use commercial reasonable efforts to ensure  
3 that listings provided to US West are accurate and  
4 complete.

5 And we have shared with US West again today  
6 our request as stated in my testimony, that we would  
7 like reciprocal arrangements or confirmation from US  
8 West that they would have similar and equal wording  
9 in terms of the accuracy of the directory listings  
10 that they provide to the CLECs. So that is the key  
11 issue that we show as still outstanding that needs to  
12 be resolved between the two parties.

13 MS. SIMPSON: This is Lori Simpson, from US  
14 West. Under Section 10.4 of the SGAT, which covers  
15 white pages directory listings, US West doesn't, in  
16 that particular section -- well, let me state this  
17 another way. The language that you're looking for  
18 wherein we provide language covering the standard  
19 under which we will provide you listings is included  
20 in 10.6.2.1.1.

21 And in Section 10.4 of the SGAT, we're  
22 talking about white pages directory listings and you  
23 supplying your listings to us and the standard that  
24 will apply when you supply your listings to us,  
25 whereas in Section 10.6, we're talking about

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1 directory assistance lists where we provide you  
2 listings for purposes of providing directory  
3 assistance.

4           And as you can see, we have included  
5 exactly the same language and the same standard as to  
6 the quality of those listings, both for the ones you  
7 provide us in 10.4 and the ones we provide to you in  
8 10.6.

9           MR. PRIDAY: Tom Priday, with WorldCom. We  
10 would like the chance to go back and review that  
11 tonight, to make sure that we feel that that covers  
12 it. We just want to make sure that the directory  
13 listings portion that is covered under 10.4 has the  
14 same reciprocal arrangement in terms of accuracy.  
15 And it was our understanding that 10.6 only addressed  
16 directory assistance, not directory listings.

17           MS. SIMPSON: And you are actually correct.  
18 So let me see if I understand what you're saying. In  
19 10.4, you're looking for reciprocity as to listings  
20 that US West supplies to you?

21           MR. PRIDAY: In terms of the accuracy that  
22 -- the directory listings that are provided to all of  
23 us; correct.

24           MS. SIMPSON: Would it work in that case  
25 for US West to make 10.4.2.13 and 14 reciprocal? To

00176

1 change that language so that it's reciprocal?

2 MR. PRIDAY: This is Tom Priday, of  
3 WorldCom. That is exactly what we'd be looking for.

4 MS. SIMPSON: We'd be willing to do that.  
5 And I think if you look at the directory assistance  
6 list language, it actually matches this, so that  
7 should cover the bases, I think. We'll draft some  
8 different language, then, and provide it to you, that  
9 makes these two sections reciprocal.

10 MR. PRIDAY: Very good. Thank you very  
11 much.

12 MR. BECK: This is Steve Beck. If I could  
13 interject real quickly. Lori, would it be also  
14 proper for us to change the word DA in 10.4.2.13 in  
15 the last sentence to listings?

16 MS. SIMPSON: Yes, Steve Beck is referring  
17 to the last sentence in 10.4.2.14, where we say all  
18 third party DA information is provided, as is with  
19 all faults. And actually, what that should more  
20 properly say, because this is covering the listings  
21 you supply to us, not DA information, we'll strike DA  
22 and we'll probably move that, too, to the end of  
23 10.4.2.13 as being more properly placed, but we'll  
24 see that change when we make it, and we'll strike the  
25 term DA.

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1 JUDGE WALLIS: Does WorldCom have anything  
2 further?

3 MR. PRIDAY: We have nothing further.  
4 Thank you.

5 JUDGE WALLIS: Do any other participants  
6 have any questions or comments? Mr. Kopta.

7 MR. KOPTA: Thank you, Your Honor. I just  
8 have a clarification, I think. Ms. Simpson, on  
9 exhibit -- I think it's 117, the directory listing  
10 page that you circulated. In the center column,  
11 about three-quarters of the way down, I noticed that  
12 there is a Web site address. Is that another example  
13 of a premium listing or is that a different category?

14 MS. SIMPSON: No, that would be a premium  
15 listing, and it is available to CLECs, as well as US  
16 West retail end users.

17 MR. KOPTA: And so that's when -- the term  
18 premium listing, as it's described in the SGAT,  
19 referring to the US West general exchange tariffs,  
20 that's included in that and it's meant to be  
21 cross-referenced with the language in the SGAT?

22 MS. SIMPSON: I'm not sure the general  
23 exchange tariff literally lists Web site addresses,  
24 if that's what you're asking me.

25 MR. KOPTA: Oh, no. It's just --

00178

1 MS. SIMPSON: Sorry.

2 MR. KOPTA: Since we're talking about this  
3 specific section, that's Section 10.4.2.1, the last  
4 sentence says, Primary listings are defined in US  
5 West general exchange tariffs. So my question is,  
6 sorry for being unclear, is among those definitions,  
7 this is something that's included in the general  
8 exchange tariff, this being a Web site address or  
9 anything else that is provided?

10 MS. SIMPSON: Well, the sentence that  
11 you're referring to says primary listing, and this  
12 would be a premium listing. But you're correct that  
13 the definitions of listings is in the general  
14 exchange tariff, but I don't think it refers  
15 specifically to, for example, listing Web sites. But  
16 the general definitions of what constitutes a primary  
17 listing and I believe what constitutes a premium or  
18 additional listing or a private listing are in the  
19 general exchange tariff. Does that answer your  
20 question?

21 MR. KOPTA: I think so. My only  
22 clarification was just where in the SGAT there was  
23 some reference that we could go back to and make sure  
24 that if one of the CLECs' customers wants a web  
25 address or maybe even an e-mail address, I'm not sure

00179

1 whether you do that, as well, but whether that's  
2 something that would be included in terms of what US  
3 West provides or allows CLECs to have listed in the  
4 white pages?

5 MS. SIMPSON: The language in the SGAT that  
6 we need to cite to is the language that says the same  
7 listings options are available for CLECs as are  
8 available for US West retail end users. And I don't  
9 have that on the tip of my tongue, but we certainly  
10 will point it out here in a moment for you.

11 So I think that's the point, is that the  
12 same listings options are available, whether it's an  
13 e-mail address, if those are available for US West  
14 retail end users, or a Web site address. They would  
15 also be available for CLEC end users. There is no  
16 difference in the listings options that are available  
17 as between CLECs and US West retail.

18 MR. KOPTA: And I understand that general  
19 statement. It's just that I didn't see any reference  
20 here, and you're correct that under 10.4.2.1, it  
21 says, Primary listings are defined. I didn't see any  
22 corresponding sentence that says, Premium listings  
23 are defined in US West general exchange tariffs, or  
24 any real reference to premium listings, and so I just  
25 wanted to make sure that it was clear that premium

00180

1 listings, as well as primary listings, are included  
2 in the obligation that are in the SGAT.

3 MS. SIMPSON: I understand what you're  
4 asking. Why don't we see if there's any  
5 clarification in the SGAT language that's needed to  
6 address the point that you're making.

7 MR. KOPTA: Sure, and again, it's just a  
8 clarifying point, because I'm not disputing what  
9 you're --

10 MS. SIMPSON: Sure, okay.

11 JUDGE WALLIS: Is there anything further on  
12 Checklist Item Eight?

13 MR. PRIDAY: Worldcom has one additional  
14 comment. Based upon the proposed wording that we  
15 will review with US West on the accuracy and quality  
16 of the directory listings, we feel like we can  
17 conditionally accept US West's position on directory  
18 listings pending the outcome of the performance  
19 measurements under DB-1 and DB-2.

20 JUDGE WALLIS: Does that conclude Checklist  
21 Item Eight?

22 MS. SIMPSON: That concludes US West's  
23 comments.

24 JUDGE WALLIS: Very well. Ms. Simpson,  
25 could you summarize what US West is going to do to



00181

1 follow up on this item?

2 MS. SIMPSON: Yes, we are going to revise  
3 language in Section 10.4.2.13 and 10.4.2.14, pursuant  
4 to Mr. Priday's suggestion that we make that -- or my  
5 suggestion, perhaps, that we make those two sections  
6 reciprocal as between US West and CLECs, and we're  
7 going to strike the word -- or the term from  
8 10.4.2.14, we're going to strike the term DA, and  
9 we're going to move that sentence, in fact, to the  
10 end of 10.4.2.13.

11 As our discussion with Mr. Kopta suggested,  
12 I'm going to look at the SGAT language that defines  
13 premium listings and see whether it is adequate and  
14 makes the proper obligation on US West's part to  
15 provide all premium listings opportunities to CLECs  
16 that are available to US West retail end users. And  
17 I believe that's all.

18 JUDGE WALLIS: Is there anything else? All  
19 right. Are we prepared to move on to Checklist Item  
20 Nine?

21 MS. SACILOTTO: Can we go off the record a  
22 minute just to --

23 JUDGE WALLIS: Yes.  
24 (Discussion off the record.)

25 JUDGE WALLIS: Let's be back on the record,

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1 please. Ms. Bumgarner, would you please stand and  
2 raise your right hand?  
3 Whereupon,

4 MARGARET BUMGARNER,  
5 having been first duly sworn, was called as a witness  
6 herein and testified as follows:

7 JUDGE WALLIS: Ms. Sacilotto.

8 MS. SACILOTTO: Your Honor, US West would  
9 like to present Margaret Bumgarner on Checklist Item  
10 Nine.

11 MS. BUMGARNER: Thank you. Good afternoon.  
12 Margaret Bumgarner, US West, here to talk about  
13 Checklist Item Nine, which is number administration.  
14 I filed direct testimony for this checklist item,  
15 that's Exhibit 131-T, and rebuttal testimony, which  
16 is Exhibit 141-T. You've also received a handout  
17 that was marked as Exhibit 148.

18 First I'd like to explain which numbers US  
19 West was responsible for assigning to itself and to  
20 other carriers. If you look at the handout, and  
21 you're all familiar with a 10-digit telephone number,  
22 at the time that the act was signed, the number plan  
23 area codes, or just plain area codes, were assigned  
24 by Bellcore. The central office codes, or they're  
25 also called prefixes or NXX codes, were assigned by

00183

1 the RBOCs. And GTE also assigned them in four of the  
2 NPA areas.

3         The last four digits of the telephone  
4 number are the line numbers, and those are assigned  
5 by the individual carriers that are assigned the NXX  
6 code.

7         This checklist item is about the  
8 administration of central office codes. The act  
9 required that until the FCC established its plan or  
10 rules, US West was to provide nondiscriminatory  
11 access to numbers for assignment by CLECs to their  
12 customers. The FCC's plan to transfer the numbering  
13 administration functions to a neutral third party for  
14 both NPAs and the central office codes has been  
15 implemented.

16         The numbering administration functions in  
17 our region transferred to NeuStar, formerly Lockheed  
18 Martin, on September 1, 1998. So US West is no  
19 longer the central office code administrator in our  
20 region.

21         In summary, US West no longer assigns  
22 central office codes to itself or to CLECs. US West  
23 has legally binding commitments in the SGAT and  
24 interconnection agreements for numbering  
25 administration and continued compliance with the

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1 central office code assignment guidelines and the  
2 FCC's numbering rules, including the provision of  
3 data to the NANPA when requested.

4 The regional oversight committee has  
5 developed a new performance measure, NP-1, to measure  
6 the timely activation of NXX codes. In addition,  
7 both Nebraska and Arizona have found that US West  
8 satisfies the requirements of this checklist item.

9 Regarding the comments that were filed in  
10 testimony in Washington, there were two parties who  
11 filed comments on this checklist item, AT&T and  
12 WorldCom. There were three issues commented on by  
13 AT&T. All three issues were raised in Arizona and  
14 Colorado. There were no new issues raised in  
15 comments in Washington.

16 The first two issues involve the assignment  
17 of NXX codes for the location routing number for  
18 number portability and the reassignment or duplicate  
19 assignment of ported numbers.

20 WorldCom and AT&T note in their Washington  
21 comments that the issues raised in the Arizona  
22 workshop regarding the location routing number, or  
23 LRN, and the reassignment of ported numbers were  
24 deferred to future workshops. The parties agreed  
25 that these issues were resolved in terms of numbering

00185

1 administration. This was also agreed to in the  
2 Colorado workshop two weeks ago.

3 The LRN issue was deferred to Checklist  
4 Item Number One workshop for interconnection, and the  
5 reassignment of ported numbers was deferred to  
6 Checklist Item Number 11, the workshop for number  
7 portability. US West agrees that if there are any  
8 remaining concerns about these two issues, they're  
9 more appropriately addressed in those workshops.

10 The third issue raised by AT&T expressed  
11 concerns that US West is not activating CLEC NXX  
12 codes on time in all of US West switches. It goes on  
13 to state that the new ROC performance measure will  
14 determine if US West is activating NXX codes in a  
15 timely manner. This is a performance issue.

16 The new ROC performance measure, NP-1,  
17 which I provided a copy of, it's Exhibit 147,  
18 measures the activation of NXX codes prior to the  
19 effective date. NP-1 has been implemented and the  
20 reports are being produced monthly on code  
21 activations, beginning with the March 2000 data.

22 US West has implemented process changes to  
23 provision all NXX codes prior to the effective date,  
24 and additional monitoring has been put in place to  
25 track the completion of individual switch

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1 translations that activate NXX codes to ensure that  
2 US West is activating codes in a timely manner.

3           As I stated, all three of these issues were  
4 addressed in the Arizona and Colorado workshop. Two  
5 of the issues were deferred to other workshops, with  
6 the agreement of the parties. The third issue  
7 involves performance, and the ROC performance  
8 measure, NP-1, has been implemented and will  
9 determine whether US West is timely activating  
10 central office codes.

11           In addition, in Colorado, the Commission  
12 Staff recommended that the SGAT section for access to  
13 telephone numbers be revised to reflect the new FCC  
14 order in CC Docket 99-200, the numbering resource  
15 optimization order for thousands block number  
16 pooling. That order is not in effect yet, but US  
17 West has proposed new language in the SGAT Section  
18 13. That concludes my opening statement.

19           JUDGE WALLIS: For AT&T.

20           MS. DeCOOK: Thank you, Your Honor. Ken  
21 Wilson will present our comments.

22           JUDGE WALLIS: Mr. Wilson.

23           MR. WILSON: Thank you, Your Honor. AT&T  
24 has had continuing problems with US West's policy on  
25 local routing number, also known as LRN. The

00187

1 companies are working this issue between them, and  
2 there was an agreement to defer the discussion of  
3 this issue to the interconnection checklist item,  
4 which will be handled in Washington at a later date.  
5 So we are deferring that discussion from the numbers  
6 administration checklist item to the interconnection  
7 checklist item.

8           The second issue was the reassignment of  
9 numbers. The issue here is that there were some  
10 problems that when a CLEC telephone number was ported  
11 from US West to the CLEC, that there were times when  
12 US West was reassigning that number to a new US West  
13 customer.

14           After discussions on this issue in Arizona,  
15 it was agreed that this issue was better dealt with  
16 in Checklist Item 11, which is number portability,  
17 and so that has been the agreement in other states  
18 and we would recommend that in Washington, as well.

19           And then the third issue, as Ms. Bumgarner  
20 noted, was the loading of CLEC NXX prefixes into US  
21 West's switches. This has been a problem that has  
22 occurred when -- in some cases, when a CLEC has the  
23 need for new NXX prefixes that we had noted problems  
24 in some US West switches where that number was not  
25 activated promptly, so that CLEC customers could not

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1 receive calls from US West customers on particular  
2 switches.

3         This issue is addressed by the NP-1 metric,  
4 as Ms. Bumgarner stated. One comment here. This is  
5 a particular kind of a problem which only shows up  
6 sporadically. CLECs are not generally opening NXX  
7 codes every month, so this is one -- probably one of  
8 the issues where you need to look at a number of  
9 months. And given that performance will be looked at  
10 after verification, et cetera, by the ROC process,  
11 perhaps by the time that is finished, we will have a  
12 number of months to see if any problems show up.

13         I guess what I'm saying here is you might  
14 expect to see peaks in this kind of problem in some  
15 months, and other months, no activity or very little  
16 activity. Especially problems like this turn up in a  
17 state where there's a need to open up a new NPA, so  
18 that all of the CLECs are required to open up new NXX  
19 codes when a new NPA is opened up.

20         So that issue, we would suggest, should be  
21 deferred until the discussion on performance metrics  
22 to see if indeed problems that we've seen in the past  
23 have been fixed. So that would conclude my comments.

24         I would just like to reiterate that there  
25 were issues on number administration, as we saw them,



00189

1 but those were more properly moved to other checklist  
2 items.

3 JUDGE WALLIS: Thank you. For WorldCom.

4 MR. PRIDAY: Tom Priday, with WorldCom.

5 WorldCom concurs with US West and AT&T that the  
6 issues surrounding LRN, or local routing number, and  
7 number reassignment should be deferred to Checklist  
8 Items One and 11, as was agreed by the parties in  
9 Arizona and in Colorado. That concludes our  
10 testimony.

11 JUDGE WALLIS: Any other comments?

12 Response?

13 MS. BUMGARNER: No response.

14 MS. SACILOTTO: I think we're done, Your  
15 Honor.

16 MR. DIXON: Basic cha-ching. We're moving  
17 now.

18 MS. SACILOTTO: If Your Honor or the Staff  
19 has no questions, can we go off the record again just  
20 to -- I don't even know if it's -- oh, you're next,  
21 aren't you? We don't need to go off.

22 JUDGE WALLIS: Just for clarification, are  
23 the parties all saying that you're okay with this  
24 checklist item, subject to review of performance  
25 measures?

00190

1 MS. DeCOOK: Yes, Your Honor.

2 MS. SACILOTTO: Your Honor, as a point of  
3 clarification, when we close a discussion on one of  
4 these items, can we -- if none of the other CLECs who  
5 aren't appearing in the ROC process don't raise  
6 something, can we have that be an assent that the  
7 PIDs that have been assigned to those checklist items  
8 are acceptable?

9 JUDGE WALLIS: What are your feelings on  
10 that?

11 MR. KOPTA: From our perspective, we don't  
12 have any issues with those, and so don't have a  
13 problem with it.

14 MR. BUTLER: Same from ours.

15 JUDGE WALLIS: The answer appears to be  
16 yes.

17 MS. SACILOTTO: Thank you.

18 MS. DeCOOK: Your Honor, just one point of  
19 clarification. Obviously, if the PIDs are changed in  
20 the ROC process, then they would need to be changed  
21 here, even though you may have gotten an approval.

22 MS. SACILOTTO: I concur with your point.  
23 I mean, as we stand right now, there is nobody who's  
24 going to object to the PIDs.

25 JUDGE WALLIS: All right. Let's move to

00191

1 checklist -- Mr. Griffith.

2 MR. GRIFFITH: This is Dave Griffith, from  
3 Commission Staff. I just have a question as to  
4 whether we have a copy of NP-1 to put in the record,  
5 if that will be part of the ROC?

6 MS. BUMGARNER: It was attached to my  
7 rebuttal testimony.

8 MS. SACILOTTO: It's Exhibit 147, attached  
9 to Margaret Bumgarner's rebuttal testimony.

10 MR. GRIFFITH: Okay, thank you.

11 JUDGE WALLIS: Okay. Now, are we ready to  
12 move on to Checklist Item 12?

13 MS. SACILOTTO: Yes, Your Honor, and Ms.  
14 Bumgarner will be handling that checklist item, as  
15 well.

16 JUDGE WALLIS: Are there any other new  
17 participants who parties expect to be commenting?  
18 Okay. Please proceed.

19 MS. BUMGARNER: Margaret Bumgarner, US  
20 West. This is Checklist Item Number 12, local  
21 dialing parity. I filed direct testimony for this  
22 checklist item, Exhibit 131-T, and rebuttal  
23 testimony, Exhibit 141-T.

24 US West complies with the act and the FCC  
25 rules for providing dialing parity, that customers be

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1 able to dial the same number of digits to make any  
2 given telephone call without regard to the identity  
3 of the customers or the called party's local service  
4 provider.

5 US West does not impose any requirement or  
6 technical constraint that requires CLEC customers to  
7 dial any access codes or greater number of digits  
8 than US West customers to complete the same type of  
9 call. US West has legally binding commitments to  
10 make dialing parity available in its various  
11 interconnection agreements and SGAT.

12 Both Nebraska and Arizona have found that  
13 US West satisfies the requirements of this checklist  
14 item. In Washington, there were no comments filed  
15 disputing US West's compliance with this checklist  
16 item. That concludes my opening statement.

17 JUDGE WALLIS: Statements from others?  
18 Nothing from WorldCom, from AT&T? Nothing?

19 MS. DeCOOK: No, Your Honor.

20 JUDGE WALLIS: Any comments or questions?  
21 Commission Staff. Sets a very good precedent.

22 MS. SACILOTTO: It might have taken 20  
23 seconds longer here than in Colorado.

24 MS. BUMGARNER: I added a sentence.

25 MR. DIXON: That takes care of Workshop

00193

1 One.

2 JUDGE WALLIS: All right. Checklist Item

3 Seven.

4 MS. SACILOTTO: Your Honor, this one will  
5 be handled by both Ms. Bumgarner, for US West, and  
6 Ms. Simpson. Ms. Bumgarner will go first with  
7 respect to 911/E911, and then Ms. Simpson will cover  
8 directory assistance and operator services.

9 JUDGE WALLIS: Do we want to take these  
10 together or item-by-item?

11 MS. DeCOOK: Item-by-item, I think, would  
12 work the best.

13 MR. PRIDAY: That's fine for WorldCom.

14 JUDGE WALLIS: Very well.

15 MS. SACILOTTO: Ms. Bumgarner will now  
16 address access to 911 and E911.

17 JUDGE WALLIS: Ms. Bumgarner.

18 MS. BUMGARNER: Thank you. Margaret  
19 Bumgarner, US West. Checklist Item Number Seven, 911  
20 and E911 services, I filed direct testimony for this  
21 checklist item, Exhibit 131-T, and rebuttal  
22 testimony, Exhibit 141-T.

23 US West complies with the act and the FCC  
24 rules for providing CLECs nondiscriminatory access to  
25 emergency services. The FCC requires a BOC to

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1 provide competitors access to 911 and E911 services  
2 in the same manner as the BOC obtains such access.

3 Also, a handout that you were given, and  
4 that was marked as Exhibit 133. It was an exhibit  
5 that was attached to my direct testimony -- or, yeah,  
6 my direct testimony as MSB-2.

7 Regarding trunking, if you want to follow  
8 the diagram regarding trunking, CLECs using a US West  
9 switch, whether as a reseller or as an unbundled  
10 network element, use the exact same trunks as US West  
11 customers to access 911 services.

12 For a CLEC using its own switch, it must  
13 establish 911 trunks from its end office switch  
14 either directly to the public safety answering point,  
15 the PSAP, in the case of basic 911, or to the  
16 selective router for enhanced, or E911 service. And  
17 in Washington, there's only one county left to  
18 convert to enhanced 911, and that's Walla Walla  
19 County, and they're currently scheduled to convert in  
20 September of this year.

21 The selective router acts as a tandem  
22 switch in the enhanced 911 network to connect calls  
23 on an incoming E911 trunk to the appropriate PSAP.  
24 The CLEC can either self-provision the E911 facility  
25 or the CLEC can obtain the facility from US West.

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1 The CLEC's 911 calls use the exact same trunks as US  
2 West customers' calls from the selective router to  
3 the PSAPs.

4 US West also provides protection for all  
5 911 trunk circuits in our central offices by  
6 attaching tags or protective covers on the  
7 cross-connects, and no 911 trunk can be deactivated  
8 by a US West employee until the US West 911 Care  
9 Center in Minneapolis verifies that it's a valid  
10 deactivation service order request. These are the  
11 same procedures that US West has used for itself and  
12 independent LECs for many years.

13 E911 database or the Automatic Location  
14 Identification/Data Management System is also known  
15 as the ALI database. The E911 database provides  
16 emergency answering point, the PSAP, with the name  
17 and street address of the caller. It contains the  
18 name, street address, the ANI, the automatic number  
19 identification, and local service provider for each  
20 customer in the geographic area.

21 Where US West provides E911 services, the  
22 ALI database is administered and managed by an  
23 independent third party, SCC. For resellers, US West  
24 provides updates to the enhanced 911 database on  
25 behalf of the CLEC using the exact same procedures US

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1 West uses to update its own end user records. A  
2 batch upload is made every evening with all of the  
3 completed service orders for that day. The US West  
4 records and the reseller CLEC records are sent  
5 together, commingled, and in the same batch on the  
6 data link to SCC.

7 Facilities-based CLECs, whether through UNE  
8 switching or those that use their own switch, provide  
9 their own E911 database updates directly to SCC.

10 In summary, US West provides CLECs with  
11 nondiscriminatory access to 911, E911 services, and  
12 CLECs are able to provide their customers the same  
13 access to 911 services as US West provides to its  
14 customers. US West has legally binding commitments  
15 in its SGAT and approved interconnection agreements  
16 to make access to 911 services available to CLECs.

17 US West contracts with SCC as its database  
18 administrator. It requires SCC to provide E911  
19 database management services to all CLECs and  
20 independent companies in a manner that's at parity  
21 with those provided to US West.

22 The regional oversight committee has  
23 developed 15 performance indicators for the 911  
24 services, and I attached those performance indicator  
25 descriptions to my testimony. They're marked as



00197

1 Exhibits 143, 144, and 145.

2 US West has implemented these performance  
3 measures and has begun reporting monthly performance  
4 data. In Nebraska, the Commission has approved this  
5 checklist item, and in Arizona, there's only one open  
6 issue pending. And I'll discuss that in a minute.

7 Reviewing the comments in Washington, there  
8 were two parties who commented on this checklist  
9 item, AT&T and WorldCom. There were three issues  
10 raised in comments. The first issue, both AT&T and  
11 WorldCom commented that there's one open issue  
12 remaining from the Arizona workshop on access to 911  
13 services. That issue involves the documentation US  
14 West provides to CLECs and US West's internal  
15 operations for provisioning of direct connections to  
16 US West's network without the use of an intermediate  
17 distribution frame.

18 AT&T, WorldCom, and US West have been  
19 meeting to discuss the documentation, and US West has  
20 been revising that documentation to address their  
21 concerns.

22 In recent discussions with AT&T, we reached  
23 an agreement in concept, and US West revised the  
24 documentation to reflect that agreement. The revised  
25 documentation was provided to the parties and to

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1 Arizona and the Colorado Commission Staffs, and a  
2 copy has been provided in this workshop as Exhibit  
3 149-C. US West expects that this issue will be  
4 resolved shortly.

5         The second issue, AT&T claims that US West  
6 provides greater protection to its own 911 circuits  
7 than for CLEC circuits, and this is not the case. US  
8 West provides the same protection to all 911  
9 circuits, CLECs', other incumbent LECs', and US West  
10 circuits. US West's practice for protecting 911  
11 circuits by placing tags on the circuits or  
12 protective covers on the connections has been in  
13 effect for many years. It is a requirement in the  
14 Washington Administrative Code, WAC 480-120-530 for  
15 emergency services, and I also provided a copy of our  
16 regional practice as Exhibit MSB-10 to my rebuttal  
17 testimony, which is Exhibit 142-C.

18         This is also included in our documentation  
19 that's provided to CLECs, the Interconnect and Resell  
20 Resource Guide, the IRRG. Moreover, we have a legal  
21 obligation to treat CLEC circuits the same as US West  
22 circuits in the SGAT for 911 service, and that's  
23 Section 10.3.7.4, and 10.3.7.5.

24         The third issue that was raised, WorldCom  
25 suggested language be incorporated into the SGAT,

00199

1 Section 10.3.7 for 911 requirements. It was not  
2 clear in WorldCom's testimony exactly what language  
3 they wanted to be added. However, we did discuss  
4 this in Colorado and we reached agreement on adding  
5 the language that's been reflected in the copy of the  
6 SGAT that you received earlier. That language has  
7 been added to the SGAT Section 10.3.7.1.

8           These requirements that we added into the  
9 SGAT section are industry-standard 911 service  
10 arrangements. They're already reflected in the  
11 Washington State 911 Service Rules, US West  
12 Washington tariffs, and in US West's CLEC  
13 documentation, the IRRG, and they're also in the  
14 National Emergency Number Association, NENA, Industry  
15 Standards.

16           In summary, for the three issues raised in  
17 comments, the issue involving protection of CLEC 911  
18 circuits is already a standard US West practice, in  
19 accordance with Washington law, and for the issues  
20 involving the 911 trunking requirements, agreement  
21 was reached in Colorado workshop on the language for  
22 the SGAT, and US West has reflected those revisions  
23 in the SGAT.

24           There's one open issue involving  
25 documentation for direct connections, and US West has

00200

1 provided revised documentation reflecting that  
2 agreement in concept, and expects that the issue will  
3 be resolved shortly. That concludes my opening  
4 statement.

5 JUDGE WALLIS: AT&T.

6 MS. DeCOOK: Thank you. Ken Wilson will  
7 present our comments.

8 MR. WILSON: in the Arizona workshop, AT&T  
9 expressed concern that our 911 circuits were  
10 traversing what has been known as the SPOT frame,  
11 single point of termination, or it's also been called  
12 by US West the interconnection distribution frame,  
13 ICDF, and that the requirement to traverse those  
14 frames, which in many cases are unnecessary, caused  
15 potential problems for 911.

16 As Ms. Bumgarner stated, we have been  
17 reviewing changes that US West has made in  
18 documentation, which would change the policy and add  
19 options for CLECs to avoid the SPOT frame or ICDF as  
20 they so desired. We just received the new  
21 documentation a few days ago and scheduling has not  
22 permitted us a thorough review of that yet. We  
23 anticipate completing that review potentially next  
24 week or very shortly. For sure, before the follow-up  
25 workshop for this set of checklist items.

00201

1                   So we would like to reserve our final  
2 comments on that issue until the follow-up workshop,  
3 and we, I believe, are scheduling a meeting with US  
4 West offline to clear up any additional issues, if  
5 there are any, on that particular issue.

6                   There was -- okay. A link issue to the  
7 SPOT frame ICDF is the issue of protection or special  
8 protection for 911 circuits. As Ms. Bumgarner  
9 stated, there are policy provisions within US West's  
10 documentation which seem to provide the same  
11 protection for CLEC circuits as for US West circuits.  
12 We need to finish the review of that documentation  
13 and I think maybe have one more discussion with US  
14 West offline on that issue, because to date, after  
15 reviewing a number of collocation configurations in  
16 several offices, we have not seen 911 protectors on  
17 SPOT frames for CLEC circuits as we have seen for  
18 equivalent 911 circuits on US West's circuits.

19                   So I believe there is a little bit of  
20 follow-up work on that issue before we close that one  
21 out. Another issue which has come up, I think in the  
22 context of our review of the SPOT frame, and I  
23 believe that -- I didn't hear Ms. Bumgarner speak to  
24 the language that was added to the SGAT for  
25 diversity, diverse routing for 911 circuits, which we

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1 added at the request of WorldCom, actually, in  
2 Colorado. That language in the SGAT seems to be fine  
3 and to cover the diversity issue.

4 As a result of our review of the operations  
5 manuals for the direct connect option, which  
6 eliminates the SPOT frame, I had some concern that,  
7 because of the way that US West was provisioning the  
8 AT&T 911 circuits, that the diversity that we had  
9 ordered for 911 circuits was, in fact, not being  
10 preserved.

11 In conversations with US West offline, they  
12 have assured us that the diversity is being  
13 preserved. I believe we have one more discussion  
14 offline to just go through the documents, the  
15 detailed documents that they are providing us to make  
16 sure that the diversity is being preserved as they  
17 have so stated. So I think that will be cleared up  
18 very soon, as well.

19 One issue that Ms. Bumgarner seems to have  
20 missed in her comments was an issue which we have  
21 raised with regard to when a number is ported, a CLEC  
22 number is ported from US West to the CLEC, we had  
23 noted some problems when the porting of the number  
24 was done incorrectly, that would be a loss of the  
25 ability for the PSAP to call back an end user when

00203

1 there was an emergency.

2           Sometimes it goes like this. You have an  
3 emergency in your house, you call 911. For some  
4 reason or other, you hang up or, after you're done  
5 with that conversation, the 911 PSAP operator may  
6 need to call you back. If number portability is not  
7 handled correctly, it could impact the ability of the  
8 PSAP to call you back. If they were served off a US  
9 West switch which did not have the number or did not  
10 note that the number was ported, there would be no  
11 way to call that customer back.

12           Actually, this issue has gone a little  
13 further than that, as we've had more field  
14 experience. There are cases where we are having  
15 problems, a lot of them in Colorado, and I think  
16 maybe a few in Washington, where AT&T is starting to  
17 provision service using our own facilities to end  
18 users. So we would then be providing the loop.

19           In that case, the process, many times, goes  
20 as follows. We place an order to US West, both to  
21 port the number and to switch control or control of  
22 that line to AT&T. So at some point, US West must  
23 actually disconnect their loop from that customer  
24 when AT&T connects the new loop. And if that process  
25 is not handled properly, the customer will actually

00204

1 be completely out of service for a period of time.

2           And we have seen some problems with that,  
3 and the concern here being, for 911, that that would  
4 prevent the end user from calling 911. So we could  
5 have a potentially dangerous situation, as well as an  
6 inconvenient situation.

7           The agreement that we reached in Colorado  
8 was that this set of issues -- and there's a little  
9 bit of -- there's a little bit of an issue as to  
10 whether this is a loop issue or a number portability  
11 issue or both. Usually, you port the number at the  
12 same time that you're doing the disconnect on the  
13 loop, but there can be situations where it is only a  
14 disconnect issue, because the customer wants a new  
15 phone number provided by AT&T, for instance. But the  
16 majority of the time, the customers are choosing to  
17 keep their numbers. So it is either a number  
18 portability issue more properly than a 911 issue, or  
19 a loop issue.

20           And I'd like to -- I'll put in a plug here  
21 from the technical side. This is one of the reasons  
22 why we feel that number portability and loop should  
23 be addressed in the same workshop. They're  
24 intimately connected, and what we do on an everyday  
25 basis with the customers, and here is an issue where



00205

1 it's difficult to decide which of those checklist  
2 items this falls under. If we do it in the same  
3 workshop, it would seem to be more natural.

4 In any case, our recommendation is to defer  
5 these issues from 911 to either the number  
6 portability checklist item and/or the loop checklist  
7 item. That would be our recommendation on that  
8 issue.

9 The final comment I would like to make,  
10 there are a number of performance metrics associated  
11 with 911/E911 trunking. We would like to reserve  
12 judgment on the performance of US West on this item  
13 until after the testing has been completed and there  
14 is some level of experience with the performance as  
15 to those metrics.

16 This is another one where we will need a  
17 number of months of data, because typically CLECs are  
18 not ordering lots of 911 trunks. You tend to order a  
19 lot of 911 trunks when you put in a new switch or  
20 when the arrangement of PSAPs and the state and local  
21 arrangements change and everyone needs to order new  
22 trunks. So you would tend to see some vacillation in  
23 the amount of orders that would impact these metrics.  
24 So what that really means is you need a little more  
25 experience, more months of data to see if this is

00206

1 going well than you would, say, for loops where lots  
2 of orders are being made. With that --

3 MS. DeCOOK: Just one clarification for the  
4 record. We received the documentation from US West  
5 on the 911 processes for direct connection a little  
6 over a week ago. And we've had some discussions,  
7 because they were aware that Mr. Wilson, our SME,  
8 would not be around during the last week to review  
9 it. And so we're optimistic that we can review it in  
10 short order and get this issue to closure hopefully  
11 by the follow-up workshop.

12 JUDGE WALLIS: Thank you. For WorldCom.

13 MR. PRIDAY: Tom Priday, with WorldCom.  
14 Two brief comments. WorldCom, likewise, has received  
15 the documentation regarding the direct connections  
16 and is still in the process of reviewing that  
17 documentation. Hopefully, that will resolve the  
18 documentation issue.

19 The second item pertains to the SGAT  
20 wording changes that WorldCom proposed in Colorado,  
21 in terms of the E911 diversity. We appreciate the  
22 fact that US West has gone ahead and added that  
23 additional wording, and we are comfortable that those  
24 additions satisfy our concerns.

25 There is one minor typo, at least we view

00207

1 it to be a typo. If we look at paragraph 10.3.7.1.1,  
2 which was an addition since the Colorado workshop,  
3 those last two sentences, I think, should be one,  
4 with a comma in between the two. I think it would  
5 read better if that was the case.

6 MR. DIXON: It's a dangling modifier  
7 without it.

8 MR. PRIDAY: That concludes our comments.

9 JUDGE WALLIS: Very well. Other comments?

10 MS. SACILOTTO: US West just has one  
11 comment, and I think that we can resolve this,  
12 because we agree that the issues that Mr. Wilson  
13 raised last regarding the porting of numbers can be  
14 considered in another workshop. They're not --  
15 they're issues that we believe relate more  
16 appropriately to number portability, but these were  
17 not issues -- at least the final one about having to  
18 do the loop and disconnect were not issues that were  
19 raised in Mr. Wilson's testimony, and for us to be  
20 able to respond, I would hope that Mr. Wilson, in the  
21 future, can give us some information, substantive  
22 information around that when we do bring that issue  
23 up, so that we can adequately respond to his  
24 concerns.

25 MS. DeCOOK: Just so it's clear that we

00208

1 didn't sandbag US West in Washington, we did raise  
2 this issue in Colorado at the workshop, and it's an  
3 issue that came to our attention after both the  
4 Colorado testimony and Washington testimony had been  
5 filed. So I think they are aware of the issue.

6 MS. BUMGARNER: I was. Kara wasn't.

7 MR. DIXON: Never mind.

8 MS. SACILOTTO: It sounded good.

9 JUDGE WALLIS: Okay. Is there anything  
10 further with this checklist item?

11 MR. DIXON: Only with this aspect of it.  
12 It's a two-part item. And we still have Lori Simpson  
13 on Checklist Item Seven, as well, so this aspect of  
14 it.

15 JUDGE WALLIS: Yes, with the 911 part. All  
16 right. Let's move along to the directory  
17 assistance/operator assistance. Will we take those  
18 together?

19 MS. SIMPSON: May I proceed?

20 JUDGE WALLIS: Please proceed.

21 MS. SACILOTTO: Ms. Simpson will now  
22 address the final two elements of Checklist Item  
23 Seven, operator services and directory assistance.

24 MS. SIMPSON: Thank you. Lori Simpson, for  
25 US West. I filed direct testimony and rebuttal

00209

1 testimony with regard to Checklist Item Seven, Part  
2 Two and Part Three, which are access to directory  
3 assistance and access to operator services, and my  
4 direct testimony is Exhibit 111-T, and my rebuttal  
5 testimony is 114-T.

6       To begin with, a definition or a  
7 description of directory assistance service for  
8 CLECs, CLEC end users can call US West directory  
9 assistance service to get the telephone number of any  
10 telephone subscriber contained in our directory  
11 assistance database, including CLECs' end users'  
12 listings.

13       And the definition for or a description for  
14 operator services for CLECs, CLECs' end users may use  
15 US West operator services to complete local and  
16 intraLATA long distance calls, including  
17 person-to-person, collect, third party billing calls,  
18 calls to verify or interrupt busy lines, and for  
19 emergency assistance.

20       The Telecom Act of 1996 and the FCC's rules  
21 require US West to provide nondiscriminatory access  
22 to directory assistance and operator services for  
23 CLECs' end users and to provide access to operator  
24 call completion services for CLECs' end users. And  
25 our SGAT and our Commission-approved agreements

00210

1 legally bind US West to provide these services for  
2 CLECs.

3           Under our SGAT and under our  
4 interconnection contracts, we provide branding for  
5 directory assistance and operator services for CLECs.  
6 Branding is the practice of identifying the CLEC's  
7 name on calls to US West directory assistance and  
8 operator services. And we currently provide branding  
9 for directory assistance or operator services for six  
10 CLECs in Washington.

11           US West provides nondiscriminatory access  
12 to our directory assistance and operator services for  
13 CLECs. We provide DA, directory assistance, and  
14 operator services using the same methods, practices  
15 and standards that are in effect for all US West end  
16 users accessing these services and we provide the  
17 same priority of handling for CLEC end user calls to  
18 our directory assistance and operator services as we  
19 provide for our own end users.

20           We have two measurements for access to  
21 directory assistance and operator services, and they  
22 are in Exhibit 121 that was handed out earlier this  
23 morning. That exhibit includes -- contains the  
24 performance indicator definitions for these two  
25 measurements for operator services and directory

00211

1 assistance. The first is speed of answer and the  
2 second is calls answered within 10 seconds, and these  
3 measurements have been approved by the regional  
4 oversight committee, the ROC, via the third party OSS  
5 test, and the measurements and results under these  
6 measurements will be audited by the third party OSS  
7 test.

8           And I have provided with my rebuttal  
9 testimony the most current operator services and DA  
10 performance results.

11           What I've been describing so far is US West  
12 directory assistance and operator services which may  
13 be used by CLECs, but CLECs have other options. They  
14 don't have to use US West's DA, directory assistance,  
15 and operator services. They can provide their own or  
16 they can provide the services of a third party vendor  
17 for their end users.

18           For CLECs that want to provide their own  
19 directory assistance using their own operators, but  
20 using US West's directory assistance database, US  
21 West offers CLECs direct access to our database on a  
22 per dip read-only basis. It's the same access that  
23 our own operators have.

24           For CLECs that want to populate their own  
25 directory assistance database using our directory

00212

1 assistance listings, US West provides all our  
2 directory assistance listings in our regional  
3 directory assistance database to CLECs for that  
4 purpose.

5           Currently in Washington we provide operator  
6 services and directory assistance to 28 reseller  
7 CLECs who have resold more than 31,800 lines. We  
8 also provide directory assistance to the end users of  
9 nine facility-based CLECs, and we provide operator  
10 services to the end users of six facility-based CLECs  
11 in Washington.

12           Next I'll summarize my rebuttal testimony.  
13 Two CLECs filed comments in Washington with regard to  
14 access to directory assistance, and they are AT&T and  
15 WorldCom. First of all, with regard to AT&T's  
16 testimony, they raised an issue and summarized it  
17 that was raised first in Arizona and then again in  
18 Colorado, and this issue involved improper  
19 restrictions, or alleged improper restrictions in US  
20 West SGAT on the use of directory assistance listings  
21 type information that AT&T may receive from a source  
22 other than US West.

23           And we resolved this issue in Arizona, and  
24 again in Colorado, and I expect here in Washington,  
25 by citing to the testimony in our SGAT, which is the



00213

1 same in all three states, that properly and fully  
2 provides for the use of proprietary information  
3 provided by US West. In this case, directory  
4 assistance list information.

5 WorldCom raised three issues in Colorado in  
6 its testimony filed in that state and also in its  
7 testimony filed in this state, and I'll summarize  
8 those issues briefly and where we are on resolving  
9 those issues.

10 First of all, WorldCom raised a question  
11 with regard to alleged improper restrictions on the  
12 use of directory assistance listings purchased for  
13 use from US West. We resolved this issue by agreeing  
14 that WorldCom can purchase use of directory  
15 assistance listings under other terms than US West's  
16 SGAT for purposes of providing directory assistance  
17 in states where it's not a local service provider or  
18 outside of US West's 14-state territory.

19 And again, that issue was resolved in  
20 Colorado, and I expect that we'll find it's resolved  
21 here, too.

22 The second issue that was raised by  
23 WorldCom concerns the use of the term "licensing" as  
24 it relates to directory assistance listings provided  
25 under the SGAT. And in response to WorldCom's

00214

1 concern on this issue, we have proposed different  
2 language in the SGAT in Section 10.6.2.1. And the  
3 very same language also appears in 10.5.1.1.2.

4           And in this language we explained further  
5 what we mean by licensing and by revocation, which is  
6 another term that WorldCom sought some additional  
7 explanation of. And that's the second issue that was  
8 raised by WorldCom, and that's our proposed solution  
9 to that issue.

10           The third issue that was raised by  
11 WorldCom, and this is the final one, concerned  
12 warranty language as to the accuracy of listings, and  
13 this is language that appeared in the SGAT. And what  
14 we have done in response to that item is to modify a  
15 section -- well, actually, we added a section in the  
16 directory assistance list section of the SGAT, and  
17 this is 10.6.2.1.1, wherein US West agrees to provide  
18 listings according to the same standard under which  
19 WorldCom provides us its listings.

20           And that concludes the summary of my  
21 testimony.

22           JUDGE WALLIS: AT&T.

23           MS. DeCOOK: Thank you, Your Honor. Just a  
24 couple of matters. Just for purposes of  
25 clarification of the record, the reference to the

00215

1 proprietary section that would govern the proprietary  
2 information referenced by Ms. Simpson, I believe, is  
3 5.16.4.

4           Second, I believe there's a typo in  
5 10.6.2.1.1, where there's an "is" instead of an "it"  
6 in the fourth line.

7           And third, this particular portion of the  
8 checklist item is also governed by performance  
9 metrics, and so we obviously reserve our right to  
10 raise issues regarding performance at the appropriate  
11 time.

12           JUDGE WALLIS: Yes.

13           MS. DeCOOK: That's all. Thank you.

14           JUDGE WALLIS: WorldCom.

15           MR. PRIDAY: Tom Priday, with WorldCom. As  
16 we agreed in Colorado, we believe WorldCom needs the  
17 ability to be able to use the US West directory  
18 assistance database for not only our local customers,  
19 but also for our long distance and wireless and other  
20 customers, and as long as we have the assurance from  
21 US West that if we are able to negotiate terms and  
22 conditions outside of the SGAT for a broader use to  
23 our broader base of customers, we are okay with what  
24 was agreed upon in Colorado, and if we have that  
25 assurance from US West here in Washington, we should

00216

1 be fine on that issue.

2 In regards to the new paragraph that has  
3 been added in terms of the quality of the data that  
4 Ms. Simpson referenced, which is 10.6.2.1.1, we do  
5 have a minor concern. We appreciate the fact that  
6 this paragraph has been added to US West under  
7 similar terms and conditions as to the quality of  
8 their data.

9 It does seem to me, though, that it is not  
10 necessarily equal conditions in terms of the quality  
11 of the data. For example, US West, in the first  
12 paragraph, 10.6.2.1.1, talks about using commercially  
13 reasonable efforts to ensure that the listings are  
14 accurate.

15 Down under the CLEC obligation, though,  
16 under 10.6.2.2, it states, The CLEC will obtain and  
17 enter into its database daily updates of the DA list  
18 information and implement quality assurance  
19 procedures such as random testing and so forth.

20 What we propose to US West is that there be  
21 reciprocal language in terms of both parties'  
22 obligations in terms of the quality of the data, and  
23 that there not be more stringent quality standards  
24 given to the CLECs in terms of random testing and so  
25 forth. And if US West is willing to use commercially

00217

1 reasonable efforts to make sure that the data is  
2 accurate, it seems like those same terms and  
3 conditions should be applied toward the CLECs and not  
4 something more stringent.

5         The final issue pertains to licensing, and  
6 I will turn that over to Tom Dixon, our attorney, on  
7 this legal issue.

8         MR. DIXON: Thank you. Tom Dixon, with  
9 WorldCom. We're reviewing language that US West has  
10 made reference to. Ms. Simpson discussed some  
11 additions that have been made. One of the issues  
12 that WorldCom has raised is not so much what  
13 revocable means as much as how that process will  
14 occur.

15         That is, if US West, using this language,  
16 determines that a CLEC is misusing information, what  
17 will be the process to notify the CLEC. Will the  
18 CLEC have a right to cure, will the CLEC be able to  
19 discuss if this is something that was, for example,  
20 inadvertent or otherwise. So we're looking at this  
21 language to see how it relates to the dispute  
22 resolution language that's found in paragraph 5.16,  
23 the general terms and conditions.

24         So our concerns are more focusing here on  
25 process. We believe US West is certainly heading in

00218

1 the right direction, but we may need to either  
2 elaborate a little bit more on the process or  
3 determine if it's covered in the dispute resolution  
4 process.

5 JUDGE WALLIS: Any other comments? US  
6 West.

7 MS. SIMPSON: This is Lori Simpson, US  
8 West, and I'll comment on Mr. Priday's comments  
9 first, and then Mr. Beck will respond to you, Mr.  
10 Dixon.

11 With regard to your using WorldCom's use of  
12 listings under terms and conditions that are not  
13 covered by the SGAT and your ability to negotiate  
14 other contracts or other terms and conditions with  
15 us, absolutely it is the case that we do that and  
16 that you may also do that with us, as other parties  
17 do. And so I think that item is settled.

18 With regard to 10.6.2.2, where I believe  
19 you're asking that we make that CLEC duty reciprocal  
20 to -- and that US West have a matching duty, we do  
21 need to take that back and consider what that would  
22 -- whether we're doing that in US West now, and if  
23 not, what that would mean for us. I believe that if  
24 we make that section reciprocal, it would go in the  
25 directory assistance section, as opposed to the DA

00219

1 list section. This section is directory assistance  
2 listings, and we don't provide listings to ourselves,  
3 so -- if you follow me.

4 The reciprocity of this term and condition  
5 would go in a different section. So we'll take that  
6 back and consider it. And I think that those are all  
7 your comments, Mr. Priday. And with that, Mr. Beck.

8 MR. BECK: Let me just make sure we're  
9 clear on that last one. Mr. Priday, is it your  
10 desire that 10.6.2.2 become reciprocal or that it  
11 disappear and that 10.6.2.1.1 become reciprocal?

12 MR. PRIDAY: We would prefer that  
13 10.6.2.1.1 be the reciprocal wording, and that we  
14 drop the second paragraph, the 10.6.2.2.

15 MR. BECK: Okay. We'll take that back, as  
16 well as -- I think what we may get back is that we  
17 don't really have an option on 10.6.2.2, that it's an  
18 FCC requirement of both you and of us, but I'm not  
19 sure of that, so just so we're clear we're not  
20 exactly sure where it's going to end up, but we'll  
21 work with you.

22 MR. DIXON: We know you'll work in good  
23 faith and look forward to your comments.

24 MR. BECK: And on the license issue, I  
25 think Mr. Dixon was right. We have put forward

00220

1 language to WorldCom on that point, and WorldCom has  
2 pointed out that they may have some issues with it  
3 and they're going to get back to us on further  
4 possible language on that point.

5 JUDGE WALLIS: Is there anything further  
6 with regard to Checklist Item Seven? It appears that  
7 there's not. Let's be off the record, please.

8 (Recess taken.)

9 JUDGE WALLIS: Let's be back on the record  
10 following a brief afternoon recess. We're returning  
11 at this point to take up Checklist Item 10. In some  
12 scheduling discussions, the parties agree that we  
13 will conclude today's session with Checklist Item 10,  
14 because of the availability or unavailability of some  
15 participants on Items Three and 13, which will delay  
16 our proceeding with those items.

17 The parties did express the opinion and the  
18 aspiration that we conclude all of the items  
19 scheduled for this session no later than the  
20 conclusion of the business day tomorrow, and we will  
21 aim toward that. A reminder, we will be in Room 108  
22 tomorrow because of conflicts. All right. For US  
23 West.

24 MS. SACILOTTO: Your Honor, we present  
25 Margaret Bumgarner on Checklist Item 10, access to



00221

1 signaling and call-related databases.

2 MS. BUMGARNER: Margaret Bumgarner, US  
3 West. This is Checklist Item Number 10, access to  
4 signaling and associated databases.

5 JUDGE WALLIS: Please proceed.

6 MS. BUMGARNER: I filed direct testimony  
7 for this checklist item, it's Exhibit 131-T, and  
8 rebuttal testimony, Exhibit 141-T. The act in the  
9 FCC rules require that US West provide  
10 nondiscriminatory access to its signaling network,  
11 including signaling links and signaling transfer  
12 points, STPs, and to certain call-related databases  
13 for call routing and completion, and to the service  
14 management systems, the SMS, to create, modify or  
15 update information in the call-related databases.  
16 The handout that you received is a diagram.  
17 It was marked as Exhibit 139. These diagrams were  
18 also provided as an exhibit to my testimony, MSB-8,  
19 and it's pages three and four. The first page, which  
20 is page number three of my direct testimony exhibit,  
21 is a CLEC switch that's connected to US West's STP  
22 using US West signaling on an unbundled basis. And  
23 the second page, which is marked as page four, shows  
24 a CLEC with its own signaling network, or it could be  
25 a CLEC that's using a third party provider's

00222

1 signaling network to connect to US West's signaling  
2 network. This is the most typical arrangement, which  
3 is the second page of the handout.

4 I'll give a brief description of US West's  
5 signaling network components. The signaling network  
6 is a packet switched network that allows call control  
7 messages to be transported on a dedicated high-speed  
8 data network that's separate and distinct from the  
9 voice communications network.

10 The signaling links connect network nodes,  
11 such as an end office, a tandem, or call-related  
12 database to the signaling network. The signal  
13 transfer points, or STPs, are the tandem switches of  
14 the signaling network. And the call-related  
15 databases store data that's used for billing and  
16 collection or transmission and routing or the  
17 provision of a telecommunications service.

18 If a call-related database is required for  
19 a given call, the end office or the tandem switch  
20 will send a query over the signaling network to the  
21 appropriate call-related database, which will return  
22 information that's useful for processing the call.

23 The call-related databases include the  
24 calling name database, line information database,  
25 toll-free calling database, advanced intelligent

00223

1 network database, and the number portability  
2 database. And in the FCC's third interconnection  
3 order, it added 911 as a call-related database, but  
4 that's addressed as a separate checklist item.

5         The service management systems, the SMS,  
6 are used to update the contents of a call-related  
7 database.

8         US West provides nondiscriminatory access  
9 to its signaling network, including signaling links  
10 and signal transfer points, STPs, to certain  
11 call-related databases for call routing and  
12 completion and to service management systems to  
13 create, modify, or update information in the  
14 call-related databases, in accordance with the act  
15 and the FCC rules.

16         US West has legally binding commitments to  
17 provide for such access in its various  
18 interconnection agreements and SGAT.

19         CLECs may interconnect their switches  
20 directly to US West's STPs, or they may interconnect  
21 their own STPs with US West STPs, or CLECs may  
22 interconnect through a third party signaling network  
23 provider. The CLEC's call routing and database  
24 queries are handled in the same manner as US West  
25 call routing and database queries.

00224

1           When a CLEC purchases unbundled switching  
2 from US West, it includes the use of US West's  
3 signaling network, and the CLEC's signaling traffic  
4 is routed over US West's signaling network in the  
5 exact same manner as US West's signaling traffic is  
6 routed.

7           US West provides access to its call-related  
8 databases for the purpose of switch query and  
9 database response through the signaling network.

10          There are no CLECs using US West's AIN  
11 databases anywhere in our region. As of April, in  
12 Washington, there is one CLEC using the line  
13 information database, there are no CLECs using the  
14 calling name database, there are three CLECs using  
15 the toll-free calling name database, and there's no  
16 CLEC using US West's number portability database.

17          US West provides access on an unbundled  
18 basis to the SMSes for creating, modifying, or  
19 updating information in US West's call-related  
20 databases. The ROC has developed two performance  
21 measures for this checklist item. I included those  
22 in my rebuttal testimony, and they're marked as  
23 Exhibit 145. They're DB-1 and DB-2, for the LIDB  
24 database, and they measure the accuracy and the  
25 timeliness of the updates to the LIDB database.

00225

1           The performance reports for LIDB are  
2 currently under development, and they're expected to  
3 be published for the first time by US West in the  
4 next two weeks.

5           In addition, the Nebraska Commission has  
6 found that US West satisfies the requirements of this  
7 checklist item.

8           There were two parties who filed comments  
9 on this checklist item, AT&T and WorldCom, and there  
10 were four issues raised in the comments. The first  
11 issue, both AT&T and WorldCom commented that there's  
12 one open issue remaining from the Arizona workshop on  
13 access to signaling, and this is the same issue that  
14 was raised as part of Checklist Item Number Seven,  
15 and that's for access to the 911/E911.

16           The issue involves the documentation that  
17 US West provides to CLECs and US West's internal  
18 operations for direct connection to US West's network  
19 without the use of the intermediate distribution  
20 frame.

21           And as we previously discussed, US West has  
22 revised that documentation and provided a copy of the  
23 revisions to the parties and to the Arizona  
24 Commission, to the Colorado Commission. It was also  
25 included as an exhibit in this workshop, 149-C.

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1           The second issue, WorldCom recommended a  
2 change to the SGAT, Section 9.13.2.4.4, to recognize  
3 that there may be technical restrictions preventing  
4 the delivery of calling party number, CPN.

5           WorldCom's testimony in Washington is  
6 identical to that that was filed in Colorado. We  
7 reached agreement there and US West has agreed to  
8 modify the language, and it's reflected in the  
9 revised SGAT, in the Section 9.13.2.4.4.

10          Issue three, WorldCom recommended changes  
11 to several sections of the SGAT, Section 9.17.2, for  
12 internetwork calling name database. WorldCom states  
13 that CLECs must be able to actually obtain the ICNAM  
14 database, not just have access to it.

15          US West disagrees with this position. The  
16 FCC's Third Interconnection Order in CC Docket 96-98,  
17 the UNE remand order, reaffirms the rules from the  
18 first interconnection order, Section 51.319(e)(2)(A),  
19 For purposes of switch query and database response  
20 through a signaling network, an incumbent LEC shall  
21 provide access to its call-related databases by means  
22 of physical access at the signaling transfer point  
23 linked to an unbundled database.

24          Paragraphs 400 and 402 of the FCC's order  
25 state that an incumbent LEC must provide

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1 nondiscriminatory access to the call-related  
2 databases on an unbundled basis for the purpose of  
3 switch query and database response through the SS7  
4 network.

5         Paragraph 410 of the FCC's order makes  
6 clear that access to the call-related databases is by  
7 means of physical access at the signaling transfer  
8 point linked to the unbundled database. And that is  
9 to allow a requesting carrier with its own switch to  
10 gain access to the incumbent LEC's service control  
11 point in a manner that allows the requesting carrier  
12 to provide any call-related database-supported  
13 services to customers served by the requesting  
14 carrier's switch.

15         This is precisely the access that US West  
16 provides to its call-related databases. US West  
17 retains ownership and control over the calling name  
18 database and all of the information in it, but allows  
19 access to CLECs for use on a signaling network query  
20 and response basis to provide a telecommunications  
21 service to its end users, in accordance with the  
22 FCC's rules.

23         In addition, in Washington, there are no  
24 CLECs even using US West's calling name database.  
25 Providing a copy of the calling name database is not

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1 a 271 requirement; providing access to US West's  
2 call-related databases via the signaling network is.

3 This is a disputed issue in the Colorado  
4 workshop. It was not raised in the Arizona workshop.

5 The fourth issue, WorldCom recommends a  
6 change to the SGAT Section 9.15.3.2.4 for LIDB query  
7 service to include the same language found in the  
8 calling name Section 9.17.2.9, such that US West  
9 shall exercise reasonable efforts to provide accurate  
10 and complete information in the LIDB database.

11 US West agrees with the change and has  
12 already discussed this in the Colorado workshops.  
13 The agreement to include this language is reflected  
14 in the revised SGAT for Section 9.15.3.2.4.

15 The fifth issue, AT&T asked for clarifying  
16 language to be added to the SGAT Section 9.13.1.1 for  
17 unbundled signaling. And in the Colorado workshop,  
18 US West and AT&T reached agreement on the language,  
19 and that's reflected in the revised SGAT Section  
20 9.13.1.1.

21 In summary, regarding the five issues  
22 raised, three of the issues have been resolved with  
23 US West agreement to revise the SGAT for the section  
24 for calling party number, which is Section  
25 9.13.2.4.4; the LIDB database section, 9.15.3.2.4,



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1 and the signaling section, which is 9.13.1.1.

2 One issue is still open from the Arizona  
3 workshop involving the documentation for direct  
4 connections, which US West expects to be resolved  
5 shortly. And one issue is a disputed issue involving  
6 providing a copy of the calling name database, rather  
7 than access to the database by means of a signaling  
8 network through signaling query and database  
9 response. And this is also a disputed issue in the  
10 Colorado workshop. That concludes my opening  
11 statement.

12 JUDGE WALLIS: Thank you. For AT&T.

13 MS. DeCOOK: Ken Wilson, for AT&T.

14 JUDGE WALLIS: Mr. Wilson.

15 MR. WILSON: Yes, as Ms. Bumgarner stated,  
16 we have similar concerns on this checklist item with  
17 regard to the use of intermediate frames, but we're  
18 confident that the parties will resolve that issue  
19 before the follow-up workshop, and we're in the  
20 process of finishing our review on that.

21 The language that we worked out that  
22 defined better the difference between unbundled  
23 signaling and signaling as it is involved in  
24 interconnection is satisfactory to AT&T, so that  
25 issue is resolved.

00230

1           And I think the only other issue that  
2 remains for us in this checklist item is the  
3 satisfactory performance of US West that should be  
4 reflected in the DB-1 and DB-2 metrics, which we will  
5 reserve for a later date. So that concludes my  
6 comments.

7           MR. PRIDAY: Tom Priday, with WorldCom.  
8 WorldCom also reserves final decision on this  
9 checklist item pending DB-1 and DB-2, in terms of the  
10 ROC testing and so forth.

11           The second issue that I wish to address  
12 pertains to access to the internetwork calling name  
13 database, or the ICNAM, or CNAM. As was discussed in  
14 Colorado and as is disputed likewise here in  
15 Washington, WorldCom would like to have the option of  
16 utilizing that database for such services as enhanced  
17 calling or caller ID services. And for economic  
18 reasons, we believe that having access to that entire  
19 database for -- there are good business reasons for  
20 doing that.

21           Tom Dixon, our attorney, will also address  
22 the legal reasons, where we differ in US West's  
23 interpretation of the UNE remand decision. But in  
24 terms of utilizing this database internally, allowing  
25 us to store that database within our own systems, we

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1 would be able to offer a more efficient and  
2 cost-effective service to our CLEC customers.

3         Instead of having to identify and direct  
4 queries to US West on an individual case basis, we  
5 would be able to go to one comprehensive and internal  
6 database for that data, as we do with other databases  
7 that we receive from US West.

8         So we feel like there are sufficient  
9 reasons from the business side of the house for  
10 obtaining access to that, and Mr. Dixon will address  
11 the legal reasons for why we believe we should have  
12 access to that database.

13         MR. DIXON: Good afternoon. Tom Dixon.  
14 Consistent with your prehearing conference, I'll be  
15 exceptionally brief, recognizing we're theoretically  
16 going to brief all these issues.

17         Simply put, this particular database, as  
18 well as the others that were discussed by Ms.  
19 Bumgarner, are unbundled network elements. And  
20 unbundled network elements are available to WorldCom  
21 and any CLEC at any technical feasible point. Simply  
22 put, we believe that access to the entire database is  
23 technically feasible, and therefore, we should be  
24 entitled to have the entire database as an unbundled  
25 network element.

00232

1           We read the same FCC order cited by Ms.  
2 Bumgarner, CC Docket 96-98, and the order,  
3 specifically decision FCC 99-238, at paragraphs 400  
4 through 406, as not certainly precluding what we  
5 request. And consistent with the concept of access  
6 to the UNE, and since the entire database can  
7 technically be provided to us, we feel that's  
8 consistent with access to an unbundled network  
9 element. That's it, in a nutshell.

10           JUDGE WALLIS: Thank you. Are there other  
11 comments?

12           MR. HARLOW: I have a couple clarifying  
13 questions, presumably for Ms. Bumgarner. That is,  
14 with regard to an in-band signaling, and specifically  
15 I have in mind an ANIii, coding digits. Are you  
16 familiar with those?

17           MS. BUMGARNER: Information digits, yes.

18           MR. HARLOW: Yes. Is that part of this  
19 checklist item, or would you consider that part of  
20 the loop or the switching checklist item?

21           MS. BUMGARNER: Well, if it has to do with  
22 signaling, it would be part of this checklist item.  
23 I guess I need to know what the question is.

24           MR. HARLOW: Well, I just took a look today  
25 and couldn't find anywhere in your SGAT where in-band

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1 signaling or ANIii was addressed, whether it would or  
2 would not be provided, either as a UNE or something  
3 else?

4 MS. BUMGARNER: The information digits?

5 MR. HARLOW: Yes. Let's say you have a  
6 CLEC that wants to do UNE-P and needs access to an  
7 ANIii.

8 MS. BUMGARNER: That would come out of the  
9 switch.

10 MR. HARLOW: It would come out of the  
11 switch. Is that addressed somewhere in your SGAT  
12 that makes it clear that that would be provided and  
13 available to such a CLEC?

14 MS. BUMGARNER: That -- I would have to  
15 check. I don't think it specifically talks about  
16 information digits anywhere in the SGAT. It may be  
17 in some of the technical -- you know, tech. pubs that  
18 we have, as far as the signaling. I believe you'd be  
19 talking about -- well, you're talking UNE-P.

20 MR. HARLOW: I'm talking, yes, UNE-P.  
21 Clearly, if a CLEC had their own switch, they would  
22 provide their own ANIii digits.

23 MS. BUMGARNER: Right. Well, that's --  
24 yeah, that would be part of the capabilities of the  
25 switch, you know, that you would signal the

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1 information digits depending on, like, class of  
2 service kinds of things that are set up. So that  
3 would be part of the switching capability.

4 MR. HARLOW: Should we defer that, then, to  
5 that checklist item?

6 MS. BUMGARNER: Yeah, I think it would be  
7 more associated, if you're talking UNE-P, it would be  
8 more associated with the local switching capabilities  
9 and what info digits you're looking for.

10 MR. HARLOW: Thank you for the  
11 clarification. We'll take that up later.

12 MR. WILSON: If I may, this is Ken Wilson,  
13 with AT&T. I would assume that that kind of item  
14 would be addressed either as a part of unbundled  
15 signaling or potentially as a loop issue, if one was  
16 getting a loop, but generally, it would be a loop and  
17 a port.

18 MS. BUMGARNER: Yeah, you need the port,  
19 because it's really coming from the switch.

20 MR. WILSON: I meant unbundled switching,  
21 not signaling.

22 MS. BUMGARNER: Yeah, okay. I was trying  
23 to figure out how that was. Okay. The loop doesn't  
24 do it; the switch does.

25 MR. HARLOW: Right.

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1 MS. BUMGARNER: Okay.

2 JUDGE WALLIS: US West.

3 MS. SACILOTTO: Yes, I'd just like to  
4 respond to Mr. Dixon's comments about the -- I don't  
5 know what we call it in Washington -- ICNAM database,  
6 particularly regarding the legal issues. It's our  
7 view that we do provide access to unbundled signaling  
8 by means of physical access at the signaling transfer  
9 point linked to the unbundled database, and that is  
10 our obligations under the UNE remand order and under  
11 Rule 319(e)(2)(A).

12 I think there's a significant difference  
13 between access to the unbundled network element and  
14 the network element itself, and that is the  
15 distinction that WorldCom is eliminating. The FCC  
16 has said, This is how you access this particular  
17 unbundled network element, by means of physical  
18 access at the signaling transfer point. That is a  
19 technically feasible place to access this network  
20 element and that is where we provide access to this  
21 network element.

22 I think a bit of the problem is also that  
23 WorldCom is conflating the idea that you provide a  
24 network element if it's technically feasible to do  
25 so, and that is a proposition that was specifically

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1 rejected by the Supreme Court in the case that  
2 overturned the original FCC unbundling rules.

3         You do not unbundle a network element  
4 simply because it's technically feasible to do so; it  
5 has to meet certain other requirements in 47 USC  
6 251(D)(2). And while the FCC determined that  
7 signaling met those requirements, the access that it  
8 provided was limited to access at the signaling  
9 transfer point linked to the unbundled databases.

10         So it's our position that we provide the  
11 type of access that we're required to under the UNE  
12 remand order and the FCC rules.

13         I have one question for Mr. Priday, and it  
14 was a question that was put to him in Colorado. And  
15 that is, in Colorado, you did not identify any  
16 provision that was inconsistent with the paragraph  
17 410 that says we'll provide access by means of  
18 physical access at the signaling transfer point  
19 linked to the unbundled database.

20         And I'd ask you again, is there any  
21 provision in the 9.17 that you can say that's  
22 inconsistent with that obligation?

23         MR. PRIDAY: Would you restate the  
24 question?

25         MS. SACILOTTO: Sure. In Colorado, you



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1 were unable to identify any provision that was  
2 inconsistent with the statement or with providing  
3 access to the database by means of a physical access  
4 at the signaling transfer point linked to the  
5 unbundled database for purposes of switch query and  
6 response. And I ask you that same question again.  
7 Is there any provision that you've seen in the SGAT,  
8 in Section 9.17, that's inconsistent with that?

9 MR. PRIDAY: I'm not aware of any.

10 MS. SACILOTTO: And would your answer be  
11 the same if I posed it as we provide access for  
12 purposes of switch query and database response  
13 through the SS7 network?

14 MR. PRIDAY: I'm not aware of any.

15 JUDGE WALLIS: You rest your case?

16 MS. SACILOTTO: I rest my case. And if  
17 this is one that we might have to do legal briefs,  
18 unless Your Honor wants to decide it right now?

19 JUDGE WALLIS: Consistent with our  
20 protocol, I will not make decisions now of that  
21 nature and will wait for the opportunity to present  
22 statements and consultation amongst the Commission  
23 Staff and then make a proposal that the parties can  
24 respond to and argue to the Commission.

25 All right. Does this conclude our

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1 substantive session for today? Mr. Dixon.

2 MR. DIXON: Judge, it's my understanding  
3 that -- I realize we're not going to address  
4 Checklist Item Number Three today, but I think there  
5 is a correction to the SGAT that would probably be  
6 helpful to all parties to know about before we start  
7 with Checklist Item Number Three tomorrow, and it may  
8 save us a little time. I would ask Steve Beck  
9 perhaps to address that issue.

10 MR. BECK: MCI -- I'm sorry, WorldCom calls  
11 Steve Beck to the stand.

12 MR. DIXON: Would you raise your right  
13 hand?

14 MR. BECK: Yeah, I think what Tom's  
15 referring to is at 10.8.1.1.

16 MR. HARLOW: Can you give us a page number?

17 MR. BECK: I'm looking for it right now.

18 MS. SACILOTTO: One-sixty-eight.

19 MR. BECK: Thank you. Let's start with the  
20 10.8.1.1. And let me just state outright at the  
21 start, the issue that Tom is pointing out here is  
22 that 10.8.1.1 and the ensuing paragraph, .2, are  
23 phrased in a reciprocal manner, and that was actually  
24 a typo on our part.

25 We have been advocating that consistently

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1 in other states, but because there is a court  
2 decision adverse to us on that point here in  
3 Washington, we thought that we would just kind of  
4 concede that point. And so we need to go back to  
5 10.8.1.1 and .2 and make sure that those obligations  
6 are unfortunately unilaterally upon US West and not  
7 upon the CLEC opting into the SGAT. And we will make  
8 those changes.

9 MR. DIXON: Steve, Tom Dixon. Just one  
10 other point. The last sentence that you've added to  
11 10.8.1.2 is not affected by what you just discussed.  
12 That will continue to be in the SGAT.

13 MR. BECK: Correct.

14 MS. HOPFENBECK: May I ask one clarifying  
15 question? Mr. Beck, is my understanding correct that  
16 this is a change that US West will be making  
17 applicable to Washington State alone?

18 MR. BECK: That's correct. Perhaps in  
19 Minnesota, as well, but --

20 MS. HOPFENBECK: Okay.

21 JUDGE WALLIS: All right. Anything further  
22 substantive? Let's turn briefly to administrative  
23 matters. I understand Mr. Kopta has one item.

24 MR. KOPTA: Yes, thank you, Your Honor.  
25 Despite my best efforts to identify all of the

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1 clients that we represented at the prehearing  
2 conference --

3 MR. DIXON: We had the same problem with  
4 our name.

5 MR. KOPTA: -- I inadvertently neglected to  
6 include Global Crossing among those clients. They  
7 had filed a late petition to intervene in Docket  
8 003022, and would also like to intervene in the  
9 consolidated dockets. They won't be participating in  
10 this series of workshops, but would like to be among  
11 the parties for the consolidated dockets.

12 JUDGE WALLIS: Is there any objection?

13 MS. SACILOTTO: No objection.

14 JUDGE WALLIS: The intervention is granted.

15 MR. KOPTA: Thank you.

16 JUDGE WALLIS: Is there anything further to  
17 undertake today? Mr. Dixon.

18 MR. DIXON: Yes. You had asked us to  
19 contact the Records Center, and we'll certainly do  
20 that about lead counsel, but just so it's clear to  
21 everybody in this room, the lead counsel in this case  
22 is Ms. Hopfenbeck. I am the assistant counsel.

23 MS. HOPFENBECK: Doing all the work, as  
24 assistants should do.

25 MR. DIXON: And Mr. Harlow, who has also

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1 entered an appearance on our behalf, continues to  
2 work on our behalf, again, but Ann is the lead  
3 attorney.

4 JUDGE WALLIS: Our administrative concern,  
5 of course, is to identify exactly where we need to  
6 direct communications that relate to the proceeding,  
7 and we will double check documents that go through us  
8 to make sure that Ms. Hopfenbeck is the named  
9 attorney, but if you talk directly with the Records  
10 Center, that will make my job that much easier,  
11 because sometimes they send something out without  
12 letting me look at the envelopes first.

13 MS. HOPFENBECK: We will do that. But I  
14 should tell you that I think we've had some problems  
15 in the past, but it seems like all of those are  
16 cleared up right now. I seem to be getting  
17 everything I need now, so --

18 JUDGE WALLIS: Good. We'll keep our  
19 fingers crossed and your talking directly to the  
20 Records Center staff will help that. What time would  
21 we like to start up in the morning? Would 8:30 be  
22 too early for folks?

23 MR. HARLOW: Yeah.

24 JUDGE WALLIS: Let's be off the record for  
25 discussion.

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1 (Discussion off the record.)

2 JUDGE WALLIS: Let's be back on the record,  
3 please. During a scheduling discussion, we've  
4 determined that the parties who are interested in so  
5 meeting will meet in Room 108 tomorrow morning at  
6 8:30 to discuss the potential rearrangement of  
7 checklist items on workshop sessions, and we will  
8 begin the workshop hearing tomorrow morning at 9:00  
9 in Room 108. Thank you all.

10 (Proceedings adjourned at 4:13 p.m.)

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