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BEFORE THE ARIZONA CORPORATION COMMISSION
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Commissioner

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Arizona Corporation Commission
DOCKETED

JUL 9 1999

**IN THE MATTER OF U S WEST
COMMUNICATIONS, INC.'S
COMPLIANCE WITH §271
OF THE TELECOMMUNICATIONS ACT
OF 1996**

) **DOCKET NO. T-00000A-97-0238**
)
) **COMMENTS OF JOINT**
) **INTERVENORS REGARDING**
) **PROPOSED ORDER**
)
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DOCKETED BY

AT&T Communications of the Mountain States, Inc., TCG-Phoenix, NEXTLINK
Arizona, Inc., Electric Lightwave, Inc., ACI Corp., MCI Worldcom, Inc., E'spire
Communications, Inc., and Sprint Communications Company L.P. ("Joint Intervenors") provide
the following comments regarding the Order proposed by the Hearing Division on July 2, 1999.
Joint Intervenors have no exceptions to the substance of the Proposed Order. Joint Intervenors
file these comments in support of the Proposed Order and also to suggest areas where it may be
appropriate to supplement the Order to clarify the intentions of the Commission.

I. COMMENTS

Joint Intervenors commend the Hearing Division and Commission for recognizing the
complexity of the issues raised by U S WEST's Notice of Intent to File with FCC and
Application for Verification of Section 271(c) Compliance ("Application"). As the Proposed
Order acknowledges, the Commission and all parties need the opportunity to properly evaluate

U S WEST's Application. The Proposed Order takes all of these matters into consideration in establishing a procedure for reviewing the Application.

Joint Intervenors agree with the Hearing Division that it is appropriate to schedule workshops facilitating a collaborative process to determine the standards for Operational Support Systems ("OSS") necessary to satisfy the requirements of Section 271. Joint Intervenors also agree that it is appropriate for the Hearing Division at a later date to enter a further procedural order that establishes filing dates for testimony and a hearing date on U S WEST's Section 271 application. This will allow the hearing date to be set after all parties have begun the collaborative process and have a better understanding of the nature of that process and the time required to complete it. Joint Intervenors further commit to dedicating the resources necessary over the next 90 days to participate in workshops as scheduled in accordance with the Proposed Order.

Although Joint Intervenors believe that the Proposed Order is sufficient as drafted, Joint Intervenors suggest that additional explanation in this or a subsequent order may be needed to describe the third-party testing that the Proposed Order requires. Several of the Joint Intervenors have had experience in participating in third-party testing procedures for the OSS of incumbent local exchange carriers ("ILEC") in other states. In those states, the state commission has selected an independent, technically skilled third-party tester to conduct thorough and independent tests of the ILEC's systems. The tests have typically been conducted covering all of the OSS functionalities available to new entrants, as well as all modes of possible market entry to ensure that all modes of entry contemplated by the Telecommunications Act are available to new entrants. The tests have been designed to determine whether the ILEC is providing nondiscriminatory access to its OSS and underlying network.

Typically, the Commission, the ILEC, and Intervenors have had an opportunity to participate in the selection of the independent third-party tester and have also had input into the

test plan to be used in determining the adequacy of the ILEC's OSS. The Hearing Division's Proposed Order does not specifically address whether the designated workshops will be designed to facilitate such a process of choosing the third party tester and designing the test plan. In addition, the third-party testing established in other jurisdictions has typically permitted some time for the Commission and parties to review and evaluate the test results as well as time for preparation of a report on the adequacy of the ILEC systems. Again, the Proposed Order does not specifically address such a process.

Joint Intervenors suggest that the Commission may desire to amend the Proposed Order to describe in more detail the third-party testing that will take place under the Order or to indicate that choice of the third-party tester and design of the test plan will be part of the workshop process contemplated by the Order as now drafted. Alternatively, Joint Intervenors suggest that a subsequent order be issued describing the proposed third-party test procedures. AT&T has provided a detailed plan for implementing third-party testing based on the processes used in other jurisdictions with its response to the Hearing Division's June 8, 1999 procedural order questions. Joint Intervenors believe that this plan provides sufficient detail to allow the parties to implement the requirement for third-party testing established by the Proposed Order.

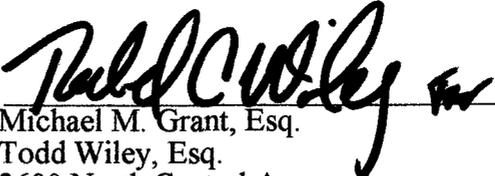
II. CONCLUSION

The Order proposed by the Hearing Division properly recognizes the need for independent and detailed evaluation of U S WEST's OSS in evaluating U S WEST's compliance with Section 271. The Proposed Order properly balances U S WEST's desire for access to the interLATA markets with this Commission's need for all of the information necessary to evaluate

U S WEST's Application. The Proposed Order should be adopted by the Commission.

RESPECTFULLY SUBMITTED this 9 day of July, 1999.

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COPY of the foregoing hand-delivered
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