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BEFORE THE ARIZONA CORPORATION COMMISSION

AZ CORP COMMISSION

JUN 22 3 24 PM '99

DOCUMENT CONTROL

CARL J. KUNASEK
Chairman
JAMES M. IRVIN
Commissioner
TONY WEST
Commissioner

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

DOCKET NO. U-0000-97-238

RESPONSES TO PROCEDURAL
ORDER OF JUNE 8, 1999

Arizona Corporation Commission
DOCKETED

JUN 22 1999

ELI submits the following responses to the questions contained in Hearing

Division's June 8, 1999 Procedural Order.

DOCKETED BY [Signature]

1. What are the current national standards for OSS?

RESPONSE: ELI joins in the responses filed by the other CLEC intervenors with respect to question no. 1.

2. For areas in which no national standards exist, when are national standards anticipated?

RESPONSE: ELI joins in the responses filed by the other CLEC intervenors with respect to question no. 2.

3. What are the current FCC guidelines for OSS?

RESPONSE: ELI joins in the responses filed by the other CLEC intervenors with respect to question no. 3.

4. What are other standards this Commission should consider in evaluating whether U S WEST OSS complies with § 271?

RESPONSE: ELI joins in the responses filed by the other CLEC intervenors with respect to question no. 4.

5. Has an OSS, or any portion of OSS, been approved by the FCC? If so, please provide specifics.

RESPONSE: ELI joins in the responses filed by the other CLEC intervenors with respect to question no. 5.

6. What type of collaborative process do you recommend to enable the parties to reach agreement on an acceptable OSS?

RESPONSE: Based on previous collaborative processes and workshop sessions in other states, ELI recommends that Commission staff take an active role in the workshops. Hearing Division should consider using a person/mediator unconnected with the decisional process to preside over the collaborative processes and workshop sessions, conduct third party testing, facilitate discussions among the parties and mediate disputed issues and positions. Such person would supervise and administer the workshops.

7. What information is necessary to enable you to determine whether U S WEST's OSS is acceptable?

RESPONSE: ELI joins in the responses filed by the other CLEC intervenors with respect to question no. 7.

8. Do you agree that formal discovery should remain in place during the workshop phase of OSS? Should the discovery process be modified, if so, how?

RESPONSE: ELI opposes ongoing discovery during the workshop phase because it would be disruptive to and distract from the collaborative workshop process. Further, ELI is a small company with limited money and resources. Continued discovery would pose an unreasonable burden and expense on ELI. ELI requests that Hearing Division allow the parties to finish discovery already propounded to date, but stay any further discovery and motions to compel until after the workshops. Such ruling is necessary to avoid undue expense and burdens on ELI and to prevent U S WEST from unduly pressuring CLECs with additional discovery.

9. What discovery items that had been incorporated into intervenors' testimony should be separated out and responded to by intervenors prior to the filing of testimony?

RESPONSE: As noted by the Hearing Officers at the June 11, 1999 discovery hearing, question no. 9 is intended mainly to be answered by

U S WEST. ELI suggests that after the workshops have concluded, Staff and intervenors file their testimony on non-OSS matters. Discovery then would be permitted on those subjects. U S WEST would file rebuttal testimony on non-OSS subjects 30 days after the Staff/intervenor filing. ELI joins in the responses filed by the other CLEC intervenors with respect to Question No. 9.

10. How should workshops be conducted to ensure maximum results in assessing U S WEST's OSS? Who should participate? How many workshops do you anticipate being useful, and over what period of time?

RESPONSE: See ELI's response to Question No. 6 above. The mediator also should be prepared to resolve disagreements between the parties during discussions, especially when those disagreements must be resolved before other issues can be addressed by the parties. ELI believes all parties to this § 271 proceeding should be allowed to participate in the workshop process along with appropriate subject matter experts. Based on experience in other states, ELI estimates that the workshop process will take several weeks with numerous workshop sessions. Of course, the time necessary to complete the process depends on cooperation by U S WEST and actual readiness of U S WEST systems and interfaces.

11. Should a Staff Report issue with recommendations regarding existing OSS compliance and modifications to achieve compliance? How long after the last workshop will Staff need to issue a report?

RESPONSE: Yes. A Staff Report is necessary and valuable for the workshop process. Commission Staff should issue a report as soon as possible after the workshop process is complete, but with sufficient time to allow a complete, final and adequate report addressing all pertinent issues.

12. How much time after issuance of a Staff Report will you need to respond to the report?

RESPONSE: Because ELI does not focus on OSS issues, ELI would defer to the other CLECs on the time period necessary to respond to a Staff report.

13. When will the intervenors and Staff be able to file a preliminary statement indicating whether U S WEST is in compliance with any checklist items?

RESPONSE: ELI believes that it will be in a position to file a preliminary statement indicating its position on various checklist items within 30 days. At that time, ELI would be in a position to file a document indicating what checklist items ELI will address at the § 271 hearing. Of course, ELI will reserve any and all rights to address further checklist issues and items as appropriate.

14. Any other relevant information that the parties desire to provide.

RESPONSE: ELI has nothing further to add at this time. ELI will supplement as appropriate.

DATED this 22nd day of June, 1999.

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Original and ten (10) copies filed this 22nd day of June, 1999, with Docket Control.

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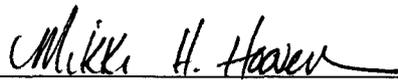
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