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BEFORE THE ARIZONA CORPORATION COMMISSION

- MARC SPITZER
Chairman
- WILLIAM A. MUNDELL
Commissioner
- JEFF HATCH-MILLER
Commissioner
- MIKE GLEASON
Commissioner
- KRISTIN K. MAYES
Commissioner

AZ CORP COMMISSION
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In the Matter of the Application of OCMC,)
 Inc. to Obtain a Certificate of Convenience)
 and Necessity From One Call)
 Communications, Inc. d/b/a Opticom to)
 Provide Telecommunications Services as a)
 Provider of Resold Interexchange Services)
 and Alternative Operator Services Within)
 the State of Arizona)
)
)

Docket No. T-04103A-02-0274

Docket No. T-02565A-02-0274

**VERIFIED AMENDMENT TO
APPLICATION AND RESPONSE
TO MOTION TO VACATE
HEARING**

OCMC, Inc. ("OCMC"), through this filing, amends its application in the above-referenced dockets to request a waiver pursuant to AAC R14-2-1006 to allow it to complete zero minus (0-) calls, including emergency calls, over OCMC's telecommunications network.

In support of this request, OCMC states the following:

1 **GENERAL INFORMATION**

2 1. OCMC is currently authorized to provide zero-minus (0-) emergency call
3 completion and operator assisted services in Alaska, Connecticut, Delaware, Florida, Hawaii,
4 Idaho, Illinois, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Missouri,
5 Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Oregon,
6 Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Virginia, Vermont and
7 Washington. To the best of OCMC's knowledge, no complaints have been filed with the
8 relevant regulatory authorities or have been received by OCMC in connection with its 0- call
9 completion authority.
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12 **DESCRIPTION OF OCMC'S FACILITIES**

13 2. OCMC provides 24-hour, seven day a week long distance and AOS services
14 over its telecommunications network by reselling leased capacity from underlying, facilities-
15 based carriers such as MCI Worldcom, Qwest, and Broadwing. This leased capacity is
16 switched through OCMC's digital switches located in Indiana.
17

18 3. OCMC's switches operate in tandem, enabling it to achieve a 15,504 port
19 capacity on its network. Traffic through the switches is monitored via alarm printers at
20 OCMC's Network Control Center in Indianapolis. Alarm contacts are monitored by
21 Sonitrol, OCMC's alarm contractor. Back-up power is installed at each switch location. In
22 the event of a switch malfunction during normal business hours, the alarm printers are
23 monitored on a real time basis being at the Network Control Center. After normal business
24 hours, all switching and transmission equipment is monitored with alarm contacts which alert
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1 Sonitrol in case of any outages. Software and hardware maintenance contracts are
2 maintained for all network switches. These contracts provide 24-hour on-call technicians for
3 quick response time. Each switch is also equipped with modem access for OCMC's
4 switching vendors for direct access for problem diagnostic and restoral. All switching and
5 transmission equipment have redundancy built into them. A spare parts kit is maintained at
6 each switch site, as well, for the technicians to service hardware failures as quickly as
7 possible.
8

9
10 4. OCMC's live operator service centers (the "Operator Centers") are located in
11 Carmel, Indiana and the Dominican Republic. The Operator Centers have capacity for up to
12 150 operator stations, which are appropriately staffed to meet seasonal, daily and hourly peak
13 traffic on OCMC's network. Operator stations are currently 75 percent staffed on a regular
14 basis. Additional stations will be staffed as traffic dictates. Each operator station is
15 supported by custom-designed software residing on a local area network ("LAN") installed at
16 the Operator Centers, which have emergency back-up power and redundant equipment
17 installed. The Operator Centers are supported by a standby power generator for use in the
18 event of a power outage.
19

20
21 5. OCMC's operators attend a mandatory one (1) week training seminar. OCMC
22 currently employs 190 operators with new trainees starting classes approximately every two
23 weeks. OCMC's supervisor-to-operator ratios vary somewhat per hour of the day, but
24 average approximately one (1) supervisor for every twenty (20) operators.
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1 6. OCMC's operator platform switching equipment is built in a star configuration
2 with the Operator Center switch serving as host switching node. Diverse DS1s interconnect
3 the four remote switches to OCMC's Operator Center switch. Signaling protocol used on the
4 IMT's (Inter Machine Trunks [DS-1s]) is performed through HIL (pseudo SS7) out-of-band
5 signaling, which provides the user with fast call processing. The call is routed to the operator
6 station via digital extension (1B+D), arriving with caller origination, caller destination,
7 switch identification and routing information. Upon call arrival to the operator station,
8 account information is transmitted via LAN connections (multi-port repeater) from redundant
9 high performance file servers. Before the call is processed, a validation packet is sent to
10 SNET through a dedicated 9600 circuit via X.25 with dial backup capabilities.

11 7. OCMC's telecommunications network described above is engineered and
12 maintained for P.01 grade of service or better.

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16 **DESCRIPTION OF ZERO MINUS CALL COMPLETION PROCEDURES**

17 8. OCMC proposes to use the following 0- call completion procedures in
18 Arizona. The procedures generally follow the procedures successfully used by OCMC in
19 other states, but OCMC does not plan to offer its services through Feature Group B (FGB)
20 facilities access in Arizona at this time. Therefore, OCMC describes 0- call completion
21 procedures herein assuming Feature Group D (FGD) and 800 access facilities only.

22 9. Prior to the provision of any OCMC services on equipment owned or operated
23 by any aggregator, such customer must complete a "Property Database Form" pursuant to its
24 contract with OCMC. The information obtained from the property owner or operator is
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1 entered into OCMC's database, which resides on the LAN. In addition to ANI and location
2 information, the customer must provide emergency phone numbers applicable to the location
3 at which the phone instruments will be employed. OCMC anticipates that it will, no less than
4 semi-annually, place verification calls on a 100 percent sampling basis to emergency service
5 providers to ensure the accuracy of OCMC's database.
6

7 10. OCMC's custom software provides its operators with ANI, destination number
8 and call type information at the operator station. If the caller requests emergency assistance,
9 the operator presses a single keystroke combination and a "pop-up" window appears on the
10 operator station identifying the caller's location and the emergency phone numbers
11 applicable to that location. The ANI remains in view. Each emergency phone number is
12 single numbered in the pop-up window; the operator need only press the appropriate single
13 number to initiate call placement to the emergency service provider requested. An additional
14 single keystroke immediately adds the caller back on the line while the emergency call
15 provider's number is rung. The OCMC operator remains on the line until the emergency call
16 is successfully completed. The operator is instructed to provide location information to the
17 emergency service provider dispatcher in the event the caller hangs up, is hysterical, or is
18 otherwise non-communicative.
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22 11. Once the emergency call is completed, the operator completes a "trouble
23 ticket," which documents call detail including originating telephone number and location, the
24 emergency service provider to which the call was transferred, the date of the call, the time the
25 call was received, the time the call was connected to the emergency service provider, and a
26

1 brief description of the nature of the emergency call, including the extent of the injury, if
2 known.

3
4 12. Emergency situations may require supervisor intervention. Supervisors are
5 notified if the operator is unable to place the requested emergency call. If notified, the
6 supervisor receives all pertinent call screen and caller information from the operator and then
7 contacts Directory Assistance in the emergency request area. After receiving the requested
8 emergency agency number, the supervisor places a call to the emergency agency and
9 provides the relevant information. The supervisor then notifies the operator to let the caller
10 know that the emergency agency in that area has been contacted. Intervention by an OCMC
11 supervisor is documented in the "trouble ticket" described in paragraph 11, above.

12
13 **REQUEST FOR WAIVER**

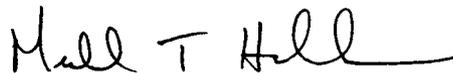
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15 13. OCMC endorses the Commission's goals to maintain the highest quality
16 standards of service in the Arizona telecommunications industry. OCMC fully understands
17 the important role that the Arizona telecommunications network has in furthering the public
18 interest, and in achieving and maintaining the highest degree of reliability and
19 professionalism needed in supporting emergency responses. Accordingly, OCMC
20 respectfully requests the Commission pursuant to the waiver provision provided in ACC
21 R14-2-1006, grant OCMC the authority for completing zero minus (0-) calls over OCMC's
22 network, including the completion of emergency calls.
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3 **MOTION TO VACATE HEARING**

4 14. Through this filing, OCMC notes its support for Staff's Motion to Vacate
5 Hearing and concurs with Staff's conclusion that this matter may be resolved without a
6 hearing. OCMC further submits that the waiver requested in this Amendment may be
7 resolved without a hearing and that Staff may address the appropriateness of this waiver
8 through an amendment to its Staff Report.
9

10 DATED this 26th day of March, 2004.

11
12 LEWIS AND ROCA LLP

13
14 

15 Thomas H. Campbell
16 Michael T. Hallam
17 40 N. Central Avenue
18 Phoenix, Arizona 85004

19 Attorneys for OCMC, Inc.
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1 ORIGINAL and fifteen (15) copies
2 of the foregoing filed this 26th day of
3 March, 2004, with:

4 The Arizona Corporation Commission
5 Utilities Division – Docket Control
6 1200 W. Washington Street
7 Phoenix, Arizona 85007

8 COPIES of the foregoing
9 hand-delivered this 26th day of
10 March, 2004, to:

11 Amanda Pope, Administrative Law Judge
12 Hearing Division
13 Arizona Corporation Commission
14 1200 W. Washington Street
15 Phoenix, Arizona 85007

16 Tim Sabo, Legal Division
17 Arizona Corporation Commission
18 1200 W. Washington Street
19 Phoenix, Arizona 85007

20 Ernest G. Johnson, Director
21 Utilities Division
22 Arizona Corporation Commission
23 1200 W. Washington Street
24 Phoenix, Arizona 85007

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J. Ros

EXHIBIT
A-2
Judicial Notice

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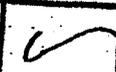
BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

JIM IRVIN
COMMISSIONER-CHAIRMAN
RENZ D. JENNINGS
COMMISSIONER
CARL J. KUNASEK
COMMISSIONER

DOCKETED

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DOCKET NO. T-02565A-90-0217

DECISION NO. 61274

IN THE MATTER OF THE APPLICATION OF
ONE CALL COMMUNICATIONS, INC., DBA
OPTICOM FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO
OPERATE AS AN INTEREXCHANGE
TELECOMMUNICATIONS RESALE CARRIER
AND OPERATOR SERVICES PROVIDER
WITHIN THE STATE OF ARIZONA.

OPINION AND ORDER

DATE OF HEARING: September 11, 1995
PLACE OF HEARING: Phoenix, Arizona
PRESIDING OFFICER: Barbara M. Behun
APPEARANCES: Mr. David Wm. West, WEST & BLISS, on behalf of One Call Communications, Inc., dba Opticom; and
Ms. Janet Wagner, Staff Attorney, Legal Division, on behalf of the Utilities Division of the Arizona Corporation Commission.

BY THE COMMISSION:

On July 27, 1990, One Call Communications, Inc. dba Opticom ("Opticom" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide interexchange telecommunications ("resale toll") and operator services ("AOS"). On June 3, 1991, Opticom filed a replacement application. On July 6, 1994, the application was bifurcated pursuant to a request by the Commission's Utilities Division Staff ("Staff"). Staff filed a Staff Report on June 20, 1995 regarding the AOS portion of the application. A hearing was held on September 11, 1995, at which Opticom stipulated to all of Staff's recommendations, except for Staff's recommendation to deny Opticom's request pursuant to A.A.C. R14-2-1006.B for a waiver to R14-2-1006.A, therefore allowing it to receive zero-minus traffic.¹

¹ Authorization to provide zero-minus service is necessary for an operator to receive any calls and provide services when an individual dials "0". The quality of zero-minus service is a concern, as an individual

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The matter was taken under advisement. By Procedural Order on September 12, 1995, Opticom was authorized to continue to operate and to provide zero-minus service on an interim basis.

On March 31, 1998, Staff filed a revised Staff Report, which was amended on April 10, 1998, April 15, 1998, April 22, 1998, and September 14, 1998. All subsequent references to a Staff Report will be to the amended Staff Report filed on September 14, 1998.

By Procedural Order dated October 2, 1998, Staff was ordered to provide a copy of the Staff Report to each individual or organization appearing on the service lists of the telecommunication interconnection proceedings, with a notice that comments or intervention should be received by November 6, 1998. Staff filed a Certificate of Mailing on October 15, 1998. No response to the Staff Report was received.

DISCUSSION

A.R.S. § 40-282.C.2 allows an AOS provider to receive a Certificate without a hearing. The Staff Report proposed the following changes in its recommendations for Opticom: (a) changes in the maximum authorized rates and services charges for AOS interLATA rates; (b) authorization to provide intraLATA toll calls; and (c) a procedure for AOS companies to seek authorization to increase maximum rates and service charges when the maximum rates and service charges of various facilities-based carriers increase.

Staff recommended that Opticom's maximum interLATA rate in each mileage band should be capped at the highest corresponding rate, respective of the day of the week and time of day, currently authorized for any of the following interexchange carriers ("IXCs"): AT&T Communications of the Mountain States, Inc. ("AT&T"); MCI Telecommunications Corporation ("MCI"); Sprint Communications Company ("Sprint"); and Allnet Communication Services, Inc. ("Allnet"). Staff conducted internal research and updated some of the maximum approved rates and service charges of the IXCs.

The Commission authorized intraLATA competition in Decision No. 59124 (June 23, 1995).

experiencing an emergency may dial "0" for the operator, rather than dialing "911", which gets routed to the "911" emergency center.

CLASS. 100-6170

1 AOS providers have traditionally been prohibited from carrying intraLATA calls unless the required
 2 compensation had been paid to the local exchange carrier ("LEC") that would otherwise carry the
 3 call, pursuant to A.A.C. R14-2-1013. The Competitive Rules, A.A.C. R14-2-1101 through R14-2-
 4 1115, authorized intraLATA competition, but are not applicable to AOS providers. Staff stated that
 5 it is appropriate to authorize Opticom to provide intraLATA service.

6 To allow all interested parties to respond to Staff's recommendations, our October 2, 1998
 7 Procedural Order directed Staff to provide copies of the Staff Report and notice summarizing the
 8 changes to all individuals and businesses who were on the telecommunications interconnection
 9 mailing lists, with the opportunity to intervene or submit comments by November 6, 1998. No
 10 response was received from interested parties. Therefore, we conclude that no interested party
 11 objects to Staff's recommendation to allow AOS providers to compete in the intraLATA market.

12 AOS rules allow the provision of intraLATA toll calls where the required compensation has
 13 been paid to the LEC. We recognize that in the competitive arena, no compensation to the LEC is
 14 required in order to provide intraLATA calls. Given that competition is now allowed for intraLATA
 15 service, we will adopt Staff's recommendation.

16 Historically, maximum interLATA rates and charges for AOS providers were determined by
 17 a review of the four main IXC's, but AOS providers were required to file for a formal rate increase
 18 if they desired to increase their maximum rates. In this matter, Staff recommended that if any of the
 19 IXC's were authorized an increase in maximum rates, Opticom may file a tariff setting forth new
 20 maximum rates, supporting documentation estimating the impact of the new maximum rate upon
 21 the Company's rate of return, and an estimate of the value of the Company's plant used to serve
 22 Arizona customers, for Commission review.

23 In a market with alternative providers, where rates are set in reference to the rates of
 24 established carriers providing similar services, it is reasonable to approve a simplified rate
 25 application when the rates of the established carriers have increased. We therefore will approve
 26 Staff's recommended procedure for AOS rate increase applications. We will also order Opticom to
 27 comply with certain standard Staff Recommendations from the June 20, 1995 Staff Report.
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Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. On July 27, 1990, Opticom filed with the Commission an application for a Certificate to provide resale toll services and AOS services.
2. On June 3, 1991, Opticom filed a replacement application.
3. On July 6, 1994, the application was bifurcated pursuant to a request by Staff.
4. The Commission approved Opticom's reseller application in Decision No. 60106 (March 19, 1997).
5. In Decision No. 57339 (April 5, 1991), the Commission concluded that the provision of intrastate interLATA AOS in Arizona was generally in the public interest.
6. In Decision No. 58421 (October 1, 1993), the Commission adopted A.A.C. R14-2-1001 through R14-2-1014 to regulate AOS providers.
7. Opticom is an Indiana corporation that has been qualified to conduct business in Arizona since 1990.
8. Opticom completes intrastate calls using its own switch located in Los Angeles, California. Intrastate calls are routed to the Los Angeles switch over long distance facilities obtained from Qwest.
9. On June 20, 1995, Staff issued a Staff Report regarding the AOS portion of the application.
10. On August 25, 1995, Opticom filed an amended proposed tariff, incorporating Staff recommendations, except for Staff's recommended denial of Opticom's request pursuant to R14-2-1006.B, for a waiver to R14-2-1006.A.
11. A hearing was held on the AOS portion of the application on September 11, 1995.
12. Opticom stipulated to all of Staff's recommendations, except that Opticom desired to provide zero-minus traffic, and opposed Staff's recommendation that it should be barred from

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doing so.

13. By Procedural Order on September 12, 1995, the Commission allowed Opticom to continue to operate and to provide zero-minus service on an interim basis.

14. On March 31, 1998, Staff filed a revised Staff Report, which was further amended on April 10, 1998, April 15, 1998, April 22, 1998, and September 14, 1998.

15. The Staff Report indicated that the Company currently serves 3,449 Arizona aggregator locations, consisting of pay telephones, LEC telephones, and telephones located in hotels/motels and condominiums. An aggregator receives commissions based upon the volume of aggregate traffic.

16. Staff's Consumer Services Department has not received any customer complaints regarding Opticom since the 1995 hearing. As of the June 20, 1995 Staff Report, Staff had received one complaint against Opticom for the years 1991 through 1994, inclusive.

17. Staff reported that for the period from June 1993 to August 1994, the public utility commissions of Colorado, Idaho, Nevada and Texas had received the following complaints regarding Opticom: four, five, none, and one, respectively.

18. Staff stated that it reviewed the Company's financial statements prepared by an independent auditor for the years ended 1996 and 1997, and the statements indicated that the Company had positive net income and positive retained earnings in those years. Staff concluded that the Company appears to have sufficient financial resources to provide the proposed services.²

19. Staff recommended that pursuant to R14-2-1006.B, Opticom be granted a waiver to R14-2-1006.A, and be authorized to handle zero-minus telephone calls. Staff stated that the Company has provided Staff with the necessary data to clearly and convincingly demonstrate that it has the capability to process zero-minus calls with equal quickness and accuracy as provided by the LEC.

20. Pursuant to A.R.S. § 40-282.C.2, hearings are no longer required for an AOS provider to receive its Certificate.

² Staff indicated that the financial information was provided pursuant to a confidentiality agreement, and therefore it is not available to include in this Order.

28. The Commission has received no comments or requests to intervene.

CONCLUSIONS OF LAW

1. Opticom is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. Sections 40-281 and 40-282.

2. The Commission has jurisdiction over Opticom and the subject matter of the application.

3. Notice of the application was given in accordance with the law.

4. The provision of intrastate interLATA and intraLATA AOS in Arizona by Opticom is in the public interest.

5. Opticom is a fit and proper entity to receive a Certificate for providing AOS in Arizona.

6. It is in the public interest that pursuant to R14-2-1006.B, Opticom should be granted a waiver to R14-2-1006.A.

7. Staff's recommended maximum rates, service charges and surcharges as set forth in Schedules 1 and 2 are reasonable and should be approved.

8. Staff's recommended method for a rate increase, as outlined in Findings of Fact No. 24, is reasonable and should be approved.

ORDER

IT IS THEREFORE ORDERED that the application of One Call Communications, Inc. dba Opticom for a Certificate of Convenience and Necessity to provide alternative operator service in Arizona shall be, and is hereby, granted.

IT IS FURTHER ORDERED that pursuant to A.A.C. R14-2-1006.B, One Call Communications, Inc. dba Opticom shall be granted a waiver to A.A.C. R14-2-1006.A.

IT IS FURTHER ORDERED that within thirty days of this Decision, One Call Communications, Inc. dba Opticom shall file an amended tariff to include the usage charges, rate periods, service charges and surcharges contained in the attached Schedule 1 for interLATA telephone service and Schedule 2 for intraLATA telephone service.

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IT IS FURTHER ORDERED that One Call Communications, Inc. dba Opticom is hereby authorized to discount its rates and/or service charges to marginal cost.

IT IS FURTHER ORDERED that if One Call Communications, Inc. dba Opticom desires to increase its rates in response to an increase in maximum rates by any of the carriers used in Schedules 1 or 2, it is authorized to apply for the increase by settling forth the following items for Commission review:

- (a) a tariff setting forth new maximum rates, which do not exceed the maximum rates of one of the carriers;
- (b) supporting documentation estimating the overall impact of the new maximum rate upon the Company's rate of return; and
- (c) an estimate of the value of the Company's plant used to serve Arizona customers.

IT IS FURTHER ORDERED that One Call Communications, Inc. dba Opticom shall comply with the following, which were recommended in the June 20, 1995 Staff Report:

- (a) amend its tariff to include a provision which states its intent to comply with A.A.C. R14-2-1001, et seq. governing alternative operator services providers;
- (b) prepare a revised, detailed description of its complaint processing procedure to be included in its tariff;
- (c) amend its tariff (Section III, 6.01) to indicate that end users may access their preferred carrier at no charge;
- (d) amend its tariff to comply with the posting provisions contained within A.A.C. R14-2-1005.B;
- (e) amend its tariff to include a provision which requires the aggregator to comply with posting requirements, and which requires Opticom to terminate service to any aggregator that fails to comply with this requirement;
- (f) refile its tariffs incorporating the authorized rates and charges and terms and conditions set forth in the Commission's Order fifteen (15) days subsequent to entry of the Commission's Decision with an effective date for the tariffs of thirty (30) days following the entry of the Commission's Order;
- (g) file with the Commission a notice of a change in the discount level, as well as all supporting data, no later than fourteen (14) days prior to the effective date of the changes; and

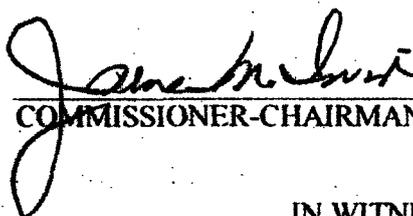
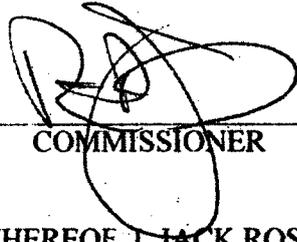
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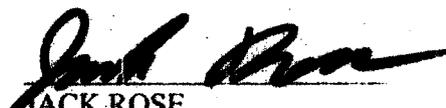
(h) discontinue the collection of property surcharges and withhold any payment of any compensation including commissions, when it discovers that the aggregator is blocking access to an end user's preferred carrier. In addition, if the blocking situation persists and an application for a waiver is not filed within sixty days, Opticom shall terminate service to that aggregator.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

		
COMMISSIONER-CHAIRMAN	COMMISSIONER	COMMISSIONER

IN WITNESS WHEREOF, I, JACK ROSE, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 14th day of DEC, 1998.


 JACK ROSE
 EXECUTIVE SECRETARY

DISSENT _____
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SERVICE LIST FOR: ONE CALL COMMUNICATIONS, INC. dba OPTICOM, INC.

DOCKET NO. T-02565A-90-0217

Laura Clore
ONE CALL COMMUNICATIONS, INC.
dba OPTICOM
801 Congressional Blvd
Carmel, Indiana 46032

Paul Bullis, Chief Counsel
ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
Phoenix, Arizona 85007

Director, Utilities Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
Phoenix, Arizona 85007

SCHEDULE 1

AOS MAXIMUM INTERLATA USAGE CHARGES

MILEAGE BAND	DAY*		EVENING/HOLIDAY**		NIGHT/WEEKEND***	
	FIRST MINUTE	ADDTL MINUTE	FIRST MINUTE	ADDTL MINUTE	FIRST MINUTE	ADDTL MINUTE
0-10	0.3000	0.3000	0.3000	0.3000	0.3000	0.3000
11-16	0.4000	0.3000	0.3000	0.3000	0.3000	0.3000
17-22	0.4000	0.3000	0.3000	0.3000	0.3000	0.3000
23-30	0.4500	0.3000	0.3135	0.3000	0.3000	0.3000
31-40	0.5065	0.3000	0.3135	0.3000	0.3000	0.3000
41-55	0.5307	0.3332	0.3135	0.3000	0.3000	0.3000
56-70	0.5560	0.3732	0.3590	0.3000	0.3000	0.3000
71-124	0.5560	0.3865	0.3590	0.3000	0.3000	0.3000
125-196	0.5560	0.4265	0.3590	0.3000	0.3000	0.3000
197-292	0.5560	0.4799	0.3590	0.3000	0.3000	0.3000
293 & Over	0.5800	0.4820	0.3908	0.3000	0.3300	0.3000

RATE PERIODS

*DAY Monday through Friday 8:00 a.m. to 5:00 p.m.

**EVENING/HOLIDAY Sunday through Friday 5:00 p.m. to 11:00 p.m.
 Officially recognized holidays are: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Evening rates are applicable during all holiday hours, except for hours when a lower rate (i.e. Night/Weekend) is applicable.

***NIGHT/WEEKEND Sunday through Thursday 11:00 p.m. to 8:00 a.m., 11:00p.m Friday through 5:00 p.m. Sunday.

AOS MAXIMUM INTERLATA SERVICE CHARGES

SERVICES (a) (b)	CHARGES
Customer Dialed Calling or Credit Card	\$1.50
Operator Dialed Calling or Credit Card	\$2.30
Station - to - Station Collect	\$2.33
Person - to - Person Collect	\$4.66
Third Party Person - to - Person	\$4.66
Third Party Station - to - Station	\$2.33
Person - to - Person	\$4.50
Station - to - Station	\$3.50
Directory Assistance	\$2.00

Notes:

- (a) An Operator Dialed Surcharge of \$2.00 will be applied to the calls when the customer has the capability to call, but requests the operator to do so instead. In accordance with A.A.C. R14-2-1005, end users shall be informed of this charge before call completion. This surcharge will not be imposed in cases of equipment failure or where the end user is experiencing a disability.
- (b) A Property Surcharge, Subscriber Surcharge or Location Specific Surcharge may be added to all operator assisted calls completed from Company subscriber locations. This surcharge will appear on the customer's bill and will be capped at \$1.00 per call; all of this surcharge will be remitted to the aggregator; and this surcharge will not be collected by the Company if the aggregator is also collecting a surcharge.

51274

SCHEDULE 2

AOS MAXIMUM INTRALATA USAGE CHARGES

MILEAGE BAND	DAY*		EVENING/HOLIDAY**		NIGHT/WEEKEND***	
	FIRST MINUTE	ADDTL MINUTE	FIRST MINUTE	ADDTL MINUTE	FIRST MINUTE	ADDTL MINUTE
0-10	0.3000	0.3000	0.3000	0.3000	0.3000	0.3000
11-16	0.4000	0.3000	0.3000	0.3000	0.3000	0.3000
17-22	0.4000	0.3000	0.3000	0.3000	0.3000	0.3000
23-30	0.4500	0.3000	0.3135	0.3000	0.3000	0.3000
31-40	0.4500	0.3000	0.3135	0.3000	0.3000	0.3000
41-55	0.4500	0.3000	0.3135	0.3000	0.3000	0.3000
56-70	0.5200	0.3300	0.3590	0.3000	0.3000	0.3000
71-124	0.5200	0.3300	0.3590	0.3000	0.3000	0.3000
125-196	0.5300	0.3600	0.3590	0.3000	0.3000	0.3000
197-292	0.5800	0.3600	0.3590	0.3000	0.3000	0.3000
293 & Over	0.5800	0.3800	0.3980	0.3000	0.3300	0.3000

RATE PERIODS

*DAY Monday through Friday 8:00 a.m. to 5:00 p.m.

**EVENING/HOLIDAY Sunday through Friday 5:00 p.m. to 11:00 p.m.
 Officially recognized holidays are: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Evening rates are applicable during all holiday hours, except for hours when a lower rate (i.e. Night/Weekend) is applicable.

***NIGHT/WEEKEND Sunday through Thursday 11:00 p.m. to 8:00 a.m., 11:00 p.m. Friday through 5:00 p.m. Sunday.

AOS MAXIMUM INTRALATA SERVICE CHARGES

SERVICES (a) (b)	CHARGES
Customer Dialed Calling or Credit Card	\$1.50
Operator Dialed Calling or Credit Card	\$2.30
Station - to - Station Collect	\$2.30
Person - to - Person Collect	\$4.50
Third Party Person - to - Person	\$4.50
Third Party Station - to - Station	\$2.30
Person - to - Person	\$4.50
Station - to - Station	\$3.50
Directory Assistance	\$2.00

Notes:

- (a) An Operator Dialed Surcharge of \$2.00 will be applied to the calls when the customer has the capability to call, but requests the operator to do so instead. In accordance with A.A.C. R14-2-1005, end users shall be informed of this charge before call completion. This surcharge will not be imposed in cases of equipment failure or where the end user is experiencing a disability.
- (b) A Property Surcharge, Subscriber Surcharge or Location Specific Surcharge may be added to all operator assisted calls completed from Company subscriber locations. This surcharge will appear on the customer's bill and will be capped at \$1.00 per call; all of this surcharge will be remitted to the aggregator; and this surcharge will not be collected by the Company if the aggregator is also collecting a surcharge.

61274

LEGAL

S-4

MEMORANDUM RECEIVED

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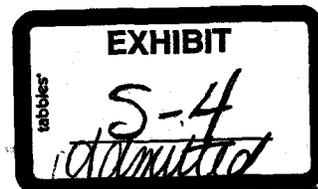
TO: Docket Control
FROM: Ernest G. Johnson
Director
Utilities Division

RECEIVED

AUG 23 2004

LEGAL DIV.
ARIZ CORPORATION COMMISSION

AZ CORP COMMISSION
DOCUMENT CONTROL



DATE: August 23, 2004

RE: IN THE MATTER OF THE APPLICATION OF OCMC, INC. TO OBTAIN A CERTIFICATE OF CONVENIENCE AND NECESSITY FROM ONE CALL COMMUNICATIONS, INC. DBA OPTICOM TO PROVIDE TELECOMMUNICATIONS SERVICES AS A PROVIDER OF RESOLD INTEREXCHANGE SERVICES AND ALTERNATIVE OPERATOR SERVICES WITHIN THE STATE OF ARIZONA (DOCKET NOS. T-04103A-02-0274 AND T-02565A-02-0274)

Attached is a Supplemental Staff Report for the above referenced application. The purpose of this report is to address the Applicant's request for a waiver pursuant to A.A.C. R14-2-1006.

EGJ/DWS/red

Originator: Del Smith

Attachment: Original and Sixteen Copies

SUPPLEMENTAL STAFF REPORT
UTILITIES DIVISION
ARIZONA CORPORATION COMMISSION

OCMC, INC. AND ONE CALL COMMUNICATIONS, INC. DBA OPTICOM

DOCKET NOS. T-04103A-02-0274 AND T-02565-02-0274

IN THE MATTER OF THE APPLICATION OF OCMC, INC. TO OBTAIN A
CERTIFICATE OF CONVENIENCE AND NECESSITY FROM ONE CALL
COMMUNICATIONS, INC. DBA OPTICOM TO PROVIDE
TELECOMMUNICATIONS SERVICES AS A PROVIDER OF RESOLD
INTEREXCHANGE SERVICES AND ALTERNATIVE OPERATOR SERVICES
WITHIN THE STATE OF ARIZONA

August 23, 2004

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3. COMPARISON OF FACILITIES AND CALL COMPLETION PROCEDURES	2
4. COMPARISON OF CALL PROCESSING SEQUENCES AND PROCESSING TIMES...3	
5. CONCLUSIONS AND RECOMMENDATIONS	3

ATTACHMENTS:

QWEST CORPORATION RESPONSES TO STAFF'S FIRST SET OF DATA REQUESTS DATED JULY 27, 2004.....	ATTACHMENT 1
OCMC'S RESPONSES TO STAFF'S SECOND SET OF DATA REQUESTS DATED JULY 26, 2004.....	ATTACHMENT 2

STAFF ACKNOWLEDGMENT

The Supplemental Staff Report for OCMC, Inc. and One Call Communications, Inc. d/b/a Opticom, Docket Nos. T-04103A-02-0274 and T-02565A-02-0274, was the responsibility of the Staff member listed below. Del Smith was responsible for the review and analysis of the Applicant's request for a waiver pursuant to A.A.C. R14-2-1006.



Del Smith
Utilities Engineer Supervisor

1. INTRODUCTION

On March 26, 2004, OCMC, Inc. (the "Applicant" or "OCMC") filed an amendment to its application to provide resold interexchange services and alternative operator services. The amendment requested a waiver to Arizona Administrative Code R14-2-1006. The proposed waiver would allow OCMC to complete zero-minus calls, including emergency calls, over its telecommunications network instead of the originating local exchange carrier ("LEC").

On April 26, 2004, Staff filed an amended Staff Report. In this report Staff concluded that although OCMC has the capability to process zero-minus calls quickly and accurately, it failed to provide information required by the rule relating to the manner in which the LEC processes such calls.

A Procedural Order issued on May 24, 2004, ordered OCMC to work with Staff in an effort to provide the information required pursuant to A.A.C. R14-2-1006.B relating to the manner in which the LEC provides zero-minus calls. OCMC was provided 60 days in which to provide the necessary information and Staff was ordered to file the subject supplemental report indicating its recommendation with regard to approval of OCMC's waiver request at the expiration of the 60-day period.

On July 23, 2004, Staff filed a motion to extend the due date for filing its supplemental report. Staff had not received responses to data requests issued in an attempt to elicit the necessary information from OCMC and Qwest Corporation ("Qwest").

A procedural order issued on July 26, 2004, granted Staff's request for a 30-day extension and ordered Staff to file its supplemental report by August 23, 2004.

Staff's review and analysis in this supplemental report addresses OCMC's ability to process zero-minus calls as quickly and accurately as Qwest. Qwest is the predominant LEC operating in the area to be served by OCMC.

2. ZERO-MINUS CALL WAIVER

The term "zero-minus" refers to calls by individuals who dial "0," and wait for the operator to assist in completing the call. The Commission adopted AAC R14-2-1006.A, which requires the AOS provider to route all zero-minus calls to the originating LEC. The Commission also provides for a waiver from the requirement upon a showing that the AOS provider could provide the caller with equally quick and reliable service. On March 26, 2004, OCMC requested such a waiver.

AAC R14-2-1006.B provides for a waiver to subsection A "if the AOS provider has clearly and convincingly demonstrated that it has the capability to process such calls with equal quickness and accuracy as provided by the LEC".

3. COMPARISON OF FACILITIES AND CALL COMPLETION PROCEDURES

Qwest has provided a description of its facilities used to process zero-minus calls and has described its zero-minus call completion procedures.¹ As depicted in the Tables below the facilities and procedures used by OCMC and Qwest are comparable:

<u>Facilities</u>	<u>OCMC</u>	<u>Qwest</u>
authorized to provide zero-minus emergency call completion and operator assisted services in other states	✓	✓
provides 24-hour, seven day a week operator services over its telecommunications network which is equipped with emergency back-up power and redundant equipment	✓	✓
switches have adequate capacity and are monitored at all times and 24-hour on-call technicians are available for needed repairs	✓	✓
live operator centers are staffed to meet seasonal, daily and hourly peak traffic on network	✓	✓
telecommunications network is engineered and maintained for a P.01 grade of service or better	✓	✓

Call Completion Procedures

<u>OCMC</u>	<u>Qwest</u>
uses the same zero-minus call completion procedures that it uses in other states	uses the same procedures in other jurisdictions it serves
customers are required to provide emergency phone number information that will be tested at least semi-annually to verify its accuracy	uses automatic number identification information to determine the appropriate emergency phone number information
with a single keystroke the operator equipment provides the operator with the information needed to process an emergency call; the operator need only press a single number to initiate call placement to the emergency service provider requested	the operator equipment provides the operator with the information needed to process an emergency call
the operator remains on the line until the emergency call is successfully completed; the operator will provide location information to the emergency service provider in the event the caller hangs up, is hysterical, or is otherwise non-communicative	the operator provides the caller's number to the emergency service provider and waits for the conversation to begin, the call is then placed on hold, when either or both parties hang up the operator verifies that the call has ended
records are kept on all emergency calls	records are kept on all emergency calls

¹ Information provided in Qwest Corporation's Responses to Staff's First Set of Data Requests dated July 27, 2004.

Based on the above information, Staff believes that OCMC has the capability to process zero-minus calls at a level of accuracy and reliability that is equal to that provided by Qwest.

4. COMPARISON OF CALL PROCESSING SEQUENCES AND PROCESSING TIMES

OCMC and Qwest have provided information on their operator handled call processing sequences and completion times.²

<u>Call Processing Sequence</u>	<u>OCMC</u>	<u>Qwest</u>
after reaching the automated operator caller can press "0" and be connected to a live operator immediately	✓	✓
live operator verifies that the call received is an emergency and the nature of the emergency	✓	✓

<u>Call Processing Times (in seconds)</u>	<u>OCMC</u>	<u>Qwest</u>
average call processing time from the time the caller has dialed zero to the time the caller is connected to a live operator	≤10*	7.9 – 9.6
average call processing time from the time the live operator is connected to the caller to the time the caller is connected with the emergency service provider	time varies	25
operator average work time	**	25
the total average call processing time	< 60	32.9 – 34.6***

* The maximum time is 10 seconds for OCMC to process this segment of the call.
 ** OCMC did not provide an operator average work time.
 *** From 2003 through June 2004 the monthly call processing time for Qwest was between 7.92 and 9.64 seconds with an average work time of 25 seconds.

Due to the vagueness of OCMC's responses Staff can't make an objective comparison between the call processing times of OCMC and Qwest.

5. CONCLUSIONS AND RECOMMENDATIONS

Staff concludes that OCMC has the capability to process zero-minus calls at a level of accuracy and reliability that is equal to that provided by Qwest. Staff believes it could be reasonable to conclude that OCMC's call processing times would be comparable to Qwest's. However, due to the vagueness of OCMC's responses Staff can't make an objective comparison between the call processing times of OCMC and Qwest.

² Information provided in OCMC's Responses to Staff's Second Set of Data Requests dated July 26, 2004, and Qwest Corporation's Responses to Staff's First Set of Data Requests dated July 27, 2004.

OCMC has not met its burden of proof therefore Staff cannot conclude that the requirement of AAC R14-2-1006B has been met. AAC R14-2-1006B provides for a waiver "if the AOS provider has **clearly and convincingly demonstrated** that it has the capability to process such calls with equal quickness . . ." (emphasis added) as the LEC. Even though it is clear that the rule requires that a comparison be made OCMC failed to provide the objective data Staff would need and clearly requested. The same data requests were sent to both OCMC and Qwest regarding call processing times. In addition, the total average call processing time for Qwest was shorter than the time OCMC provided. Until OCMC provides the comparative data needed, Staff can not recommend granting the waiver OCMC has requested.

SERVICE LIST FOR: OCMC, INC. AND ONE CALL COMMUNICATIONS, INC. DBA
OPTICOM

DOCKET NOS. T-04103A-02-0274 AND T-02565A-02-0274

Thomas Campbell, Esq.
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Carmel, IN 46032

Laura Clore
Regulatory Manager
One Call Communications, Inc. d/b/a Opticom
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Ernest G. Johnson, Esq., Director
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Phoenix, Arizona 85007

Christopher C. Kempley, Esq., Chief Counsel
Arizona Corporation Commission
Legal Division
1200 West Washington
Phoenix, Arizona 85007

Lyn Farmer, Esq., Chief Administrative Law Judge
Arizona Corporation Commission
Hearing Division
1200 West Washington
Phoenix, Arizona 85007



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Tina.Colvin@qwest.com

July 27, 2004

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VIA OVERNIGHT UPS

Maureen A. Scott
Attorney, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

JUL 28 2004

AZ CORPORATION COMMISSION
DIRECTOR OF UTILITIES

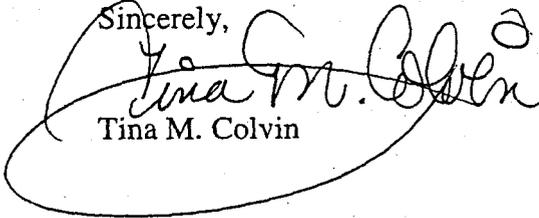
Re: In the Matter of Application to transfer the existing CC&N of One Call
Communications, Inc. d/b/a Opticom to OCMC, Inc.
Docket No. T-04103A-02-0274 and T-02565A-02-0274

Dear Ms. Scott:

Enclosed please find Qwest Corporation's Responses to Staff's First Set of Data Requests to
Qwest Corporation in the above-referenced matter.

Should you have any questions, please do not hesitate to contact me at (303) 672-2795.

Sincerely,



Tina M. Colvin

tmc

Enclosures

cc: Norm Curtright, Esq.
Tim Berg, Esq.
Monica Luckritz

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing Qwest Corporation's Responses to Staff's First Set of Data Requests to Qwest Corporation, to be sent via overnight delivery on July 27, 2004, to the following:

Timothy J. Sabo
Legal Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington St.
Phoenix, AZ 85007

✓ Del W. Smith
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington St.
Phoenix, AZ 85007

Constance Fitzsimmons
Legal Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington St.
Phoenix, AZ 85007

Maria Maya

Arizona
T-04103A-02-0274 and T-02565A-02-0274
STF 01-001

INTERVENOR: Arizona Corporation Commission Staff

REQUEST NO: 001

Provide a detailed description of the facilities and the procedures that are used to process zero-minus emergency calls. At minimum, your description should address the following:

Facilities

- Where is the live operator center(s) located?
- Is 24-hour seven day a week service provided over a telecommunications network equipped with emergency back-up power and redundant equipment?
- Does adequate capacity exist on the network to handle the expected call volume?
- Is the telecommunications network engineered and maintained for a P.01 grade of service or better?
- Is the network monitored at all times and are 24-hour on-call technicians available for needed repairs?
- Are live operator centers staffed to meet seasonal, daily and hourly peak traffic?

Call completion procedures

- Are the zero-minus emergency call completion procedures used by the Company for the Arizona jurisdiction the same procedures the Company uses for all jurisdictions it serves? If not, please explain.
- Are customers required to provide emergency phone number information and, if so, does the Company take any action to verify its accuracy? If this information is not needed please explain why.
- Does the operator equipment provide the operator with the information needed to process an emergency call? If so, describe the process used by the operator to obtain this information. If this information is not needed please explain why.
- Describe the process used by the operator to initiate call placement to the emergency service provider requested.

- Does the operator remain on the line until the emergency call is successfully completed?
- Does the operator provide location information to the emergency service provider in the event the caller hangs up, is hysterical, or is otherwise non-communicative?
- Are records kept on all emergency calls? What information is kept?

RESPONSE:

Zero Minus calls are routed from the end office, where the customers' local service resides, to the Qwest Operator Services switch that resides in Salt Lake City, Utah. All calls are sent to an automated platform that prompts the customer how to place a call or press "0" for operator assistance. (If customers' press "0" immediately after the automated prompt begins they will be connected to a live operator.)

The Qwest network is engineered and maintained for better than P.01 grade of service and is equipped with emergency back-up power and redundant equipment. The network is monitored at all times with technicians available 24X7X365. The call center is staffed 24X7X365. Weekly staffing schedules are based upon historical and current trends that are revised as appropriate and monitored daily every quarter hour. The call center uses the same procedures for other jurisdictions it serves.

When the customer asks to be connected to an emergency agency and it cannot be determined from their tone of voice or manner if an emergency exists, the Operator will ask; "Is this an emergency?" If the customer's response is yes, the operator will ask for the nature of the emergency, verify the locality and process the call to the emergency agency based upon the back number display and/or customer response and associated emergency agency numbers stored in an operator reference database.

When the agency answers the Operator will provide the customer's number to the agency and wait for conversation to begin between the agency and the customer and place the call on hold at the operator's workstation. When either or both parties hang up, the call will return to the agent to determine if the call has ended; then release the call from the workstation.

The operator completes an emergency memo ticket that includes:

Originating Telephone Number

Number of the Emergency Agency Reached

Time Call Started

Time Call Finished (Agency and/or customer disconnected)

Comments (Information the customer may have provided that describes the nature of the emergency

Respondent: Judy Lee, Qwest Manager

Arizona

T-04103A-02-0274 and T-02565A-02-0274

STF 01-002

INTERVENOR: Arizona Corporation Commission Staff

REQUEST NO: 002

Describe the call processing sequence that occurs from the time the caller has dialed zero to the time the caller is connected with a live operator. What is the average/typical call processing time (in seconds) for this segment of a zero-minus call?

RESPONSE:

Zero Minus calls are routed from the end office, where the customers' local service resides, to the Qwest Operator Services switch that resides in Salt Lake City, Utah. All calls are sent to an automated platform that prompts the customer how to place a call or press "0" for operator assistance. (If customers' press "0" immediately after the automated prompt begins they will be connected to a live operator.)

From 2003 through June YTD 2004 the monthly call processing time was between 7.92 and 9.64 seconds.

Respondent: Judy Lee, Qwest Manager

Arizona

T-04103A-02-0274 and T-02565A-02-0274

STF 01-003

INTERVENOR: Arizona Corporation Commission Staff

REQUEST NO: 003

Describe the call processing sequence that occurs from the time the live operator has been connected with the caller to the time the caller is connected with the emergency service provider. What is the average/typical call processing time (in seconds) for this segment of a zero-minus emergency call (including operator average work time)?

RESPONSE:

When the customer asks to be connected to an emergency agency and it cannot be determined from their tone of voice or manner if an emergency exists, the Operator will ask; "Is this an emergency?" If the customer's response is yes, the operator will ask for the nature of the emergency, verify the locality and process the call to the emergency agency based upon the back number display and/or customer response and associated emergency agency numbers stored in an operator reference database.

When the agency answers the Operator will provide the customer's number to the agency and wait for conversation to begin between the agency and the customer and place the call on hold at the operator's workstation. When either or both parties hang up, the call will return to the agent to determine if the call has ended; then release the call from the workstation.

From 2003 through June YTD 2004 the monthly call processing time was between 7.92 and 9.64 seconds with an average work time of 25 seconds.

Respondent: Judy Lee, Qwest Manager

Arizona
T-04103A-02-0274 and T-02565A-02-0274
STF 01-004

INTERVENOR: Arizona Corporation Commission Staff

REQUEST NO: 004

What is the operator average work time (in seconds) for a zero-minus emergency call?

RESPONSE:

From 2003 through June YTD 2004 the monthly call processing time was between 7.92 and 9.64 with an average work time of 25 seconds.

Respondent: Judy Lee, Qwest Manager

Arizona

T-04103A-02-0274 and T-02565A-02-0274

STF 01-005

INTERVENOR: Arizona Corporation Commission Staff

REQUEST NO: 005

How many zero-minus emergency calls did the Company receive in 2002, 2003 and 2004 through June 30th ?

RESPONSE:

In 2003, the call center processed 1,828 emergency calls and in 2004, processed 1,259 calls year to date for the State of Arizona. Data is not available for 2002.

Respondent: Judy Lee, Qwest Manager

LEWIS
AND
ROCA
LLP
LAWYERS

Phoenix Office
40 North Central Avenue
Phoenix, Arizona 85004-4429
Telephone (602) 262-5311
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Las Vegas, Nevada 89109
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E-Mail: mhallam@lrlaw.com
Admitted in Arizona

Our File Number 39888-00001

July 26, 2004

VIA HAND DELIVERY

Timothy J. Sabo
Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

Del W. Smith
Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

RECEIVED

JUL 26 2004

AZ CORPORATION COMMISSION
DIRECTOR OF UTILITIES

Re: In the Matter of the Application of OCMC, Inc.
Docket No. T-02565A-02-0274

Dear Tim and Del:

Enclosed are OCMC's responses to Staff's Second Set of Data Requests in the above-referenced docket.

If you have any questions, please contact me at (602) 262-5340.

Very truly yours,



Michael T. Hallam

MTH/jw
Enclosures

cc: Ann Bernard (with enclosures)

BEFORE THE ARIZONA CORPORATION COMMISSION

MARC SPITZER
Chairman
WILLIAM A. MUNDELL
Commissioner
JEFF HATCH-MILLER
Commissioner
MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner

In the Matter of the Application of)
OCMC, Inc. to Obtain a Certificate of) Docket No. T-04103A-02-0274
Convenience and Necessity From One)
Call Communications, Inc. d/b/a) Docket No. T-02565A-02-0274
Opticom to Provide Telecommunications)
Services as a Provider of Resold)
Interexchange Services and Alternative)
Operator Services Within the State of)
Arizona)

OCMC INC.'S OBJECTIONS AND RESPONSES TO
STAFF'S SECOND SET OF DATA REQUESTS

OCMC, Inc. ("OCMC") hereby submits the following objections and responses to the
Second Set of Data Requests submitted by Staff of the Arizona Corporation Commission
("Staff").

GENERAL OBJECTIONS TO ALL DATA REQUESTS

1. OCMC objects to each and every Request to the extent it seeks
information subject to the attorney-client privilege, work product doctrine or any other privilege
recognized by the State of Arizona. In responding to these Requests, OCMC does not waive, but
preserves, all such privileges.

2. OCMC objects to each and every Request to the extent it seeks information that is confidential, sensitive, competitive in nature or proprietary to it. In responding to these requests, OCMC does not waive, but preserves, its claim that request for customer and market information is confidential.

3. OCMC objects to each and every Request to the extent that it is unreasonably burdensome, overly broad or not reasonably calculated to lead to the discovery of admissible evidence.

4. OCMC objects to each and every one of Staff's definitions and/or instructions to the extent it purports to abrogate any of OCMC's rights, or add to any of OCMC's obligations under, the Arizona Rules of Civil Procedure or the Commission's Rules.

5. OCMC objects to each and every Request to the extent it is overly broad, unduly burdensome or imposes any burden not expressly permitted under the Commission's Rules or the Arizona Rules of Civil Procedure.

6. OCMC objects to each and every Request to the extent that it calls for information already in the possession, custody and control of Staff.

7. OCMC objects to each and every Request to the extent it seeks information outside of OCMC's possession, custody or control.

8. OCMC expressly reserves the right to supplement or amend its objections and responses as necessary.

OCMC incorporates the foregoing General Objections into each response as if fully set forth therein.

DATED: July 26, 2004.

LEWIS AND ROCA LLP
Thomas H. Campbell
Michael T. Hallam
40 N. Central Avenue
Phoenix, Arizona 85004
(602) 262-5723

Attorneys for OCMC, Inc.

SPECIFIC RESPONSES TO DATA REQUESTS

DWS 1-1 Has the Applicant contacted Qwest or other LECs (ILECs) operating in the areas it seeks to serve to inquire as to what information/data might be available that could be used by Applicant to support its waiver request? Describe the results of any contacts made. If Applicant did not attempt to make these contacts, please explain why not.

Response: OCMC contacted Qwest regarding OCMC's request for waiver and sought data from Qwest. During this contact, Qwest indicated it is willing to release information to the Staff but not directly to OCMC. This information, plus contact information, has been provided to Staff. OCMC has not contacted other LECs because, in its view, Qwest's provision of this service would meet or exceed the standards of other LECs. Further, most of the service at issue is in Qwest's territory.

DWS 1-2 Provide all information/data the Applicant has collected from ILECs or from other sources that supports the subject waiver request. Explain how this information/data demonstrates that the applicant processes zero-minus emergency calls as quickly and accurately as the LEC.

Response: All information that OCMC has received about Qwest has been provided to Staff as stated in response to DWS 1-1.

DWS 1-3 Describe the call processing sequence that occurs from the time the caller has dialed zero to the time the caller is connected with a live operator. What is the average/typical call processing time (in seconds) for this segment of a zero-minus call?

Response: Within one second, the caller reaches the Opticom automated operator. A menu of services is played including pressing 0 for the live operator. If, at anytime, the caller presses 0, they would be connected with a live operator. The maximum time is 10 seconds.

DWS 1-4 Describe the call processing sequence that occurs from the time the live operator has been connected with the caller to the time the caller is connected with the emergency service provider. What is the average/typical call processing time (in seconds) for this segment of a zero-minus emergency call (including operator average work time)?

Response: When the caller reaches the live operator, the live operator asks the caller to explain the situation. The operator tells the caller that the operator will conference them with the proper agency. The operator also tells the caller that he or she will need to stay on the line while the operator dials the appropriate agency. The operator then dials out the call to the proper agency and processes the call. When the emergency agency answers, the

operator adds the caller on the line. The operator remains on the line until the conversation is complete. The operator then completes a ticket to record the information.

The time it takes to process a call from the time the caller reaches the operator until the call is completed varies. On average, Opticom completes its operator service calls in less than 1 minute. Also, the operator stays on the call until the call is complete. The time it takes to obtain the emergency information is instantaneous.

DWS 1-5 What is the operator average work time (in seconds) for a zero-minus emergency call?

Response: Opticom does not keep statistics on this call type. However, Opticom average call processing time for its operator service calls is less than 1 minute per call.

DWS 1-6 Has the Company entered into agreements with the applicable PSAPs for the hand-off of zero-minus emergency calls? If yes, please describe.

Response: No.

DWS 1-7 If the Company's response to DWS 1-6 is no, please describe why the Company believes no such agreements are necessary.

Response: Opticom believes that it has the same information as the PSAP and can efficiently and effectively process the call.