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BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
Chairman
JAMES M. IRVIN
Commissioner
MARC SPITZER
Commissioner

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ARIZONA CORP COMMISSION
DOCUMENT CONTROL

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

AT&T AND TCG'S RESPONSE TO
STAFF'S MOTION TO AMEND
ADDITIONAL WORKSHOP DATES
AND QWEST'S MOTION TO
MODIFY WORKSHOP SCHEDULE

AT&T Communications of the Mountain States, Inc. and TCG Phoenix (collectively, "AT&T") hereby respond to the Staff's Motion to Amend Additional Workshop Dates and Qwest's Motion to Modify Workshop Schedule.

AT&T recommends that the Hearing Division approve Staff's Motion and schedule. AT&T must oppose Qwest's proposal because it attempts to eliminate review of issues regarding the general terms and conditions of the Statement of Generally Available Terms and Conditions ("SGAT") and because contemplated workshop dates are eliminated in an apparent attempt to foreclose complete discussion of issues in order to complete the workshops prematurely.

The workshop dates in Staff's schedule, although not totally satisfactory to AT&T, represent a compromise arrived at by numerous e-mail communications between the parties. Because the workshops set for the week of January 8, 2001, were cancelled at Qwest's request, the issues to be addressed at the workshops were slipped one workshop.

Qwest's proposal eliminates any discussion of the terms and conditions of the SGAT. Staff's schedule proposes that terms and conditions be addressed during the March workshop.

Qwest's intends to use the SGAT to demonstrate compliance with section 271 of the Telecommunications Act of 1996. Qwest holds out the SGAT as an option to competitive local exchange carriers ("CLECs") in lieu of negotiations and arbitration. It makes no sense to ignore the terms and conditions and review only the sections regarding the specific checklist items contained in the Act, if the CLEC is adopting the entire SGAT as an interconnection agreement. Some review of the general terms and conditions is necessary to determine if the SGAT truly establishes concrete and legal obligations on the part of Qwest to comply with section 271 of the Act.

Qwest also attempts to eliminate workshop dates in an attempt to complete the workshops by May 18. This is unwise, for a number of reasons. Foremost, Qwest's schedule does not contemplate nor provide for follow-up workshops. This raises serious concerns with AT&T. It is unlikely that all of the issues will be resolved during the time allotted by Qwest. Recently, the Washington Administrative Law Judge ("ALJ") cut off further discussion and review of the SGAT provisions regarding collocation. The Washington ALJ apparently intends to rely on the record of workshops on collocation created in other jurisdictions to resolve outstanding collocation issues in Washington. This is not only unwise, it is contrary to the purpose of holding workshops in the various states.

AT&T did not suggest or recommend workshops; it also raised the problems inherent in holding workshops in multiple jurisdictions. Qwest ignored other parties' concerns and pursued its workshop proposal in multiple jurisdictions. As a result, workshops were scheduled in Arizona, Colorado, Washington, Oregon and in the in the multi-state process. Now, after having obtained what it asked for, Qwest wants to change the process once again, to its advantage and the disadvantage of the CLECS. Qwest seeks to truncate the workshop process at the expense of

the CLECs and the thorough review of the issues. AT&T is concerned that Qwest will seek to foreclose meaningful discussion in Arizona by proposing to submit the records created in other states.

AT&T recommends that the current process as structured in Arizona continue. The CLECs must be permitted to raise all issues regarding SGAT and given an opportunity to thoroughly review Qwest's intent. Cutting the process short not only undermines the process, creates an inadequate record, allows ambiguity to remain in the SGAT, but may allow Qwest to argue compliance with section 271 based on an SGAT that fails to establish a concrete legal obligations for section 271 compliance.

AT&T recommends that Staff's schedule be adopted. AT&T may recommend minor adjustments to the issues to be addressed at each workshop. However, AT&T believes such changes can be made by Staff with the parties' input. Therefore, AT&T recommends that the Hearing Officer's order reaffirm the Staff's ability to make adjustments to the subject matter to be discussed at each of the workshops.

Now, therefore, AT&T requests that Staff's Motion be granted and Qwest's Motion be denied.

Dated this 9th day of January 2001.

**AT&T COMMUNICATIONS OF THE
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By:



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CERTIFICATE OF SERVICE

I hereby certify that the original and 10 copies of AT&T and TCG's Response to Staff's Motion to Amend Additional Workshop Dates and Qwest's Motion to Modify Workshop Schedule in Docket No. T-00000A-97-0238, were sent via overnight delivery this 9th day of January, 2001, to:

Arizona Corporation Commission
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and that a copy of the foregoing was sent via overnight delivery this 9th day of January, 2001 to the following:

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