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ARIZONA CORPORATION COMMISSION
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IN THE MATTER OF U S WEST
COMMUNICATIONS, INC.'S
COMPLIANCE WITH SECTION 271
OF THE TELECOMMUNICATIONS
ACT OF 1996

Docket No. T-00000A-97-0238

NOTICE OF FILING

The Arizona Corporation Commission Staff, by its undersigned attorneys, hereby files its Draft Findings of Fact and Conclusions of Law relating to the Checklist Item No. 10 – Databases and Associated Signaling. Staff requests a waiver of the 20 day time period specified for completion of Draft Reports, since the parties’ negotiations extended many months beyond the date of the last workshop on Checklist Item 10 and Staff had an unusually heavy workload in the last few months with the Qwest Sale of Exchanges and Rate Case Dockets during this same time period.

RESPECTFULLY SUBMITTED this 2nd day of January, 2001.

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CERTIFICATE OF SERVICE

Copies of the foregoing "Notice of Filing" were mailed this 2nd day of January,

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**IN THE MATTER OF U S WEST COMMUNICATION, INC.'S
SECTION 271 APPLICATION**

ACC Docket No. T-00000A-97-0238

REPORT ON US WEST'S COMPLIANCE

With

**CHECKLIST ITEM: NO. 10 - DATABASES AND
ASSOCIATED SIGNALING**

JAUNUARY 2, 2000

I. FINDINGS OF FACT

A. PROCEDURAL HISTORY

1. On January 25, 2000, the first Workshop on Checklist Items No. 7 (911/E911, Directory Assistance and Operator Services) and No. 10 (Databases and Associated Signaling) took place at U S WEST Communications, Inc.'s¹ offices in Phoenix. Parties appearing at the Workshops included U S WEST, AT&T, MCI WorldCom, Sprint, Cox, e-spire and the Residential Utility Consumer Office ("RUCO"). U S WEST relied upon its original testimony submitted in March, 1999. Additional Comments were filed on January 20, 2000 by AT&T. U S WEST filed Rebuttal Comments on January 24, 2000.

2. On March 7, 2000, an additional Workshop was conducted on Checklist Items 3, 7 and 10. Supplemental Comments were filed by AT&T on March 2, 2000 with Reply Comments filed by U S WEST March 6, 2000.

3. The Parties resolved many issues at the two Workshops held on January 25, 2000 and March 7, 2000. Outstanding issues from the March 7, 2000 Workshop included a commitment by U S WEST to supply amendments to its field documentation which reflected the agreements reached with respect to direct access for 911 and signaling traffic. On June 12, 2000, U S WEST submitted documentation which it believed reflected the agreements reached with AT&T and Worldcom.² AT&T responded in a letter dated June 15, 2000 asking for time to review the documentation supplied by U S WEST. AT&T also submitted a supplemental filing dated July 27, 2000, wherein it indicated that with the agreements reached on the documentation at the Washington Section 271 Workshops, AT&T considered all outstanding issues on Checklist Item 10 to be resolved.

B. DISCUSSION

1. Checklist Item No. 10

a. FCC Requirements

4. Section 271(c)(2)(B)(x) of the Telecommunications Act of 1996 requires a section 271 applicant to provide or offer to provide "[n]ondiscriminatory access to databases and associated signaling necessary for call routing and completion."

¹ As of the date of this Report, U S WEST has merged with Qwest Corporation, which merger was approved by the Arizona Commission on June 30, 2000.

² Letter from Steven R. Beck, Senior Attorney, U S WEST.

5. In the *Second BellSouth Louisiana Order*, the FCC required BellSouth to demonstrate that it provided requesting carriers with nondiscriminatory access to: “(1) signaling networks, including signaling links and signaling transfer points; (2) certain call-related databases necessary for call routing and completion, or in the alternative, a means of physical access to the signaling transfer point linked to the unbundled database; and (3) Service Management Systems (“SMS”);” and to design, create, test, and deploy Advanced Intelligent Network (“AIN”) based services at the SMS through a Service Creation Environment (“SCE”).

b. Background

6. The U S WEST network consists of end office switches, tandem switches and call-related databases. USW-7, p. 35. The U S WEST network is interconnected with other networks, including the switches of interexchange carriers, other local exchange carriers and CLECs. USW-7, p. 35. Each of these switches and call-related databases, regardless of provider, can be considered a "node" on the Public Switched Telephone Network (“PSTN”). USW-7, p. 35. Each node in the PSTN must exchange information with other nodes to facilitate the completion of a local or long distance telephone call. USW-7, p. 35. The exchange of information between network nodes is referred to as signaling. USW-7, p. 35.

7. The signaling network facilitates communication between end office switches, tandem switches, interexchange carrier switches, CLEC switches and other local exchange carrier switches for establishing voice grade trunk connections. USW-7, p. 36. The signaling network also facilitates communication between the switches and the various call-related databases that are associated with the signaling network. *Id.* Signaling is an essential component of interconnection. AT&T-4 at p. 18.

8. Signaling on the Public Switched Telephone Network is now almost universally performed through a separate signaling network using the Signaling System 7 (SS7) protocol. USW-7, page 36. The signaling network is a packet switched communication network that allows call control messages to be transported on a dedicated high-speed data network that is separate and distinct from the voice communication network. USW-7, p. 36.

9. Signaling links connect a network node such as an end office, tandem, or call-related database for the signaling network. TR. at p. 106.³ Signaling Transfer Points (“STPs”) are the tandem switches of the signaling network. TR. at p. 106. Signaling links from the various network nodes terminate at the STP, and depending on the destination of the signaling message, the STP delivers the signaling message to another link for delivery to the terminating network node, call-related databases, stored data use for billing and collection or the transmission routing or provision of the telecommunications service. TR. at p. 106. If a call-related database is required for a given call, the end office or tandem switch will send a query over the signaling network

³ Transcript references in this section are to the January 25, 2000 Workshop.

to the appropriate call-related database which will return information useful in processing the call. TR. at p. 107.

10. The U S WEST switch must pass information to the CLEC switch for interconnection to work. Any call from a CLEC customer to a U S WEST customer or from a U S WEST customer to a CLEC customer involves signaling. AT&T-4, p. 18. Unbundled signaling refers to the ability of a CLEC to lease signaling capability from U S WEST instead of building its own signaling network or leasing signaling capability from a third party. AT&T-4 at p. 18. Specifically, the CLEC must either install a STP, lease this capability from U S WEST, or lease an STP from a third party. The STP is the switching and mediation point for signaling traffic from one switch to another. AT&T-4 at p. 18.

11. U S WEST's signaling network consists of the following components:

Signaling Links - connect to a network node, such as an end office, tandem, or call-related databases to the signaling network.

Signal Transfer Points - STPs are the "tandem switches" of the signaling network.. Network nodes will deliver a signaling message via its signaling link to the STP. Depending on the destination of that signaling message, the STP delivers the signaling message to another signaling link for delivery to the terminating network node.

Call-Related Databases - databases that are used in the routing of voice traffic on the PSTN, which includes the 800/888 toll-free service database, LIDB, Local Number Portability (LNP), the Calling Name database, and the AIN database.

Service Management System - a system used to update the contents of a call-related database.

12. Call-related databases store data that is used in the routing of traffic on the PSTN. USW-7, p. 40. If a call-related database is required for a given call, the end office switch or tandem switch will send a query, over the signaling network, to the appropriate call-related database, which will return information useful in processing the call. USW-7, p. 40.

13. Following is a brief description of the various call-related databases.

Local Number Portability (LNP) - This database stores the identification of the end office switch that serves a particular telephone number. U S WEST has deployed a LNP database that serves the Phoenix and Tucson metropolitan areas. USW-1, at p. 40.

Line Information Database (LIDB) - This database provides screening and validation on alternately billed services for operator handled calls,

including billed-to-third, collect, and calling card calls. The records in LIDB include both U S WEST and CLEC end users. USW-1, at p. 40.

800/888 Database – This database enables a CLEC to determine where an originating 800/888 toll-free call should be routed. The database transmits the call routing information to the CLEC over the same signaling network on which the request was received. The CLEC uses this routing information to forward the call to the appropriate network for call completion. USW-1 at p. 41.

InterNetwork Calling Name (ICNAM) Database – This database enables a CLEC to query for the listed name information for the calling number in order to deliver that information to the CLEC's end user (called number).

Advanced Intelligent Network (AIN) database - is the brand name for a type of call-related database that can be used to provide new features for an end user.

c. Position of U S WEST

14. On March 25, 1999, U S WEST witness Margaret S. Bumgarner provided Direct Testimony stating that U S WEST provides nondiscriminatory access to its signaling network, including signaling links and signaling transfer points through the terms of its proposed SGAT as well as the terms of Commission-approved interconnection agreements. USW-7 at p. 34.

15. U S WEST's proposed SGAT, Section 10.15.1.1., provides that CLECs may interconnect with U S WEST's signaling network to facilitate signaling between their switches and U S WEST's end office and tandem switches. USW-7 at p. 34. The original SGAT also contains additional terms and conditions for nondiscriminatory access to the U S WEST databases and associated signaling network:

U S WEST will provide CLEC with nondiscriminatory access to signaling networks, including signaling links and signaling transfer points. Access to U S WEST's signaling network provides for the exchange of signaling information between U S WEST and CLEC necessary to exchange traffic and access call-related databases. Signaling networks enable CLEC the ability to send signals between its switches and U S WEST's switches, and between its switches and those third party networks with which U S WEST's signaling network is connected. CLEC may access U S WEST's signaling network from each of its switches via a signaling link between its switch and the U S WEST STP. The connection between CLEC's switch and the U S WEST signaling network will be provided in substantially the same manner as U S WEST connects one of its own switches to the STP.

16. CLECs may interconnect their switches directly to U S WEST's STPs, CLECs may interconnect their own STPs with U S WEST's STPs, or the CLEC may also interconnect with U S WEST's signaling network to a third-party signaling network provider. TR. at p. 107. This would include other carrier's switches that are connected to the U S WEST signaling network.

17. When the CLEC interconnects their switches directly to U S WEST's STPs, or interconnect their own STPs with U S WEST's STPs, their call routing and database queries are handled in the same manner as U S WEST call routing and database query. TR. at p. 107. The CLEC signaling traffic is routed over the U S WEST signaling network in the exact same manner as U S WEST's signaling traffic is routed. TR. at p. 107.

18. When the CLEC orders unbundled switching, the CLEC's signaling traffic is routed over the U S WEST signaling network in the exact same manner as U S WEST's signaling traffic is routed. USW-7 at p. 39. See also, Section 10.13.2.2 of U S WEST's proposed SGAT.

19. U S WEST has legally binding commitments to provide such access in its SGAT and in its various interconnection agreements in Arizona. TR. at p. 105. There are several carriers interconnected with U S WEST's signaling network in Arizona and there are also third-party signaling network providers interconnected to U S WEST's signaling network providing access for other carriers. Id.

20. U S WEST has documented its processes and procedures for providing access through its signaling network and call-related databases which are posted on the U S WEST website. TR. at p. 105.

21. U S WEST also provides nondiscriminatory access to its call related databases including calling database, 911 database, line information database, toll free calling database, advance intelligent network database, and the number portability database. TR. at p. 107. Terms and conditions for access to AIN, Line Information Database (LIDB), 800/888 and Calling Name databases are contained in Sections 10.16, 10.17, 10.18 and 10.19 of the original U S WEST proposed SGAT. USW-7 at p. 34.

22. U S WEST is legally bound to provide access to all of these databases through its SGAT and interconnection agreements. TR. at p. 108.

23. For LIDB and the calling name databases, CLECs transmit updates via an e-mail with a data formatted file to be loaded into the line validation administration system or LVAS. TR. at p. 108. Or the CLEC can use a facsimile process for updates twice a day. TR. at p. 108. U S WEST updates from the service order provisioning interface to load data into the same LVAS system, using the same format as the CLEC's file. TR. at p. 108.

24. For AIN, a CLEC can use the AIN/SMS process, which is largely manual, to update a record in the existing U S WEST AIN database. The CLEC may also use the U S WEST service creation process to create a new AIN service to be placed in a U S WEST AIN database for the CLEC's use. The current service creation manual process is built by a U S WEST AIN technician and is the same manual process used for U S WEST's service creation. TR. at p. 109. The CLEC may populate end-user data using an electronic file for loading by an AIN technician into the database or electronic access will be addressed as part of the AIN customized service or service creation process if it's desired by the CLEC. TR. at p. 109.

25. The records in U S WEST's number portability and toll free calling databases are updated by downloading information from third-party owned and administered databases. TR. at p. 109. In the case of number portability database, LNP, the records are updated from a regional database owned and administered by Neustar, as required by the FCC. The information in U S WEST's toll free calling database is updated from a national database administered by Telecordia, according to the FCC's rules. TR. at p. 109.

26. U S WEST witness Bumgarner also stated that U S WEST provides access, on an unbundled basis, to the U S WEST Service Management Systems ("SMS") that will allow CLECs to create, modify or update information in U S WEST's call-related databases. For the service management system, the FCC required U S WEST to provide CLECs with information necessary to enter correctly or format for entry the information relevant for input into the service management system. TR. at p. 108. U S WEST provides access on an unbundled basis to the SMSs for creating, modifying or updating information in U S WEST's call-related databases. TR. at p. 108.

27. U S WEST protects the customer proprietary information that is included in call-related databases. USW-7, at p. 42. For LIDB service, U S WEST is implementing a service provider identifier applied to each end user line record in the database. Id. The identifier will designate the owner of each line record to ensure the records of one provider are not shared with another provider. Id. Access to the database is limited to a specific group of employees responsible for managing the LIDB database. Id. The AIN database will also include a unique identifier in each customer record that will designate the "responsible organization" or the record owner. USW-7, at p. 42. As with LIDB, the AIN database is restricted to a specific group of U S WEST employees, in a safe harbor environment, responsible for maintaining the database. USW-7, at p. 42. This restriction is intended to preserve the privacy of customer records. Id. The service provider for each customer record can be identified and is used to dictate the availability of information. Id.

d. Competitors' Position

28. Parties filing preliminary Statements of Position on July 22, 1999, on U S WEST's compliance with all Checklist Items, included AT&T, ELI, e-spire, Cox, Rhythms, NEXTLINK, WorldCom and Sprint. AT&T stated that U S WEST was not in

compliance with the requirements of Checklist Item 10. AT&T-1 at p. 12. Cox and e-spire stated that they had inadequate information to determine U S WEST's compliance with Checklist Item 10. ELI filed comments stating that it joined in the Position Statements of other CLECs regarding Checklist Item 10. MCI filed comments stating that it had no information to suggest that U S WEST is or is not in compliance with this Checklist Item. Rhythms did not offer a Statement of Position on Checklist Item No. 10. NEXTLINK stated that U S WEST did not meet this Checklist Item since U S WEST refused NEXTLINK's requested for access to SS7 and AIN databases and networks. Sprint can not provide comment at this time because it has not yet attempted to obtain access to numbers in Arizona.

29. In its January 20, 2000 supplemental comments filed before the first workshop to determine U S WEST's compliance with Checklist Item 10, AT&T raised two broad issues related to 1) access to signaling for interconnection purposes and access to signaling as a UNE and 2) access to databases. *Id.* at pp. 19-20.

30. AT&T stated that U S WEST "intermingles access to signaling for interconnection and signaling as an unbundled element." AT&T-4, p. 18. U S WEST's provisions for signaling are contained in the Unbundled Loop Section of its SGAT. *Id.* at p. 18. AT&T expressed concern that if signaling was only contained in the SGAT's Unbundled Loop Section, that it could be implied that U S WEST intends to limit access to signaling only when an unbundled loop is ordered, which AT&T stated would be inappropriate. *Id.* AT&T states that that the CLECs must have access to signaling for interconnection. AT&T-4, at pp. 18-19. AT&T argued that the FCC had reaffirmed and expanded its UNE rules in the UNE Remand Order yet U S WEST had not updated its SGAT to conform to the FCC's UNE remand order. AT&T-4, at p. 19. CLECs, therefore have no assurances as to whether they will receive access to signaling and, if so, what they will ultimately receive for signaling from U S WEST under the SGAT. *Id.*

31. AT&T also reiterated its reliability and quality concerns regarding the way in which U S WEST offers access to signaling. According to AT&T, U S WEST requires traffic to traverse through a ICDF or SPOT frame when the CLEC uses collocation to interconnect with U S WEST. AT&T-4 at p. 19.

32. AT&T's third concern related to whether U S WEST will offer access to call-related databases. AT&T-4 at p. 20. The SGAT includes call-related databases in the section on Unbundled Loops and U S WEST's testimony implies that U S WEST is considering an interpretation of the new FCC rules to unilaterally prevent CLEC access to call related databases. *Id.* at p. 20. There is a clear relationship between access to operational support systems and access to call-related databases and signaling. The FCC requires that U S WEST provide nondiscriminatory access to the various functions of its OSS in order to provide access to such databases and signaling links in a timely and efficient manner. AT&T-4 at p. 20. AT&T states that if the CLECs do not have access to these databases, some CLECs would be unable to process calls and their business would be severely damaged. *Id.*

33. Additionally, the SGAT does not provide nondiscriminatory access to databases. First, in Section 9.6.1.2, LIDB storage, U S WEST requires that CLECs license the CLEC data for storage in U S WEST's database but no terms or conditions for this license are provided. Second, Section 9.6.1.3 acknowledges that U S WEST does not provide parity to its provisioning of the LIDN database, since it addresses the future provision of electronic access to the database. In effect, U S WEST provides electronic access for its own customers but not for CLEC customers. Third, Section 9.6.2.2.2 requires CLECs to e-mail U S WEST an ASCII file of their line records 2 times a day, regardless of any need to do so. Fourth, Section 9.6.2.3.1 requires that CLECs must reimburse U S WEST for all charges that U S WEST incurs relating to the input of CLECs' end user line record information. Fifth, U S WEST still requires faxes for queries until an electronic means becomes available. Sixth, LIDB inquiry service is not mandated to be provided at parity, but rather assumes a 7 day order fulfillment process and a cumbersome LOA process. AT&T-4 at p. 22.

e. U S WEST Response

34. In its Reply Comments filed January 24, 2000, U S WEST reiterated its position that it fully complied with the requirements of Checklist Item 10. USW-13, p. 16. Both CLECs and third party signaling network providers operating in Arizona have interconnected with U S WEST's signaling network. Id. U S WEST provides competing carriers with access to unbundled signaling through the STP port, the entrance facility and the Direct Link Transport ("DLT"). Id. at p. 16. Further, U S WEST's provision of unbundled signaling permits the CLEC to access call-related databases, such as the LIDB and the 800/888 database, and the AIN functions. Finally, U S WEST states that it also provides nondiscriminatory access to Service Management System, which allows CLECs to create, modify, or update information in call-related databases. Id. And, U S WEST claims that the rates for unbundled access to databases and signaling are cost-based under Section 252(d). Id.

35. U S WEST states that contrary to what AT&T argues, it actually does provide access to both signaling for interconnection and signaling as a UNE. USW-13 at p. 17.

36. U S WEST states that CLECs have the following options:

1) Order CCSAC/SS7 as an UNE, through the SGAT Section 9.4. Section 9.4.2.1 of the SGAT provides: "All elements of the unbundled CCSAC/SS7 arrangement will be developed on an individual case base based on CLECs design requirements." All associated signaling costs are priced at TELRIC.

2) Order CCSAC/SS7 services from U S WEST as a finished product defined in the current Access Tariffs (FCC #5, Section 20). This option is addressed in the SGAT section for interconnection, Section 7. TR. at p. 110.

- 3) Lease signaling arrangements from a third party competitor, who would be required to connect to the U S WEST signaling network.

USW-13, at p. 17.

37. U S WEST states that it currently has two CLECs in Arizona purchasing SS7 service as a UNE from U S WEST. *Id.*

38. U S WEST reiterated that it does not require the use of an intermediate frame to provision unbundled signaling. *Id.* at p. 17.

39. U S WEST also responded to AT&T's concerns that U S WEST's SGAT is not providing nondiscriminatory access to databases. USW-13, at pp. 18-22.

40. U S WEST states that AT&T's general concern relating to access to databases may relate more to legitimate restrictions placed by U S WEST because of the customer proprietary information contained in the LIDB database since service providers are not allowed to store or use this data for marketing purposes. USW-13 at pp. 18.

41. U S WEST provides the following LIDB services to CLECs:

- a. Initial LIDB Load. CLECs may store end user line records in U S WEST's LIDB database. When this service is first purchased from U S WEST U S WEST must conduct an initial load of the CLEC's records in the U S WEST LIDB. The initial load is often performed by a U S WEST subcontractor.

- b. LIDB Updates. Once the CLEC has stored its initial set of records in the U S WEST LIDB, CLECs may submit line record updates for the LIDB database via e-mail or facsimile. If CLECs submit updates via e-mail, the electronic file must be formatted to load into the Line Validation Administration System ("LVAS"). Updates submitted by CLECs will be processed twice daily.

- c. LIDB Queries. During the completion of a call to the CLEC's customer, the originating local exchange carrier or an interexchange carrier may query the U S WEST LIDB to determine, for example, whether the CLEC's customer will accept a collect call.

USW-13, p. 18.

42. In response to AT&T's first concern that U S WEST requires CLECs to license the CLEC data for storage in U S WEST's database and that no terms or conditions for this license are provided, U S WEST stated that it is required to allow access to the LIDB database to all local exchange carriers and interexchange carriers on a

non-discriminatory basis. USW-13, at p. 19. Consequently, U S WEST requires parties storing data in this database to give U S WEST a license so parties can access all information contained in the database regardless of its source. *Id.* To do so otherwise would effectively destroy the usefulness of U S WEST's LIDB. USW-13, at p.19. This situation is analogous to the use of third party information when providing directory listings.

43. In response to AT&T's concern that per Section 9.6.1.3 of the SGAT, "U S WEST does not provide parity to its provisioning of the LIDB database, since it addresses the future provision of electronic access to the database and hence U S WEST provides electronic access for its own customers, but not for CLEC customers, U S WEST responded that it does in fact allow CLECs to choose whether to deliver their updates electronically or manually. TR. at p. 113. U S WEST offers an electronic solution that processes all CLEC records on the same day the records are received. TR. at p. 113. However, since some CLECs can not send U S WEST mechanized updates, they update their LIDB records by submitting memos and faxes, which U S WEST manually loads. USW-13, at p. 19. If the CLEC submits batched files in an ASCII file format, batch files are electronically uploaded directly into the LIDB twice a day in U S WEST's service order system using the same file format to transmit data to the LIDB database. TR. at p. 113. Emergency line information updates, which fall outside of the normal business process, are provided for in U S WEST methods and accepted as stated in Section 9.6.1.4 of the SGAT. *Id.*

44. AT&T stated that Section 9.6.2.2.2 of the SGAT appeared to require that CLECs e-mail to U S WEST an ASCII file of their line records 2 times a day, regardless of any need to do so. In response, U S WEST stated that it only requires U S WEST to do the update twice daily. Tr. at p. 114. The CLECs are not required to submit update twice per day. USW-13 at p. 20. Rather, U S WEST, via SGAT Section 9.6.2.2.2, commits to performing LIDB updates twice per day. *Id.* Further, U S WEST only requires CLECs to submit modified or changed records for LIDB database updates - not a reload of all the CLEC's LIDB records. USW-13, at p. 20.

45. U S WEST also responded to AT&T's concerns that Section 9.6.2.3.1 of the SGAT requires the CLEC to reimburse U S WEST for all charges that U S WEST incurs relating to the input of CLECs' end user line record information. U S WEST stated that if a CLEC provides U S WEST with a large volume of new listings to be stored in the LIDB database, U S WEST must prepare an initial load file for the CLEC data. U S WEST subcontracts this work to a third-party software vendor and passes the software vendors' charges for the work through to the CLEC. USW-13, at p. 20. U S WEST states that this charge is below Total Element Long Run Incremental Cost ("TELRIC").

46. U S WEST does not, however, charge for updates, adds, changes, or deletions to the initial file. USW-13, at p. 20. As already explained, the charge is only applied to cover charges U S WEST receives from a third-party software vendor for its work preparing a CLEC's LIDB line records for the initial load. USW-13, at p. 20.

47. U S WEST also responded to AT&T's fifth concern that under Section 9.6.2.5 of the SGAT, "U S WEST is still requiring faxes for queries until an electronic means becomes available." U S WEST states that this section of the SGAT does address an inquiry from the CLEC to report on data content that is in the LIDB database. USW-13, p. 21. Multiple reports are available to the CLEC for their use in data validation. However, U S WEST points out that this report process is the same process that U S WEST uses for its own internal review. USW-13 at p. 21. U S WEST does not favor manual update processing; however, it provides this assistance to CLECs who lack the ability to submit electronic ASCII files. *Id.*

48. Finally, U S WEST responded to AT&T's concern that "LIDB inquiry service is not mandated to be provided at parity, but rather assumes a 7 day order fulfillment process and a cumbersome LOA process." Although AT&T does not cite an exact Section of the SGAT, U S WEST states that it assumes that AT&T is referring to SGAT Sections 9.6.34.2 and 9.6.3.4.3. USW-13, p. 22. If so, there are no parity issues, as these sections relate to the establishment of a new CLEC as a LIDB customer in the U S WEST database. *Id.* U S WEST also does not require CLEC's to submit letters of authorization from their end users. *Id.* The SGAT provision requires Hub Providers (third party signaling & database competitors) to provide letters of authorization from the CLEC that employs them indicating that the CLEC is willing to allow the Hub Provider to act on its behalf in offering and utilizing LIDB services. This letter is a one time submission (unless the CLEC withdraws authorization) so it is not inconvenient, particularly in light of the additional protection it affords CLECs, U S WEST, and their end users. USW-13, p. 22.

f. Verification of Compliance

49. U S WEST resolved all issues to the CLEC's satisfaction except for those discussed below, many of which were resolved at the January 25, 2000 Workshop.

50. At the Workshop, U S WEST clarified that Section 7.2.2.5.1 of the SGAT addresses the option of a CLEC obtaining signaling in conjunction with interconnection. TR. at p. 121. While this appears to be the second option available to CLECs discussed in Finding of Fact No. 28, AT&T expressed concern that reference to "access" tariffs connotes payment by the IXCs, and since this is in connection with local traffic, the payments should be reciprocal. TR. at p. 119. U S WEST agreed to add additional language to Section 7.2.2.5.1 of the SGAT to acknowledge that each of the parties would provide access to their signaling networks for mutual exchange of signaling traffic such as would occur in a typical interconnection scenario. TR. at p. 123. The parties agreed to address the compensation issue in connection with Checklist Item 1. TR. at p. 123-124.

51. To address AT&T's concern that U S WEST requires CLECs to access signaling through an intermediate frame, i.e., an ICDF or SPOT frame, at the January 25, 2000, Workshop, U S WEST stated that it would provide for direct connections for a CLEC through access to the same cross connect device that U S WEST uses for this

purpose. TR. at pp. 129-130. The parties then agreed to the same resolution of the issue that had been adopted for 911 traffic. First, U S WEST agreed to amend the Arizona SGAT to include paragraphs 8.2.1.24 through 8.2.1.26 from the Colorado SGAT first revision January 6, 2000, with any clarifications and changes agreed to. TR. at p. 60. One of the changes agreed to was to Section 8.2.1.26 of the Colorado SGAT to be brought into alignment with the language in the Nebraska SGAT. TR. at p. 60. Second, U S WEST agreed to update relevant operational manuals to implement the SGAT changes. TR. at p. 60. Third, U S WEST agreed to research the issue of whether any company may have tried to preserve the right to do direct connections and were denied after the FCC order became legally binding and effective. Id.

52. To address AT&T's concerns regarding having to enter into a licensing arrangement to access U S WEST's LIDB database, U S WEST stated at the Workshop that the terms of the license are basically the FCC rules and regulations regarding access to the LIDB database. TR. at p. 131. The license is solely for the purpose of getting the CLEC's permission to put their customer information into the LIDB database, and their agreement that they are subject to the rules that apply to these databases which have been established by the FCC. TR. at p. 131. No payment is required by anyone for this licensing arrangement. TR. at p. 131.

53. U S WEST addressed WorldCom's concern regarding any mark-ups on the charges of third-party vendors for initially loading customer information into the LIDB database. TR. at pp. 133-134. U S WEST stated that U S WEST charges are a mere pass-through of the software vendors' charges for this work to the CLEC. There will be no additional mark-up to the vendors' costs added by U S WEST. TR. at p. 134.

54. AT&T's concern regarding database updates was also addressed by U S WEST at the January 25, 2000 Workshop. CLECs can use a mechanized interface or a manual interface to enter updates and if a mechanized interface is used, the mechanized interface is at parity with what U S WEST does for itself. TR. at p. 134. All of AT&T's other concerns relating to U S WEST's call related databases were also addressed by U S WEST at the January 25, 2000 Workshop. TR. at pps. 111-116.

55. It was agreed that Checklist Item 10 would remain open pending the submission of language by U S WEST, for AT&T and WorldCom to review U S WEST's proposed revisions to the SGAT, IRRG and it's wholesale manual.

56. On February 28, 2000, U S WEST submitted updates to its Interconnect and Resale Resource Guide as discussed during the January 25, 2000 Workshop on Checklist Items 7 and 10. See USW-22. U S WEST indicated in its accompanying letter that the information would be added to the Collocation Section of Tab 4 of the IRRG which describes the options CLECs have for interconnection. U S WEST also indicated that references to this information would be added to the sections addressing Signaling and 911/E911 and that its Website would be updated with the information by the end of the week.

57. At the March 7, 2000 Workshop, U S WEST submitted revised language to its IRRG, USW-22; to its SGAT, USW-23; and to its Tech Pub, USW-21; all indicating that direct connections or direct access from a collocation space are available. TR. at p. 69.

58. AT&T and WorldCom expressed concerns, however, regarding field documentation not being updated to reflect this option. TR. at pp. 70-71. As a result U S WEST was asked to a concise package of documentation for AT&T and WorldCom to review and sign off on before Checklist Item 10 was deemed undisputed. In addition, U S WEST agreed that to the extent a CLEC had already requested and ordered direct connections for either 911 or signal links, and U S WEST instead used an intermediate frame, U S WEST agreed to correct the situation and make refunds where appropriate. TR. at pp. 71-72.

59. On June 12, 2000, U S WEST submitted both public and confidential documentation describing U S WEST's provisioning of direct connections for 911 and signaling.

60. AT&T responded in letters dated June 15, 2000, and July 27, 2000. In its July 27, 2000, supplemental filing, AT&T indicated that it and Qwest had recently reached agreement on the non-SGAT documentation regarding Checklist Items 7 and 10. AT&T attached a copy of the non-SGAT documentation agreed to for inclusion in the record. AT&T stated in its filing that with the documentation recently agreed to by AT&T and Qwest in the Washington Section 271 workshops, all outstanding issues on Checklist Item 7 were resolved.

61. Finally, U S WEST agreed that carriers could opt into any revised SGAT language resulting from the Workshops. TR. at pps. 61-62.

62. Finally, NEXTLINK never followed up on its statements contained in its initial Statement of Position that U S WEST had denied it access to SS7 and AIN databases and networks in the Workshops on Checklist Item No. 10. Therefore, Staff is assuming that its concerns have since been addressed or that its concerns have been addressed with the resolutions reached between the other CLECs and U S WEST on Checklist Item No. 10 issues. Further, NEXTLINK never offered anything other than anecdotal statements which were unsupported by actual facts, including specific instances, of denial by U S WEST.

II. CONCLUSIONS OF LAW

1. 47 U.S.C. Section 271 contains the general terms and conditions for BOC entry into the interLATA market.

2. U S WEST 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 and the Arizona Commission has jurisdiction over U S WEST.

3. U S WEST is a Bell Operating Company as defined in 47 U.S.C. Section 153 and currently may only provide interLATA services originating in any of its in-region States (as defined in subsection (I)) if the FCC approves the application under 47 U.S.C. Section 271(d)(3).

4. The Arizona Commission is a "State Commission" as that term is defined in 47 U.S.C. Section 153(41).

5. Pursuant to 47 U.S.C. Section 271(d)(2)(B), before making any determination under this subsection, the FCC is required to consult with the State Commission of any State that is the subject of the application in order to verify the compliance of the Bell operating company with the requirements of subsection (c).

6. In order to obtain Section 271 authorization, U S WEST must, inter alia, meet the requirements of Section 271(c)(2)(B), the Competitive Checklist.

7. Checklist Item No. 10 requires U S WEST to provide access or offer to provide "[n]ondiscriminatory access to databases and associated signaling necessary for call routing and completion."

8. Section 271(c)(2)(B)(ii) of the Act requires a section 271 applicant to demonstrate that it offers "[n]ondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(I)."

9. Section 251(c)(3) in turn establishes an incumbent LECs "duty to provide, to any requesting telecommunications carrier for the provision of a telecommunications service, nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms, and conditions that are just, reasonable, and nondiscriminatory in accordance with the terms and conditions of the agreement and the requirements of [section 251]... and section 252."

10. In the *Second BellSouth Louisiana Order*, the FCC required BellSouth to demonstrate that it provided requesting carriers with nondiscriminatory access to: "1) signaling networks, including signaling links and signaling transfer points; (2) certain call-related databases necessary for call routing and completion, or in the alternative, a means of physical access to the signaling transfer point linked to the unbundled database; and (3) Service Management Systems; and to design, create, test, and deploy Advanced Intelligent Network based services at the SMS through a Service Creation Environment.

11. As a result of the proceedings and record herein, U S WEST's provision of nondiscriminatory access to signaling networks, including signaling links and signaling transfer points to requesting carriers is not disputed.

12. As a result of the proceedings and record herein, U S WEST's provision of call-related databases necessary for call routing and completion, or in the alternative, a means of physical access to the signaling transfer point linked to the unbundled database, to requesting carriers is not in dispute.

13. As a result of the proceedings and record herein, U S WEST's provision of Service Management Systems and the design, creation and deployment of AIN based services at the SMS is no longer in dispute.

14. U S WEST's compliance with Checklist Item No. 10 is not disputed. U S WEST provides nondiscriminatory access to its signaling network and call-related databases through the terms of its proposed SGAT as well as the terms of Commission-approved interconnection agreements.

15. Based upon the comments, testimony and exhibits submitted, no party objects to a finding that U S WEST meets the requirements of Checklist Item No. 10, subject to U S WEST's passing of any relevant performance measurements in the third-party OSS test now underway in Arizona.