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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission
DOCKETED
MAR 0 6 2000

CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER

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

DECISION NO. 62344

ORDER

Open Meeting
March 1 and 2, 2000
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. The Telecommunications Act of 1996 ("1996 Act") added Section 271 to the Communications Act of 1934. The purpose of Section 271 is to specify the conditions that must be met in order for the Federal Communications Commission ("FCC") to allow a Bell operating company ("BOC"), such as U S WEST Communications, Inc. ("U S WEST"), to provide in-region interLATA services.

2. Section 271 (c)(2)(B) sets forth a fourteen point competitive checklist which specifies the access and interconnection a BOC must provide to other telecommunications carriers in order to satisfy the requirements of Section 271. Section 271 (d)(2)(B) requires the FCC to consult with State commissions with respect to the BOCs compliance with the competitive checklist.

3. Per Decision No. 60218, dated May 27, 1997, the Arizona Corporation Commission ("Commission") established a process by which U S WEST would submit information to the Commission for review and a recommendation to the FCC whether U S WEST meets the requirements of Section 271 of the 1996 Act.

. . .

4. On February 8, 1999, U S WEST filed a Notice of Intent to File with the FCC and Application for Verification of Section 271(c) Compliance, and a Motion for Immediate Implementation of Procedural Order. On February 16, 1999, AT&T Communications of the Mountain States, Inc. ("AT&T"), GST Telecom, Inc. ("GST"), Sprint Communications Company, L.P. ("Sprint"), Electric Lightwave, Inc. ("ELI"), MCI WorldCom, Inc., on behalf of its regulated subsidiaries ("MCIW"), and e-spire Communications, Inc. ("e-spire") filed a Motion to Reject U S WEST's Application and Response to U S WEST's Motion.

5. On March 2, 1999, U S WEST's Application was determined to be insufficient and not in compliance with Decision No. 60218. The Application was held in abeyance pending supplementation with the Company's case-in-chief, including Direct Testimony, pursuant to Decision No. 60218 and the June 16, 1998 Procedural Order. On March 25, 1999, U S WEST filed its supplementation.

6. By Procedural Order dated October 1, 1999, the Commission bifurcated Operational Support System ("OSS") related Checklist Elements from non-OSS related Elements. The Order categorized Checklist Items 3, 7, 8, 9, 10, 12 and 13 as being non-OSS related.

7. At the request of several parties including Commission Staff, the Commission instituted a collaborative workshop process to evaluate the non-OSS Checklist Items. The December 8, 1999 Procedural Order directed the Commission Staff to conduct a series of Workshops on U S WEST's compliance with Checklist Items 3, 7, 8, 9, 10, 12 and 13. Commission Staff was ordered to file draft proposed findings of fact and conclusions of law for review by the parties within 20 days of each Checklist Item being addressed. Within ten days after Staff filed its draft findings, the parties were directed to file any proposed additional or revised findings and conclusions. Staff had an additional ten days to issue its Recommended Report.

8. For "undisputed" Checklist Items, the Commission Staff was directed to submit its Report directly to the Commission for consideration at an Open Meeting. For "disputed" Checklist Items, Commission Staff will submit its Report to the Hearing Division, with a

procedural recommendation for resolving the dispute. Commission Staff was ordered to conclude this series of Workshops on or before March 1, 2000.

9. On January 11, 2000, the first Workshop on Checklist Items No. 8 (White Pages), No. 9 (Number Administration) and No. 12 (Dialing Parity) took place at the Commission's offices in Phoenix.

10. At the conclusion of the second Workshop held on January 25, 2000, Checklist Items 8, 9 and 12 were deemed undisputed and Staff prepared a Report containing proposed findings of fact and conclusions of law. All parties had an opportunity to comment on the proposed Report. Proposed changes to the findings of fact and conclusions of law were submitted by AT&T. No party objects to the findings of fact and conclusions of law as contained in the February 23, 2000 Report on U S WEST's compliance with Checklist Items 8, 9 and 12.

11. The attached Report dated February 23, 2000 is hereby submitted with the recommendation that U S WEST has met the requirements of Checklist Items 8, 9 and 12.

12. Any party may subsequently challenge the finding that U S WEST meets the requirements of Checklist Nos. 8 and 9 if the Company fails to meet the relevant performance measurements during testing of the Company's OSS later this year and the Commission may reconsider and change its finding based upon the performance measurement data submitted.

CONCLUSIONS OF LAW

1. 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.

2. The Commission, having reviewed the Staff's Memorandum dated February 23, 2000, concludes that U S WEST has met the requirements of Section 271 pertaining to Checklist Items 8, 9 and 12, and the Report on U S WEST's compliance with Checklist Items 8, 9 and 12 is hereby adopted and approved by the Commission.

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ORDER

THEREFORE, IT IS ORDERED that the Report on U S WEST's compliance with Checklist Items 8, 9 and 12 dated February 23, 2000 is hereby adopted.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN COMMISSIONER COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 10th day of March 2000.

BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

DRS:MAD:lhh

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

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

REPORT ON U S WEST'S COMPLIANCE

With

CHECKLIST ITEMS: No. 8 -- White Pages Listings
No. 9 -- Numbering Administration
No. 12 -- Dialing Parity

February 23, 2000

I. FINDINGS

A. BACKGROUND

1. Arizona Corporation Commission ("Commission") Decision No. 60218 established the process by which U S WEST Communications, Inc. ("U S WEST") would submit information to the Commission for review and a recommendation to the Federal Communications Commission ("FCC") whether U S WEST meets the requirements of Section 271 of the Telecommunications Act of 1996 ("1996 Act").

2. On February 8, 1999, U S WEST filed a Notice of Intent to File with the FCC and Application for Verification of Section 271(c) Compliance ("Application'), and a Motion for Immediate Implementation of Procedural Order. Compliance with Section 271 of the 1996 Act will allow U S WEST to provide interLATA toll service. On February 16, 1999, AT&T Communications of the Mountain States, Inc. ("AT&T"), GST Telecom, Inc. ("GST"), Sprint Communications Company, L.P. ("Sprint"), Electric Lightwave, Inc. ("ELI"), MCI WorldCom, Inc., on behalf of its regulated subsidiaries ("MCIW"), and e-spire Communications, Inc. ("e-spire") filed a Motion to Reject U S WEST's Application and Response to U S WEST's Motion.

3. On March 2, 1999, U S WEST's Application was determined to be insufficient and not in compliance with Decision No. 60218. The Application was held in abeyance pending supplementation with the Company's case-in-chief, including Direct Testimony, pursuant to Decision No. 60218 and the June 16, 1998 Procedural Order. On March 25, 1999, U S WEST filed its supplementation.

4. By Procedural Order dated October 1, 1999, the Commission bifurcated Operational Support System ("OSS") related Checklist Elements from non-OSS related Elements. The Order categorized Checklist Items 3, 7, 8, 9, 10, 12 and 13 as being non-OSS related.

5. At the request of several parties including Commission Staff, the Commission instituted a collaborative workshop process to evaluate the non-OSS Checklist Items. See December 8, 1999 Procedural Order. The December 8, 1999 Procedural Order directed the Commission Staff to conduct a series of Workshops on U S WEST's compliance with Checklist Items 3, 7, 8, 9, 10, 12 and 13. The Commission Staff was ordered to file draft proposed findings of fact and conclusions of law for review by the parties within 20 days of each Checklist Item being addressed. Id. at Ordering Paragraph 5. Within ten days after Staff files its draft findings, the parties were directed to file any proposed additional or revised findings and conclusions. Id. Staff then has an additional ten days to issue its Recommended Report. Id.

6. For "undisputed" Checklist Items, the Commission Staff was directed to submit its Report directly to the Commission for consideration at an Open Meeting. See December 8, 1999 Procedural Order at Ordering Paragraph 6. For "disputed" Checklist

Items, the Commission Staff will submit its Report to the Hearing Division, with a procedural recommendation for resolving the dispute. Id. at Ordering Paragraph 6. The Commission Staff was ordered to conclude this series of Workshops on or before March 1, 2000. Id. at Ordering Paragraph 3.

7. On January 11, 2000, the first Workshop on Checklist Items No. 8 (White Pages), No. 9 (Number Administration) and No. 12 (Dialing Parity) took place at the Commission's offices in Phoenix. Comments were filed on January 4, 2000 by AT&T. U S WEST filed rebuttal comments on January 11, 2000.

8. Parties appearing at the Workshop included U S WEST, Sprint, AT&T, MCIW, Cox, Rhythms and ELI.

9. While initially U S WEST's compliance with all three Checklist Items was in dispute, by the second Workshop, the parties had resolved any remaining points of contention, with U S WEST oftentimes agreeing to take additional steps to ensure its compliance. Based upon the testimony, comments and evidence submitted, as well as the consensus of the parties participating in the Workshops, U S WEST's compliance with Checklist Items 8, 9 and 12 is no longer in dispute. U S WEST meets the requirements of these Checklist Items. With respect to Checklist Items 8 and 9, these findings are dependent upon and shall be subject to reevaluation if U S WEST fails to meet relevant performance measurements in each case. Additionally, the parties agreed to defer the issues raised by AT&T regarding Local Routing Number ("LRN") and number porting to Checklist Items 1 and 11, respectively.

B. DISCUSSION

1. Checklist Item No. 8

a. FCC Requirements

10. Section 271(c)(2)(B)(viii) of the Telecommunications Act of 1996 ("1996 Act") states that access or interconnection provided or generally offered by a BOC must include "[w]hite pages directory listings for customers of the other carrier's telephone exchange service."

11. In the Second BellSouth Louisiana Order[1] the FCC stated that "consistent with the Commission's [FCC's] interpretation of 'directory listing' as used in section 251(b)(3), the term 'white pages' in section 271(c)(2)(B)(viii) refers to the local

[1] Application of BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, Inter-LATA Service in Louisiana, Cc Docket No. 98-121, Memorandum Opinion and Order, 13 FCC Rcd 20599 ("Second BellSouth Louisiana Order")

alphabetical directory that includes, at a minimum, the subscriber's name, address, telephone number, or any combination thereof."[2]

12. The FCC also concluded in the Second BellSouth Louisiana Order that to meet this obligation, a BOC must demonstrate that it provides: (1) nondiscriminatory appearance and integration of white page listings to customers of competitive LECs; and (2) white page listings for competitor's customers with the same accuracy and reliability that it provides its own customers.

13. "Inherent in the obligation to provide a white pages directory listing in a nondiscriminatory fashion is the requirement that the listing the BOC provides to a competitor's customers is identical to, and fully integrated with, the BOC's customers' listings." Id. at p. 256. By "identical", the FCC was referring to factors such as the size, font, and typeface of the listing. Its use of the term "fully integrated" was intended to mean that the BOC should not separate the competing carrier's listings from its own customers. Id.

b. U S WEST Position

14. On March 25, 1999, U S WEST Witness Lori A. Simpson provided Direct Testimony stating that U S WEST had met the requirements of Checklist Item No. 8. U S WEST Exhibit 1 at p. 2. Ms. Simpson stated that U S WEST provides nondiscriminatory access to white page listings through the provisions of its Statement of Generally Available Terms and Conditions ("SGAT")[3] and its 58 approved interconnection and resale agreements. U S WEST Ex. 1, at p. 2.

15. U S WEST's listing service includes: 1) updating U S WEST's directory assistance database to include CLEC end user listings; 2) updating U S WEST's listings database to include CLEC end user listings records; and 3) furnishing directory publishers with CLEC end user listings contained in the U S WEST listings database for publication in local white pages directories. U S WEST Ex. 1 at p. 3.

16. U S WEST offers several types of listings, including primary listings (telephone subscriber's name, address, and telephone number), premium listings (includes, but not limited to, additional listings for other household or business members, cross reference listings, and listings from other cities) and privacy listings (includes nonlisted and nonpublished listings). See, U S WEST Ex. 3.

17. Primary listings are provided at no charge and are addressed in U S WEST's SGAT Section 10.4.2.1:

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[2] In the Matter of Application by Bell Atlantic New York for Authorization Under Section 271 of the Communications Act To Provide In-Region, InterLATA Service in the State of New York, Memorandum Opinion and Order (rel. December 22, 1999) ("Bell Atlantic New York Order")

[3] More specifically, the sections of its SGAT upon which U S WEST relies to meet this Checklist Item, in part, is Section 10 et seq. See U S WEST's Supplemental Exhibit Identifying Sections of its SGAT Relating to Checklist Items 3, 7, 8, 9, 10, 12 and 13.

> CLEC will provide in standard, mechanized format, and U S WEST will accept at no charge, one primary listings for each main telephone number belonging to CLEC's end users. Primary listings are defined in U S WEST general exchange tariffs.

18. Premium and privacy listings are offered to CLEC's at the retail rate, less the applicable wholesale discount as set forth in U S WEST's SGAT Section 10.4.2.2:

> CLEC will be charged for premium and privacy listings (e.g., additional, foreign, cross reference) at U S WEST's General Exchange listing Tariff rates, less the wholesale discount, as described in Exhibit A.

19. The Company has processed more than 46,000 CLEC listings to-date in Arizona. This includes listings for 15 facility-based CLECs and 39 reseller CLECs. Tr. at p. 26.

20. U S WEST complies with the FCC requirement to provide CLECs with white page listings that are nondiscriminatory in appearance and integration. U S WEST's SGAT at Section 10.4.2.8 states:

> U S WEST provides non-discriminatory appearance and integration of white page listings for all CLEC's and U S WEST's end users. All requests for white pages directory listings, whether CLEC or U S WEST end users, follow the same processes for entry into the listings database.

21. U S WEST provides CLEC listings in the same font and size as U S WEST listings. See Sections 10.4.2.8 and 10.4.2.10 of the SGAT, respectively. U S WEST presented as an exhibit, a page from its white page listings which included CLEC listings to demonstrate that the listings were indistinguishable from one another. U S WEST Ex. 4.; U S WEST Ex. 1, p. 33. Additionally, CLEC white page listings are not separately classified. Id. CLEC and U S WEST end user listings are commingled in the U S WEST listings database. U S WEST Ex. 1 at p. 34. Section 10.4.2.10 of the SGAT states:

> CLEC white pages listings will be in the same font and size as listings for U S WEST customers, and will not be separately classified.

22. U S WEST Witness Simpson also stated that U S WEST provides white page listings to CLECs with the same accuracy and reliability with which it provides its own end users' listings. U S WEST Ex. 1 at pp. 33-34. CLECs are provided automatic monthly "verification proofs" to review their listings for accuracy and also have the ability to request "on-demand" listings reports, or may check individual listings at any time. U S WEST Ex. 1 at p. 34; Tr. at p. 23. Relevant SGAT provisions state:

10.4.2.19 U S WEST will provide monthly listing verification proofs that provide the data to be displayed in the published white pages directory.

10.4.2.20 U S WEST will provide CLEC a reasonable opportunity to verify the accuracy of the listings to be included in the white pages directory.

10.4.2.21 CLEC may review and if necessary edit the white page listings prior to the close date for publication in the directory.

23. U S WEST provides extensive, detailed in-person listings training for CLECs. Id. at p. 34. Detailed training materials are provided to CLECs at no charge. Id. at p. 34; See also U S WEST Ex. 8.

24. Finally, U S WEST provides for delivery of directories to CLEC end users on the same terms and conditions as directories delivered to U S WEST end users. U S WEST Ex. 1 at p. 36; Tr. at p. 26. The Company's SGAT provides:

10.4.2.12 U S WEST shall ensure its third party publisher distributes appropriate alphabetical and classified directories (white and yellow pages) and recycling service to CLEC customers at parity with U S WEST end users, including providing directories a) upon establishment of new service; b) during annual mass distribution; and c) upon customer request

c. Competitors' Position

25. In their July 22, 1999, preliminary statements of position on U S WEST's compliance with all Checklist Items, AT&T stated that U S WEST was not in compliance with the requirements of Checklist No. 8. AT&T Ex. 1 at p. 11. Cox stated that U S WEST was not in compliance with Checklist Item 8, citing problems with non-published listings that it claimed were not processed correctly by U S WEST resulting in customer complaints and credits that negatively impacted Cox's revenues and reputation. Cox went on to state that many requests from Cox's customers for directory listings had not been processed at all, resulting in customers not being listed. Cox had to expend additional resources to intervene to ensure that its customer listings were being handled properly and that customers received any appropriate credits. Cox, however, did not press these issues at the Workshop and Staff, accordingly, presumes that these issues have now been resolved.

26. Other CLECs filing comments on July 22, 1999, included Sprint, MCIW, NEXTLINK Arizona, L.L.C. ("NEXTLINK"), ELI, e-spire, and Rhythms. ELI stated that it joined in the position statements filed by the other CLECs. e-spire and MCIW stated

that they had inadequate information at that time to determine U S WEST's compliance with Checklist Item No. 8. Rhythms did not offer a statement of position on Checklist Item No. 8. Sprint stated that it could not comment at this time since it has not yet attempted to obtain access to U S WEST's white pages in Arizona. NEXTLINK does not believe U S WEST meets Checklist Item No. 8 because it has no legally binding commitment to meet its requirements but, rather, is relying upon DEX to comply with the requirements.

27. Only AT&T filed additional comments on January 4, 2000. AT&T's issues on Checklist Item 8 fall into three broad categories. AT&T Ex. 2. First, AT&T argues that U S WEST failed to demonstrate that it has concrete, enforceable and specific legal obligations to furnish nondiscriminatory access to white page listings. AT&T Ex. 2 at p. 3; See also Tr. pps. 46-56 (comments of MCIW). While U S WEST's SGAT and interconnection agreements with CLECs in Arizona provide for inclusion of CLEC data in U S WEST's directory listings database, neither the SGAT nor the agreements address the actual publishing of the directory. AT&T Ex. 2 at p. 4. AT&T states that U S WEST seems to believe that it has no obligation to publish CLEC listings because it has delegated that responsibility to DEX, however, DEX has no legal obligation to fulfill the requirements of Section 271. AT&T Ex. 2, at p. 5; Tr. pps. 46-56 (comments of MCIW). AT&T states that U S WEST's "assurances" alone are not enough. Id.

28. Second, AT&T has concerns regarding the process used by U S WEST for CLEC listings, in that the language of the SGAT appears to suggest that U S WEST uses a different process in handling CLEC listings. AT&T Ex. 2, at p. 9. Further, AT&T states that the SGAT does not reflect the terms of its agreement with DEX, which provides that AT&T *may at its option* send directory listings directly to DEX for inclusion in DEX's directory. AT&T Ex. 2 at p. 9

29. Third, AT&T expressed concern that U S WEST is not providing CLEC customers with the same accuracy and reliability that it provides its own customers. AT&T Ex. 2, at p. 10. AT&T points to apparent differences in the process to transmit CLEC listings to DEX, which it argues adds another layer of process in which errors can be introduced. AT&T Ex. 2 at p. 10.

d. U S WEST Response

30. In response to the first issue raised by AT&T, U S WEST states that it is legally obligated to provide nondiscriminatory access to white page listings under its SGAT and under its interconnection agreements. U S WEST Ex. 2 at p. 2; Tr. at p. 28; pps. 35-36.[4]. U S WEST Ex. 2, p. 2. U S WEST cites provisions in its interconnection agreement with AT&T to demonstrate this fact. For instance, it cites to Section 44.1.17, which states that: "AT&T shall receive the same treatment as U S WEST receives with

[4] Application of BellSouth Corporation pursuant to Section 271 of the Communications Act of 1934, as amended to Provide In-Region InterLATA Services in Louisiana, CC Docket No. 98-121, Memorandum Opinion and Order, FCC 98-271 (rel Oct. 13, 1998), at para 252.

respect to white and yellow page matters. Id. at p. 3. See also U S WEST/AT&T Arizona Interconnection Agreement, Sections 44.1.7, 44.1.14 and 44.1.15.

31. In response to AT&T's second issue regarding discriminatory processes, U S WEST states that AT&T is misreading the process flow and that the "listing form" that the CLECs fill out is an industry-standard OBF form that can be filled out in IMA or EDI and electronically sent along with the LSR or on a stand-alone basis. U S WEST Ex. 2, p. 6. The Company states that CLECs submit simple listings to U S WEST via IMA, EDI, or by faxing and enter U S WEST's service order processor. U S WEST Ex. 2 at p. 7. U S WEST retail end users' also submit their listings requests to U S WEST, and simple listings enter U S WEST's service order processor via U S WEST's retail centers. Id. For listings that are received by the Listings Group before 2:00, their goal is to process those listings that day. Tr. at p. 41. To the extent that a CLEC would send a large quantity of listings, U S WEST would negotiate a date for processing them with the CLEC. Tr. at. 41.

32. To ensure nondiscriminatory treatment of CLEC listings, the same systems and personnel process U S WEST and CLEC listings. U S WEST Ex. 1 at p. 35. These systems and personnel apply manual and mechanical edits to CLEC and U S WEST end user listings before and after they are entered into U S WEST's listings database. Id. at p. 35. The process for handing off listings to DEX is exactly the same for U S WEST retail as it is for the CLEC listings. Tr. at p. 37. U S WEST submits daily files containing non-private CLEC, independent company, and U S WEST listings to its directory publishers for inclusion in white pages directories. U S WEST Ex. 1 at p. 32

33. Finally, as to the third issue, U S WEST countered that it does provide CLECs with the same white page listing accuracy and reliability that it provides its own customers. U S WEST Ex. 1 at p. 35. Further, U S WEST has procedures that allow CLECs to review their own listings for accuracy. Pursuant to Section 10.4.2.19 of their SGAT, U S WEST provides verification proofs to CLECs on a regular, monthly basis:

> U S WEST will provide monthly listing verification proofs that provide the data to be displayed in the published white pages directory and available on directory assistance. Verification proofs containing nonpublished and nonlisted listings are also available upon request on the same monthly schedule.

34. Also, Sections 10.4.2.20 and 10.4.2.21 state, respectively:

> U S WEST will provide CLEC a reasonable opportunity to verify the accuracy of the listings to be included in the white pages directory and directory assistance.
>
> CLEC may review and if necessary edit the white page listings prior to the close for publication in the directory.

35. U S WEST also has a new proposed metric to demonstrate that it is providing the same accuracy and reliability for white page listings.

e. Verification of Compliance

36. Upon conclusion of Workshop 2, all parties in attendance at the workshop agreed that the concerns raised by the parties regarding U S WEST's compliance with Checklist Item No. 8 were no longer in dispute.[5]

37. During the Workshop, there was discussion regarding the first concern raised by AT&T -- U S WEST's failure to demonstrate that it has a concrete, enforceable and specific legal obligation to furnish nondiscriminatory access to white pages. U S WEST made its DEX contract and other relevant contracts, including its master service agreement, available to the parties in this case. Tr. at p. 102. AT&T agreed to review the additional agreements distributed by U S WEST at the Workshop and also agreed to submit language that would resolve its concerns. On January 18, 2000, AT&T filed its Additional Comments on Checklist Item 8 concerning U S WEST's legal obligation to provide white page listings and proposed language for inclusion in the SGAT and interconnection agreements to resolve AT&T's concern. As a result of further negotiations, the parties reported at the second Workshop that U S WEST agreed to include the provision proposed by AT&T in its SGAT to make clear it's obligations with respect to publication of directories for the CLECs. U S WEST also agreed to allow the CLECs to amend their existing interconnection agreements to incorporate the new language in the SGAT under the "pick and choose" provision of the 1996 Act, 47 U.S.C. 251(i). Tr. at pp. 121-122.

38. With respect to the second concern -- the process used by U S WEST for CLECs listings -- U S WEST distributed a process flow chart for white page listings during the first Workshop. U S WEST Ex. 6. The process flow chart distributed at the Workshop is similar to an exhibit to Ms. Simpson's Direct Testimony. U S WEST Ex. 1 at LAS-1. However, U S WEST Ex. 6 reflects an additional process flow, whereby listings of facilities-based CLECs using an EDI interface flow through directly to the U S WEST Listing Group and from there to the Listings Database without manual handling of the listings. Listings of facilities-based CLECs using the IMA/GUI interface release 4.2 or using facsimile would not flow through directly to the Listings Database. Tr. at pp. 44-45. At the conclusion of discussions, AT&T indicated that Ms. Simpson had answered AT&T's concerns. Tr. at p. 62. U S WEST has demonstrated, that it uses the same processes and timeframes for providing white page directory listings to the CLECs as it uses for its own retail division. U S WEST Ex. 6 compared the listings process for CLEC and U S WEST retail operations and the progression of the process appears to be uniform in most instances. The CLECs submit simple listings to U S WEST via IMA, EDI, or by faxing and enter U S WEST's service order processor. U S

[5] The parties' agreement was contingent upon their ability to later challenge this finding if U S WEST failed to meet relevant performance measurements, specifically the time to update its databases (DB-1), and the accuracy of its database updates (DB-2), which tests will be performed as part of the Company's OSS testing later this year.

WEST Ex. 2 at p. 7. U S WEST retail end users' also submit their listings requests to U S WEST, and simple listings enter U S WEST's service order processor via U S WEST's retail centers. Id. U S WEST also uses the same systems and personnel to apply manual and mechanical edits to CLEC and U S WEST end user listings before and after they are entered into U S WEST's listings database. Id. at p. 35. U S WEST then submits a single daily listings file containing commingled listings to its official directory publisher. Id. at p. 35.

39. Finally, as to the third issue raised by AT&T regarding accuracy and reliability of CLEC listings, AT&T stated that U S WEST had not responded to AT&T's question regarding how the Commission could find U S WEST had met Checklist Item No. 8 because there were two proposed performance measures for determining the accuracy and reliability of CLEC listings that were not in place and there was no experience with the metric results. Tr. at pp. 33-34; AT&T Ex. 2 at 10-11. U S WEST proposed that the Commission make a finding it met the checklist item and if a problem shows up in the data, the parties were free subsequently to raise the issue. Tr. at p. 35. AT&T agreed this was acceptable, as long as the Commission could reconsider and change its finding based on the results of the performance measures. Tr. at pp. 61-62. Once again the Company has demonstrated, subject to reevaluation if U S WEST fails to meet the DB-1 and DB-2 performance measurements, that it has complied with this requirement. CLECs are provided automatic monthly verification proofs to review their listings for accuracy and also have the ability to request on-demand listings reports. They may also check individual listings at any time. U S WEST Ex. 1 at p. 34, Tr. at p. 23. The proof reports show all of the listings for a CLEC that have been changed, added, since the last report. There is no comparable process on the U S WEST retail side. Tr. at p. 23. The proofs give the CLEC the opportunity to review and correct their listings. Id. CLECs can also call the U S WEST listings group and verify individual listings.

40. Based upon the testimony, comments and exhibits submitted, the Company has demonstrated that it makes available to the CLECS nondiscriminatory access to directory listings. U S WEST has demonstrated that it provides: (1) nondiscriminatory appearance and integration of white page listings to customers of competitive LECs; and (2) white page listings for competitor's customers with the same accuracy and reliability that it provides its own customers. U S WEST has demonstrated that the listings it provides to its competitors' customers identical to, and fully integrated with, the BOC's customers' listings.

41. The finding that U S WEST meets the requirements of Checklist No. 8 will be subject to reevaluation if the Company fails to meet the relevant performance measurements on directory listings, specifically DB-1 and DB-2

2. Checklist Item No. 9

a. FCC Requirements

42. Section 271(c)(2)(B)(ix) of the Telecommunications Act of 1996 requires a Section 271 applicant to provide nondiscriminatory access to telephone numbers for assignment to competing carriers' telephone exchange service customers, "[u]ntil the date by which telecommunications numbering administration guidelines, plan, or rules are established." After that date, the BOC is required to comply with such guidelines, plan, or rules.

43. Prior to the transfer of these responsibilities to Lockheed-Martin and subsequently NeuStar, Inc. ("NeuStar"), the FCC interpreted the requirements of Section 251(b)(3) to mean that a LEC providing telephone numbers had to provide competitive providers access to numbers identical to the access that the LEC provided to itself.

44. After the transfer, U S WEST must demonstrate that it adheres to industry numbering administration guidelines and Commission rules, including provisions which require accurate reporting of data to the Code Administrator.[6]

b. Position of U S WEST

45. On March 25, 1999, U S WEST Witness Margaret S. Bumgarner provided Direct Testimony stating that U S WEST had met the requirements of Checklist Item No. 9. U S WEST Ex. 7, at p. 27.

46. Prior to the transfer of numbering responsibility to Lockheed Martin, U S WEST followed the Central Office Code Assignment Guidelines developed by the Industry Numbering Committee and published as INC 95-0407-008. U S WEST Ex. 7 at p. 28. U S WEST further states that it met all of the FCC's requirements established in the Local Competition Second Report and Order[7] prior to the transfer by: 1) not charging any fees for the assignment or use of central office codes; and 2) by using the industry's central office code assignment guidelines and forms as the uniform standards and procedures to process NXX code requests and assignment of codes whether the request originated from U S WEST or a CLEC. U S WEST Ex. 7 at p. 26.

47. Further, according to U S WEST, prior to the transfer, it assigned all CLEC NXX codes within 10 working days of the date of receipt of a request, as required by Section 5.2.2 of the industry's guidelines. U S WEST Ex. 7, at p. 29. During the twelve months prior to Lockheed Martin becoming the new administrator, U S WEST assigned 37 NXX codes to CLECs in Arizona. U S WEST Ex. 7 at p. 29. U S WEST

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[6] Bell Atlantic New York Order at para. 363.

[7] In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, Second Report and Order and Memorandum Opinion and Order, (rel. August 8, 1996) ("Local Competition Second Report and Order').

averaged 3.8 days to assign NXX codes for CLECs while averaging 5.0 days to assign NXX codes to itself. U S WEST Ex. 7 at p. 29.

48. On September 1, 1998, the FCC transferred the numbering administration responsibilities to Lockheed Martin IMS. U S WEST Ex. 7 at p. 26. U S WEST stated that it will continue to comply with the industry guidelines and FCC rules as reported in U S WEST's SGAT Section 13.2[8]:

> Central Office Code Administration has now transitioned to Lockheed Martin. Both Parties agree to comply with Industry guidelines and commission rules, including those sections requiring the accurate reporting of data to the Central Office Code Administrator.

c. Competitors' Position

49. AT&T, in its original statement of position, AT&T Ex. 1 at p. 12, took issue with U S WEST's asserted compliance with Checklist Item No. 9 because U S WEST was forcing CLECs to apply for additional, unnecessary NXX prefixes. Other CLECs filing statements of position on July 22, 1999, included Sprint, NEXTLINK, Cox, ELI, e-spire, and MCIW. Cox and e-spire stated that they had inadequate information at this time to determine U S WEST's compliance with this Checklist Item. ELI stated that U S WEST was hindering them and other CLECs from obtaining new NXX codes and joined in with comments filed by other CLECs on this Checklist Item. MCIW stated that U S WEST has failed to properly load their NPA/NXX codes into its Arizona switches in a timely manner. MCIW also stated that U S WEST failed to provide them with timely notice when it has properly loaded MCI's NPA/NXX codes. Rhythms did not offer a statement of position on Checklist Item No. 9. Sprint can not provide comment at this time because it has not yet attempted to obtain access to numbers in Arizona. NEXTLINK stated that it has no basis to conclude that U S WEST meets this Checklist Item.

50. In its January 4, 2000 comments, AT&T raised three issues relating to the Company's policies on LRN, assignment of numbers, and provisioning of CLEC NXX prefixes in U S WEST switches. AT&T Ex. at pps. 12-18.

51. First, AT&T criticized U S WEST's LRN Policy. AT&T Ex. 2, at p. 12. AT&T stated U S WEST's policy had forced CLECs to request large numbers of new NXX prefixes. AT&T Ex. 2 at p. 12. This imposed unnecessary costs and delays on the CLECS. Id. at p. 12. U S WEST required CLECs to obtain one LRN per U S WEST rate center for each CLEC switch while the industry standard is one LRN per LATA for each CLEC switch. AT&T Ex. 2 at p. 13.

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[8] U S WEST relies, in part, upon Sections 4.41, 4.42, 13.0-13.5 to meet checklist item 9. See U S WEST's Supplemental Exhibit Identifying Sections of its SGAT Relating to Checklist Items 3, 7, 8, 9, 10, 12 and 13.

52. AT&T asserted that this is inconsistent with paragraph 2 of the Industry Numbering Committee's ("INC") Location Routing Number Assignment Practices, INC 98-0713-021, issued July 13, 1998 which states:

> A unique LRN may be assigned to every LNP equipped switch (and potentially to each CLLI listed in the LERG). A service provider should select and assign one (1) LRN per LATA within their switch coverage area. Any other LRN use would be for internal purposes. Additional LRNs should not be used to identify US wireline rate centers.

In response to U S WEST's statements that it had changed its LRN policy, U S WEST Ex. 2 at 11, AT&T responded that there were still a number of unresolved issues regarding U S WEST's change in policy and was unable to agree its concerns had been resolved. Tr. at pp. 37-38. These concerns were set forth in a letter that AT&T had sent to U S WEST. See AT&T Ex. 3.

53. AT&T took issue secondly with U S WEST's reassignment of numbers. AT&T Ex. 2 at p. 17. AT&T stated that with respect to porting CLEC numbers, U S WEST sometimes reassigns those numbers to new U S WEST customers. AT&T went on to state that this causes a lot of confusion and problems for the CLEC and its customers. AT&T Ex. 2 at p. 17. AT&T stated that ported numbers should never be available for reassignment. Id. at p. 17.

54. Upon examination of Telcordia's letter regarding this problem, U S WEST Ex. 2, Attachment 2, AT&T also expressed concern with the large number of telephone numbers reported by Telcordia (117,000 out of 120,000) that were out of synchronization. Tr. at pp. 74 and 94.

55. AT&T's third concern related to U S WEST not properly or promptly provisioning CLEC NXX prefixes in all U S WEST switches. AT&T Ex. 2 at p. 17. AT&T stated that there have been a number of incidents when the CLEC gets a new NXX prefix and U S WEST has not provisioned the NXX in all of its switches. When this happens, the CLEC customers can only make out-going calls and cannot receive in-coming calls from U S WEST customers on the switches that are not programmed correctly. Id. at p. 17. This results in a great deal of customer confusion and dissatisfaction. Id.

d. U S WEST Response

56. With respect to the LRN issue, at the January 11, 2000 Workshop, U S WEST indicated that it had taken corrective action on January 7, 2000 and in a letter of that same date had informed AT&T that it was changing its LRN policies. See U S WEST Ex. 2, Attachment 1. U S WEST suggested that the issue was an interconnection issue, not a number administration issue. Tr. at p. 81.

57. As to AT&T's second concern relating to ported numbers, U S WEST suggested that this was a number portability issue, not a number administration issue. U S WEST Ex. 2 at pp. 11-12. U S WEST also countered that it had corrected the system problems that caused some ported numbers to be released and assigned to U S WEST customers. U S WEST Ex. 2 at p. 11-13. U S WEST noted that it had ported approximately 470,000 numbers to-date. The problem existed with "data extract" from the number portability database which were found to be incomplete, thereby allowing some of the ported numbers to be reassigned. U S WEST Ex. 2 at p. 12. This happened during the time U S WEST was deploying CNUM but the problem was corrected as of October 3, 1999, by U S WEST's vendor, Telcordia, and since that time, U S WEST is unaware of any duplicate assignments. U S WEST Ex. 2 at p. 12, Attachment 2. U S WEST also stated that the problem negatively affects U S WEST more than the CLECs because U S WEST has to notify its retail customer and change their telephone number. Tr. at p. 67.

58. The third issue raised by AT&T had to do with untimely NXX code assignment, to which U S WEST replied, in its Rebuttal Testimony and at the January 11, 2000 Workshop, that it did not have all of the information it needed in many cases. It stated that it has revised its process (the e-mail notification process started in December 1999) to improve methods for notifying CLECs that additional information is needed. Tr. at pps. 68-69. It also pointed out that there were over 1,300 new NXX codes that were assigned in its region in 1998. In 1999, there were 1,700 codes assigned. With over 40 switches in each NPA that have to be updated, that's from 50,000 to 80,000 switch updates that are done each year. Tr. at p. 68. U S WEST also stated that it will provide a new performance metric on NXX code activation. U S WEST Ex. 2at p. 13.

e. Verification of Compliance

59. AT&T and other parties agreed to defer AT&T's issue on the reuse by U S WEST of ported numbers to Checklist Item No. 11 (Local Number Portability) and AT&T's LRN issue to Checklist Item No. 1 (Interconnection).

60. However, because of the adverse impact on the Commission's code conservation efforts, the Commission Staff required the Company to provide it with answers to the following questions by January 18, 2000.

1) How does U S WEST plan to implement this new process?
2) What is the timeliness of that implementation?
3) What are U S WEST's efforts to recover any NXX codes or numbers within that implementation?
4) Clarify the meaning of "or other level" within the context of US WEST's letter dated January 7, 2000.

61. In its Supplemental Filing Re Location Routing Number (LRN) Issues U S WEST provided the following information. A letter dated January 14, 2000 to all CLECs and account managers in its 14-state region described the processes and alternative of

allowing location-specific alternatives to ensure conservation of numbering resources. U S WEST Ex. 17, Attachment 1 at p. 1. U S WEST's new LRN policy is effective immediately. U S WEST Ex. 17 at p. 2. U S WEST stated that it needed time to rearrange its network so that calls originated under the new policy would complete properly. U S WEST Ex. 17 at p. 2. The Company indicated that the timeframe for completion of network rearrangements would be 60 calendar days after co-carrier confirmation, but could require more time depending upon the complexity of the rearrangements. Id. at p. 3. U S WEST does not have the ability to require CLECs to return unused NXXs to the North American Numbering Plan Administrator ("NANPA"). Id. at p. 3. U S WEST has, however, sent a letter to all 16 facilities-based CLECs operating in Arizona with at least two NXXs requesting each company to evaluate the number of NXXs in its possession and assess whether or not some of them could be returned to NANPA. Id. at p. 3. U S WEST defined "or other level" to generally mean that CLECs with multiple switches in a given LATA need one LRN per switch. Id. at p. 3. Finally, the Company noted that there are two scenarios that may require more than one LRN per LATA:

- For network efficiency reasons, a CLEC may want to utilize more than one LRN per LATA due to U S WEST's large geographic territory.

- In some circumstances, CLECs may have already assigned multiple NPA-NXXs. In this case, the CLECs may desire (and U S WEST would encourage them) to keep multiple LRNs per LATA so as to keep the number of administrative changes to a minimum.

62. Commission Staff is generally satisfied with the responses received to its questions and with the agreement by U S WEST to immediately implement its new LRN policy. Consequently, the Staff has no further issues at this time relating to the Company's LRN policy. However, U S WEST and AT&T agreed to defer AT&T's LRN concern and address it in Checklist Item No. 1. Because the change in U S WEST's policy occurred only recently, AT&T still has concerns with U S WEST's LRN policy and the implementation of the changes U S WEST has promised. The Staff agrees that AT&T's issues on LRN should be deferred to Checklist Item No. 1.

63. Relating to AT&T's second concern, U S WEST, at AT&T's request, will provide documentation or tracking of number reassignment after number porting to ensure that the problem is not recurring and that correction of the problem was successful. Tr. at p. 96. U S WEST agreed to provide in an affidavit the following information when its compliance Checklist Item No. 11 was under examination (Number Portability):

a) Confirmation that U S WEST looked at the number synchronization problem and did a cross verification

b) Confirmation that U S WEST has not had any issue with reassignment problems associated to the 120,000 numbers , and

c) That new numbers that are ported are not experiencing that problem.

Tr. at p. 96.

64. Finally, as to the NXX code assignment issue raised by AT&T, U S WEST will provide information and data on its performance under its new performance metric. This metric will verify that U S WEST activates NXXs "at parity" with its own NXXs. The first data from this new metric should be available in February, concerning the Company's January 2000 performance. U S WEST Ex. 2, p. 14.

65. With the resolution of these issues as just discussed, all parties in attendance at the Workshops agreed that Checklist Item No. 9was no longer in dispute. It was agreed, however, that the finding that U S WEST met Checklist Item No. 9 could be reconsidered and changed by the Commission if the relevant performance measurements are not met by U S WEST later this year during testing of U S WEST's OSS. Tr. at pp. 98-99.

66. Based upon the testimony, comment and exhibits submitted, and the deferral of several of the concerns raised by AT&T to other checklist items, U S WEST has demonstrated that it complies with Checklist Item No. 9. U S WEST provides nondiscriminatory access to telephone numbers for assignment to competing carriers' telephone exchange services customers until the date by which telecommunications numbering administration guidelines, plan, or rules were established. With its change in LRN policy, which is effective immediately, U S WEST is presently in compliance with such guidelines, plan or rules. Any party may subsequently challenge the finding that U S WEST meets Checklist Item 9, if U S WEST fails to meet the relevant performance measurements, which tests will be performed later this year. Additionally, the issues on LRN and number reassignment will be deferred to Checklist Item Nos. 1 and 11 respectively.

67. As a final housekeeping matter, U S WEST is required to revise its SGAT Section 13.2 to reflect Neustar as the new Numbering Administrator.

3. Checklist Item No. 12

a. FCC Requirements

68. Section 271(c)(2)(B)(xii) of the 1996 Act requires a BOC to provide "[n]ondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of section 251(b)(3)". See Local Competition Second Report and Order, 11 FCC Rcd 19392 at 19407.

69. Section 251(b)(3) imposes upon all LECs "[t]he duty to provide dialing parity to competing providers of telephone exchange service and telephone toll service, and the duty to permit all such providers to have nondiscriminatory access to telephone

numbers, operator services, directory services, directory assistance, and directory listing, with no unreasonable dialing delays. Section 153(15) of the Act defines "dialing parity" to mean that:

> ... a person that is not an affiliate of a local exchange carrier is able to provide telecommunications services in such a manner that customers have the ability to route automatically, without the use of any access codes, their telecommunications to the telecommunications services provider of the customer's designation from among 2 or more telecommunications services providers (including such local exchange carrier).

70. The FCC has interpreted this to mean that customers of competing carriers must be able to dial the same number of digits the BOC's customers dial to complete a local telephone call. See 47 C.F.R. Sections 51.205, 51.207. Further, customers of competing carriers must not otherwise suffer inferior quality service compared to the BOC's customers.[9]

b. Position of U S WEST

71. On March 25, U S WEST Witness Margaret S. Bumgarner provided Direct Testimony that U S WEST had met the requirements of Checklist Item No. 12. U S WEST Ex. 7, at p. 61. Ms. Bumgarner stated that U S WEST has specific legal obligations to make local dialing parity available in its various interconnection agreements and pursuant to its SGAT[10]. U S WEST's SGAT in Section 14.1 states:

> The Parties shall provide local dialing parity to each other as required under Section 251(b)(3) of the Act. U S WEST will provide local dialing parity to competing providers of telephone exchange service and telephone toll service, and will permit all such providers to have non-discriminatory access to telephone numbers, operator services, directory assistance, and directory listings, with no unreasonable delays.

72. There are no differences in the number of digits U S WEST or CLEC customers must dial to complete a given local call to any other local customer or to access operator services or directory assistance. U S WEST Ex. 7 at p. 62. U S WEST does not impose any requirement or technical constraint that requires CLEC customers to dial any access codes or greater number of digits than U S WEST customers to complete the same call, or that causes CLEC customers to experience inferior quality with post-dialing delays. U S WEST Ex. 7 at pp. 62-63. A call originating from a CLEC's network is treated the same as a call originating from within U S WESTs network, because U S WESTs switches cannot distinguish between such calls. U S WEST Ex. 7 at p. 3. There are no charges for local dialing parity. U S WEST Ex. 7 at p. 3.

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[9] Bell Atlantic New York Order at para. 373.

[10] U S WEST relies, in part, upon Sections 14.0 and 14.1 of the SGAT to meet checfklist item 12. See, U S WEST's Supplemental Exhibit Identifying Sections of its SGAT Relating to Checklist Items 3, 7, 8, 9, 10, 12 and 13.

c. Competitors' Position

73. Cox, ELI, e-spire, and MCIW all indicated they had inadequate information to determine whether U S WEST is in compliance with Checklist Item No. 12 but left open their right to comment if they obtained relevant information regarding U S WEST's compliance with this item. Rhythms did not offer a statement of position on Checklist Item No. 12. Sprint states that it cannot comment on U S WEST's compliance with Checklist Item 12 as it has not had experience with U S WEST's local dialing parity in Arizona. NEXTLINK states that it is unaware of any problems associated with dialing parity.

74. AT&T contended in its January 4, 2000 comments and at the Workshop that the U S WEST SGAT does not comply with Checklist Item No. 12 because there was no provision in the SGAT for dialing parity for lines provided by Unbundled Network Element Platform ("UNE-P"). AT&T Ex. 2 at p. 19.

AT&T further stated that U S WEST needed to explain the process employed in the following instances for customers that are provisioned using the UNE-P lines before a finding can be made that U S WEST complies with Checklist Item No. 12.

a. Can dial 0 be routed to the CLEC operator?
b. Can dial 0+ calls be routed to the CLEC operator?
c. Can calls to 1411 be directed to CLEC directory assistance?
d. Are any 3 or 4 digit codes used by U S WEST in Arizona for special routing, and can CLECs choose where such calls are routed for their customers?

d. U S WEST Response

75. U S WEST, in its reply comments dated January 11, 2000, referred parties to Section 14.1 of its SGAT, which states that U S WEST will provide dialing parity to competing providers. U S WEST Ex. 2 at p. 16. In addition, U S WEST also referred parties to Section 10.14.1 of its SGAT which states that it will provide dialing parity to CLECs that utilize unbundled switching. Id. at p. 17. Specifically, Section 10.14.1 of the U S WEST SGAT states as follows:

> Customized Routing permits CLEC to designate a particular outgoing trunk that will carry certain classes of traffic originating from CLEC's customers. Customized routing enables CLEC to direct particular classes of calls to particular outgoing trunks, which will permit CLEC's to self-provide or select among other providers of interoffice facilities, operator services and directory assistance. Customized routing is a software function of a switch. Customized Routing may be ordered as an application with Resale or Unbundled Switching.

76. During the Workshop, U S WEST further stated that when it provides UNE-P, - requesting carriers will be able to implement dialing parity as well. Tr. at p. 132. In this regard, U S WEST stated that when the FCC's Rule 319 becomes effective and legally binding, U S WEST will begin providing UNE-platform. Tr. at p. 137. U S WEST also agreed that a CLEC could get the general routing that goes along with shared transport and still obtain customized routing for points a through d above. Tr. at p. 135. With these assurances and agreements, all parties agreed that U S WEST meets the requirements of Checklist Item 12.

e. Verification of Compliance

77. All parties at the Workshops agreed that they had no further disputes regarding U S WEST's compliance with Checklist Item No. 12.

78. Based upon the comments, testimony and exhibits submitted, U S WEST has demonstrated that it is in compliance with Checklist Item No. 12. U S WEST has demonstrated that it provides nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of section 251(b)(3).

II. CONCLUSIONS

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. 8 requires U S WEST to provide access and interconnection that includes white pages directory listings for customers of the other carrier's telephone exchange service.

8. The term "white pages" in Section 271(c)(2)(B)(viii) refers to the local alphabetical directory that includes, at a minimum, the subscriber's name, address, telephone number or any combination thereof.

9. The FCC requires that to meet this obligation, a BOC must demonstrate that it provides (1) nondiscriminatory appearance and integration of white page listings to customers of competitive LECs; and (2) white page listings for competitor's customers with the same accuracy and reliability that it provides its own customers.

10. Based upon the testimony, comment and exhibits submitted, U S WEST meets the requirements of Checklist Item No. 8. U S WEST provides access and interconnection that includes white pages directory listings for customers of the other carrier's telephone local exchange service.

11. U S WEST has demonstrated that it provides nondiscriminatory appearance and integration of white page listings of customers of competitive LECs.

12. U S WEST has demonstrated that it provides white page listings for competitor's customers with the same accuracy and reliability that it provides its own customers.

13. U S WEST's compliance with Checklist Item No. 8 is undisputed. Any party may subsequently challenge U S WEST's compliance with Checklist Item No. 8, if U S WEST fails to meet the relevant performance measurements, specifically DB-1 and DB-2, which tests will be performed as part of the testing of the Company's OSS later this year.

14. Checklist Item No. 9 requires U S WEST to provide access and interconnection that includes, until the date by which telecommunications numbering administration guidelines, plan, or rules are established, nondiscriminatory access to telephone numbers for assignment to the other carrier's telephone exchange service customers. After that date, compliance with such guidelines, plan, or rules.

15. Prior to the transfer of these responsibilities to Lockheed-Martin and then to NeuStar, the FCC interpreted the requirements of Section 251(b)(3) to mean that a LEC providing telephone numbers had to provide competing providers access to the numbers that was identical to the access that the LEC provided to itself.

16. After the transfer to Lockheed-Martin on September 1, 1998, the BOC must demonstrate that it adheres to industry numbering administration guidelines and Commission rules, including provisions which require accurate reporting of data to the code administrator.

17. U S WEST's compliance with Checklist Item No. 9 is not disputed. Prior to September 1, 1998, U S WEST provided nondiscriminatory access to telephone numbers for assignment to the other carrier's telephone exchange service customers.

18. U S WEST, with the recent change in its LRN policy, has demonstrated that it adheres to industry numbering administration guidelines and Commission rules, including provisions which require accurate reporting of data to the code administrator.

19. Based upon the testimony, comment and exhibits submitted, U S WEST meets the requirements of Checklist Item No. 9.

20. Any party may subsequently challenge the finding that U S WEST meets Checklist Item No. 9, if U S WEST fails to meet the relevant performance measurements, which tests will be performed as part of the Company's OSS testing later this year.

21. The parties have agreed to defer their issues on LRN and reassignment of ported numbers to Checklist Item Nos. 1 and 11, respectively.

22. Checklist Item No. 12 requires U S WEST to provide access and interconnection that includes nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of section 251(b)(3).

23. U S WEST compliance with Checklist Item No. 12 is not disputed. U S WEST provides access and interconnection to such services or information as necessary to allow a CLEC to implement local dialing parity.

24. Based upon the comments, testimony and exhibits submitted, U S WEST meets the requirements of Checklist Item No. 12.