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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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2 **WILLIAM A. MUNDELL**
3 **Chairman**
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5 **Commissioner**
6 **MARC SPITZER**
7 **Commissioner**

AZ CORP COMMISSION
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8 **IN THE MATTER OF U S WEST**
9 **COMMUNICATIONS, INC.'S**
10 **COMPLIANCE WITH § 271 OF THE**
11 **TELECOMMUNICATIONS ACT OF 1996**

Docket No. T-00000A-97-0238

**MOTION TO MODIFY AND/OR
SUPPLEMENT THE JUNE 12, 2000
PROCEDURAL ORDER**

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I. INTRODUCTION

Staff of the Arizona Corporation Commission ("ACC Staff") and Qwest Corporation ("Qwest"), respectfully submit the following Motion to Modify and/or Supplement the Commission's June 12, 2000 Procedural Order to establish a schedule for resolution of the remaining issues in this case.

The June 12, 2000 Procedural Order established a series of Workshops to address Qwest's compliance with the remaining Checklist Items and other 271 requirements and a process for the resolution of disputed issues by the Arizona Corporation Commission ("ACC"). As the Workshop process has progressed, it has become clear that modifications to or supplementation of the current schedule is necessary in order to fully address the remaining issues.

Specifically, it is recommended that the Commission set aside August 6-7, 2001 for a follow-up Series One Workshop, if needed. In addition, Staff and Qwest recommend that Workshops be conducted to review the draft final reports that are developed by the Third Party Test Administrator, CAP Gemini Ernst and Young, Telecom Media & Networks ("CGE&Y") related to the performance of Qwest's Operational Support Systems ("OSS"). Further, Staff and Qwest respectfully recommend that several special open meetings be scheduled for the purpose of resolving disputed issues in this case. A proposed schedule is attached. Staff and Qwest have discussed the recommendations contained in this Motion with many of the parties to this case.

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II. DISCUSSION

A. Additional Series I Workshops

The Commission's June 12, 2000 Procedural Order set forth a schedule that provided for two series of Workshops. The Series One Workshops addressed Qwest's compliance with the remaining Checklist Items (other than OSS performance issues) and remaining Sections 271 and 272 issues. The Series Two Workshops addressed Qwest's proposed backsliding and penalties plan. Both Workshop Series were recently concluded.

While there has been no need identified at this time by either the parties or the Staff for additional Series One or Two Workshops, the parties have agreed to set time aside for an additional Series One Workshop, if needed. This additional Workshop is incorporated into the attached schedule under the heading "Additional Series I Workshops".

B. OSS Workshops

Coincident with the Checklist Workshops, a comprehensive performance review of Qwest's OSS capability has been underway by CGE&Y. Testing and evaluation activities are nearing completion and there is now a need to establish the administrative processes and procedures that will govern review of the CGE&Y reports that are being issued by CGE&Y. Staff and Qwest recommend, subject to the approval of the Hearing Division, a series of Workshops to review CGE&Y's reports and the findings and conclusions contained therein. CGE&Y will issue four draft final reports that would be subject to the review process discussed herein. The four CGE&Y reports address respectively: a) the Retail Parity Evaluation, b) the Functionality Test¹, c) the Relationship Management Test and d) the Capacity Test.² The Workshops proposed herein would be conducted by the Commission Staff on a staggered basis on a predetermined and published schedule as the reports are issued. Qwest and Staff propose that Staff, with the assistance of its consultants, facilitate

¹ In conjunction with the Functionality Test, Staff and CGE&Y have agreed to review performance measurement data for the purpose of examining Qwest's operational performance as reported in the Performance Indicator Definitions ("PIDs") that were developed in this proceeding. The purpose of this review will also be to evaluate the individual and aggregate CLEC results and identify the root cause of any discrepancies.

² CGE&Y has also released a Performance Measurement Report, however that report has been subject to a separate review process to permit the Functionality Test to proceed. The final Performance Measurement Report will ultimately become part of the consolidated Final Report which will be subject to an additional review and workshop process.

1 the Workshops, on CGE&Y's draft Final Report consistent with the manner in which the Workshops
2 to review the Checklist Items has been conducted. Staff and Qwest further recommend that the
3 Hearing Division, with the assistance of the Staff and its consultants, conduct the Workshop on the
4 Final Report.

5 In addition, Qwest and Staff propose the following procedural ground-rules for the conduct
6 of these Workshops, subject to approval of the Hearing Division. First, CGE&Y will issue a draft
7 final report on each of the four phases of the test that will be made available to all TAG³ members
8 and parties currently entered on the service list for this proceeding. Coincident with the release of
9 each draft final report, CGE&Y will make available to any interested parties access to the underlying
10 data⁴ upon which it relied in making any findings and conclusions contained in the report, and will
11 accommodate reasonable requests for copies of the underlying data. Second, parties would be
12 provided a reasonable period of time to review each report and its underlying data and given an
13 opportunity to submit formal comment to CGE&Y on the respective reports and underlying data,
14 along with any questions that they intend to ask at the Workshops. CGE&Y will provide written
15 responses to the questions at least two (2) business days ahead of the Workshops. The deadlines for
16 formal comment and submission of any questions will be established by Staff, as has been the
17 practice with past Workshops.⁵ The requirement for parties to submit their questions in advance of
18 the Workshops will ensure that CGE&Y is able to conduct any research or examine any underlying
19 data that will be necessary before convening the Workshop. Staff and its consultants believe that
20 this process will improve the efficiency and effectiveness of the Workshop process. This
21 requirement, however, will not preclude parties from asking any related questions at the Workshop.⁶

22 Third, CGE&Y will utilize expert witnesses to sponsor and present testimony and answer
23

24 3 The TAG is the Technical Advisory Group established by the parties in this case to oversee the test of Qwest's
25 OSS by CGE&Y.

26 4 CGE&Y will make the underlying data available to parties simultaneous with the release of the relevant draft final
27 reports.

28 5 Parties will have at least 14 days to review the Retail Parity, Relationship Management, and Capacity draft final
reports and underlying data and to submit questions. The parties will have at least 21 days to review the draft final
report on the Functionality Test and underlying data and to submit questions thereon. The parties will have at least
10 days to review the Final Report and underlying data and to submit questions.

6 This process would also not operate to preclude parties from submitting additional questions in writing after the
deadline for questions in the event other issues occur to parties after the deadline which they desire to inquire about.

1 questions posed by the parties. Individual CGE&Y subject matter experts will be available for the
2 witnesses to consult with as needed prior to, during and following the Workshops, and to answer
3 questions as may be directed by the expert witness or the Workshop facilitators. Fourth, the
4 Workshops will be transcribed by an authorized court reporter consistent with the practice of the
5 Commission in other Workshops related to this proceeding.

6 Upon conclusion of the four Workshops, CGE&Y will consolidate the individual draft
7 reports into a single Final Report. The consolidated reports that comprise the Final Report are likely
8 to contain a limited number of additional new findings and/or conclusions based upon completion
9 of all tests and consolidation of the results into one document. The Final Report may also include
10 modified findings and conclusions in some cases if determined appropriate by CGE&Y based upon
11 the results of the interim Workshops or subsequent test activity. The Final Report may also contain
12 additional recommendations by CGE&Y depending upon the status of subsequent Incident Work
13 Orders (“IWOs”).

14 The Workshop conducted on the Final Report will be limited in scope to new or modified
15 findings, conclusions or recommendations not contained in the individual draft reports. CGE&Y
16 will submit with the Final Report, a summary of all changes made to the draft final reports along
17 with redlined copies of the reports. Parties will also be allowed to inquire why findings or
18 conclusions in the report did not change from prior versions, since subsequent data may be relevant
19 to previous unchanged findings and conclusions. CGE&Y will make access to the underlying data
20 which supports any new or modified findings, conclusions or recommendations, available to the
21 interested parties with sufficient time to examine and evaluate CGE&Y’s positions before the Final
22 Workshop, and will accommodate reasonable requests for copies of the underlying data.

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Original and ten copies of the foregoing
were filed this 27th day of July, 2001 with:

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**PROPOSED SCHEDULE FOR COMPLETION OF
PROCEEDING ON QWEST'S COMPLIANCE WITH
SECTION 271**

I. Additional Series One Workshops

- A. Follow-Up Workshop (if needed) August 6-7, 2001

II. OSS Workshop Series¹

- A. Retail Parity Draft Final Report Workshop August 7-10, 2001
- B. Relationship Management Draft Final Report Workshop August 27-31, 2001
- C. Capacity Test Draft Final Report Workshop September 25-28, 2001
- D. Functionality Test Draft Report Final Workshop (Including Performance Data) October 8-12, 2001
- E. Consolidated Final Report Workshop To Be Determined²

III. Special Open Meeting Series

- A. Update on the 271 Process in Arizona August 23, 2001
- B. Disputed Checklist Items 13, 14 and Emerging Services³ August 29, 2001

¹ Some of the Workshop dates may change subject to the status of testing activities.

² It is proposed that the Workshop on the Final Report be held 14 days after the Report issues. Parties would be required to review the underlying data and submit questions within 10 days and CGE&Y would be required to respond in writing within one (1) day of the Workshop.

³ Assumes that no Hearing will be held on these issues.

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| C. | Disputed Checklist Items
1, 2, 11 and Performance
Assurance Plan ⁴ | September 29, 2001 |
| D. | Remaining Disputed Checklist Items | October 15, 2001 |
| E. | Remaining Issues | To Be Determined |

⁴ Assumes that no Hearing will be held on these issues.

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|----|---|--------------------|
| C. | Disputed Checklist Items
1, 2, 11 and Performance
Assurance Plan ⁴ | September 29, 2001 |
| D. | Remaining Disputed Checklist Items | October 15, 2001 |
| E. | Remaining Issues | To Be Determined |

⁴ Assumes that no Hearing will be held on these issues.

1 **CERTIFICATE OF SERVICE**

2 Copies of the foregoing "Notice of Filing" were mailed this 27th day of July, 2001

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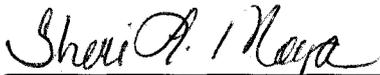
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