

ORIG



0000023329

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

WILLIAM A. MUNDELL
Chairman
JIM IRVIN
Commissioner
MARC SPITZER
Commissioner

2001 OCT 22 P 4: 56

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF QWEST
CORPORATION'S COMPLIANCE
WITH § 271 OF THE
TELECOMMUNICATIONS ACT OF
1996.

DOCKET NO. T-00000B-97-0238

**QWEST'S OBJECTION TO RESCHEDULING OF
FUNCTIONALITY WORKSHOP
AND REQUEST FOR PROCEDURAL CONFERENCE**

Arizona Corporation Commission

DOCKETED

OCT 22 2001

DOCKETED BY	
-------------	--

1 Qwest Corporation ("Qwest") objects to the rescheduling of the
2 Functionality Workshop originally set for November 5-8, 2001 in the above-
3 captioned matter, and respectfully requests that the Hearing Division set a
4 procedural conference to consider this objection.

5 On September 6, 2001, the Staff and Qwest submitted a proposed schedule
6 for the remainder of this proceeding. On September 21, 2001, the Hearing
7 Division issued a Procedural Order setting forth a schedule for the completion of
8 the OSS testing process and other issues in this proceeding. Specifically, the
9 Hearing Division ordered that the Functionality Workshop take place on
10 November 5-8, 2001, at the request of Staff and Qwest.

11 Today, Qwest received an e-mail from Staff unilaterally rescheduling the
12 Functionality Workshop for November 27-30, 2001. Staff did not consult with
13 Qwest or, to the best of Qwest's knowledge, any other party in the proceeding
14 before "rescheduling" the workshop. Staff's e-mail provides no explanation of its
15 reasons for rescheduling the workshop and, in effect, delaying this proceeding for
16 a full three weeks.

17 Nor does Staff indicate how it, and not the Hearing Division, has the
18 authority to change the schedule set forth in the September 21, 2001 order. In the
19 joint proposal submitted by the Staff and Qwest on September 9, the Staff
20 acknowledged that it would need to file a motion to change the schedule:

1 Staff and its consultants will request an extension of any and all
2 dates set forth below, if events or issues arise which in the Staff's
3 and its consultant's opinion, require additional time to resolve.¹
4

5 Qwest believes that the schedule set in the Procedural Order is still
6 achievable and should be followed. Moreover, Qwest believes that it is
7 inappropriate for Staff to change a date set in a Procedural Order without
8 consultation with the parties and without seeking approval of the Hearing
9 Division.

10 Qwest assumes that the change in the Functionality Test Workshop does
11 not change the remainder of the schedule, but it anticipates that other parties may
12 disagree.

13 For these reasons, it is imperative that the Hearing Division address this
14 matter on an expedited basis. Therefore, Qwest requests that a procedural
15 conference be set as soon as possible so that the Hearing Division may consider
16 this objection and whether any rescheduling of the Functionality Workshop is
17 merited. Qwest also requests leave to take discovery on this issue, to ask for all
18 correspondence between Staff and other parties, to demonstrate that the Staff
19 changed the date of the Functionality Test Workshop without consultation with the
20 parties.

21 DATED this 22nd day of October, 2001.
22

¹ Joint Proposal Of Qwest And Commission Staff To Modify Procedural Order. p. 2.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

Respectfully submitted,



Andrew Crain
QWEST CORPORATION
1081 California Street
Suit 4900
Denver, CO 80202
Telephone: (303) 672-2709

Timothy Berg
Theresa Dwyer
FENNEMORE CRAIG, P.C.
3003 North Central
Suite 2600
Phoenix, Arizona 85012-2913
(602) 916-5421
(602) 916-5999 (fax)

Attorneys for Qwest Corporation

ORIGINAL AND 10 of the following
filed this 22nd day of October with:

Docket Control
ARIZONA CORPORATION COMMISSION
1200 W. Washington St.
Phoenix, AZ 85007

ONE COPY of the following
hand-delivered this 22nd day of October to:

Maureen A. Scott
Legal Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington St.
Phoenix, AZ 85007

Steve Olea, Acting Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington St.
Phoenix, AZ 85007

1 Lyn Farmer, Chief Administrative Law Judge
2 Jane Rodda, Administrative Law Judge
3 Hearing Division
4 ARIZONA CORPORATION COMMISSION
5 1200 W. Washington
6 Phoenix, AZ 85007

7
8 Caroline Butler
9 Legal Division
10 ARIZONA CORPORATION COMMISSION
11 1200 W. Washington St.
12 Phoenix, AZ 85007

13
14 ONE COPY of the following
15 mailed and/or e/mailed this 22nd day of October to:

16
17 Steven H. Kukta
18 SPRINT COMMUNICATIONS COMPANY
19 1850 Gateway Drive, 7th floor
20 San Mateo, CA 94404-2567

21
22 Eric S. Heath
23 SPRINT COMMUNICATIONS CO.
24 100 Spear Street, Suite 930
25 San Francisco, CA 94105

26
27 Thomas Campbell
28 Lewis & Roca
29 40 N. Central Ave.
30 Phoenix, AZ 85004

31
32
33 Joan S. Burke
34 Osborn Maledon, P.A.
35 2929 N. Central Ave., 21st Floor
36 PO Box 36379
37 Phoenix, AZ 85067-6379

38
39
40 Thomas F. Dixon
41 Worldcom, Inc.
42 707 17th Street # 3900
43 Denver, CO 80202

44
45 Scott S. Wakefield
46 Residential Utility Consumer Office
47 2828 North Central Ave., Suite 1200
48 Phoenix, AZ 85004

49
50 Michael M. Grant
51 Todd C. Wiley
52 Gallagher & Kennedy
53 2575 E. Camelback Rd.
54 Phoenix, AZ 85016-9225

1
2 Michael Patten
3 Roshka Heyman & DeWulf
4 400 North Fifth St., Ste. 1000
5 Phoenix, AZ 85004-3906
6
7 Bradley Carroll, Esq.
8 Cox Arizona Telcom, LLC
9 1550 West Deer Valley Rd.
10 Phoenix, AZ 85027
11
12 Daniel Waggoner
13 Davis, Wright & Tremaine
14 2600 Century Square
15 1501 Fourth Avenue
16 Seattle, WA 98101-1688
17
18 Traci Grundon
19 Davis Wright & Tremaine
20 1300 S.W. Fifth Avenue
21 Portland, OR 97201
22
23 Richard S. Wolters
24 Maria Arias-Chapleau
25 AT&T Law Department
26 1875 Lawrence Street # 1575
27 Denver, CO 80202
28
29 David Kaufman
30 E.spire Communications, Inc.
31 343 W. Manhattan Street
32 Santa Fe, NM 87501
33
34 Alaine Miller
35 XO Communications, Inc.
36 500 108th Ave. NE, Suite 2200
37 Bellevue, WA 98004
38
39
40 Diane Bacon, Legislative Director
41 Communications Workers of America
42 5818 N. 7th St., Suite 206
43 Phoenix, Arizona 85014-5811
44
45 Philip A. Doherty
46 545 South Prospect Street, Suite 22
47 Burlington, VT 05401
48
49 W. Hagood Bellinger
50 5312 Trowbridge Drive
51 Dunwoody, GA 30338
52
53 Joyce Hundley
54 U.S. Dept. of Justice

1 Antitrust Division
2 1401 H Street, NW, # 8000
3 Washington, DC 20530
4
5 Andrew O. Isar
6 Telecommunications Resellers Association
7 4312 92nd Ave., NW
8 Gig Harbor, WA 98335
9
10 Raymond S. Heyman
11 Two Arizona Center
12 400 North 5th Street, Suite 1000
13 Phoenix, AZ 85004-3906
14
15 Douglas Hsiao
16 Rhythms Links, Inc.
17 6933 Revere Parkway
18 Englewood, CO 80112
19
20 Mark Dioguardi
21 Tiffany and Bosco, PA
22 500 Dial Tower
23 1850 N. Central Avenue
24 Phoenix, AZ 85004
25
26 Thomas L. Mumaw
27 Snell & Wilmer
28 One Arizona Center
29 Phoenix, AZ 85004-0001
30
31 Charles Kallenbach
32 American Communications Services, Inc.
33 131 National Business Parkway
34 Annapolis Junction, MD 20701
35
36
37
38
39
40
41 Patricia Van Midde
42 Assistant Vice President
43 AT&T
44 111 West Monroe
45 Suite 1201
46 Phoenix, AZ 85003
47
48 Gena Doyscher
49 Global Crossing Services, Inc.
50 1221 Nicollet Mall
51 Minneapolis, MN 55403-2420
52
53 Andrea Harris, Senior Manager
54 Allegiance Telecom, Inc. of Arizona

1 2101 Webster, Ste. 1580
2 Oakland, CA 94612
3
4 Gary L. Lane, Esq.
5 6902 East 1st Street, Suite 201
6 Scottsdale, AZ 85251
7
8 J. David Tate
9 Senior Counsel
10 SBC Telecom, Inc.
11 5800 Northeast Parkway, Suite 125
12 San Antonio, Texas 78249
13
14 M. Andrew Andrade
15 Tess Communications, Inc.
16 5261 S. Quebec Street Ste. 150
17 Greenwood Village, CO 80111
18
19 K. Megan Doberneck, Esq.
20 Covad Communications
21 4250 Burton Street
22 Santa Clara, CA 95054
23
24 Richard Sampson
25 Z-Tel Communications, Inc.
26 601 S. Harbour Island, Ste. 220
27 Tampa, Florida 33602
28
29
30
31
32
33
34

