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BEFORE THE ARIZONA CORPORATION

IN THE MATTER OF U S WEST )	DOCKET NO.
COMMUNICATIONS, INC.'S COMPLIANCE) )	T-00000A-97-0238
WITH SECTION 271 OF THE )	
TELECOMMUNICATIONS ACT OF 1996. )	PROCEDURAL
_____ )	CONFERENCE

At: Phoenix, Arizona

Date: September 2, 1999

Filed: **SEP 15 1999**

REPORTER'S TRANSCRIPT OF PROCEEDINGS

**ARIZONA REPORTING SERVICE, INC.**  
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By: CAROLYN T. SULLIVAN, RPR  
Prepared for:

CORPORATION COMMISSION

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1 BE IT REMEMBERED that the above-entitled and  
2 numbered matter came on regularly to be heard before  
3 the Arizona Corporation Commission in the Hearing  
4 Division of said Commission, 1200 West Washington  
5 Street, Phoenix, Arizona, commencing at 8:30 a.m., on  
6 the 2nd day of September, 1999. Hearing Officers  
7 Rudibaugh and Behun were present at the Arizona  
8 Corporation Commission. All other parties were  
9 present telephonically.

10

11 BEFORE: JERRY L. RUDIBAUGH, Chief Hearing Officer  
12 BARBARA M. BEHUN, Hearing Officer

13 APPEARANCES:

14 For U S WEST Communications, Inc.:

15 Mr. Andrew Crain  
16 U S WEST Law Department  
17 1801 California Street, Suite 5100  
18 Denver, Colorado 80202

19 For AT&T Communications of the Mountain States, Inc.:

20 Mr. Richard S. Wolters  
21 Senior Attorney  
22 1875 Lawrence Street, Room 1575  
23 Denver, Colorado 80202-1847

24 For MCI WorldCom, Inc.:

25 Mr. Thomas F. Dixon  
26 707 17th Street, Suite 3900  
27 Denver, Colorado 80202

1 APPEARANCES:

2 For Cox Arizona Telcom, Inc., and e·spire™  
3 Communications:

4 BROWN & BAIN, P.A.  
5 Mr. Michael W. Patten  
6 2901 North Central Avenue  
7 Post Office Box 400  
8 Phoenix, Arizona 85001-0400

9 For Rhythm Links, Inc.:

10 LEWIS AND ROCA  
11 Mr. Thomas H. Campbell  
12 40 North Central Avenue  
13 Phoenix, Arizona 85007

14 For Electric Lightwave, Inc.:

15 GALLAGHER & KENNEDY  
16 Mr. Todd C. Wiley  
17 2600 North Central Avenue  
18 Phoenix, Arizona 85004-3020

19 For Residential Utility Consumer Office:

20 Mr. Stephen Gibelli  
21 Staff Attorney  
22 2828 North Central Avenue, Suite 1200  
23 Phoenix, Arizona 85004-1022

24 For Commission Staff:

25 Ms. Maureen Scott  
Staff Attorney, Legal Division  
1200 West Washington Street  
Phoenix, Arizona 85007

CAROLYN T. SULLIVAN  
Court Reporter

1 HEARING OFFICER RUDIBAUGH: Okay, let's find  
2 out who's with us. For U S WEST.

3 MR. CRAIN: Andy Crain from U S WEST, and I  
4 will be the only person on the call today.

5 HEARING OFFICER RUDIBAUGH: AT&T.

6 MR. WOLTERS: Rick Wolters. And I have a  
7 couple people attending, but I'll be representing  
8 AT&T.

9 HEARING OFFICER RUDIBAUGH: MCI.

10 MR. DIXON: Tom Dixon on behalf of MCI  
11 WorldCom.

12 HEARING OFFICER RUDIBAUGH: Cox and  
13 e·spire™.

14 MR. PATTEN: Mike Patten for both of those.

15 HEARING OFFICER RUDIBAUGH: Anyone there for  
16 NEXTLINK?

17 (No response.)

18 HEARING OFFICER RUDIBAUGH: Sprint?

19 (No response.)

20 HEARING OFFICER RUDIBAUGH: Let's see,  
21 Rhythms?

22 MR. CAMPBELL: Tom Campbell for Rhythm.

23 MS. SCOTT: Maureen Scott on behalf of Staff.

24 MR. WILEY: Todd Wiley for Electric  
25 Lightwave.

1 HEARING OFFICER RUDIBAUGH: And RUCO.

2 MR. GIBELLI: Steve Gibelli on behalf of  
3 RUCO.

4 HEARING OFFICER RUDIBAUGH: It's my  
5 understanding that Staff has set up some collaborative  
6 workshops. And AT&T, you don't believe it's a  
7 collaborative process. Let's hear what you've got to  
8 say.

9 MR. WOLTERS: The issue before the Commission  
10 is whether the Staff and the Commission want  
11 meaningful participation by all the parties. And  
12 we've expressed to the Staff that AT&T's OSS experts  
13 cannot attend. U S WEST has argued that the Nebraska  
14 hearings are not about OSS, but I'd like to point out  
15 that the Nebraska hearings are about performance  
16 measurements, and our experts cover both OSS and  
17 performance measurements. You'll notice that there's  
18 presently collaboratives going on in numerous states,  
19 New York, Pennsylvania, Texas. Right now, Minnesota  
20 is going to review. AT&T is a competitive company,  
21 and we just don't have unlimited resources, contrary  
22 to what U S WEST may believe. As I indicated in my  
23 motion, collaborative workshop notice came out on July  
24 21st. It is now September 2nd, and we still have not  
25 had the first workshop.

1 Originally, the Staff wanted to provide  
2 parties with two weeks to file comments before each  
3 workshop. Now the parties have a week, and all of the  
4 workshops are being held within the three-week period.  
5 I will attend the workshop that is held on the 9th,  
6 but the persons with OSS and performance measurement  
7 expertise will not. It's my understanding that MCI's  
8 experts also will not be able to attend. Many of the  
9 small LECs are also relying on AT&T and MCI's  
10 expertise to deal with OSS.

11 Now, U S WEST can argue that we're proposing  
12 to delay this. This delay was really not caused by  
13 AT&T. This 40-day delay that we have right now is  
14 caused because somebody at the Commission, and I don't  
15 know who, decided that the consultant of Staff would  
16 prepare testimony. That test plan took approximately  
17 40 days to prepare and release. So now we have 40  
18 days left to hold three workshops with the Staff's  
19 consultant and write a report that's now due October  
20 15th. We really feel it would be helpful if we got an  
21 additional 30 days. That's ten days less than it took  
22 Staff's consultant to write the test plan. If we had  
23 the additional time, it would also give the Staff  
24 consultant the necessary time to prepare the report  
25 and would allow everybody to participate. And we feel

1 it's reasonable and it's consistent with Staff's  
2 original proposal. And we would ask that once again,  
3 the October 15th date be extended to November 15th and  
4 that the parties sit down and try to schedule the  
5 workshop so everybody could attend.

6 HEARING OFFICER RUDIBAUGH: Why didn't you  
7 bring this to Staff's attention when they came out  
8 with the schedule?

9 MR. WOLTERS: We've been trying to find out  
10 when the dates would be held so we could make sure our  
11 people could attend. We advised Staff that our people  
12 were not be available on the 9th and 10th and would be  
13 in Nebraska. Originally we thought the first workshop  
14 would be on the 1st. Then we heard it was on the 3rd.  
15 And now we've heard it's on the 9th. So we have been  
16 in constant contact with Staff, our state manager  
17 trying to determine when the workshops would be so we  
18 could be there. Even after all those discussions and  
19 after advising Staff that we would be unavailable on  
20 the 9th, they scheduled the first workshop on the 9th.

21 HEARING OFFICER RUDIBAUGH: And did you have  
22 an alternative date to the 9th?

23 MR. WOLTERS: Do I have one now or did we  
24 provide them? I don't believe we ever provided them  
25 alternatives, but we never were aware that the date

1 was going to be the 9th. I think it's my  
2 understanding that our state manager gave dates that  
3 conflicted, not dates that we were available.

4 HEARING OFFICER RUDIBAUGH: Today if it was  
5 changed, what date would you propose instead of the  
6 9th?

7 MR. WOLTERS: Well, I talked to my OSS  
8 expert, and my OSS expert told me that he's available  
9 on September 17th, 20th, the 21st, 27th, 28th, 29th,  
10 30th, and a number of dates in October, and basically  
11 the last two weeks of October. So, I mean, there are  
12 dates that he's available in September, but it's just  
13 the first two weeks. Like right now, the 7th and 8th,  
14 he'll be in New Jersey, the 9th and 10th in Nebraska.  
15 And it's my understanding that right now, Minnesota is  
16 scheduling workshops for the 14th, 15th and 16th to  
17 address U S WEST's OSS. So he's really not available  
18 until the 17th.

19 HEARING OFFICER RUDIBAUGH: Is there any way  
20 we can get Nebraska to change their dates?

21 MR. WOLTERS: I don't think they would listen  
22 to us at this point.

23 HEARING OFFICER RUDIBAUGH: Let me just go  
24 ahead, and we'll come back to everyone, but let me ask  
25 Staff if, in fact, you received input from AT&T and

1 considered that in setting your workshop dates.

2 MS. SCOTT: Yes. It's my understanding that  
3 someone from AT&T was in touch with someone from Staff  
4 and did convey to them it's my understanding that the  
5 whole week of the 9th and 10th would not be good for  
6 them.

7 However, I must say, we did not in any way  
8 ignore the scheduling problems of any party when it  
9 came to putting the existing schedule together. We  
10 had also received a call from MCI that said there was  
11 a two-week block of time that would not be good for  
12 their expert. But at some point, Staff just had to  
13 select a date, realizing that not all parties would be  
14 accommodated. We had also been told by MCI that they  
15 would probably be finding a substitute to attend and  
16 that they would have someone at the first workshop.

17 In addition, we had received a call from ELI,  
18 indicating that it was not -- their attendance at  
19 these workshops was not as critical. So we were left  
20 with AT&T's concern about that week, and as I said, we  
21 just had to make a decision at some point and select a  
22 date, and that the basis on which Staff selected the  
23 date was it was good for our consultants, who, of  
24 course, it's critical be in attendance at the  
25 workshops. And that was one of the larger

1 considerations.

2           Also, we wanted to get the first workshop  
3 scheduled as quickly as possible. We had put a lot of  
4 time into developing the master test plan because we  
5 thought that would save a lot of time in the workshop  
6 process, and we still anticipate that it will lead to  
7 a much more expeditious and productive series of  
8 workshops having the draft master test plan as a basis  
9 for future discussions.

10           Jerry, if I could, I'd like to make two other  
11 points. I oppose changing the dates of the existing  
12 workshops at this time. We went to a lot of trouble  
13 planning and scheduling these dates, and it would  
14 simply be difficult to change them now. One reason I  
15 have given is that our consultants are available those  
16 dates. The other reason that's very important is that  
17 we've incorporated these dates into the RFP that we  
18 sent out for a third party tester, and there are many  
19 outside parties who are planning to attend these  
20 workshops in addition to the people on the service  
21 list.

22           I also want to point out that there are  
23 several factors why we don't believe a change is  
24 necessary. This workshop is the least critical of the  
25 three scheduled workshops. It's a more general

1 workshop. The purpose of it is for parties to give  
2 their general statements of position. They don't have  
3 to comment on the master test plan at the first  
4 workshop. And then our consultants, however, will be  
5 there to go over the master test plan and if parties  
6 have questions, they can ask them at that point. That  
7 workshop, however, will be transcribed. So anyone who  
8 is not able to attend can get a transcript of the  
9 workshop.

10           However, Staff believes that it is important  
11 for all parties to have a fair and adequate  
12 opportunity for comment and therefore, we have an  
13 alternative proposal that we would offer to the  
14 parties today to meet the concerns that have been  
15 expressed but get to keep the additional schedule in  
16 place. Staff proposes that two additional workshops  
17 be added to the schedule which Staff believes may be  
18 necessary in any event. Staff believes that one of  
19 these days be added to one of the already scheduled  
20 workshops to create a two-day workshop. The final  
21 workshop Staff would propose be held sometime in early  
22 October. Staff's report would then be due the end of  
23 October, which I think is close to the date that Rick  
24 had proposed of November 15th. But we think by adding  
25 these two additional dates, we should be able to keep

1 the current schedule in place but yet give all parties  
2 a fair opportunity to present their case and in  
3 addition, Staff would be willing to add an additional  
4 comment period to the process.

5 HEARING OFFICER RUDIBAUGH: Let me ask this,  
6 Maureen. You would acknowledge that many of the  
7 smaller CLECs are certainly going to be relying on the  
8 expertise of AT&T and MCI, would you not?

9 MS. SCOTT: Well, yes, but I don't think the  
10 fact that they would not be able to attend that first  
11 workshop in particular would prejudice any of these  
12 parties. In my opinion, it's just not the critical  
13 workshop.

14 HEARING OFFICER RUDIBAUGH: With that said,  
15 though, is there -- certainly you would acknowledge  
16 that it would be -- for a collaborative process, it  
17 would be desirable to have AT&T's input, would it not?

18 MS. SCOTT: Well, yes, and I guess by  
19 proposing this alternative, we're attempting to give  
20 AT&T a full and fair opportunity to express that  
21 input.

22 HEARING OFFICER RUDIBAUGH: I guess what I'm  
23 trying to get to is whether or not it's possible --  
24 and certainly we'll go back to AT&T. Whether it's  
25 possible to go ahead with the dates as you have plus

1 our alternative, but somehow whether or not AT&T can  
2 participate by phone, whether or not a time period can  
3 be set and you say, okay, recognizing you're working  
4 in Nebraska, if somehow we can come up with a time  
5 frame where their expert can participate by phone,  
6 whether that would be workable. Again, let me ask  
7 Staff first of all and see what AT&T says.

8 MS. SCOTT: We would certainly be amenable to  
9 having any parties join the workshop process by  
10 telephone. In addition, I guess if some parties were  
11 not able to attend the first workshop and having read  
12 the transcript, felt that they were disadvantaged to  
13 some extent, I guess it's always possible, too, that  
14 we could schedule a conference call with our  
15 consultant before the next workshop where they could  
16 ask questions of the consultant at that point, also.  
17 So we're willing to work with the parties and make  
18 whatever adjustments and accommodations need to be  
19 made to afford them a fair hearing here.

20 HEARING OFFICER RUDIBAUGH: So you're saying,  
21 all right, fine, whatever we do on the 9th, I believe  
22 the date is, that if for some reason AT&T, for  
23 example, or any other party that could not attend  
24 that, there would be an opportunity for input  
25 subsequent to receiving the transcripts.

1 MS. SCOTT: Yes.

2 HEARING OFFICER RUDIBAUGH: All right, let me  
3 go back to AT&T. Based on what Staff has indicated,  
4 would that satisfy your concerns at this time? And if  
5 not, why not?

6 MR. WOLTERS: Let me just point out some  
7 information that I have, and then my understanding --  
8 we talked to both -- I talked to Maureen Scott about  
9 what the content of the first workshop was going to  
10 be, and then we also talked to Staff. And Ms. Scott  
11 said the first workshop is generally to talk about OSS  
12 requirements and have some questions about the test  
13 plan. Our discussions with Staff said that they want  
14 some high level bullet points saying, what's the  
15 problem with the test plan, because their consultants  
16 were going to be there, and they thought that they  
17 would be able to address those concerns, and then the  
18 parties could address the comments due on the 13th.  
19 If there's supposed to be a give and take about the  
20 problems on the test plan at the first workshop and  
21 then those are supposed to be addressed by the parties  
22 in a response and comments on the 13th, that's going  
23 to be difficult.

24 Now, that being said, if the Staff is  
25 intending to add a fourth workshop, and if they're

1 going to double up one of the workshops and hopefully  
2 not on the 20th because -- well, we could discuss  
3 that. But if they're going to double the workshop,  
4 extend the period to the 30th, there may be some  
5 flexibility there, but I think the next problem then  
6 is the comments due the 13th for the 20th workshop.  
7 That's going to be difficult for us to do because our  
8 people are out of pocket on the whole week of the 9th.  
9 And then they would have to get the transcript, which  
10 probably wouldn't be available the next day, and then  
11 try to read it all weekend and try to draft comments  
12 by the 13th, which is probably not going to happen.

13           So what you're looking at is saying, when  
14 could we file comments for the first workshop? Our  
15 OSS expert has to go to Minnesota the 14th, 15th and  
16 16th to address the concerns in Minnesota with OSS.  
17 But assuming we could do our comments the 17th for the  
18 20th workshop, that may work. I'll go to the 9th,  
19 I'll listen to what has to be said. I'll try to  
20 participate the best I can. But it's still going to  
21 create some problems. But if that's the alternative,  
22 it may provide a solution.

23           HEARING OFFICER RUDIBAUGH: Maureen, do you  
24 have any further comment?

25           MS. SCOTT: Yes, I have one comment to make.

1 I think Staff is of the unified position that the  
2 first workshop is for the comments that are to be  
3 submitted. They were intended to cover the parties'  
4 general statements of position with respect to OSS  
5 requirements. However, that does not mean that if a  
6 party is able to go through the master test plan and  
7 raises some concerns, that they can't raise those  
8 concerns in their initial statements of position. But  
9 in general, they were intended to be a more general  
10 statement of position by the parties on OSS  
11 requirements. And Staff is of a unified view there.

12 And I think the final point is I've not known  
13 Staff -- if a party has requested additional time,  
14 I've not known Staff to deny that.

15 MR. WOLTERS: Just one comment in response.  
16 My main concern would be that if we do what Staff  
17 proposed, add an additional workshop and do the report  
18 at the end of October, is that at the second workshop  
19 and possibly the third? I mean, there won't be a  
20 cut-off for people to raise issues because someone  
21 would say that you should have brought that up at the  
22 last workshop. Because by not being really able to  
23 attend in the first one, we may get slightly behind  
24 the curve, and I want to be able to raise issues  
25 anytime. And if that's understood, we may be able to

1 go forth with Staff's proposal.

2 MS. SCOTT: And I think it's been  
3 contemplated by Staff that parties could raise their  
4 concerns during that process.

5 HEARING OFFICER RUDIBAUGH: Let's get other  
6 folks' input.

7 MR. CRAIN: U S WEST believes that we ought  
8 to move forward with the hearing on the 9th. I think  
9 Staff has done a good job of taking everyone's  
10 concerns into consideration. It's going to be  
11 difficult to actually -- probably impossible to  
12 schedule these workshops where some party or some  
13 expert or another is not going to be able to make it.  
14 From what I heard from Rick this morning, he's not  
15 just saying the 9th isn't good, he's saying that  
16 entire week and the following week isn't good. So I  
17 don't really see any alternative days there. So I  
18 think Staff's proposal is very reasonable. We don't  
19 have an objection to it.

20 I would express concern and my opinion that  
21 the extension of -- the 14-day extension for them to  
22 file their report shouldn't affect the scheduling or  
23 additional proceedings in this matter and that we try  
24 to move forward and schedule those as quickly as  
25 possible. With that statement, I do believe that

1 Staff's proposal is very reasonable, and I think  
2 they've done a nice job of taking everyone's concerns  
3 into consideration.

4 HEARING OFFICER RUDIBAUGH: And let me ask  
5 this of U S WEST, how would U S WEST feel about AT&T  
6 talking with the Staff consultant outside the workshop  
7 process?

8 MR. CRAIN: I don't have any objection to  
9 that.

10 HEARING OFFICER RUDIBAUGH: All right, let's  
11 go next to MCI, any comments?

12 MR. DIXON: Your Honor, just a couple.  
13 First, I will confirm what Maureen said. When MCI  
14 found out that there was going to be a collaborative  
15 process, I would say within two days of your order  
16 being issued, we contacted Maureen and David Motycka  
17 to advise them that our OSS expert Carol Beaupre was  
18 on a scheduled vacation and would be unavailable  
19 September 1st through September 10th, which  
20 effectively was August 28th through September 12th.  
21 When we were told the date was September 3rd, I was  
22 able to obtain a back-up person who worked on the  
23 Texas OSS process for down in that area but was not  
24 assigned to U S WEST. She is no longer available on  
25 the 9th nor is Carol Beaupre available on the 9th. So

1 what we're going to do is bring a policy person down  
2 who will be able to talk about OSS. So that's where  
3 we're at. But it won't be anybody technical. So MCI  
4 will not have either our first person or second back-  
5 up present on the 9th. And the only thing that will  
6 do is require the policy person to convey that  
7 information to the technical person and hopefully get  
8 them up to speed.

9 With respect to comments on the test plan  
10 being due on the 13th, again, our technical person is  
11 on vacation. We got the test plan electronically.  
12 Maureen was kind enough to send it to me. I got it to  
13 Carol Beaupre the day she left on vacation. Any  
14 comments we do on the test plan would be incredibly  
15 high level and would not be detailed. And if they're  
16 due on the 13th, that's the day she returns to work.  
17 It's very doubtful I can put in a set of decent  
18 comments when she only had a day. Therefore, if there  
19 was an opportunity to extend that to the end of the  
20 week, that would allow my technical person to look at  
21 the test plan a little more in depth. It's a document  
22 that I've now determined is about an inch thick of  
23 material.

24 We have no objection to additional workshop  
25 days, and only we just need to again try and schedule

1 those so the majority of the people at least can  
2 attend. And no objection to having the report due at  
3 the end of October with an extended comment period  
4 thereafter.

5 So I would agree with most of Staff's  
6 proposals on how to handle it, but I wanted to alert  
7 Staff's concerns to our problem at the first of  
8 October.

9 HEARING OFFICER RUDIBAUGH: Mike Patten.

10 MR. PATTEN: I don't have a whole lot to add  
11 other than our understanding of the workshop on the  
12 9th may allow some clarification of the vagaries of  
13 the proposed test plan which need to get factored into  
14 the comments that are due right now four days later,  
15 which include two weekend days. So hearing that Staff  
16 is willing to take comments on the test plan past the  
17 13th is encouraging and causes us some relief, but I  
18 just wanted to note that tight schedule there may be  
19 difficult to meet if they keep the 13th as the date  
20 for comments.

21 HEARING OFFICER RUDIBAUGH: Tom Campbell.

22 MR. CAMPBELL: We concur in the notion of  
23 postponing by a few days the September 13th comment  
24 deadline for the test plan. We think those extra days  
25 would be helpful. And our major concern is that

1 simply the large carriers, AT&T and MCI, who have such  
2 extensive experience in this area, are able to fully  
3 participate in the collaborative process. And if they  
4 find that modification by the Staff acceptable, that's  
5 acceptable to Rhythm.

6 HEARING OFFICER RUDIBAUGH: ELI.

7 MR. WILEY: The only comment that I would add  
8 for ELI is that we will not be able to have anyone to  
9 attend the first workshop on the 9th. That's not  
10 necessarily a problem for us, as long as appropriate  
11 measures are taken to allow us to get up to speed  
12 after the fact. And we concur with the other CLECs in  
13 extending that 13th date if possible, particularly  
14 because we won't have anyone attending on the 9th. So  
15 if there's any substantive issues on the test plan,  
16 it's going to be difficult for us to be aware of them  
17 by the 13th. Other than that, the additional  
18 workshops and the measures that Rick and Maureen had  
19 talked about and raising additional issues seems  
20 workable for us.

21 HEARING OFFICER RUDIBAUGH: RUCO.

22 MR. GIBELLI: We have no objection to the  
23 additional workshop days or Staff's proposal. We will  
24 be in attendance at all the workshops. And likewise,  
25 extending that September 13th date is great for us.

1 That gives us a little bit more of a turnaround  
2 considering our consultant's out of town and will be  
3 getting back. So that gives us a little more time for  
4 our comments. So we agree with Staff.

5 HEARING OFFICER RUDIBAUGH: I think I got  
6 everyone. And then if there's anyone else, let me  
7 know before I go back to Staff.

8 Let me kind of indicate what I think I've  
9 heard today and then, Maureen, get your comments.

10 I think it's been pretty clear that everyone  
11 does agree there needs to be as much participation by  
12 all the parties as possible. It is a collaborative  
13 process. I think everyone understands that, and there  
14 has to be some flexibility. And I think I've heard  
15 that Staff is willing to work with folks. I would ask  
16 Staff, also, if, in fact, their consultant would be  
17 available by phone to discuss some of these matters  
18 with the parties who have some timing difficulty and  
19 if, in fact, they would confirm that there would be  
20 some type of a phone conference available for folks on  
21 the 13th. I've also heard that Staff is going to add  
22 some additional workshops, which folks have indicated  
23 they desired. And it sounds to me like we need to  
24 move that 13th to the 17th until noon for the  
25 comments. So let me ask Maureen if you would comment

1 on that.

2 MS. SCOTT: On the extension to the 17th,  
3 Staff would be in agreement with that, yes.

4 HEARING OFFICER RUDIBAUGH: How about will  
5 your consultant be available by phone to talk to the  
6 other experts if they desire outside the workshop  
7 process?

8 MS. SCOTT: Yes. And Staff will go so far as  
9 to schedule a conference call for all the parties to  
10 participate after the first workshop with our  
11 consultant. And I thought there was one other point  
12 you raised, Jerry.

13 HEARING OFFICER RUDIBAUGH: And also at the  
14 workshop itself that there would be a phone conference  
15 available for folks to call in if they so desire.

16 MS. SCOTT: Yes.

17 HEARING OFFICER RUDIBAUGH: And again, I  
18 don't want to misconstrue what I believe you said,  
19 Maureen, but I think you said that Staff fully  
20 believes in the collaborative process, fully wants  
21 everyone's input, and as a result is willing to have  
22 whatever flexibility there can be in order to ensure  
23 that everyone has their input. Is that fair?

24 MS. SCOTT: That's correct.

25 HEARING OFFICER RUDIBAUGH: Let me ask Barb

1 if you have any questions or thoughts.

2 HEARING OFFICER BEHUN: No.

3 HEARING OFFICER RUDIBAUGH: With that, I  
4 don't think we need to do anything from our standpoint  
5 at this time other than what we've already done. We  
6 certainly encourage folks to continue to work. I  
7 think it's been helpful to discuss the matter this  
8 morning, and I'll ask right now if anyone else wants  
9 to add anything further.

10 MR. DIXON: This is Tom Dixon. I do have a  
11 couple questions based on the agenda and the  
12 memorandum that accompanied the test plan so I'm clear  
13 on what the expectations are on the 9th and our  
14 statement of position due tomorrow.

15 HEARING OFFICER RUDIBAUGH: I can tell you we  
16 certainly haven't seen these, so we're depending on  
17 Maureen.

18 MR. DIXON: The agenda suggests from 11 to  
19 12:30, it's entitled CLECs' position on OSS  
20 requirements. And presumably that is the written  
21 document we'll have already provided tomorrow. It  
22 then says we're supposed to contact Mark DiNunzio if  
23 we intend to make oral presentations. Is it necessary  
24 to make oral presentations or is it Staff's desire to  
25 submit the written document and we use this time for

1 some other purpose? I'm just not clear if we're  
2 supposed to contact someone to actually do it.

3 HEARING OFFICER RUDIBAUGH: Maureen.

4 MS. SCOTT: We're basically leaving that up  
5 to the parties themselves. I mean, if you --  
6 certainly we want your written comments on the 3rd or  
7 when you can provide them, given your general  
8 positions on OSS requirements. It's not necessary  
9 that you get up and give a formal presentation at the  
10 first workshop. If you'd like to schedule the time  
11 for you to do that --

12 MR. DIXON: Okay. The second question comes  
13 right out of what you just said. Is the purpose of  
14 the statement position due tomorrow strictly to  
15 identify OSS requirements and nothing else?

16 MS. SCOTT: That's the primary purpose.  
17 However, you can also use it to identify, if you want,  
18 any perceived deficiencies in the existing OSS of U S  
19 WEST. You can use it if you've had time to go through  
20 the master test plan to bring up any concerns there,  
21 but I would have to say that the primary purpose was  
22 to provide more or less each company's general  
23 statement of position on the requirements themselves.

24 MR. DIXON: Okay. I think that takes care of  
25 my questions, then, thank you.

1 MR. WOLTERS: This is Rick Wolters. I think  
2 that presently the procedural schedule provides that  
3 the report must be filed no later than October 15th.  
4 And based on Staff's alternative, I believe they're  
5 asking for the October 29th. So they would need an  
6 extension of 14 days procedurally to accommodate them.

7 HEARING OFFICER RUDIBAUGH: Staff, is that  
8 fair?

9 MS. SCOTT: Yes.

10 HEARING OFFICER RUDIBAUGH: Anyone have any  
11 comment on that?

12 MR. DIXON: I believe MCI had no objection to  
13 that.

14 HEARING OFFICER RUDIBAUGH: What we'll do,  
15 then, is we'll issue a procedural order based on what  
16 we've heard today that will give Staff until October  
17 the 29th to issue that. So with that --

18 MR. DIXON: Jerry, which of the statements of  
19 position, the one due on the 7th or the one due  
20 tomorrow, are we supposed to comment on bifurcation?

21 HEARING OFFICER RUDIBAUGH: It's the 7th.

22 Okay, thank you all.

23 (The procedural conference concluded at 9:10  
24 a.m.)

25

1 STATE OF ARIZONA )  
2 COUNTY OF MARICOPA ) ss.

3 I, CAROLYN T. SULLIVAN, a notary public in  
4 and for the County of Maricopa, State of Arizona, do  
5 hereby certify that the foregoing printed pages  
6 constitute a full, true and accurate transcript of the  
7 proceedings had in the foregoing matter, all done to  
8 the best of my skill and ability.

9 WITNESS my hand and seal this 14th day of  
10 September, 1999.

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*Carolyn T. Sullivan*  
CAROLYN T. SULLIVAN  
Notary Public

My Commission Expires:  
June 6, 2003

