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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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IN THE MATTER OF U S WEST  
COMMUNICATIONS, INC.'S COMPLIANCE  
WITH § 271 OF THE  
TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. T-00000A-97-0238

**QWEST CORPORATION'S OPPOSITION TO STAFF'S  
MOTION TO MODIFY PROCEDURAL ORDER OF JANUARY 15, 2002**

Qwest Corporation (Qwest) hereby submits its Opposition to Staff's Motion to Modify Procedural Order of January 15, 2002 (the Motion).

Qwest understands the Staff's desire to hold one more workshop to cover a few remaining issues, although Qwest does not agree that an additional workshop is necessary. Qwest asks that the remaining schedule for this case be set in time frames slightly shorter than suggested by Staff. Qwest also asks that specific dates be set for all remaining workshop reports and for special open meetings so that the Commission can consider the results of the tremendous amount of work that has been done in this case.

This case has been proceeding for more than three years. Qwest first filed this Section 271 application on February 8, 1999. Since that time, the Commission has conducted more than 40 initial and follow-up workshops, covering more than 100 days. The OSS test has been ongoing for more than two years – the first workshop to discuss test design was held in September, 1999. The Commission conducted the test in an open

manner which allowed full public discussion on all testing issues. Before the OSS test began, the Commission conducted nine workshops on test and performance measurement design. While the OSS test was proceeding, the parties participated in more than 50 TAG meetings to discuss testing issues. Cap-Gemini, Ernst & Young has issued numerous draft reports, and the Commission has conducted seven workshops to consider test results. Before those workshops, Cap-Gemini responded in writing to thousands of written questions, and the parties were given the opportunity at the workshops to ask follow-up questions. Before those workshops, Cap-Gemini made more than 50,000 pages of back-up materials available for review.

In its motion, Staff asks for additional delays in the dates set forth in the January 15, 2002 Procedural Order. The Staff feels that one more workshop is necessary – but the facts demonstrate that all possible testing issues have been publicly discussed numerous times.

Over the past five months, the parties to this proceeding have participated in seven workshops to discuss the results of the OSS test. During the twenty days of workshops held, all parties were allowed to inquire into any and all areas. Sufficient time was allotted for these workshops so that all parties could raise and thoroughly discuss all issues. No party was prevented from participating or raising any issue at these workshops. The fact that nearly every workshop concluded early demonstrates that all parties were afforded as much time to address issues as they required. Indeed, the *Final Report* workshop concluded a full day early, even though some parties -- most notably, AT&T -- filed extensive comments in advance. Thus, AT&T had ample opportunity to explore all of the issues raised in its more than 100 pages of comments.

Staff now asks that a one day final workshop be set "to review several issues which have arisen or on which additional work was performed." The issues to be discussed in this one day final workshop will thus address all remaining issues, including all of the issues raised by AT&T in its 100+ page comments. After this additional one day workshop, there can be no question that all parties have been afforded a full and fair opportunity to raise and discuss any and all issues and that all such issues have been addressed.

Finally, Qwest requests that the Procedural Order be modified to include dates for submission of Staff's recommended reports for checklist items 4 & 10, Section 272, General Terms & Conditions and Public Interest/Track A. The issues covered by those reports have all been addressed by the parties on the record, and it is time for these remaining items to be resolved. Qwest also requests that a date be set for the Commission's special open meeting to finalize these remaining items.

In sum, Qwest requests that the scheduled proposed by Staff be compressed and that any modification to the Procedural Order also include a schedule for finalizing the remaining checklist items, including special open meeting of the Commission.

Respectfully submitted this *12<sup>th</sup>* day of February, 2002.

  
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