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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

AT&T'S RESPONSE TO STAFF'S  
MOTION FOR EXTENSION OF  
TIME FOR CGE&Y TO ISSUE ITS  
FINAL REPORT

AT&T Communications of the Mountain States, Inc. and TCG Phoenix

(collectively, "AT&T") hereby respond to Staff's Motion for extension of time for CGE&Y to Issue its Final Report.

AT&T, although not necessarily agreeing with the terms of the Administrative Law Judge's ("ALJ") Procedural Order dated March 4, 2002, understands the ALJ's decision to provide the Staff and Cap Gemini Telecom Networks & Media U.S., Inc. ("CGE&Y") some flexibility in issuing the Final Report and Staff Report and recognizes the attempt to place some safeguards in the Procedural Order. However, AT&T believes the ALJ should add one additional safeguard that was contained in the Procedural Order dated September 21, 2001. In addition, AT&T does not believe that the *magnitude* of the open operations support system ("OSS") test issues has been acknowledged by the other parties nor fully understood by Staff. For example, the ALJ states in the Procedural Order: "Staff stated that although some retesting may continue subsequent to the issuance of the Final Report, such tests are *immaterial* to the ultimate conclusion of whether

Qwest's OSS is sufficient." Procedural Order (March 4, 2002) at 2 (emphasis added).

AT&T must strongly disagree that current retesting is immaterial.

There are a number of issues that need to be resolved that are significant. First, Hewlett Packard is testing SATE release 9. An issue related to the scope of testing SATE 9 has recently gone to impasse. Second, Hewlett Packard ("HP") is testing the preorder/order integration of Qwest's EDI using LSOG 5. Third, Qwest failed the retest of Qwest's Daily Usage Files ("DUF"). Further retesting is necessary. Fourth, CGE&Y continues to review the Qwest Change Management Process ("CMP"). Finally, there are a number of impasse issues that have not been resolved by Staff. Staff acknowledges many of these in its Motion.<sup>1</sup>

The procedural conference was held on February 21. The last workshop was held on February 25. At the workshop the parties were informed for the first time that HP would test the preorder/order integration of Qwest EDI interface using LSOG 5. TR 12 (Feb. 25, 2002). AT&T also stopped its questioning of CGE&Y on the Arizona § 271 OSS Test Supplemental DUF Evaluation based on the understanding that it would submit the remaining questions in writing and have the opportunity to ask follow-up questions on the responses and ask questions on the DUF retest report at a future workshop.<sup>2</sup> TR 54 (Feb. 25, 2002). Staff has advised AT&T off the record that another workshop will not be held.<sup>3</sup> AT&T would have insisted on completing its questioning of CGE&Y had it known another workshop would not be held.

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<sup>1</sup> AT&T must point out that many of these issues were open when the previous Staff Motion was argued on February 21, 2002, when Staff argued the Final Report could be released on February 28!

<sup>2</sup> It was obvious that if AT&T continued to ask its questions that the remainder of the agenda would not be completed, necessitating another workshop. By allowing AT&T to file written questions and ask follow-up questions at a future workshop, the remaining issues on the agenda for the workshop were addressed.

<sup>3</sup> At the conclusion of the workshop Staff made it clear another workshop may *not* be held. TR 239-240 (Feb. 25, 2002).

AT&T will have the opportunity to file questions and comments on the additional reports. However, under Staff's proposal, no opportunity will be given to ask any follow-up questions, so AT&T must be satisfied with the written responses to its written questions. This is inconsistent with the Procedural Order dated September 21, 2001, and the safeguards contained therein. The September Order stated that the Draft Final Report would not be released until the conclusion of all retesting, closure of all Incident Work Orders ("IWOs"), and confirmation that all exit criteria had been met. This issue has been debated before. What is being overlooked is that after the Draft Final Report was released, the Procedural Order provided that a final workshop would be held to discuss all retesting, among other things. What has happened is that by CGE&Y issuing the Draft Final report prematurely – before all retesting is done – the competitive local exchange carriers ("CLECs") are being denied workshops on all the retesting presently underway. This denies the CLECs a fundamental safeguard – the right to cross examine witnesses on the contents of the retest reports – that is contained in the earlier Procedural Order.<sup>4</sup> The ALJ should amend the Procedural Order to once again include this safeguard.

The Procedural Order still requires that all Incident Work Orders ("IWOs") be closed before the Final Report is released. If the next DUF retest is unsuccessful, additional IWOs must be issued, which will delay the release of the Final Report. What is troubling to AT&T is that CGE&Y released the first Supplemental DUF Report before it issued IWOs. This is backwards and out of process. AT&T is extremely concerned that problems encountered by CGE&Y in further retesting of the DUF will not result in

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<sup>4</sup> This is also why the CLECs agreed that there would be no workshop after the release of the Final Report, because all retesting would have been done before the release of the Draft Final Report.

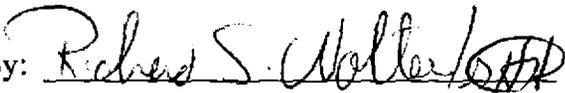
IWOs. Instead, the test deficiencies may be reflected in the Final Report. This will make it all the more difficult for the CLECs to get the problems addressed and resolved.

AT&T wants to make it clear that CGE&Y must issue any IWOs on the deficiencies found during retesting of the DUF before the Final Report is released.

To conclude, AT&T will not oppose Staff's Motion. However, AT&T requests that the ALJ make it clear in her next procedural order that there will be workshops at the conclusion of all retesting to provide the parties an opportunity to ask questions on all retesting, retest reports and the conclusions reached by CGE&Y in its Final Report.

Respectfully submitted this 11<sup>th</sup> day of March 2002.

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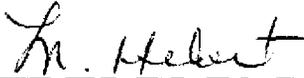
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