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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

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IN THE MATTER OF U S WEST) DOCKET NO. T-00000A-97-0238
COMMUNICATIONS, INC.'S)
COMPLIANCE WITH SECTION 271 OF THE) AT&T AND WORLDCOM'S
TELECOMMUNICATIONS ACT OF 1996) RESPONSE TO STAFF'S
) REPORT ON JULY 30-31
) WORKSHOP (OSS)

AT&T Communications of the Mountain States, Inc and TCG Phoenix (collectively, "AT&T") and WorldCom, Inc., on behalf of its regulated subsidiaries, hereby respond to the Staff Report on the July 30-31 Workshop (Report One – Operations Support Systems Related Issues) dated February 25, 2003 ("Report One").

Report One attempts to address OSS-related issues raised in the July 30-31 Workshop. AT&T and WorldCom commend the Staff for trying to address all issues raised by competitive local exchange carriers ("CLECs") in this and past reports. However, Staff's Report One contains the same unsupported conclusion contained in prior reports – that Qwest has passed the OSS test and met the Section 271 requirements. Staff, once again, must rely on Staff recommendations (Report One, ¶ 202) and promises of future performance (*Id.*, ¶ 183) to resolve open issues and to support its ultimate conclusion. Although Staff recommends that Qwest be required to provide evidence that it has implemented the

recommendations, the evidence and effectiveness of the recommendations will not be reviewed until the first six month review of the Performance Assurance Plan (“PAP”), *id.*, ¶ 224, or well after Qwest has obtained Section 271 relief.

Report One is not the first report released by Staff on Qwest Corporation’s (“Qwest”) operations support systems (“OSS”). On May 1, 2002, Staff released its Supplemental Report and Staff Recommendation on Qwest’s Compliance with Checklist Item No. 2: Access to Unbundled Network Elements – Operational Support System Requirements (“Supplemental Report”). On May 7, 2002, Staff released its Supplemental Report on Qwest’s Compliance with Checklist Item No. 2: Access Elements – Change Management Process and Stand-Alone Test Environment (“Supplemental CMP/SATE Report”).

In the Supplemental Report, Staff recommended that eight “improvement recommendations” proposed by CGE&Y, the third party tester, Supplemental Report, ¶ 278,¹ as well four of its own recommendations, *id.*, ¶ 281, be adopted.² Although Staff stated that the recommendations are not required to be implemented by Qwest prior to Qwest receiving Section 271 approval, the recommendations must be agreed to by Qwest “as a condition for granting 271 approval.” *Id.*, ¶ 72.

In the Supplemental CMP/SATE Report, Hewlett-Packard (“HP”), the independent tester, made 12 recommendations regarding the stand-alone test environment. Supplemental CMP/SATE Report, ¶¶ 144-146. Staff adopted HP’s recommendations, and Staff made 3 recommendations of its own. *Id.*, ¶ 147. Staff recommended that the Commission find Qwest

¹ CGE&Y found it necessary to make 9 recommendations which were ‘intended to indicate areas of improvement that would benefit all parties.’ See CGE&Y Final Report of the OSS Test, Version 3.0, May 3, 2002, at 27-28.

² Citations are to May 10 Errata version of the May 1 Supplemental Report.

in compliance with SATE “so long as Qwest agrees to implement HP’s and Staff’s recommendations to the extent they have not already done so.” *Id.*, ¶ 144.

Staff also made a number of recommendations regarding Qwest’s Change Management Process. *Id.*, ¶¶ 86-89. Once again, compliance was conditioned on Qwest agreeing to the recommendations. *Id.*, ¶ 90.

AT&T and WorldCom objected to CGE&Y’s finding of Section 271 compliance that is contained in the Final Report, in part, because AT&T and WorldCom believe the process improvements that were recommended by CGE&Y were prerequisites to any finding of compliance. AT&T and WorldCom objected to Staff’s favorable recommendation contained in Staff’s earlier Supplemental Reports because Qwest was permitted to prospectively implement all of Staff’s recommendations. Now, once again, the Staff’s Report One conditions a favorable finding of Section 271 compliance on Qwest agreeing to more recommendations.

AT&T and WorldCom believe that the more than 30 recommendations that Qwest must implement prohibits any conclusion that Qwest’s OSS are Section 271 compliant. Every time issues regarding Qwest’s OSS have been raised and evaluated, the independent testers and Staff have found it necessary to propose additional recommendations, and Staff has concluded that it is necessary for Qwest to agree to implement the recommendations to obtain a favorable Staff finding on compliance with Section 271.

AT&T and WorldCom believe that Staff’s approach is unsupportable and backwards. The large number of recommendations demonstrates that Staff’s position is unsupportable. Furthermore, under Staff’s proposal, Qwest will receive Section 271 approval before any determination that Qwest has implemented the recommendations. Qwest first should

implement the recommendations and provide evidence of implementation. The Commission should ascertain the adequacy of Qwest's implementation. Only after the Commission has determined that the recommendations have been adequately implemented should a favorable recommendation of Section 271 compliance be considered.

Dated this 7th day of March, 2003.

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CERTIFICATE OF SERVICE
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