

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: U S WEST COMMUNICATIONS, INC., n/k/a QWEST CORPORATION	DOCKET NOS. INU-00-2 SPU-00-11
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**RECONSIDERATION OF CONDITIONAL STATEMENT REGARDING
CHECKLIST ITEM 11: LOCAL NUMBER PORTABILITY**

(Issued May 31, 2002)

On February 10, 2000, the Utilities Board (Board) issued an order initiating an investigation relating to the possible future entry of U S WEST Communications, Inc., n/k/a Qwest Corporation (Qwest), into the interLATA market. The investigation was identified as Docket No. INU-00-2.

In a filing dated May 4, 2000, Qwest encouraged the Board to consider a multi-state process for purposes of its review of Track A (competition issues),¹ various aspects of each item on the 14-point competitive checklist, section 272 (separate subsidiary) issues and public interest considerations. The Board considered the concept of a multi-state process for purposes of its review of a Qwest application to provide in-region, interLATA services, sought comment, and subsequently issued an order dated August 10, 2000, indicating that its initial review of Qwest's compliance with the requirements of 47 U.S.C. § 271 would be through participation in a multi-state workshop process with the Idaho Public Utilities

¹ See, 47 U.S.C. § 271(c)(1)(A).

Commission, North Dakota Public Service Commission, Montana Public Service Commission, Wyoming Public Service Commission, and the Utah Public Service Commission. Since the time of that order, the New Mexico Public Regulation Commission has also joined in the workshop process.

To the extent that an issue is to be further evaluated in the Regional Oversight Committee (ROC) Operational Support System (OSS) test or some other proceeding, the Board will incorporate that evidence into its final recommendation to the Federal Communications Commission (FCC) as to whether Qwest has fully complied with a checklist requirement. To the extent that an issue requires performance of some duty or activity on Qwest's part, Qwest will need to demonstrate that it adequately performs as expected in order for the Board to make a positive recommendation to the FCC following an application filed by Qwest.

In the Board's conditional statement dated October 12, 2001, regarding the May 15, 2001, report, the Board acknowledged changes made to the Statement of General Available Terms and Conditions (SGAT) by Qwest concerning handling of disconnect of translations in the switch in conjunction with Local Number Portability (LNP). The new language stated that Qwest would retain the translations in the switch until 11:59 p.m. the day following the due date for the cutover of the customer from Qwest service to Competitive Local Exchange Company (CLEC) service.

On November 1, 2001, AT&T filed comments with the Board requesting reconsideration of the Board's conditional approval of checklist item 11, arguing it was premature to reach any conclusion regarding Qwest's provisioning of LNP. AT&T based its conclusion on the fact that (1) AT&T had not seen any Process

Change documents related to the change in the SGAT; (2) that Performance Indicator Definition (PID) OP-17 (Timeliness of Disconnects associated with LNP Orders) was not set to measure instances of Qwest making disconnects after 11:59 p.m. on the due date; and (3) without these changes any data results on performance would not be meaningful.

Qwest responded that it had agreed to hold translations in the switch (which AT&T requested at the workshops) out of concern for the customers. Qwest expressed its desire that this not lessen the importance of the due date and associated measurements. Qwest supplied a summary of the data on Iowa LNP cuts from July thru August 2001. The data indicated that using the then current OP-17 Qwest met over 99 percent of its obligations.

Qwest filed with the Board on May 21, 2002, an update regarding modifications to PIDs OP-17, MR-11, and MR-12 agreed to by the ROC Technical Advisory Group (TAG). The ROC TAG finalized definitions and changes to LNP related PIDs, OP-17, MR-11 (LNP Trouble Reports Cleared within 4 and 48 hours) and MR-12 (LNP Trouble Report Mean Time to Restore) on May 9, 2002.

OP-17 (Timeliness of Disconnects) was split into separate parts A and B. OP-17A and OP-17B measure the percentage of all LNP telephone numbers (TNs), both stand alone and associated with loops, that are ported without the incidence of disconnects being made by Qwest before scheduled time/date, as identified by associated qualified trouble reports. The scheduled time/date is defined as 11:59 p.m. on either:

- (1) the due date of the LNP order recorded by Qwest, or,

- (2) the delayed disconnect date requested by the CLEC, where the CLEC submits a timely request for the delay of disconnection. OP-17B focuses only on disconnects associated with untimely CLEC request for delaying the disconnects, which would be any request received by Qwest from the CLEC after 8 p.m. MT on the current due date of the LNP order.

MR-11 (LNP Trouble Reports Cleared within 4 and 48 hours) evaluates timeliness of clearing LNP trouble reports, focusing on the degree to which residence and business, disconnect-related, out-of-service trouble reports are cleared within four business hours and all LNP-related trouble reports are cleared within 48 hours. MR-11 was split into two parts, MR-11A and MR-11B. MR-11A adds business LNP repair tickets in addition to residence tickets. MR-11B expands to include service-affecting troubles, in addition to out-of-service troubles and also changes the interval measured to 48 hours. The MR-11A standard is "gated" by whether OP-17's standard is met. If OP-17 is met, MR-11A is diagnostic. If OP-17's standard is missed, a "lesser of" criterion is applied, where the standard for MR-11 is the lesser of 95 percent or parity with MR-3C (Out of Service Cleared within 24 hours No Dispatch) for MR-11A or MR-4C (All Troubles Cleared within 48 hours) for MR-11B. However, since volumes are expected to be low, the benchmark for volumes of 20 or less is no more than one "miss" (based on the 95 percent benchmark for > 20).

The TAG agreed to eliminate MR-12 from the PID. Each of the measurements previously defined by MR-12 were incorporated into either OP-17 or MR-11, making MR-12 duplicative.

With these changes now approved by the TAG through the ROC OSS testing process, the Board finds no merit in the request by AT&T to withhold its conditional statement of compliance related to checklist item 11: Local Number Portability.

SUMMARY

The Board rejects the request of AT&T, noting that its concerns have been adequately addressed and indicates at this time that Qwest has conditionally satisfied checklist item 11: Local Number Portability. This conditional statement indicating these requirements are satisfied is subject to the same limitations noted earlier in this statement related to other proceedings and processes.

ORDERING CLAUSE

IT IS THEREFORE ORDERED:

Any responses to this statement and all future filings and Board orders or statements in this docket must be filed no later than close of business on the third business day following the filing or issuance.

UTILITIES BOARD

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 31st day of May, 2002.