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**Ron Trullinger**  
Manager

April 21, 2005

Frances Nichols Anglin  
Oregon Public Utility Commission  
550 Capitol St., NE  
Suite 215  
Salem, OR 97301

Re: AR 493

Dear Ms. Nichols Anglin:

Enclosed for filing please find an original and (5) copies of Initial Comments for the above entitled docket, filed by Qwest on behalf of Qwest, Centrytel, Oregon Telecommunications Association, Sprint Corporation, Verizon Northwest, Inc., and MCI, Inc., along with a certificate of service.

If you have any question, please do not hesitate to give me a call.

Sincerely,

Carla M. Butler

CMB:  
Enclosure  
cc: Service List (via e-mail)  
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**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

AR 493

In the Matter of a Rulemaking to Amend )  
OAR Chapter 860, Division 023 to Adopt )  
Rules for Intrastate Toll Carriers )  
)  
)

**OPENING COMMENTS FROM  
CENTURYTEL  
OREGON TELECOMMUNICATIONS  
ASSOCIATION  
QWEST  
SPRINT CORPORATION  
VERIZON NORTHWEST INC.  
MCI INC.**

The Telecommunications Providers of Oregon consisting of CenturyTel, Qwest, Sprint Corporation, MCI Inc. and Verizon Northwest Inc. and the small companies represented by the Oregon Telecommunications Association submit the following comments and recommendations regarding the rules proposed in AR 493.

**1. General Comments**

The Oregon Telecommunications Providers have reviewed the service quality standards as proposed in AR 493 and submit the following comments. The proposed rule allows an exemption to be granted if the Commission determines that effective competition exists in one or more exchange. This provision is consistent with ORS 759.030 which gives the Commission authority to determine the manner and extent of regulation of telecommunications services within the State of Oregon. However, the Commission has already determined that intraLATA toll is a competitive service for many if not all toll providers operating in Oregon including AT&T, MCI Worldcom, Qwest, Sprint Communications

L.P., United Telephone Company of the Northwest, and Verizon Northwest under ORS 759.020 and ORS 759.030. Companies that have already been granted competitive status should already be exempt from this rule since they have met the burden of proof in demonstrating that effective price and service competition exists. However, if the Commission should deem that an application for exemption is required, those competitive providers that have already been given competitive status should not be forced to provide voluminous data once again in order to meet this burden under the proposed rule.

To the extent there are any toll providers offering service in Oregon that have not met the burden of proof (i.e., do not have competitive classification), the proposed standards should establish a minimum acceptable performance baseline for toll service. All service quality rules should include an exemption when a deficiency is not due to a carrier's performance, but other circumstances outside of carrier's control. Additionally, the rules should recognize that toll carriers cannot generally measure intrastate toll separately from interstate toll since both types of traffic are carried over single trunks.

## **2. Specific Comments**


### **A. 860-023-0054 Blocked Calls**

The proposed trunk blocking standard for engineering and maintaining trunk groups is not in dispute by the Telecommunications Providers. However, the way the proposed rule is currently written, each time a trunk group exceeds the current standard of one percent blockage during the average busy season busy hour, the provider is considered to be out of compliance with the standard. Trunk Blockage can be caused by many reasons, some of which are initiated by customers making changes resulting in calling pattern changes. An example of this would be an ISP changing locations and not notifying the provider ahead of time. The trunk group, prior to the ISP moving, had been engineered and maintained to meet the blocking standard. Unknown increase in calling volumes may cause trunk capacity issues requiring the provider to augment the trunk group. Another example that illustrates the problem occurred during the last presidential election. Trunk groups being blocked due to political polls being conducted. Both of these incidents occur without notice to the provider. Each time a trunk group blocks analysis must take place to determine if it is a one time event or if the traffic pattern has changed and augmentation is necessary. Most of the time the cause of the blocking is not known to the provider. If the cause is not known by the provider then monitoring of the trunk group over a period of time must occur and

augmentation of the trunk group takes place as necessary. The providers request that Staff consider the providers to be in compliance with the rule if the provider has engineered the trunk group and maintained the trunk group to meet the Commission standard. The provider would still determine if a one time event occurred or make a determination that augmentation is necessary. An incidental occurrence during busy hour should not be considered out of compliance.

DATED this 21<sup>st</sup> day of April, 2005.

Submitted by:

A handwritten signature in blue ink that reads "Ron L. Trullinger". The signature is written in a cursive style with a clear, legible font.

Qwest Corporation, and on behalf of:  
Centurytel  
Oregon Telecommunications Association  
Sprint Corporation  
Verizon Northwest, Inc.  
MCI, Inc.

## CERTIFICATE OF SERVICE

AR 492 / AR 493

I hereby certify that on the 21<sup>st</sup> day of April 2005, I served the foregoing **OPENING COMMENTS** in the above entitled docket on the following persons via electronic transmission, to their e-mail address listed below.

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DATED this 21st day of April, 2005.

**QWEST CORPORATION**

A handwritten signature in blue ink that reads "Ron L. Trullinger". The signature is written in a cursive style.

By: \_\_\_\_\_  
RON TRULLINGER – Qwest Corporation