



Qwest
421 Southwest Oak Street
Suite 810
Portland, Oregon 97204
Telephone: 503-242-5089
Facsimile: 503-242-7243
e-mail: ron.trullinger@qwest.com

Ron Trullinger
Manager

April 21, 2005

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

Re: AR 492

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 Local Exchange Carriers of Oregon consisting of Qwest Corporation, Centrytel, Oregon Telecommunications Association, Sprint and Verizon Northwest, 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)
L:\Oregon\Executive\Duarte\AR 492\AR 492 Transmittal Ltr LECs (4-21-05).doc

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 492

In the Matter of a Rulemaking to Amend)	OPENING COMMENTS FROM
OAR Chapter 860, Division 023, 032 and)	CENTURYTEL
034 to Adopt Rule Changes, Minimum)	OREGON TELECOMMUNICATIONS
Service Quality Standards for Providing)	ASSOCIATION
Retail Telecommunications Services)	QWEST CORPORATION
		SPRINT
		VERIZON NORTHWEST INC.

The Local Exchange Carriers of Oregon consisting of CenturyTel, Qwest Corporation, Sprint, Verizon Northwest Inc. and the small companies represented by the Oregon Telecommunications Association (LECs) submit the following comments and recommendations regarding the rules proposed in AR 492.

1. General Comments

The LECs have reviewed the service quality standards as proposed in AR 492. The LECs provide these comments on the specific rules that they believe need to be modified to meet minimum service quality standards as necessary to ensure safe and adequate retail telecommunications services. The LECs believe that the standards should establish the minimum acceptable performance baseline expected by all customers of carriers of basic local exchange service. Additionally, 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.

2. Specific Comments

A. 860-023-0055, 860-032-0012 and 860-034-0390, Section (1) Definitions

The LECs request a new definition be added for force majeure events which take place and are outside of the carrier's control. The LECs request consideration of the following language:

“Force Majeure” - Circumstances beyond the reasonable control of a carrier including, but not limited to, delays caused by:

- (1) A vendor in the delivery of equipment, where the LEC has made a timely order of equipment;
- (2) Local, state, federal, or tribal government entities in approving easements or access to rights-of way, where the LEC has made a timely application for such approval;
- (3) The customer, including but not limited to, the customer's construction project or lack of facilities or inability to provide access to the customer's premises;
- (4) Uncontrollable events such as acts of God, explosion, fires, floods, frozen ground, tornadoes, severe weather, epidemics, injunctions, wars, acts of terrorism, strikes or work stoppages, and negligent or willful misconduct by customers or third parties including but not limited to outages originating from the introduction of a virus onto the provider's network

B. 860-032-0012 and 860-034-0390, Section (2) Measurement and Reporting Requirements

The LECs find the new sentence added to Measurements and Reporting Requirements, Section 2 of 860-032-0012 and 860-034-0390 to be vague and confusing. The new sentence states “Basic telephone service that is provisioned through alternative technologies, as an example Digital Subscriber Line (DSL), will be included in the calculation of total access lines.” The LECs understand that Staff was attempting to clarify to providers what should be counted in their access line totals; however, this language is very vague and could be interpreted to include non-regulated services such as wireless and Voice over Internet Protocol (VoIP). The LECs propose that this sentence be deleted. The language in this section would then mirror the same language in section (2) of 860-023-0055.

C. 860-023-0055, 860-032-0012 and 860-034-0390, Section (3) Additional Reporting Requirements

If the Commission is in agreement with the above force majeure language as stated in item A above, the LECs request that additional language be added to section 3. The new language would incorporate reference to the force majeure language and would state:

(3) Additional Reporting Requirements. The Commission may require a **large** telecommunications ~~carrier-utility~~ to ~~provide-submit~~ additional reports on any item covered by this rule. The service quality objective service levels set forth in paragraphs 4-8 of this rule shall only apply to normal operating conditions and do not establish a level of performance to be achieved during force majeure events.

D. 860-023-0055, 860-032-0012 and 860-034-0390, Section (5) Trouble Reports

The LECs request that small wire centers (i.e., less than 1,000 access lines) be allowed more than 2 trouble reports per 100 access lines due to the large impact a few trouble reports can cause in the monthly results. We propose that any wire center with 1,000 or less access lines have a standard of 3 trouble reports per 100 access lines instead of the current 2 trouble reports per 100 access lines. This modification to the rule will still ensure that all customers receive safe and adequate service. Oregon currently has one of the tightest Report Rate standards when compared with other states even after troubles caused by others have been deducted. Indeed, at one time, Oregon did allow different standards based upon the size of the wire centers recognizing the difficulties in managing a small wirecenter to the same level as larger ones. The LECs do not understand why a wire center with 10 or 15 reports would be considered non-compliant and therefore in need of work to bring it back into standards. This is usually not true. One time events occur in all industries and do not necessarily mean that a problem exists. Currently, those companies serving 1,000 or fewer access lines are exempt from monthly service quality reporting. This exemption has not proved to be problematic and Oregonians served by those small companies have not experienced poor service quality standards. We believe this exemption makes sense for small wire centers with 1,000 or fewer access lines. If the Commission will not agree with exempting all wire centers under 1,000 the LECs want consideration in raising the standard to 3 trouble reports per 100 access lines.

E. 860-023-0055, 860-032-0012 and 860-034-0390, Section (7) Blocked Calls

The current trunk blocking standard for engineering and maintaining trunk groups is not in dispute by the LECs. However, the way the 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 LEC 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 LEC 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 LEC 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 LEC. 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 LEC. If the cause is not known by the LEC then monitoring of the trunk group over a period of time must occur and augmentation of the trunk group takes place as necessary. The LECs request that Staff consider the LEC to be in compliance with the rule if the LEC has engineered the trunk group and maintained the trunk group to meet the Commission standard. The LEC would still determine if a one time event occurred or make a determination that augmentation is necessary. The LEC would continue to provide the Commission Staff with the details of their findings. An incidental occurrence during busy hour should not be considered out of compliance.

F. 860-023-0055, 860-032-0012 and 860-034-0390, Section (9) Interruption of Service Notification

The LECs request the Commission not implement the new proposed requirements for reporting service interruptions proposed by Staff. Instead, the Commission should consider implementation of the new FCC reporting requirements which the industry already has processes in place to report. And the new FCC requirements are more stringent than what was previously required by the FCC. The LECs request the Commission take into account the need for consistency within each company and the need to avoid developing multiple reporting systems to meet state requirements that are different from the FCC. The LECs have worked with the Commission during the past year to try to streamline reporting and not have unnecessary reporting. The LECs feel this is an area that needs to be consistent with the FCC. The LECs request the Commission to consider the following additions to Staff's proposed language in Section 9 (a)(A-E):

(A) Cable or electronic outages lasting longer than 30 minutes that affects more than 30,000 end user (900,000 end user minutes which is the threshold in the new outage reporting rules put forth by the FCC and in effect on January 3, 2005) .

(B) Toll or Extended Area Service isolation lasting longer than 30 minutes and affects more than 30,000 end users.

(C) Isolation of a central office (host or remote) from the E-911 emergency dialing code or isolation of a Public Safety Answering Position (PSAP).

(D) Isolation of a wire center for more than ten minutes reaching the same 900,000 end user minutes.

(E) Outage of the Business Office or Repair Center access system lasting longer than 15 minutes in those instances where the traffic can not be re-routed to a different center.

DATED this 21st 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 first name and a last name.

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

CERTIFICATE OF SERVICE

AR 492 / AR 493

I hereby certify that on the 21st 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.

Ater-Wynne: Lisa Rackner, lfr@aterwynne.com
ATL Communications: Aelea Christofferson, aelea@atlc.com
AT&T of the PNW: Letty S. D. Freisen, lsfriesen@att.com
Cascade: Steve Crosby, crosbys@cuaccess.net
CenturyTel: Doug Cooley, Doug.Cooley@centurytel.com
Comcast:: Daniel Lanciano, Daniel_Lanciano@cable.comcast.com
Comcast:: Rhonda Weaver, rhonda_weaver@cable.comcast.com
CUB: Jeff Bissonnette jbissonnette@igc.org
Davis Wright Tremaine: Mark Trincherro, marktrincherro@dwt.com
Ernest Communications: Paul Masters, pmasters@ernestgroup.com
Eschelon: Catherine A. Murray, camurray@eschelon.com
Frontier (Citizens) & E.L.I.: Charles Best, cbest@eli.net
Frontier (Citizens) & E.L.I.: Ingo Henningson, ingo.henningsen@czn.com
Global Crossing: Teresa Reff, Teresa.Reff@globalcrossing.com
Granite Communications: N.M. MacLeod-Hunter, nmhunter@granitenet.com
IGC: Jeff Bissonnette, jbissonnette@igc.org
Integra Telecom: Steve Anderson, steve.anderson@integratelecom.com
Integra Telecom: Karen Johnson, karen.johnson@integratelecom.com
Integra Telecom: Greg Scott, greg.scott@integratelecom.com
Integra Telecom: Rob Smith, rob.smith@integratelecom.com
Malheur Home Telephone: Jimmy Todd, Jimmy.Todd@qwest.com
MCI: Scott Benke, Scott.Benke@mci.com
MCI: Matt Costello, Matt.Costello@mci.com
MCI: Michele Singer Nelson, michel.singer_nelson@mci.com
MCI: Haleh Davary, Haleh.Davary@MCI.Com
McLeodUSA: Haas, William A. , whaas@mcleodusa.com
Mount Angel Telephone: Carol Treager, clt@mtangel.net
Nehalem Tel. & Tel: Mike Crist, mikec@nehalem.tel.net
OPUC: Lance Ball, lance.ball@state.or.us
OPUC: Woody Birko; woody.birko@state.or.us
OPUC: Rick Carter, rick.carter@state.or.us
OPUC: Irv Emmons; irv.emmons@state.or.us
OPUC: Phil Nyegaard; phil.nyegaard@state.or.us
Oregon Telephone Corporation: Gary Miller, otc@ortelco.net
Oregon Telecom: Dennis Gabriel, dgabriel@oregontelecom.com
Oregon Telecom: Dave Gahlsdorf, dgahlsdorf@oregontelecom.com
OTA: Brant Wolf, bwolf@ota-telecom.org

Peoples' Telephone Co.: Don Lawrence, donl@sctweb.com
Qwest Communications: Don K. Mason, Don.Mason@qwest.com
Qwest Communications: Ron Trullinger, ron.trullinger@qwest.com
Rio Communications: Todd Way, tway@rio.com
Rural Network: Karen J. Ellison, Karen@ruralnetwork.net
Sprint/United: Glenn Harris, Glenn.Harris@mail.sprint.com
TDS Telecom: Gail Long gail.long@tdstelecom.com
TelWest Communications: Donald O. Taylor, dtaylor@telwestservices.com
Time Warner Telecom: Brian Thomas, brian.thomas@twtelecom.com
UniCom: Michael E. Daughtry, mike@uci.net
Verizon NW: Renee Willer renee.willer@verizon.com
WanTel, d/b/a, CommSpanUSA: Marty Patrovsky, marty.patrovsky@comspanusa.net
XO Oregon: David LaFrance, david.lafrance@xo.com

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