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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 973

In the Matter of the Statement of Generally Available Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunications Services Provided by U S WEST Communications, Inc., in the State of Oregon.)))))))	ORDER
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DISPOSITION: FOURTEENTH AMENDMENT (THIRTEENTH REVISION) TO STATEMENT PERMITTED TO GO INTO EFFECT.

On April 24, 2000, U S WEST Communications, Inc., now known as Qwest Corporation (Qwest), filed a statement of generally available terms (SGAT) under Section 252(f) of the Telecommunications Act of 1996 (Act). After a notice and comment period, we allowed the filing to go into effect and ordered that its substance be reviewed in proceedings in docket UM 823.¹

Qwest subsequently filed numerous amendments to its SGAT. To date, we have reviewed thirteen amendments and, on each occasion, allowed the SGAT, as amended, to go into effect.²

On October 31, 2003, Qwest filed its Fourteenth Amendment (Thirteenth Revision) to its SGAT. The substantive revisions to the SGAT relate to Exhibit K, the Qwest Performance Assurance Plan (QPAP) and Exhibit A. The revised version of the QPAP reflects agreed-to changes stemming from the Long Term PID Administration (LTPA). This version's revisions to Exhibit A correct certain errors and take care of housekeeping matters.

According to Qwest, Exhibit K contains a new PID OP-5, "New Service Quality" arising out of a unanimous agreement among the LTPA parties. It contains sub-measures A, B, T and R regarding repair trouble reports, but with more exacting matches of trouble reports to service orders than previously and

¹ Order No. 00-327.

² See Orders No. 01-122, 01-721, 01-878, 01-1050, 02-145, 02-315, 02-731, 03-074, 03-150, 03-189, 03-410, 03-572, and 03-665.

adds diagnostic sub-measures that focus on provisioning trouble reports, repair trouble reports, or both on a combined basis. The new OP-5A measurement becomes effective beginning with November, 2003 data, reported January, 2004. The measures do not affect the QPAP. The changes automatically modify existing interconnection agreements containing Exhibit K.³

The revisions to Exhibit A include a correction to Section 7.3.2, changing the DS1 0-8 mile rate from \$0.045 to \$0.49 to reflect the currently approved price in the Statement of Interconnection and Unbundled Elements, Section 2, Sheet 6. The second correction, located in Section 9.16.4, Fraud Alert Notification, indicates that, rather than the current listing under recurring charges of “No Charge,” “Fraud alert Notification will be billed on a time and material basis per alert.” Section 9.15.4.3. The revised Exhibit A, therefore, shows the non-recurring rate as “ICB.”⁴

Qwest’s “housekeeping changes” in Section 9.11.2 of Exhibit A set forth the full names rather than abbreviations previously used, making the feature name more meaningful.⁵

DISCUSSION

The discussion of the nature of the SGAT and the SGAT process contained in our prior orders is adopted herein and will not be repeated. This fourteenth amendment to the SGAT is not unexpected. As we first noted in Order No. 00-327, “[t]he SGAT will likely undergo considerable revision * * * and, once in effect, changes to the SGAT document may become cumbersome. It is conceivable that each amendment to the original document might trigger a new 60-day review period and an additional item on our Public Meeting agenda.”

As with the original SGAT submission and the first through thirteenth amendments, we neither endorse nor approve of the substance of this new amendment, while, at the same time, we allow the amendment to take effect. These circumstances are not changed by our actions in the Final Recommendation Report of the Commission in docket UM 823.

After our approval of the tenth amended SGAT, the Federal Communications Commission (FCC) approved Qwest’s Section 271 application for Oregon. However, on August 21, 2003, the FCC released, the text of its order in Docket No. CC 01-338 (the Triennial Review). Proceedings undertaken pursuant to that order will have a direct impact on numerous sections of the SGAT. We will schedule further proceedings in this docket to consider the SGAT’s entire substance for compliance with our rules and policies and the furtherance of competition and the public interest in

³ *Qwest Corporation’s Notice of Updated Statement of Generally Available terms and Conditions (Thirteenth Revision)* (Notice), pages 1-2.

⁴ *Id.*, p.3.

⁵ *Id.*

Oregon after we have completed state proceedings required by that FCC order. Since competitive local exchange carriers (CLECs) are able to negotiate interconnection agreements regardless of the availability of an SGAT, they will not be prejudiced by our action.

ORDER

IT IS ORDERED that pursuant to OAR 860-016-0040(2), the amendment to the Statement of Generally Available Terms filed by Qwest Corporation on October 31, 2003, in accordance with Section 252(f) of the Telecommunications Act of 1996, is permitted to go into effect as of December 30, 2003.

Made, entered, and effective _____.

Lee Beyer
Chairman

John Savage
Commissioner

Ray Baum
Commissioner

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.