

ORDER NO. 99-614

ENTERED OCT 05 1999

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BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 930

In the Matter of the Investigation into the)
Construction Budgets of U S WEST)
Communications, Inc.) ORDER

DISPOSITION: INVESTIGATION OF T-1 SERVICE AUTHORIZED

At its September 21, 1999, regular public meeting, the Public Utility Commission of Oregon (Commission) approved a recommendation by its Staff to investigate requests for T-1 service from U S WEST Communications Inc. (USWC) as part of this docket.

According to Staff, public comments received at Special Public Meetings in Grants Pass, LaGrande, Newport, Oakridge, and Roseburg indicate that there is a problem with installations of T-1 service by USWC. Customers voiced concerns regarding delays in obtaining T-1 service and, on occasion, refusal by USWC to provide that service. Customers complained that the delays adversely affected their business operations and want an explanation why it is so difficult to obtain T-1 service.

Staff states that additional information is required to determine the full extent of the T-1 problem. Information required from U S WEST includes: (a) a list of wire centers that are capable of providing T-1 service, (b) monthly data showing the number of new requests for service and the number of successful installations, and (c) a listing of orders where USWC failed to meet an installation commitment for T-1 service within 60 days from the initial customer request date, other than by mutual agreement between the company and the customer. In situations where there are multiple delays in a specific wire center, USWC should provide an explanation of the problem and steps taken by the company to correct the situation.

The Commission agrees with Staff that there is good and sufficient reason to investigate the adequacy of T-1 service provided by USWC to its Oregon customers.

ORDER

IT IS THEREFORE ORDERED that the Staff recommendation to investigate the provision of T-1 service by U S WEST Communications, Inc. pursuant to ORS 756.515 is approved. The Staff recommendation is attached this order as an Appendix and is incorporated by reference herein.

Made, entered, and effective _____.

Ron Eachus
Chairman

Roger Hamilton
Commissioner

Joan H. Smith
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 ORS 756.580.

APPENDIX A

ITEM NO. 3

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: September 21, 1999**

REGULAR AGENDA X CONSENT AGENDA EFFECTIVE DATE Not Applicable

DATE: September 15, 1999

TO: Bill Warren through Phil Nyegaard and Lance Ball

FROM: Irvin L. Emmons

SUBJECT: U S WEST Communications, Inc. (U S WEST), Docket No. UM 930, U S WEST Service Quality

SUMMARY RECOMMENDATION:

Staff recommends that the Commission issues an order, under ORS 756.515, authorizing staff to investigate requests for T-1 service. Specific U S WEST T-1 order information is required because staff currently has insufficient information to assess whether provisioning problems are the fault of U S WEST. Staff does not recommend that T-1 information be posted on the Oregon Public Utility Commission (OPUC) Internet page at this time, but does recommend that the posting be included in the ongoing discussions on service quality postings on the Internet.

DISCUSSION:

Introduction

Public comments from the Special Public Meetings held at Grants Pass, LaGrande, Newport, Oakridge, and Roseburg indicate a universal problem with U S WEST installations of T-1 service. Customers voiced concerns on unrealistic delays in obtaining T-1 service and sometimes the outright refusal of U S WEST to provide the service. Customers said the delays were adversely affecting their businesses. Customers want to know why it is so difficult to obtain T-1 service. It appears that this is a widespread concern.

Analysis

More information is required to determine the full extent of the T-1 problem. A U S WEST list of those wire centers that can presently support T-1 service is required. Additionally, monthly counts, by wire center, of T-1 service requests, installations, rejections, and "failed-to-meet" installation commitments are necessary to properly analyze the situation. If saturation in a specific wire center is encountered, the dates and the steps necessary to correct the situation is required.

T-1 service installation requires complex provisioning. The line may require new span lines, the circuit must be designed, special equipment must be ordered and attached, and special testing is required before the line can be turned over to the customer. It is therefore necessary to define what would be considered "failed-to-meet installation commitments." I recommend that T-1 installations be completed within 60 days from the initial customer request. Provisioning situations longer than 60 days would be "failed-to-meet" installation commitments. The only exception would be when the install date was delayed by mutual agreement between U S WEST and the customer.

U S WEST's Exchange and Network Services Tariff and Private Line Transport Services Tariff were reviewed. Section 2.1.2.B of the Private Line Transport Services Tariff provides that "where a shortage of channels exists at any time either for temporary or protracted periods, the services offered herein will be provided to customers on a first come, first served basis." Section 2.1.2.C of the same tariff provides that "The furnishing of service under this Tariff will require certain physical arrangements of the facilities of the Company and is therefore subject to the availability of such facilities." Section 2.2.2.A of the Exchange and Network Services Tariff provides that "The Company's obligation to furnish service or to continue to furnish service is dependent on its ability to obtain, retain and maintain suitable rights and facilities, and to provide for the installation of those facilities required incident to the furnishing and maintenance of that service." Staff acknowledges these sections.

Staff requires the T-1 service information to determine who is and who is not getting T-1 service. For those that are not getting the service, staff wants to know why this service is not available. For those that were not able to obtain T-1 service within 60 days, staff wants to know what caused the delay.

Posting of information on the OPUC Internet page is a sensitive issue. Postings of T-1 "failure-to-meet installation commitment" on the OPUC Internet page are not recommended at this time. However, it should be included in the ongoing discussions of Internet postings with service quality information.

An order should be issued under Docket No. UM 930 which would authorize staff to investigate requests for T-1 service. Docket UM 930 is the appropriate venue for investigating T-1 service because UM 930 is an investigation of U S WEST's construction budget. It is appropriate that if there is a problem with the provisioning of infrastructure, that any problem be addressed in the construction budget investigation.

STAFF RECOMMENDATION:

Staff recommends an investigation of T-1 requests for service under ORS 756.515. An order should be issued in UM 930 to provide staff with the necessary information to determine if any of U S WEST's facilities have limited or non-existent capabilities to provide T-1 service. Information required from U S WEST are: (a) a list of wire centers that are capable of T-1 service, (b) a monthly count of new requests for service, successful installations, and (c) those order requests that "failed-to-meet" an installation commitment. "Failed-to-meet installation commitment" would be defined as an installation not completed within 60 days from the initial customer request date, other than by mutual agreement between U S WEST and the customer. Multiple delays in specific wire centers require an explanation of the problem and steps taken to correct the situation. Staff does not recommend that T-1 information be posted on the OPUC Internet page at this time, but does recommend that the posting of this information be considered in the ongoing, separate discussions on the posting of service quality information on the Internet.