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ORIGINAL

August 12, 1998

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COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

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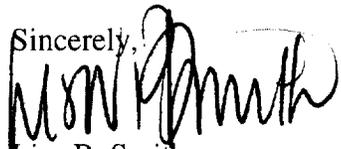
Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, N.W. Room 222
Washington, D.C. 20554

Re: Ex Parte in CC Docket No. 97-231; CC Docket No. 97-121; CC Docket No. 97-208; CC Docket No. 97-137

Dear Ms. Salas:

On August 11, 1998, Tom Friday, Jo Gentry, Nancy Weiss, William Hunt, Hank Hultquist as well as Mark Schneider and Jon Shepard of Jenner & Block and I, met with Jake Jennings, Linda Kinney and Jonathan Askin of the Common Carrier Bureau to discuss the status of 271 proceedings in the US West region, as well as issues concerning interconnection, US West's operations support systems (OSS), its provision of interim local number portability, unbundled elements, shared transport, directory assistance, and pending state commission complaints against US West filed by MCI. Copies of the written materials presented to staff are attached hereto.

In accordance with Section 1.1206(b)(2) of the Commission's Rules, an original and one copy of this notice are being submitted to the Secretary, with copies to the Commission staff present at the meeting.

Sincerely,

Lisa B. Smith
Senior Policy Counsel

cc: Jake E. Jennings
Linda Kinney
Jonathan Askin
Tanya Rutherford

027

Report on Competitive Local Entry in the U S West Region

August 11, 1998



Overview

- MCI has made a substantial commitment of resources to compete with U S West
- U S West has not opened its local markets to competition
 - Actions and inaction continue to create roadblocks
 - MCI has filed complaints in WA and MN
 - U S West is not close to satisfying even the most basic 271 checklist items
- State 271 Proceedings are extremely premature
 - No complete filings in MCI-switch states



MCI's Investment in U S West States

Switch Cities	Collocations
Seattle/Tacoma	3
Portland	2
Denver	2
Phoenix	2
Minneapolis/St.Paul	1



Checklist Problems: Interconnection

- Recurring problem with lack of facilities
 - Interconnection trunks not provided pursuant to contract
 - Missed time limits (e.g., Firm Order Confirmations, Design Layout Records)
 - Missed installation due dates
 - Refusal to provide CLECs with jeopardy notifications
 - Failure to provide dedicated end office trunks (DEOTs)
- Refused to provide traffic data (e.g., blocking, fill factor)
- Ignored forecasts
 - Has delayed MCI's market entry
- Collocation
 - Promised cageless collocation still not available to MCI
 - No process for increasing virtual collocation capacity



Checklist Problems: Interim Number Portability

- U S West controls implementation
- Has left customers with impaired or no service
- Consistently refused to provision after hours cut-overs
- Require direct end office trunking
- Refusals to provision ILNP via Remote Call Forwarding
 - Failure to provide needed office equipment
 - Delayed until permanent LNP
 - “Simulated feature groups” cited
- Have refused to support reverse/reciprocal ILNP



Checklist Problems:

Nondiscriminatory Access

- Impossible to determine whether U S West is providing nondiscriminatory access without adequate performance reporting
- U S West refuses to provide useful performance reports
 - Despite numerous meetings between CLEC Coalition and U S West to discuss reporting and measures, U S West has only provided resale reporting
 - AZ, MN, and IA Commissions have ordered U S West to provide performance reporting
 - U S West refuses to discuss reporting except for POTS resale
 - U S West refuses to discuss performance remedies/penalties
 - U S West refuses to provide traffic data



Checklist Problems: Unbundled Elements

- Procedures for combinations are in continuous flux
 - Absence of adequate methods or procedures
 - SPOT frame is a changing story
- U S West refuses to permit MCI to pre-provision cross-connects
- U S even has difficulty migrating test customers back to itself
 - Deficient internal U S West employee training
 - Delays in updates to customer service records



Checklist Problems: Unbundled Loops

- xDSL
 - U S West has aggressively launched ADSL in many states
 - Refusal to allow participation in Spectrum Management Development
 - Refusal to allow access to facility verification database
- No access to Integrated Digital Loop Carrier
- No Universal Service Order Codes - limited NC/NCI signaling codes offered instead
- Refusal to provide an unbundled loop with an access tariff MUX and DS1 transport



Checklist Problems: Transport, Switching & Directory Assistance

- Transport
 - Refusal to provide shared transport
 - U S West redefined transport- CO to CO only
- Switching
 - Refusal to provide unbundled transport
 - Refusal to provide cost support for custom routing
 - Refusal to consider Feature Group D signaling
 - BFR from August '97 still in pre-meeting stage
- Directory Assistance
 - Refusal to provide DA data for independents
 - MCI customer listings dropped from database



Checklist Problems: Operations Support Systems

- Problems with U S West proprietary Interconnect Mediated Access (IMA)
 - GUI rejected by Washington, Colorado & Minnesota Commissions
 - No save & retrieve functionality
 - Dependence on remarks
 - Other functionality problems
 - Poor system support
- Testing Problems With U S West's EDI
 - Changing system specifications
 - U S West's system not debugged before joint testing
 - Limited electronic flow through
 - Result: Elongated Testing
 - Latest EDI offering is deficient

U S West State 271 Filings

- Pending Filings:
 - Made only a partial filing in AZ
 - U S West filed on only 5 of the 14 checklist items
 - Since U S West uses region-wide systems, if it's not ready in AZ, cannot be ready elsewhere
 - MT, NM, NE
- WY filing was withdrawn
 - U S West may refile under Track A



Status of MCI Complaints: Minnesota

- Issues
 - Interconnection, provisioning, ILNP, and test orders
- PUC found that U S West:
 - Made “conscious decisions” that “slowed” MCI’s market entry
 - Treated MCI “unequally” and discriminated against MCI under the contract
 - Did not provide ILNP “with as little impairment of functioning, quality, reliability and convenience as possible”
 - Committed numerous violations of state law and MCI’s contractual rights



Status of MCI Complaints: Washington

- Issues
 - Serious problems of network interconnection
- Hearing
 - Held June 2nd-6th
 - Post-hearing briefs have been filed
- Ongoing confidentiality dispute
 - WUTC Orders that prevent disclosure of documents conflict with state Open Records Law



Recommendations

- U S West must:
 - Provide adequate network capacity
 - Provide performance reporting and credits
 - Establish detailed, documented methods and procedures for CLECs
 - Develop industry standard and fully-tested OSS with electronic flow-through
 - Provide on-line access to facilities verification database to CLECs
 - Comply with contractual obligations toward CLECs