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FILED ELECTRONICALLY

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Marlene Dortch, Secretary
Federal Communications Commission
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Re: In the Matter of Application by Qwest Communications International, Inc. to Provide In-Region, InterLATA Services in the States of Colorado, Idaho, Iowa, Montana, Nebraska, North Dakota, Utah, Washington, and Wyoming, WC Docket No. 02-314

Dear Ms. Dortch:

WorldCom submits this *ex parte* letter to update the record and respond to the arguments Qwest sets forth in its Reply Comments in the above-referenced proceeding.¹ There are several fundamental reasons why Qwest's applications must be rejected. As WorldCom has discussed in previous filings, Qwest's operations support systems (OSS) continues to impede WorldCom's efforts to compete for local service in the Qwest region. Qwest's applications must also be rejected because of the secret deals Qwest has entered, Qwest's accounting violations, Qwest's failure to provide CLECs access to mechanized loop testing (MLT) data, Qwest's failure to provide customized routing, and Qwest's failure to provide TELRIC pricing. On most of these issues, we will comment only briefly, as little has changed and the record is already well developed. We focus below on Qwest's OSS deficiencies about which we continue to learn.

OSS

Qwest attempts to minimize the import of each of the myriad of OSS deficiencies that continue to plague CLECs. But taken collectively, these deficiencies pose substantial barriers to CLECs attempting to compete in the mass market. Almost all of these deficiencies are unique to the Qwest region, underscoring just how deficient Qwest's systems are.

¹ Qwest Reply Comments, *In the Matter of Application by Qwest Communications International, Inc. to Provide In-Region, InterLATA Services in the States of Colorado, Idaho, Iowa, Montana, Nebraska, North Dakota, Utah, Washington, and Wyoming*, WC Docket No. 02-314, filed Oct. 25, 2002 (Qwest Reply Comments).

WorldCom has now been in the market in the Qwest region since April in partnership with Z-Tel and continues to experience substantial difficulty in navigating Qwest's OSS. WorldCom is also in the process of constructing its own EDI interface and is finding the process extremely frustrating. AT&T, the only other national CLEC attempting to serve the mass market, explains that it has decided not to construct an EDI interface because of the difficulty of doing so.² And Eschelon, the CLEC with perhaps the most experience in the Qwest region, continues to experience substantial problems with Qwest's OSS using the IMA GUI. (Eschelon has just begun to construct its EDI interface but has stated that it is having difficulty doing so.) This is not to say that it is impossible to construct an interface for the Qwest region that "works" at some level. But the difficulty in doing so is a significant barrier to competition.

Address Validation. As WorldCom has repeatedly pointed out, Qwest's pre-ordering and ordering process is far too complex. To begin with, unlike in any other BOC region, CLECs have little choice but to perform address validation inquiries even on migration orders. Qwest does not deny this but attempts to obfuscate the point by implying that address validation is only required for "new" and "move" requests (*i.e.*, orders for customers that are receiving service for the first time or moving to a new location, rather than simply migrating from Qwest to a CLEC).³ This is irrelevant to WorldCom's point about migration orders. Qwest also says that "there is no steadfast requirement" that CLECs perform address validations on migration orders,⁴ but Qwest simultaneously acknowledges that it strongly recommends that CLECs perform address validations. This is because CLECs need the full address both to access the CSR and to place on their orders, whereas in other regions CLECs can accomplish these functions with a phone number instead of a complete address. The need to perform an address validation inquiry adds time and complexity to the pre-order process.

This complexity is increased further because Qwest frequently returns multiple addresses in response to an address validation. Qwest responds that it needs to return multiple addresses when a CLEC customer service representative enters an inaccurate address.⁵ But in testing, WorldCom has found that Qwest returns multiple addresses 15% of the time even when the information submitted by WorldCom is correct. For example, on one test transaction for which WorldCom had entered the correct information, Qwest returned the customer's old address, as well as his new address, even though the customer had moved many months ago. In other BOC regions, it is highly unusual for the BOC to return multiple addresses. The return of multiple addresses in the Qwest region forces CLECs to make expensive development efforts to display those addresses. (This is far more complicated than it may seem.) In addition, the CLEC customer service representative must spend time choosing the correct address while the customer is on the phone. All of this impacts CLEC much more than Qwest's retail operation, because it is the CLEC that will be placing migration orders for which use of the address validation function should be entirely unnecessary.

Multiple CSRs. One of the most harmful defects in Qwest's pre-ordering process is the fact that Qwest often returns multiple CSRs in response to a CSR inquiry. It is difficult and

² AT&T Comments at 60.

³ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 9.

⁴ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 9.

⁵ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 10.

expensive to display multiple CSRs to customer service representatives, and, even then, it is difficult and time-consuming for the customer service representative to choose the one that is most current. As a result, WorldCom has decided not to attempt to display multiple CSRs to its customer service representatives.

Qwest says that multiple CSRs are returned in only “a very limited number of situations,” and indicates that the problem is rare.⁶ But Qwest acknowledges that it returns multiple CSRs on 3.1% of orders in the most current version of IMA for the EDI and GUI combined. The percentage appears to be even higher for EDI alone.⁷ 3.1% is a significant number. Moreover, the number is likely inaccurate. Anecdotally, customer service representatives indicate the number appears to be much higher than 3.1%. WorldCom performed a limited test in an attempt to confirm this. WorldCom recently sampled 18 CSR inquiries for customers attempting to migrate to WorldCom. Six of 18 had multiple CSRs.

In addition, as the order volume increases in Qwest (the volume of UNE-P orders in Qwest remains very small today), the percentage of inquiries for which multiple CSRs are returned will almost certainly increase significantly because the number of customers who have migrated recently will increase. Recent conversations between Qwest and WorldCom make clear that among the “limited situations” in which Qwest returns multiple CSRs is one in which a customer has migrated to a CLEC but for whom Qwest has not yet transmitted a final bill. Because Qwest will not generally transmit a final bill to a customer until approximately 30 days after the customer has migrated, every customer who migrates will have multiple CSRs on his account for approximately 30 days after migration. Thus, on every supplemental order a CLEC transmits within the first 30 days of migration, the CLEC will be faced with the problem of multiple CSRs. And the problem may last much longer. In a sample of 20 customers that WorldCom took on October 28, 2002, five customers had multiple CSRs 90 days after migration.

Indeed, the problem of multiple CSRs has even more of a detrimental impact on supplemental orders than on initial orders. As WorldCom has repeatedly explained, customers frequently request changes to their orders soon after migration. CLECs should be able to submit such orders based on the information they have imported into their own databases. But for customers who have multiple CSRs, Qwest *requires* that a CSR inquiry be performed before the order is transmitted.⁸ Thus, within at least the first 30 days of migration, the CLEC will have to perform a CSR inquiry before placing any supplemental order. And then the CLEC will have to deal with the problem of displaying the multiple CSRs and choosing among them. Moreover, the CLEC will have to place the customer code on the order. Qwest told WorldCom this is necessary when a customer has multiple CSRs.⁹

Qwest argues that the problem of determining which CSR is correct is not insuperable, explaining that “[i]n some instances the CLEC can use [the information on the CSR], with or

⁶ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 13.

⁷ Letter from R. Hance Haney, Qwest, to Marlene H. Dortch, FCC, WC Docket No. 02-189 dated Aug. 13, 2002. For IMA version 10.0, Qwest provides statistics for EDI and the GUI combined. For version 9.0 and 8.0, Qwest provides data for EDI alone -- with multiple CSRs returned on 4.8% of requests in IMA EDI 9.0 and on 5.0% of the requests in IMA EDI 8.0.

⁸ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 3.

⁹ It may be that for supplemental orders, unlike initial orders, there is an alternative to this process. *See infra* n. 28. But the alternative would still require significant unnecessary coding by CLECs to obtain the customer code from the Service Order Completion (“SOC”). And Qwest has provided conflicting information on whether this alternative will work.

without additional fact-finding with the customer to determine which is the correct CSR.”¹⁰ But as Qwest’s qualifier suggests, such coding will work at best “in some instances,” and even with coding, the CLEC must often rely on input from the customer. This is an extremely inefficient process even presuming that the CLEC can determine how to display multiple CSRs in the first instance. In contrast, other BOCs do not return multiple CSRs to CLECs.

Need to Perform Pre-order Inquiries. As noted above, Qwest acknowledges that CLECs *must* perform a CSR inquiry in each case in which there is a multiple CSR or Qwest will reject the order. This affects not only supplemental orders but also initial orders. Moreover, this in effect means that the CLEC must pull a CSR on every order, as the CLEC does not know ahead of time whether there are multiple CSRs for a particular customer. While it is generally in a CLEC’s interest to pull a CSR before transmitting an order (except in the case of supplemental orders), Qwest should not dictate that a CLEC must pull a CSR. As WorldCom has previously explained, there are situations in which it is desirable for a CLEC to attempt to submit an order without pulling a CSR. But when WorldCom has attempted to do so, its orders have been rejected. WorldCom has received 755 rejects from May through October for failure to perform a pre-order query. (WorldCom is happy to provide the specific data to Qwest if Qwest would like it.)

Pre-Order/Order Integration. Qwest makes pre-order/order integration extremely difficult. Qwest implicitly acknowledges that it uses non-standard fields at the pre-order stage, but different standard fields at the order stage.¹¹ Indeed, unlike every other BOC, the pre-order fields are not separate fields with discrete names that delineate the content that will be included in the fields. The fields are not even organized such that the CLEC knows which of a customer’s telephone numbers they pertain to. Instead, Qwest returns feature and feature detail information, as well as directory information, telephone numbers and other information, such as hunting, PIC, DID, pulsing, signaling and channel information in only three fields – fields for FIDs, USOCs, and left-handed FIDs. There may be other information in these fields as well, but we are not certain because Qwest has failed to provide an inclusive list of all of the information that may be included in these fields. Each of the three fields can occur on the CSR multiple times. Indeed, even for a two or three line residential CSR, these three fields often occur fifty or sixty times collectively.

Because CLECs do not know ahead of time what information will be in any particular occurrence of one of these fields, the CLEC cannot ignore any occurrence of the fields. The CLEC must program its systems to search through every occurrence of one of the fields, determine what information is in the field, determine what telephone number that information is associated with, determine whether the information is needed for an order, and determine where it should be placed on an order. This is a time consuming process that eats up computer resources. WorldCom has previously indicated that the process of searching through each field adds approximately 15 seconds to the process of retrieving a CSR and presenting it to its customer service representatives.¹² In addition, the process significantly increases the possibility of error. Because the CLEC cannot determine from the field name what information is in the

¹⁰ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 14.

¹¹ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 59.

¹² WorldCom Reply Comments, Lichtenberg Reply Decl., WC Docket No. 02-189 ¶ 6.

field, chances are greater that that the CLEC will incorrectly identify particular information in the field and use it incorrectly on an order.

Directory Listing Inquiry. WorldCom has explained that unlike in every other BOC region, a CLEC in the Qwest region must perform a separate directory listing inquiry in order to obtain the information needed for a directory listing order.¹³ Qwest contends that this is not so – that the Directory Listing User Document advises CLECs how to obtain the information from the CSR.¹⁴ But Qwest did not provide the Directory Listing User Document to WorldCom until very recently. Now that it has this document, WorldCom has determined that Qwest appears to be correct in theory – it is possible to obtain all of the directory information from the CSR. But building the complex logic to do so would make no sense, because the directory listing information is embedded in the same three fields as the feature information, and it would be difficult, expensive and time consuming to extract it. Thus, despite the disadvantages associated with using a separate directory listing inquiry transaction, WorldCom has decided using such a transaction is better than the alternative. But what Qwest should do is provide all of the directory information in separate fields on the CSR, as does every other BOC.

Migrate as Specified and Migrate by Name and Telephone Number. WorldCom has repeatedly explained the importance of industry standard migrate as specified and migrate by name and telephone number (“migrate by TN”) in decreasing the impact of some of the problems discussed above. We have explained that CLECs should not have to differentiate between new and existing features either on initial migration orders or on supplemental orders after a customer has migrated to a CLEC. WorldCom will not restate that explanation here. We do note, however, that Qwest has recently made it clear for the first time that it has narrowly interpreted WorldCom’s change request on migrate as specified to apply only to initial orders. Thus, when Qwest finally implements migrate as specified in April 2003, it will only do so for initial orders. That is entirely unacceptable.

It is also unacceptable that Qwest will not implement migrate by TN and migrate as specified until April. Qwest again attempts to blame WorldCom for the absence of these processes by arguing that WorldCom did not request them until June 2002.¹⁵ But this was only because Qwest’s UNE rates remained sky high until shortly before then, precluding WorldCom from entering the market. As Qwest’s UNE rates began to drop, WorldCom entered the market in April 2002, began to understand the complexity of Qwest’s systems, and then (along with Z-Tel) made its change requests. But Qwest should have implemented these standard processes long before WorldCom requested them. The importance of migrate by TN has been discussed in prior FCC section 271 orders.¹⁶ And migrate as specified is so basic a process that it has always been used by every other BOC. Indeed, Qwest itself used the process before unilaterally abandoning it without notice to CLECs. Qwest refused to reinstate the process despite Eschelon’s immediate protest. Thus, Qwest cannot blame the absence of these processes on CLECs.

¹³ WorldCom Comments, WC Docket No. 02-314 at 6-7.

¹⁴ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 16.

¹⁵ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 65.

¹⁶ See, e.g., BellSouth Georgia/Louisiana 271 Order ¶ 125.

Qwest contends that at the time WorldCom made its change requests in June, WorldCom could have asked for its change requests to be implemented as “late adders” to IMA version 11.0, which is scheduled to be implemented in November. But despite the fact that Qwest knew of the importance to WorldCom of migrate as specified and migrate by TN – both from discussions in change management and from regulatory discussions leading up to WorldCom’s filing in Qwest I – Qwest did not suggest this possibility at the time. The reason that Qwest did not suggest this is that it almost certainly would not have permitted such an addition.¹⁷ Qwest did later suggest in an *ex parte* letter that WorldCom could escalate its change requests, and WorldCom quickly asked for such escalation. (WorldCom did not previously believe escalation was possible because it expected Qwest would oppose any such escalation.) But despite its suggestion to seek escalation, Qwest prevented WorldCom’s escalation request from garnering the necessary unanimous support (the majority of CLECs did vote in favor of escalation). Qwest indicated that implementation of WorldCom’s change requests before April 2003 would require early sunset of IMA version 10.0 – a version Qwest knew that many CLECs were using, did not plan to migrate away from, and would not vote to eliminate.

Qwest contends that it was only being realistic – that it had no alternative but to sunset version 10.0 if it implemented WorldCom’s change requests before April. That is not so. Qwest could have implemented WorldCom’s change requests in IMA version 11.0 in November, for example. Qwest’s claim that it is not permitted to unilaterally decide to include change requests in a release¹⁸ is irrelevant because Qwest’s decision would not have been unilateral. An escalation request requires agreement of all of the CLECs. Qwest could have given all the CLECs the option of implementing WorldCom’s change requests in version 11.0.

Alternatively, Qwest could have implemented the change requests as part of a maintenance or point release and thus avoided sunset of version 10.0. Qwest says this was not possible because “[p]oint releases are typically internal Qwest changes that do not require a disclosure” and do not require coding changes by CLECs.¹⁹ However, Qwest does not note anything in the change management document limiting point releases to internal Qwest changes, and WorldCom’s change requests are especially appropriate for a point release because they should not *require* any coding changes by CLECs.²⁰ In any event, the very point of an escalation request is to permit changes to be implemented that do not comply with the ordinary change management rules.²¹ Thus, regardless of what is “typically” implemented in a Qwest point release, CLECs should have been allowed to agree that the point release Qwest planned for January would include WorldCom’s changes.

¹⁷ The “late adder” process requires a unanimous vote for Qwest to size a change request. Qwest will then determine if it believes that the work effort for the change request can be completed by the time systems requirements are supposed to be finished. If so, the request will be prioritized. In this case, there is little doubt from Qwest’s comments about the complexity of WorldCom’s change requests that if WorldCom had requested on June 13 that its change requests be included in release 11.0, Qwest would have said it was too late to include them. It behooves Qwest to blame WorldCom for not making what would surely have been a futile attempt.

¹⁸ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 69,

¹⁹ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 70.

²⁰ After the change requests are implemented, CLECs will have the option of sending orders without a full address and without differentiating new and existing features, but this does not mean they will be required to stop doing so.

²¹ Contrary to Qwest’s claim, these changes are simple ones. Qwest does not say otherwise for migrate by TN. As for migrate as specified, Qwest once had a migrate as specified process in place so it should be easy to reinstate it.

Finally, even if Qwest insisted that the only option was to implement WorldCom's changes in January 2003 as part of a major release, Qwest could have agreed that it would do so without early sunset of version 10.0. While Qwest states that this would have required it to maintain four versions of an interface simultaneously,²² this would only have been true for a brief time. If Qwest had wanted to be accommodating it easily could have done so. Qwest has no excuse for failing to be accommodating here, where the changes WorldCom has requested are essential to eliminate fundamental deficiencies in Qwest's OSS that should have been corrected years ago.

Reject Rates. Among the consequences of the multitude of deficiencies in Qwest's pre-ordering and ordering OSS is the very high reject rate experienced by CLECs. Qwest treats this as the only problem raised by CLECs, and argues that it is possible for CLECs to achieve a low reject rate. But Qwest entirely ignores the development resources that CLECs expend to accommodate Qwest's complex systems and the delays that result at the pre-order stage as a result of this complexity.

In addition, while it may be theoretically possible for a CLEC to achieve a low reject rate in the Qwest region, it is extremely difficult. The overall reject rate in Qwest remains extremely high and WorldCom's individual reject rate also remains very high – more than twice as high as its reject rate elsewhere. Qwest suggests this is WorldCom's fault, stating that the three primary causes of WorldCom's reject rates are problems that WorldCom could have avoided.²³ But each of the problems Qwest lists would not exist if Qwest offered migrate by TN and industry standard migrate as specified, processes that exist in every other BOC region. Thus, the primary cause of the high reject rate is Qwest's deficient processes.

Additionally, Qwest is incorrect. WorldCom has tried to comply with Qwest's non-standard processes but is still experiencing a high reject rate. One important cause of WorldCom's rejects concerns issues with "customer codes." Although Qwest now claims these are optional, until recently Qwest told WorldCom they were required.²⁴ And while Qwest in the last two months has at times indicated they were optional, it has also provided contradictory information. On October 15, for example, Qwest informed WorldCom that "IMA requires a full account number entry including customer code on all LSRs with the exception of Stand Alone Listing, Resale Frame Relay and UBL requests."²⁵ Yet Qwest simultaneously told WorldCom that a customer code was not always required but rather was conditional, required when the CSR had multiple working telephone numbers or under certain other conditions.²⁶ Qwest also provided yet another answer – use of the customer code is recommended because without it Qwest will check to determine if the customer has multiple CSRs and will reject the order if there are multiple CSRs and if no pre-order attempt has been conducted.²⁷ In an October 21 meeting to discuss customer codes, WorldCom asked Qwest to clarify when customer codes are

²² Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 73.

²³ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 54.

²⁴ WorldCom Qwest III Comments at 8. This is apparent from the fact that when WorldCom described the problems with customer code in its Qwest I and Qwest II Comments, Qwest never responded by saying that a customer code was optional.

²⁵ WorldCom EDI Log, Question 6 (Att. 1).

²⁶ *Id.* Question 7.

²⁷ *Id.* Question 3.

required. Qwest provided still another answer: customer codes are required when there are multiple CSRs, but not otherwise. Qwest also said that it would have to check to make sure that even this answer is correct. Qwest has not completed this check despite repeated inquiries from WorldCom.²⁸ The ever-changing information Qwest has provided on this topic illustrates the difficulty of dealing with Qwest. It also demonstrates that WorldCom could not have avoided the rejects it has experienced on customer codes by sending orders without these codes. Even today, it appears that these codes are necessary on at least some orders.

A second main cause of WorldCom's rejects is issues related to features. The systems WorldCom currently is using (Z-Tel's systems) are designed to comply with Qwest's non-standard processes related to features, but the complexity of Qwest's processes nonetheless have resulted in continued rejects. Finally, a third source of rejects is address errors. WorldCom service representatives are performing address validations except in unusual circumstances but nonetheless continue to receive a very high percentage of address errors. This may be because of difficulties in choosing among the multiple addresses Qwest returns at the pre-order stage or because of discrepancies between Qwest's backend databases. An address obtained at the pre-order stage that matches Qwest's PREMIS database may be rejected as inconsistent with Qwest's CRIS database. Similarly, an address that matches the CRIS database may be rejected as inconsistent with PREMIS. But regardless of the reason, there is no excuse for Qwest's failure to dramatically reduce the problem of address rejects by adopting migrate by TN.

As for Qwest's claim that some CLECs have managed to achieve low reject rates, Qwest still does not say what type of orders those CLECs are transmitting. Moreover, while Qwest says that it has provided examples of seven CLECs with low reject rates for EDI orders,²⁹ only one or two actually had reasonable reject rates while placing a relatively high volume of orders. The new data Qwest includes in Confidential Reply Exhibit CLD-5 is largely useless, as it does not show which of the CLECs listed are ordering via EDI (indeed the title is GUI Total Reject Rates), what type of orders they are placing, and how many orders they are placing. More fundamentally, the fact that it may eventually be possible to achieve low reject rates is not sufficient to conclude Qwest's systems are acceptable. They are not acceptable so long as they make it extremely difficult to obtain a low reject rate.

Failure to Update CSRs in a Timely Fashion. Qwest takes far longer to update CSRs after customers have migrated to a CLEC than does any other BOC. Until Qwest has updated the CSRs, CLECs cannot place supplemental orders for the customers without placing special requests for manual processing on the orders.

Qwest acknowledges that it typically takes three to five days to update a CSR after a customer has migrated to a CLEC.³⁰ And in fact, it often takes far longer than that. Qwest says that this is not a problem because CLECs can just use the special process for submitting

²⁸ The information Qwest has provided on customer codes is inconsistent in another way as well. As noted above, Qwest has told WorldCom that it must perform a CSR inquiry when there are multiple CSRs, a statement it repeats in its filing here. But a Qwest Vice President recently has indicated to WorldCom that so long as it includes the customer code on the order, it does not need to perform a CSR inquiry. This would suggest that for supplemental orders for which WorldCom already has the customer code, WorldCom might be able to transmit the order without a CSR inquiry so long as the customer code does not change (and assuming the CSR has been updated). But again WorldCom is left with insufficient information to determine whether this latest information is accurate.

²⁹ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 55.

³⁰ Notarianni & Doherty Reply Decl. ¶ 76.

supplemental orders. But this is extremely inefficient for a CLEC using EDI, which should be able to place supplemental orders based on the information it has imported into its own systems. Under Qwest's process, the CLEC must first access the Qwest CSR to determine whether it has been updated and then, if it has not been updated, indicate that it wants manual processing. This also subjects the orders to all of the difficulties associated with manual processing. Qwest retail customers will not experience the same difficulty except if they are migrating back from a CLEC. Qwest's process serves as a barrier to any migration – which, of course, favors Qwest as Qwest has almost all of the customers to start with.

Qwest's EDI Documentation and Technical Assistance. As WorldCom has constructed its EDI interfaces, it has found that Qwest's EDI documentation is riddled with errors. One of WorldCom's developers described Qwest's documentation and technical assistance as the worst he has experienced in 38 years in the industry. He estimated that it will take WorldCom three times as long to create an acceptable interface as it has taken with other BOCs.

Qwest contends that the inconsistencies between its two forms of EDI documentation – its LSOG document and its Developer Worksheets are not a problem because WorldCom should have relied fully on the Developer Worksheets.³¹ But WorldCom is aware of several instances in which the LSOG, not the Developer Worksheets, has been correct. In addition, the Developer Worksheets sometimes do not include key information (such as valid values). And when WorldCom has asked questions about specific inconsistencies between the LSOG and the Developer Worksheets, Qwest has said it will research the inconsistencies. It has not responded that the Developer Worksheets are always correct.

Nor has Qwest been able quickly to resolve the questions WorldCom has asked. Contrary to Qwest's claim,³² Qwest often has taken significant time to provide answers to WorldCom, as Qwest's Confidential Reply Exhibit LN-11 shows. As WorldCom previously noted, Qwest failed to answer many important questions for months. WorldCom provided examples of such questions in its opening Comments. In fact, Qwest did not provide answers to these questions until its Reply Comments in this proceeding. Qwest still has not provided these answers on a business-to-business basis. This is no way to develop an interface.

And WorldCom continues to find additional problems. For example, Qwest's Developer Worksheets do not say whether community names -- part of the customer's address -- should be spelled out in full or abbreviated. WorldCom believed it knew the answer, however, because Qwest's LSOG documentation instructs CLECs that community names should be spelled out in full, and Qwest's EDI Team had confirmed this in response to a WorldCom question. Nonetheless, after WorldCom developed its interface based on this understanding, it began receiving rejects on test orders. WorldCom determined that community names should not always be spelled out in full. Qwest has yet to answer WorldCom's latest questions on the topic, however. This is vital, as WorldCom will have to recode its interface based on whatever it finds out. Additionally, WorldCom must know how Qwest will treat information on a customer's unit, building and room. Qwest's documentation indicates this information will be provided in two fields, but testing indicates that the information is all in one field. Again this is vital information to accurately code an interface.

³¹ *Id.* ¶ 156.

³² *Id.*

Qwest contends that it is possible to develop an EDI interface despite such documentation difficulties. That may be so, but only through a process of guesswork and trial and error, which is exactly what WorldCom is attempting. But the risks of rejects increase significantly, as does the effort in creating the interface. WorldCom already has had to include many “band aid” solutions in its interfaces that it will almost certainly have to pull out and recode when it finally determines the correct business rules.

Loss of Dial Tone. The recent report of Cap Gemini Ernst & Young (CGE&Y) in Arizona on a data reconciliation between Qwest and Eschelon is alarming. Not only does it show that Qwest failed to code fifty-five percent of OP-5 eligible troubles as eligible, it also demonstrates a problem with loss of dial tone of a magnitude never before seen.³³ CGE&Y found that customer’s lost dial tone on 1.6 percent of UNE-P orders “for an extended period of time on the day of installation.”³⁴ This is because “the new service was to be provisioned with a disconnect (“D”) order disconnecting the old service, and a new (“N”) order establishing the new service,” and these two orders became disassociated, causing the D order to be worked first.³⁵ Twenty percent of the orders for which Qwest created an N and a D order resulted in loss of dial tone.

This is a stunning finding. Loss of dial tone is obviously a severe problem. During the Texas section 271 proceedings and the Georgia/Louisiana section 271 proceedings, WorldCom complained repeatedly about the loss of dial tone that was resulting from disassociation of multiple service orders in back-end systems. Nonetheless, in the *Texas 271 Order*, the Commission found SWBT’s process acceptable because loss of dial tone occurred less than one percent of the time.³⁶ And in the *Georgia/Louisiana 271 Order*, the Commission found Bellsouth’s process acceptable because “the Georgia Commission states that only 0.18 percent of UNE-P requests from June through December had a possible conversion-related problem resulting in a loss of dial tone.”³⁷ The Commission further noted “that under the direction of the Georgia and Louisiana Commissions, BellSouth implemented single ‘C’ ordering in March to replace the two-order process,” and had agreed in the interim to a performance measure on loss of dial tone with a benchmark of 1 percent.³⁸

Until now, WorldCom believed that Qwest had a single C process for UNE-P ordering. WorldCom asked Qwest on several occasions whether it had a single C process and was told that it did. But it is now clear that this is not so, at least on some indeterminate subset of orders.³⁹ The result is a loss of dial tone that is significantly higher than that seen in other regions. In the *Georgia/Louisian Order*, the FCC noted its “concern[.]” about complaints of instances of lost dial tone.⁴⁰ With 1.6% loss of dial tone on the day of migration, the FCC’s concern in BellSouth

³³ The report is attached to the Eschelon *ex parte* letter from Karen Clauson to Marlene Dortch, FCC, Oct. 25, 2002.

³⁴ CGE&Y Report at 30, 39, 40. The calculation is based on nine instances divided by 562 orders.

³⁵ *Id.* at 30.

³⁶ *Texas 271 Order* ¶ 199.

³⁷ *Georgia/Louisiana 271 Order* ¶ 167.

³⁸ *Id.*

³⁹ In Qwest’s reply declaration here, it states that it uses a single service order process for “most” conversions to UNE-P service. Notarianni & Doherty Reply Decl. ¶ 72.

⁴⁰ *Georgia/Louisiana 271 Order* ¶ 167.

should result in rejection of Qwest's applications. The fact is that UNE-P orders should not result in any loss of dial tone and the impact of lost dial tone on both customers and CLECs is severe.

Jeopardies After FOCs. Qwest continues to transmit jeopardies after FOCs that should be transmitted as rejects before FOCs. The FOC is an indication that Qwest has accepted the order and that it is complete. Qwest does not dispute any of the harms that WorldCom documented in its Comments.⁴¹ Qwest contends, however, that CLECs participated in the decision to use jeopardy notices after transmission of a FOC.⁴² But while CLECs may have agreed that these notices should be called jeopardies if they are transmitted after a FOC, Qwest should not be transmitting any such notifiers regardless of what they are called. Qwest should not be transmitting notifiers to CLECs that require CLECs to submit a supplemental order after Qwest has transmitted a FOC.

Automatic Return of SOC's. Qwest implicitly acknowledges that it transmits service order completions ("SOC") on the due dates for orders without first directly determining whether the orders have been completed. This renders the SOC's largely worthless.

Qwest states that it performs "a multitude of checks" before sending a SOC including "a check to ensure that the order has not been coded as a jeopardy."⁴³ Qwest does not say of what this multitude of checks consists, however. And the check of whether an order has been coded as a jeopardy is inadequate. Such a check obviously does not capture any orders that Qwest fails to code as a jeopardy. Such a check probably also does not capture any orders that Qwest initially codes as a jeopardy but then later recodes as a reject. (Qwest provides CLECs four hours to supplement an order after they receive a jeopardy and then designates the orders as rejects.) Finally, such a check does not even catch all orders that *have* been coded as jeopardies, as Qwest admits.⁴⁴ Apparently, this is because when an order coded as a jeopardy, the service order will still complete and trigger a SOC unless the Qwest service representative manually cancels the service order – an error prone process that likely will result in increased mistakes as volumes increase. The fact is that triggering SOC's based on the due date, without directly determining that an order has been provisioned, is fraught with the possibility of error.

Qwest asserts that less than 0.73% of the SOC's it sends on UNE-P LSRs are for orders that have not been completed.⁴⁵ But assuming this is correct, which has not been verified, it is likely because most UNE-P LSRs are completed on their due date. A SOC transmitted on the due date will be accurate so long as Qwest completes the order on the due date. But Qwest does not show that the SOC's it returns are accurate even for orders that are not completed on their due dates. Thus, under Qwest's current system, the accuracy of SOC's is tied to Qwest's performance in meeting due dates. The SOC has little independent value in telling the CLEC the order has been completed. If Qwest's performance in completing orders on their due date drops off, the accuracy of its SOC's is likely also to drop off at the time when they are most needed. If, for example, the volume of new UNE-P orders, as compared to migrations, increases, Qwest will

⁴¹ WorldCom Qwest III Comments at 14.

⁴² Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 88.

⁴³ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 107.

⁴⁴ *Id.*

⁴⁵ *Id.* ¶ 107.

likely complete fewer orders on their due date as new orders will require field work. The accuracy of SOCs will almost certainly diminish as well.

CABS BOS Billing. Qwest acknowledges that its CABS BOS bills are not yet adequate, explaining that it is working to correct remaining discrepancies, including the fact that recurring charges do not match the data in the CSRs.⁴⁶ But Qwest's future promise is not a basis of approving its application today. Nor is its claim that it provides bills in other formats that are accurate.⁴⁷ WorldCom has previously explained the importance of CABS BOS bills.⁴⁸ And in its *Pennsylvania 271 Order*, it was Verizon's CABS BOS bills that the Commission evaluated to determine whether they were auditable and accurate.⁴⁹

SATE Does Not Mirror Production. Qwest does not dispute most of what WorldCom said in its comments with respect to SATE. Qwest acknowledges that until October 19, SATE lacked the capability of testing a pre-order directory listing inquiry, a fundamental component of the pre-order process.⁵⁰ Qwest says that it has included this process in SATE for IMA release 11.0.⁵¹ But October 19 is after Qwest filed its application. Under the complete-when-filed rule, this addition is irrelevant.

More important to WorldCom's business, Qwest only added the directory listing inquiry to SATE for version 11.0. This does not immediately help WorldCom, which has been constructing an interface based on IMA version 10.0. Qwest refused to make available the directory listing inquiry as part of SATE for that version.

SATE is also deficient because the test scenarios in SATE include only the most basic order types. Version 10.0 of SATE did not include a full multi-line CSR despite its suggestion to the contrary.⁵² And Qwest admits that SATE does not include scenarios in which the directory listing address differs from the customer's service address, a frequent occurrence. Qwest states that it added the scenarios to version 10.0 for WorldCom at WorldCom's request.⁵³ But Qwest refused to make these scenarios generally available to CLECs or to add them to later versions of SATE as these versions were released. Qwest says that CLECs agreed that not every scenario requested by an individual CLEC would be made generally available to CLECs.⁵⁴ But this does not mean that Qwest should refuse a CLEC's request to make available in SATE very common scenarios that had been omitted. It is also essential that Qwest include such common scenarios so that its own internal testing successfully identifies key problems.

⁴⁶ *Id.* ¶ 134.

⁴⁷ *Id.* ¶ 138.

⁴⁸ WorldCom Comments, WC Docket No. 02-148, at 17-19.

⁴⁹ Memorandum Opinion and Order, *In the Matter of Application of Verizon Communications to Provide In-Region, InterLATA Service in Pennsylvania*, CC Docket No. 01-138, ¶¶ 22-42.

⁵⁰ WorldCom also needs to be able to use the pre-order directory listing functionality to obtain information needed for ordering. Although Qwest says this information can be obtained from the CSR, that is only true if the CLEC has constructed its interfaces to do so. As WorldCom explained above, because of the extremely complicated processes that would be needed to extract directory information from the CSR, it has chosen to use the directory listing inquiry. But this inquiry is not available in SATE.

⁵¹ Qwest Reply Comments, Notarianni & Doherty Reply Decl. ¶ 169.

⁵² *Id.* ¶ 170.

⁵³ *Id.*

⁵⁴ *Id.* ¶ 172 n. 268.

Other Grounds for Rejection

In addition to the issues WorldCom already has discussed in previous filings with regard to Qwest's section 272 violations, non-TELRIC pricing, and refusal to provide customized routing, WorldCom makes the following new points.

MLT Data. Qwest does its best to deflect the damaging information provided by AT&T on Qwest's effort to hide from competitors and regulators the fact that it performs MLT tests that produce information potentially valuable to CLECs. But Qwest's apparent behavior is highly troubling and confirms the importance of relying on more than Qwest's word as it attempts to defend itself against various instances of misconduct, including its secret deal and section 272 violations. Moreover, under existing Commission rules, Qwest must provide access to all of the data about the loop that is available to itself.⁵⁵ This includes the data Qwest has derived from MLT tests. Such data could prove an important cross-check on the accuracy of the loop qualification database. Yet Qwest has not agreed to provide access to this data.

Secret Deals. The secret deals that Qwest entered in violation of section 251 remain an important issue. Although Qwest claims that it has now filed all of these secret deals with state commissions, there is no reason to trust Qwest in this regard without conducting an independent investigation. Qwest's prior claims regarding revelations of secret deals have repeatedly proven inaccurate. Even the list of secret deals Qwest posted on its website in August has now been proven incomplete. The Minnesota PUC confirmed on October 21 the conclusion of a Minnesota ALJ that Qwest had a secret oral agreement with McLeod under which McLeod received a 10% discount. This deal was regionwide but Qwest did not post in on its website in August. Although Qwest says that it repudiated this deal on September 16,⁵⁶ the point is that it was in place in August yet Qwest did not reveal it. Thus, there is no basis to trust Qwest's latest claim that all secret deals, including all oral contracts, have now been revealed. Before concluding that Qwest is finally in compliance with section 251 – and thus with the section 271 checklist – the Commission must conduct an independent investigation.

For all of the reasons described above, Qwest's multi-state section 271 application must be denied. If you have any questions about this matter, please do not hesitate to contact me.

Sincerely,

/s/

Lori Wright

⁵⁵ Georgia/Louisiana 271 Order, ¶ 112.

⁵⁶ Qwest Supplemental Reply Comments, WC Docket No. 02-148 at 61, n.68.