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Utility Legal Division
224 E. Palace Avenue – Marian Hall
Santa Fe, New Mexico 87501
(505) 827-6969

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Commission's Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

RE: In the Matter of the Unbundled Access to Network Elements; Review of the Sections 251 Unbundling Obligations of Incumbent Local Exchange Carriers; WC Docket No. 04-313; CC Docket No. 01-338 (Rel. August 20, 2004)

Dear Secretary:

Enclosed is an unstapled original of the *Initial Comments of the Telecommunications Bureau Staff of the Utility Division of the New Mexico Public Regulation Commission* and four copies for filing in the above referenced proceeding. If you have any questions regarding this filing, please phone me at (505) 827-6969.

Sincerely,

Carmella Apodoca
Legal Assistant
NMPRC Utility Division Staff

cc: Wireline Competition Bureau
Competition Policy Division
445 12th Street, S.W., Suite 5-C327
Washington, D.C. 20554
Att: Janice M. Myles
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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Unbundled Access to Network Elements	)	WC Docket No. 04-313
	)	
Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers	)	CC Docket No. 01-338

INITIAL COMMENTS OF THE TELECOMMUNICATIONS BUREAU STAFF OF THE UTILITY DIVISION OF THE NEW MEXICO PUBLIC REGULATION COMMISSION

The following comments of the Telecommunications Bureau Staff of the Utility Division ("NMPRC Staff") of the New Mexico Public Regulation Commission ("NMPRC") are being filed pursuant to ¶ 15 of the Order and Notice of Proposed Rulemaking, released on August 20, 2004, *In the Matter of Unbundled Access to Network Elements and Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, WC Docket No. 04-313, CC Docket No. 01-338 (FCC 04-179).

Introduction

These comments summarize the proceedings conducted by the NMPRC in response to the Triennial Review Order ("TRO").[1] Qwest Corporation ("Qwest") was the only telecommunications carrier in New Mexico that challenged a TRO nationwide finding of impairment or non-impairment and it only challenged the TRO's nationwide

[1] *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, and Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket Nos. 01-338, 96-98, and 98-147, Report and Order and Order on Remand and Further Notice of Proposed Rulemaking, FCC-03-36, 18 FCC Rcd 16978 (Rel. Aug. 21, 2003) ("TRO").

finding of impairment for mass market switching customers. Consequently, the NMPRC initiated two expedited TRO-related proceedings. The NMPRC initiated the first, NMPRC Case No. 04-00404-UT, *In the Matter of Impairment in Access to Local Circuit Switching for Mass Market Customers*, by order issued November 4, 2004. The NMPRC initiated the second, NMPRC Case No. 03-00403-UT, *In the Matter of Implementation of a Batch Cut Process*, by order issued November 6, 2004. The Commission consolidated these two proceedings by order issued January 13, 2004.

NMPRC Bench Request Responses

Both orders that initiated these consolidated proceedings also compelled responses to NMPRC bench requests directed to all incumbent local exchange carriers ("ILEC"), competitive local exchange carriers ("CLEC") and wireless providers in New Mexico. Subsequently, on November 20, 2004, the NMPRC suspended its requirement compelling rural ILECs and Valor Telecommunication of New Mexico, LLC respond to its bench requests. Additionally, responses to the bench requests were in many instances incomplete, nonresponsive or not provided. For example, Qwest filed a motion to limit the scope of its responses to the bench requests that was never addressed by the NMPRC and not all CLECs and wireless providers in New Mexico responded to the bench requests and/or providers complete responses. Further, motions to compel additional responses to the bench requests were not brought by any party of the NMPRC.

Copies of the NMPRC bench requests are attached hereto as NMPRC Staff Exhibit "A". Because the provider responses to the bench requests were incomplete; because responding providers designated much of their responses to the NMPRC bench

request as either confidential or highly confidential; [2] because such designations have not been challenged by any person; because the provided data is almost a year old; because the provided data has not been subject to cross examination in a public hearing, and because the D.C. District Court vacated the rules upon which the bench request were fashioned, NMPRC Staff has not provided in these comments the data collected by the NMPRC in its consolidated proceedings. However, Qwest, CLEC and wireless provider responses to these bench requests are available upon request.

These Proceedings Have Been Held in Abeyance Since March 16, 2004

Prior to a public hearing on the merits of these consolidated proceedings, on March 16, 2004, the NMPRC issued an order holding these consolidated proceedings in abeyance in response to an opposed Qwest's Motion to Stay Procedural Schedule and Discovery filed on March 9, 2004 that was filed by Qwest in light of the *United States Telecom Ass'n v. FCC*, 359 F.3d 554 (D.C.Cir. 2004) disposition of the TRO.

Parties to these Consolidated Proceedings

The following parties participated in the NMPRC consolidated TRO-related proceedings: NMPRC Staff; the New Mexico Attorney General; AARP; Deica Communications, Inc. d/b/a Covad Communication's Company; WorldCom, Inc.; Qwest Corporation, and AT&T Communications of the Mountain States, Inc.

[2] The NMPRC issued identical protective orders in each of its consolidated TRO-related proceedings with its Order Opening Docket and Compelling ILEC, CLEC Responses to Bench Request, issued on November 4, 2004 in NMPRC No. 03-00404, and on November 6, 2004 in NMPRC Case No. 03-00403-UT, respectively. Each Protective Order provides that any materials filed in these consolidated proceedings marked "confidential" or "highly confidential" under the specific terms of the Protective Order will be treated as either "confidential" or "highly confidential" under the specific terms of the Protective Order.

Summaries of Pre-Filed Testimonies

Prior to these consolidated cases being held in abeyance, the parties conducted extensive discovery. Further, the parties filed pre-filed direct testimony and pre-filed rebuttal testimony in the batch cut process portion of these proceedings as well as pre-filed direct testimony in the mass market switching portion of these proceedings. The parties also participated in a region wide batch hot cut forum and filed an issues matrix in these consolidated proceedings that identified closed and open issues regarding the forum's collaborative effort to agree upon a region wide batch cut process.

Attached hereto as NMPRC Staff Exhibit B is a copy of the parties' Batch Hot Cut Final Issues Matrix that was filed in these consolidated cases on January 15, 2004. Also attached hereto as NMPRC Staff Exhibit C are copies of either the executive summaries or purposes, conclusions and/or recommendations sections of the pre-filed direct and pre-filed rebuttal testimonies in the batch hot cut portions of these consolidated proceedings. Lastly, attached hereto as NMPRC Staff Exhibit D are copies of either the executive summaries or purposes, conclusions and/or recommendations sections of the pre-filed direct testimonies in the mass market switching portion of these consolidated proceedings.

Respectfully submitted by:

Submitted by:

NM PUBLIC REGULATION COMMISSION
UTILITY DIVISION
TELECOMMUNICATIONS BUREAU

Nancy B. Burns, Staff Counsel
Legal Division
224 East Palace Ave. – Marian Hall
Santa Fe, NM 87501
(505) 827-6993
nancy.burns@state.nm.us

Exhibit A
Bench Requests
Case No. 03-00403-UT

A. Bench Requests to be Answered by Qwest Corporation ("Qwest")

1. Provide, in an electronic format, on a monthly basis, the number of UNE-P lines at the beginning of the month, added during the month, disconnected during the month and at the end of the month. Provide this information for the period of time since the FCC approved Qwest's application for 271 authority in New Mexico. Provide the information on a regionwide basis in addition to the New Mexico specific data.

2. Provide, in an electronic format, on a monthly basis for every wire center, the number of UNE-L lines at the beginning of the month, added during the month, disconnected during the month and at the end of the month. Provide this information for the period of time since the FCC approved Qwest's application for 271 authority in the state. Provide the information on a region-wide basis in addition to the state specific data.

3. Describe the hot cut process currently used to transfer lines from the incumbent local exchange carrier ("ILEC") switch to the competitive local exchange carrier ("CLEC") facilities.

4. List each task that is part of the current hot cut process. Provide the average time it takes to complete the task, the typical occurrence of the task during the process, the labor rate for the task, and the common overhead loading associated with the labor rate. Indicate the sources of the data; i.e., time/motion studies, SME analysis, etc. If data is available from both time and motion studies, as well as SME analysis, include in the response the data from the time and motion studies.

5. Describe a batch hot cut process that Qwest would implement to meet the FCC's requirement to establish a batch hot cut process. Include an estimate of number of lines per batch.

6. List each task that is part of the batch hot cut process described in the answer to the above question regarding a batch process. Provide the average time it takes to complete the task, the typical occurrence of the task during the process, the labor rate for the task, and the common overhead loading associated with the labor rate. Indicate the source of the data, i.e., time/motion studies, SME analysis, etc.

7. List each task that is part of the batch hot cut process that is not included in the current hot cut process.

8. List each task that is part of the current hot cut process that is not included in the

batch hot cut process.

9. On a monthly basis, provide the total number of residential lines served and the number of residential lines served using integrated digital line carriers. Provide separately for every wire center the number of Qwest retail residential lines, UNE served residential lines, and wholesale served residential lines. Provide this information for the period of time since the FCC approved Qwest's application for 271 authority in New Mexico. Provide the information on a regionwide basis in addition to the New Mexico specific data. If it is not possible to identify the number of UNE served residential lines, provide the number of voice served lines. Provide the information in an electronic format.

10. For each wire center, on a monthly basis, provide the total number of business mass-market lines served and the number of business mass-market lines served using integrated digital line carriers. Provide separately for every wire center the number of Qwest retail business mass-market lines, UNE served business mass-market lines, and wholesale served business mass-market lines. Explain how Qwest determined which business lines are mass-market lines and which are enterprise lines. Provide this information for the period of time since the FCC approved Qwest's application for 271 authority in New Mexico. Provide the information on a regionwide basis in addition to the New Mexico specific data. If it is not possible to identify the number of UNE served residential lines, provide the number of voice served lines. Provide the information in an electronic format.

11. If the tasks related to the hot cut process for lines served using integrated digital line carriers differs from the process used for other lines, discuss how the process is different and list the tasks that must be added specifically for the lines served using integrated digital line carriers. Include the time required to accomplish those tasks.

12. On a monthly basis, provide the average time and standard deviation a customer's service was disconnected due to the hot cut process. Provide this information for the period of time since the FCC approved Qwest's application for 271 authority in New Mexico. Provide the information on a region-wide basis in addition to the New Mexico specific data.

13. On a monthly basis, provide the number of technicians during each month who have transferred a line from an ILEC switch to a CLEC facility as part of the hot cut process. Count only those employees who perform the manual process. Provide this information for the period of time since the FCC approved Qwest's application for 271 authority in New Mexico. Provide the information on a regionwide basis in addition to the New Mexico specific data.

14. On a monthly basis, provide the number of technicians trained and capable of transferring a line from an ILEC switch to a CLEC facility as part of the hot cut process. Count only those employees who can perform the manual process. Do

not include management of supervisory personnel who can perform these tasks but do not do so as part of their regular work effort. Provide this information for the period of time since the FCC approved Qwest's application for 271 authority in New Mexico. Provide the information on a regionwide basis in addition to the New Mexico specific data.

15. On a monthly basis for every wire center, provide, in an electronic format, the number of hot cuts performed. Provide this information for the period of time since the FCC approved Qwest's application for 271 authority in New Mexico. Provide the information on a region-wide basis in addition to the New Mexico specific data.

16. For each technician identified as trained in the hot cut process, when did that training occur?

17. For each technician identified as trained in the hot cut process, is that training documented or posted? If so, where is that training documented or posted?

18. For each technician identified as trained in the hot cut process, how often does that technician get trained in the hot cut process?

19. For each technician identified as trained in the hot cut process, is there a refresher course for that technician? If so, how often is the refresher course offered?

20. For each technician identified as trained in the hot cut process, is the technician required to take the refresher course if one is offered?

21. Provide a list of all carriers with which Qwest has an interconnection agreement for the provision of local service in New Mexico.

22. Provide a list of all carriers to which Qwest has sold collocation services in New Mexico. For each carrier, list the wire centers where the carrier is collocated. Provide the information in an electronic format.

23. Provide a list of Qwest wire centers with indicators that identify whether the office is unstaffed, has a technician on duty but the technician can not perform hot cuts, or has a technician on duty and the technician can perform hot cuts. For unstaffed offices and offices where the technician cannot perform hot cuts, specify the number of miles that the technician must drive and driving time to reach that office from the closest office where a technician who can perform hot cuts is normally on duty. Provide the information in an electronic format.

24. If a batch cut process is developed, does that make it more or less likely that an electronic loop provisioning process will be implemented?

25. Referencehttp://www.nrri.ohio-

state.edu/members/markets/Impairment/documents/QwestZoneResults--COTariff9-22-03_000.xls Please populate the model with the appropriate line count and collocation data in the tab **Inputs From Access.** Also, populate the appropriate New Mexico tariff data in **Tariff Table** tab. Provide the populated version of the spreadsheet. Include in the response a comparison of the original Tariff Table (from Colorado) and the New Mexico input values.

26. Using the input values from the **Cost Model—Inputs** tab produced in response to the prior request, submit the results from running the model. Include in the response the complete model, not just the summary results that appear in the Cost Summary by Zone tab.

27. Based on your response to the prior question, address what implications the cost results have regarding the degree to which impairment in the mass market would result from the removal of the UNE switching elements.

28. To the extent that Qwest disagrees with the methodology or inputs of the model:

    a. Explain why you disagree with the assumptions.

    b. Modify the spreadsheet to reflect what you believe to be more appropriate assumptions. Include in the response a detailed description of each change made to the model.

    c. Provide the results from running the model using the changes implemented in response to (b). Include in the response the complete model, not just the summary results that appear in the Cost Summary by Zone tab.

29. Based on your response to the prior question, address what implications the cost results have regarding the degree to which impairment in the mass market would result from the removal of the UNE switching elements.

30. Explain how QWEST defines its business customer segments and provide any documents that reflect this definition or the criteria it uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

31. Suppose an enterprise customer, such as Microsoft, asked Qwest to not only provide service under one contract to both the enterprise customer's corporate office, but also the households of some of the enterprise customer's employees. Would the lines to the employees' households be treated as enterprise or mass market lines? Explain and provide supporting documentation.

32. Does Qwest's UNE-L loop always provide CLECs with DS0 capacity?

33. If Qwest's UNE-L loop does not always provide CLECs with DS0 capacity, identify by customer and wire center all instances where it does not provide DS0 capacity.

34. For each Qwest central office or wire center at which loops and transport are connected at collocation arrangements to form EELs, provide the following information:

(a) the CLLI code, street address, and V&H coordinates of the Qwest central office or wire center where such EELs are created;
(b) the CLLI code, street address, V&H coordinates, and owner(s) of the switch(es) to which such EELs are connected;
(c) number of such EELs that comprise DS-0/voice grade transport connected to DS-0/voice grade loops;
(d) number of such EELs that comprise DS-1 transport connected to multiplexed DS-0/voice grade loops;
(e) number of such EELs that comprise DS-1 transport connected to multiplexed and concentrated DS-0/voice grade loops, and the loop-to-transport concentration ratio;
(f) number of such EELs that comprise DS-3 transport connected to multiplexed DS-0/voice grade loops;
(g) number of such EELs that comprise DS-3 transport connected to multiplexed and concentrated DS-0/voice grade loops, and the loop-to-transport concentration ratio;
(h) number of such EELs that comprise DS-1 transport connected to DS-1 loops;
(i) number of such EELs that comprise DS-3 transport connected to multiplexed DS-1 loops;
(j) number of such EELs that comprise DS-3 transport connected to multiplexed and concentrated DS-1 loops, and the loop-to-transport concentration ratio.

35. For each Qwest central office or wire center at which loops and transport are connected to form EELs *without* using collocation, provide the following information

(a) the CLLI code, street address, and V&H coordinates of the Qwest central office or wire center where such EELs are created;
(b) the CLLI code, street address, V&H coordinates, and owner(s) of the switch(es) to which such EELs are connected;
(c) number of such EELs that comprise DS-0/voice grade transport connected to DS-0/voice grade loops;
(d) number of such EELs that comprise DS-1 transport connected to multiplexed DS-0/voice grade loops;
(e) number of such EELs that comprise DS-1 transport connected to multiplexed and concentrated DS-0/voice grade loops, and the loop-to-transport concentration ratio;
(f) number of such EELs that comprise DS-3 transport connected to

multiplexed DS-0/voice grade loops;
(g) number of such EELs that comprise DS-3 transport connected to multiplexed and concentrated DS-0/voice grade loops, and the loop-to-transport concentration ratio;
(h) number of such EELs that comprise DS-1 transport connected to DS-1 loops;
(i) number of such EELs that comprise DS-3 transport connected to multiplexed DS-1 loops;
(j) number of such EELs that comprise DS-3 transport connected to multiplexed and concentrated DS-1 loops, and the loop-to-transport concentration ratio.

36. For each CLEC and other carrier collocation arrangement in each Qwest central office or wire center in (state), provide the following information, reported by CLLI code and street address:
(a) name of CLEC or other carrier;
(b) type of collocation arrangement (e.g. caged, cageless, virtual, etc.);
(c) size of collocation arrangement;
(d) amount of power (including both "A" and "B" DC feeds and AC power) supplied to the collocation arrangement;
(e) number of 2-wire cross connects currently provisioned from the MDF to the collocation arrangement;
(f) number of 4-wire cross connects currently provisioned from the MDF to the collocation arrangement;
(g) all equipment installed in the collocation arrangement, including make, model, and total installed capacity for each piece of equipment;
(h) type(s) of Qwest transport connected to the collocation arrangement (e.g., special access, UNE transport, etc.);
(i) capacity(ies) of Qwest transport connected to the collocation arrangement (e.g., DS-1, DS-3, OC-3, etc., and number of circuits at each level of capacity);
(j) all non-recurring and recurring charges for the collocation arrangement;
(k) name(s) of other collocating carrier(s) to which this collocation arrangement is connected in this central office or wire center.

37. For each Qwest central office or wire center in New Mexico, identify the amount of available unused collocation space, in terms of total square feet of space and type(s) of collocation for which available space can be used. Please identify each central office in which collocation space has been exhausted, or for which collocation space exhaustion is anticipated in the next 3 years, including the date of exhaust or expected exhaust.

38. Explain whether you currently have in place electronic systems that can accomplish each of the following migration types on a automated, flow-through basis (i.e., no human or other manual intervention is required for completion of

the migration):
(a) from UNE-P voice only, or UNE-P voice plus data, to CLEC switch-based voice only;
(b) from UNE-P voice only, or UNE-P voice plus data, to Qwest voice only;
(c) from UNE-P voice only, or UNE-P voice plus data, to Qwest voice plus data;
(d) from UNE-P voice only, or UNE-P voice plus data, to one CLEC line splitting;
(e) from UNE-P voice only, or UNE-P voice plus data, to two CLEC line splitting;
(f) from UNE-P, or UNE-P voice plus data, to CLEC line sharing with CLEC splitter;
(g) from UNE-P, or UNE-P voice plus data, to CLEC line sharing with Qwest splitter;
(h) from CLEC switch-based voice to any of the above;
(i) from one and two CLEC line splitting to any of the above;
(j) from one and two CLEC line sharing to any of the above.

B. Bench Requests to be Answered by Competitive Local Exchange Carriers ("CLECs")

1. Describe the hot cut process currently used to transfer lines from the ILEC switch to the CLEC facilities.

2. List each task that is part of the current process. Provide the average time it takes to complete the task, the typical occurrence of the task during the process, the labor rate for the task, and the common overhead loading associated with the labor rate. Indicate the source of the data, i.e., time/motion studies, SME analysis, etc.

3. Describe a batch hot cut process that you would implement to meet the FCC's requirement to establish a batch hot cut process. Include an estimate of the maximum number of lines per batch.

4. List each task that is part of the batch hot cut process described in the answer to the preceding question. Provide the average time it takes to complete the task, the typical occurrence of the task during the process, the labor rate for the task, and the common overhead loading associated with the labor rate.

5. If UNE-P is no longer available, what monthly volumes of hot cuts would be required: (a) to migrate existing UNE-P customers to another form of service and (b) to connect new customers in the ordinary course of business. Provide supporting documentation for these volume estimates.

6. For each Qwest wire center in New Mexico in which CLEC provides retail switched local exchange service, report the number of switched DS-0 level lines

in service per customer location that CLEC serves. Provide this information in the following format:

WIRE CENTER:		
	Customer Location	
Quantity of DSO Lines	Residence	Business
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		

For example, if you currently serve 100 single line residential customers and 200 2 line business customers in the wire center, show "100" in the residential column on the Quantity line of "1", and "200" in the business column on the Quantity line of "2."

7. For each switch CLEC owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity within New Mexico, state whether the local switching capacity of the switch can be expanded through modular software and hardware additions. If you assert any obstacles to expansion, please identify and explain all such obstacles.

8. Does CLEC believe that there are costs associated with converting or otherwise using a switch currently serving only enterprise customers to also serve mass market customers? If CLEC believes that there are such switching costs, identify

all such costs and explain why it would be necessary to incur them to begin serving mass market customers. Produce any documents or data that support your response.

9. Provide, a) on a statewide basis, and b) on a central office-specific basis, monthly data for the past two years on customer "churn" (*i.e.*, percentage of your customers lost to another carrier) on all of the following bases:

(a) number of customers by customer type (*e.g.*, residential, business with one to three lines; business with more than three lines);

(b) percentage of churn by customer type (*e.g.*, residential, business with one to three lines, business with more than three lines);

(c) number of customers by service type (*i.e.*, local exchange voice service only, long distance voice service only, bundled local exchange and long distance voice services, and bundled local exchange, long distance, and DSL services);

(d) percentage of churn by service type (*i.e.*, local exchange voice service only, long distance voice service only, bundled local exchange and long distance voice services, and bundled local exchange, long distance, and DSL services).

10. For customers that purchase up to 24 voice grade equivalent lines, identify the types or categories of customer acquisition costs CLEC incurred in New Mexico in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, provide the per line costs CLEC incurred in 2001 and 2002 for both business and residential customers for each of the types or categories of customer acquisition costs.

11. For customers that purchase up to 24 voice grade equivalent lines, identify the monthly churn rate CLEC has experienced for local exchange customers in each month in which it has provided local exchange service in the New Mexico market. In answering this request, calculate the churn rate based upon the number of lines lost each year divided by the average number of lines in service that year. In calculating churn, do not include customers who move but stay with the company. Produce all documents that refer or relate to the information you provide in response to this request.

12. Identify the percentage of customers that have left within one month of signing up for service, within two months of signing up for service, within three months of signing up for service, and within six months of signing up for service. Provide this information in connection with CLECs churn rates in New Mexico for the most recent 24 months that are available for local exchange customers that purchase up to 24 voice grade equivalent lines. Produce all documents that refer or relate to the information you provide in response to this request.

13. For customers that purchase up to 24 voice grade equivalent lines, identify each rate plan that CLEC offers to local exchange customers in New Mexico. In

addition, identify the percentage of CLECs total local exchange customers in [state] that subscribe to each plan that you identify. Produce all documents that reflect, refer or relate to the information you provide in response to this request.

14. For rate plans identified in B.13. that include a per minute of use component, provide the average long-distance per minute usage in New Mexico of CLECs local exchange customers who subscribe to such plans for the most recent 24 months available. Produce all documents that reflect, refer, or relate to the information you provide in response to this request.

15. For customers that purchase up to 24 voice grade equivalent lines how many CLEC-to-CLEC cross-connects has CLEC performed in New Mexico since June 2001? How many CLEC-to-CLEC cross-connects does CLEC maintain in New Mexico at present?

Exhibit A
Bench Requests
Case No. 03-00404-UT

A. Bench Requests to be Answered by Competitive Local Exchange Carriers ("CLECs") and Wireless Providers

1. Provide, in an electronic format, a list of all switches that you currently use to provide a qualifying service (as defined in 47 C.F.R. § 51.5, as that section will be amended by the Final Rules issued by the FCC pursuant to the *Triennial Review Order*) anywhere in the state, regardless of whether the switch itself is located in the state. Do not include incumbent local exchange carrier ("ILEC") switches used by you on an unbundled basis in the ILEC's service territory or through the resale of the incumbent's services at wholesale rates. Also, indicate if each switch is used for data, voice, or data and voice services.

2. Identify each ILEC wire center district (*i.e.*, the territory served by a wire center of the ILEC) in which you provide qualifying service to any end user customers using any of the switches identified in your response to Question 1. Wire centers should be identified by providing their name, address, and CLLI code. Also, identify the qualifying services provided in each wire center district. Provide the information in an electronic format.

3. For each ILEC wire center identified in response to Question 2, identify the total number of voice-grade equivalent lines you are providing to customers in that wire center from your switch(es) identified in response to Question 1. For purposes of this question, "voice-grade equivalent lines" should be defined consistent with the FCC's use of the term. *See, e.g., FCC Form 477, Instructions for the Local Competition and Broadband Reporting Form.* *http://www.fcc.gov/Forms/Form477/477instr.pdf* Provide the information in an electronic format. To the extent that you are unable to identify which Qwest CLLI would be used to serve your customers if they were Qwest customers, identify the exchange, MSA, and LATA associated with your customers (e.g., suppose you provide service in Albuquerque but you do not know which of Qwest's CLLI's are associated with your customers. In this situation you would identify the number of voice grade lines that are served in the Albuquerque exchange, LATA and MSA).

4. For each switch identified in response to Question 1, identify the approximate capacity of the switch – that is, the maximum number of voice-grade equivalent lines it is capable of serving – based on that switch's existing configuration and component parts. Provide the information in an electronic format.

5. With respect to the voice-grade equivalent lines identified in response to Question 3, separately indicate the number being provided to (a) residential customers; (b) business customers to whom you provide only voice-grade or DSO lines; and (c)

business customers to whom you provide DS1, ISDN-PRI, or other high capacity lines. For purposes of this question, "high capacity" means DS1 or equivalent or higher capacity lines, including, but not limited to DS1, ISDN-PRI, DS3, and OCn. Provide the information in an electronic format.

6. For each of the switches identified in response to Question 1, state whether the switch is owned by you, or whether you have leased the switching capacity or otherwise obtained the right to use the switch on some non-ownership basis. If the facility is not owned by you, identify the entity owning the switch and (if different) the entity with which you entered into the lease or other arrangement and the nature of the arrangement, and state whether such entity or entities are affiliates of yours, in the sense defined in ¶ 408, footnote 1263 of the *Triennial Review Order*. Provide the information in an electronic format.

B. Bench Requests to be Answered by Incumbent Local Exchange Carriers ("ILECs")

1. For each wire center in your territory in the state, provide the number of business voice-grade equivalent lines that you directly serve. Provide the information in an electronic format.

2. For each wire center in your territory in the state, provide the number of business voice-grade equivalent lines that CLECs are serving through resale. Provide the information in an electronic format.

3. For each wire center in your territory in the state, provide the number of business voice-grade equivalent lines that CLECs are serving through UNE-P. If you are unable to determine the class of customer served by the CLEC, please so indicate and provide the total number of UNE-P voice-grade equivalent lines for each wire center. Provide the information in an electronic format.

4. For each wire center in your territory in the state, provide the number of business voice-grade equivalent lines that CLECs are serving through the CLECs' own facilities. Include in the response a description of how the value was determined and the supporting calculations. Provide the information in an electronic format.

5. For each wire center in your territory in the state, provide the number of residential voice-grade equivalent lines that you directly serve. Provide the information in an electronic format.

6. For each wire center in your territory in the state, provide the number of residential voice-grade equivalent lines that CLECs are serving through resale. Provide the information in an electronic format.

7. For each wire center in your territory in the state, provide the number of

residential voice-grade equivalent lines that CLECs are serving through UNE-P. If you are unable to determine the class of customer served by the CLEC, please so indicate and provide the total number of UNE-P voice-grade equivalent lines for each wire center. Provide the information in an electronic format.

8. For each wire center in your territory in the state, provide the estimated number of residential lines that CLECs are serving through their own facilities (complete bypass). Include in the response a description of how the value was determined and the supporting calculations. Provide the information in an electronic format.

9. For each wire center in your territory in the state, please provide the number of in-service collocation arrangements that you have, and for each collocation arrangement, please indicate the type of collocation that you are providing. Provide the information in an electronic format.

10. For each wire center in your territory in the state, provide the number of provisioned collocation arrangements that you have in place that have yet to be activated, and for each collocation arrangement, please indicate the type of collocation. Provide the information in an electronic format.

11. For each wire center in your territory in the state, provide the number of pending collocation arrangements that you have, and for each collocation arrangement, please indicate the type of collocation. Provide the information in an electronic format.

12. For each wire center in your territory in the state, identify the wire centers for which there is no room for additional collocation that would require a 100 square foot collocation area. Furthermore, if you feel that some other criterion should be used to identify a wire center that is operating at full capacity, please identify the other criterion, explain why you believe it is more appropriate, and provide the information for each wire center using the 100 square foot and your own criteria. Provide the information in an electronic format.

13. For each wire center in your territory in the state, please provide a list of restrictions on equipment, cross-connects between CLEC collocation cages, or other restrictions or limitations that you place on a CLECs use of collocation space.

C. Bench Requests to be Answered by CLECs, Wireless Providers, and ILECs

1. With respect to the voice-grade equivalent lines being provided to (a) residential customers; (b) business customers to whom you provide between 1-3 voice-grade equivalent lines at one location; (c) business customers to whom you provide between 4-24 voice grade equivalent lines at one location; and (d) business customers to whom you provide 24 or more voice-grade equivalent lines (in one location), state the current average total monthly revenues earned per line served

in the state by LATA and by MSA and specify the source of those revenues by service type. Include in the response a description of how the revenue values were derived and provide the supporting work papers. Also, address how, if at all, the revenue values were adjusted to reflect that a different carrier may be used to provide interexchange service (e.g., the ILEC might provide local and intraLATA service and an IXC might provide interLATA service. The ILEC may not know the level of retail billing for the interLATA service).

2. For each switch (e.g. circuit, packet, soft switch, etc.) currently used, or those that have been used, or that could be used to provide local service in the state (this would include switches located in other states that provide or have the ability to provide local exchange service in the state), state the initial cost of that switch, including installation and engineering costs, and the number of initial equipped lines.

3. Describe in detail any instances in which your company is using, through a wholesale, lease, or resale arrangement, the switch of any entity other than and unaffiliated with an ILEC (e.g., another competitive local exchange carrier) to provide local exchange service to end users in the state. Include in your response the rates, terms, and conditions under which you are obtaining switching on a wholesale, lease, or resale basis.

4. State whether your company is providing, or plans to provide, through a wholesale, lease or resale arrangement, capacity on any switches you own or operate in the state, or that you own or operate in another state and that you use to provide local service in the state, to an unaffiliated entity. For any such instances, identify the rates, terms, and conditions under which you are making that switch capacity available. For each switch on which you are currently leasing or selling capacity to an unaffiliated entity, identify:

   a. the make, model, age, and current software upgrades of each switch;
   b. the geographic location of the switch;
   c. the footprint or geographic area served by the switch, including a list of each exchange served by the switch; the features and functions (including software upgrades) available in the switch;
   d. the capacity of each switch, including:
      (i) percentage of switch capacity in use;
      (ii) percentage of switch capacity reserved for your company's own use and future use; and
      (iii) percentage of current and future capacity of each switch that will be made available for CLEC use.
   e. For each switch identified, please state in detail:
      (i) the anticipated service life of the switch; and
      (ii) whether your company intends to utilize the identified switch for the full anticipated service life.

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF IMPLEMENTATION
OF A BATCH CUT PROCESS — Case No. 03-00403-UT

And

IN THE MATTER OF IMPAIRMENT IN ACCESS
TO LOCAL CIRCUIT SWITCHING FOR
MASS MARKET CUSTOMERS — Case No. 03-00404-UT

NOTICE OF FILING BATCH HOT CUT FORUM FINAL ISSUES MATRIX

In the Joint Motion for Adoption of a Batch Hot Cut Forum filed with this Commission on October 31, 2003, Qwest assumed the administrative role of documenting, at the conclusion of the Batch Hot Cut Forum (Forum) held by the parties, those issues the parties were able to close as well as those issues that remain at impasse concerning Qwest's proposed Batch Hot Cut proposal. Sessions of the Forum were held December 1-3, 2003, December 12, 2003, December 19, 2003 and January 6-8, 2004. Attached for the Commission's information is a copy of the Final Batch Hot Cut Issues Matrix which reflects the issues discussed during the Forum and notes whether those issues were closed or remain at impasse. The impasse issues will form the basis on which the parties will file their testimony concerning the Batch Hot Cut process.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By

Thomas W. Olson
Post Office Box 2307
Santa Fe, NM 87504-2307
(505) 982-3873
tolson@montand.com

George Baker Thomson, Jr., Esq.
Senior Attorney
(303) 672-2719
George.Thomson@qwest.com

Thomas M. Dethlefs, Esq.
Senior Attorney
(303) 672-5835
thomas.dethlefs@qwest.com

Policy and Law Department
Qwest Corporation
1801 California Street, 49th Floor
Denver, CO 80202

Attorneys for Qwest Corporation

Forums Held December 1-3, 2003
December 12, 2003
December 19, 2003
January 6-9, 2004

FINAL BATCH HOT CUT PROCESS FORUM ISSUES MATRIX

PROCESS ISSUES - EFFICIENCY					
ISSUE #	ISSUE DESCRIPTION	QWEST POSITION	CLEC POSITIONS	HISTORY	RESOLUTION/RATIONALE
P-1 (see also P-10)	Method of Initiation of a Batch Hot Cut request	The Hot Cut process is initiated by the CLEC LSRs - See also, supplemental information in "History" column	a. CLECs should be able to initiate the batch via e-mail notification that would include Central Office, project date and time, number of customer accounts, and lines involved. Qwest would respond via e-mail with the project code and a confirmation of the date which would trigger the CLEC issuing its LSR. (AT&T p. 15) b. Clarify the timing for the pre-order negotiations with CLECs for submitting orders – how is the process kicked off? What is the interval for these negotiations? (MCI-Forum) In what release will the OSS modifications be included? (MCI – Forum)	1/6/2004 – Entering a "B" on the CHC Field on the LSR will identify the orders as being associated with a batch. Entering a "B" in that field will also drive CLECs to the scheduling tool where they will schedule a day for the batch to be cut. CLECs no longer a need to provide a Project ID number. This change will require OSS modifications – likely will be included in Release 16.0 (scheduled for Oct./Nov 2004)	1/6/2004: CLOSED. Qwest will modify an existing field on the LSR (the CHC field) to indicate a batch that will include reservation number and date – information will be included on FOC. If order is rejected, reservation is not lost if the order is resubmitted within the standard interval. the same reservation number can be used. Subject to OSS change that will be prioritized in the 16.0 Release and to the extent that this OSS change impacts other items in the 16.0 release, it will be addressed in CMP. 1/6/2004 - MCI agrees to CLOSE pending development and testing of the software change to ensure it works. 1/6/2004 - AT&T and McLeod agree to CLOSE. 1/6/2004 - Sub Issue P-1b CLOSED also as to the issue of pre-order negotiations. MCI

Transcripts for all Batch Hot Cut Forums are located under the "Forum Transcripts and Exhibits" pulldown menu at: http://www.qwest.com/wholesale/training/tradeshow/batchhotcutarchive.html

**NOTE: Shaded items are closed issues.

					agrees to close subject to development and testing of the software change and successful negotiation of a transition plan.
P-2	Project Identifier for a Batch Hot Cut	The Project number is required in the LSR and consists of the letters "BHC" and the CLEC's ZCID	Clarification on how the Project number is obtained and if it is required on the LSR. (MCI – p. 12)	1/6/2004 – Based on changes discussed in P-1 above, CLECs will no longer have to provide a Project Number.	1/6/2004 – CLOSED - MCI agrees to close
P-3 See also P-23 & P-24	Can CLECs request batch cuts at any time of day?	The Batch Hot Cut Proposal is designed for Basic Installation option only Those types of sensitive circuits that require that planning need to be run through the standard hot cut process. 12/10/2003: Qwest has committed to notify the CLEC on due-date via e-mail when the batch cut begins. Batches will be completed within a relatively short period of time; therefore a coordinated installation such as is contemplated by this question is not necessary. 1/6/2004 – The Batch Hot Cuts will be done during a 3:00 a.m. to 11:00 a.m. window.	CLECs should be able to request batch cuts on any day, at any time of day. (AT&T – p. 19); 1/6/2004 – AT&T continues to want the ability to identify a specific window of time during the day in which Batch Hot Cuts are performed and does not want to be limited to the 3-11 window currently provided by Qwest's process. 1/6/2004 - AT&T will take the Trap and Trace proposal back to its operational people and will get back to Qwest on whether or not it will close the issue of method of notice of commencement/completion of the batch/ status of batch. 1/6/2004 – McLeod will take the	12/12/2003: Request from MCI: When MCI goes into the negotiation process, can it provide a notification e-mail address at that time? QWEST RESPONSE: prior to the time a CLEC submits a batch hot cut *for the first time*, the CLEC will provide a notification e-mail address to Qwest. That e-mail will then be used by Qwest to notify the CLEC that a batch hot cut has begun for all batch hot cuts for that CLEC. CLECs do not have to include the e-mail address on LSRs. How will Qwest make sure it uses the provided e-mail for batches and other e-mail addresses for other types of order activity. QWEST to respond in writing. 12/17/2003: Qwest written response: The CLEC will provide	1/6/2004 – IMPASSE as to AT&T regarding ability to identify a specific window of time during the day in which Batch Hot Cuts are performed. AT&T does not want to be limited to the 3-11 window currently provided in Qwest's process. 1/7/2004 – IMPASSE as to AT&T issue of whether or not the web-based status tool is the appropriate method of communication between Qwest and the CLECs on order status (See Related Issues P-23 & 24) 1/7/2004 IMPASSE as to McLeod on issue of whether or not the web-based status tool and the Trap and Trace capability is the appropriate method of

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