

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Qwest) Application No. C-1830
Corporation, Denver, Colorado,)
filing its notice of intention)
to file Section 271(c)) ORDER APPROVING QWEST'S
application with the FCC and) CHANGE MANAGEMENT PROCESS
request for Commission to verify)
Qwest Corporation's compliance)
with Section 271(c).) Entered: June 12, 2002

BY THE COMMISSION:

1. In November 1998, US West Communications, Inc., now known as Qwest Corporation (Qwest), presented its initial Section 271 application to this Commission and introduced evidence demonstrating its compliance with each item on the 271(c)(2)(B) checklist.

2. Checklist Item No. 2 of Section 271 of the Telecommunications Act of 1996 (Telecom Act) requires that Qwest provide "[n]ondiscriminatory access to network elements in accordance with the requirements of Sections 251(c)(3) and 252(d)(1)." The Federal Communications Commission (FCC) has defined operational support systems (OSS), including change management, as one of the unbundled network elements (UNEs) subject to Checklist Item No. 2. In evaluating change management plans under Checklist Item No. 2 of Section 271, the FCC has relied on the following factors: (1) that information relating to the change management process (CMP) is clearly organized and readily accessible to competing carriers; (2) that competing carriers had substantial input in the design and continued operation of the change management process; (3) that the change management plan defines a procedure for the timely resolution of change management disputes; (4) the availability of a stable testing environment that mirrors production; and (5) the efficacy of the documentation the RBOC makes available for the purpose of building an electronic gateway.¹ The FCC has also examined whether a

¹ Joint Application by SBC Communications Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc., d/b/a Southwestern Bell Long Distance pursuant to Section 271 of the Telecommunications Act of 1996 To Provide In-Region, InterLATA Services in Arkansas and Missouri, CC Docket No. 01-194, Memorandum Opinion and Order, FCC 01-338 (rel. Nov. 16, 2001) ("Arkansas/Missouri 271 Order"), Appendix D, at ¶ 42, citing Bell Atlantic New York Order, 15 FCC Rcd at 4002-004 (footnotes omitted).

regional Bell operating company (RBOC) has demonstrated a "pattern of compliance" with its own change management plan.²

3. Qwest's Wholesale Change Management Process appears to meet the standards set by the FCC for change management.

4. Information relating to the change management process is organized and readily accessible to competing carriers. Qwest provides easily accessible and well-organized information regarding its change management process on its wholesale web site.³ Qwest's web site sets forth the current change management process.⁴ The governing process for change management is contained in a single document -- the Wholesale CMP document. This document contains the agreements reached through extensive collaborative negotiations between the competitive local exchange carrier (CLEC) community and Qwest. Through the redesign process, CLECs have had substantial input into the organization and clarification of change management related materials on the web site.

5. CLECs have had -- and shall continue to have -- substantial opportunities for meaningful input into the design and operation of Qwest's change management process. Through the redesign process, CLECs appear to have had substantial input into the design and operation of Qwest's change management process. Qwest and the CLECs have met regularly, for more than 38 days since July 2001, to collaboratively redesign Qwest's change management procedures. Qwest regularly filed status reports on the progress of the redesign process beginning in October 2001, which include the documents discussed and the minutes from the redesign meetings.

6. Qwest's change management plan defines a procedure for the timely resolution of change management disputes. Qwest has implemented escalation and dispute resolution procedures Qwest and the CLECs jointly developed through the redesign process. The procedures are set forth in the Wholesale CMP.⁵ According to Qwest, as of April 25, 2002, the escalation procedures have been

² *Arkansas/Missouri 271 Order*, 16 FCC Rcd at 20865 (App. D, at ¶ 40); see *Massachusetts 271 Order*, at ¶ 103, citing *Texas 271 Order*, 15 FCC Rcd at 18404, ¶ 108.

³ The Qwest change management web site can be found at the following URL: <http://www.qwest.com/wholesale/cmp/index.html>.

⁴ See Wholesale CMP, which can be found at the following URL: <http://www.qwest.com/wholesale/cmp/whaticmp.html>

⁵ Wholesale CMP, Sections 14 and 15.

invoked on one occasion with regard to systems changes, and on five occasions with regard to product and process changes. However, in regard to the dispute resolution procedures, they had not yet been invoked as of April 25, 2002.

7. Qwest has demonstrated a pattern of compliance with its change management plan. The core provisions of Qwest's redesigned CMP have been implemented for more than five months. The evidence indicates that Qwest has compiled an adequate record of compliance with the redesigned CMP. During the five months in which Qwest's CMP has been implemented, Qwest has compiled an overall compliance rate that exceeds 98 percent.

8. Nonetheless, in the context of changes, which Qwest has made in the past, whether systemic or procedural, the Commission takes note of what appeared to be a lack of communication when filing and implementing its Local Service Freeze. Qwest's front line people had little or no knowledge of the changes. CLECS had not been informed. At a public hearing, a Qwest attorney stated that it was filed with their SGAT. This Commission ultimately ordered them to withdraw the filing. Much public and CLEC concern could have been eliminated had there been a more complete orientation for Qwest's own employees.

9. On the wholesale side, KPMG, the Regional Oversight Committee (ROC) Operational Support Systems (OSS) test administrator, discovered a number of CLEC orders being either mishandled or rejected due to what Qwest calls "human error." While Qwest asserts that adequate training has been provided to affected employee groups, this was a recent development, and therefore, very little hard evidence exists to validate whether this problem has truly been corrected. With KPMG unable, at this time, to confirm or deny long-term compliance, this open issue was left closed, unresolved.

10. Such examples, as noted above, could be indicative of a lack of follow through, feedback and/or control. As such, while this Commission notes Qwest's recent improvements in this area, these examples demonstrate the need for the Commission's continued oversight of Qwest's Change Management Processes.

11. Qwest does appear to have met the FCC requirements regarding the efficacy of the documentation it makes available for the purpose of building an electronic gateway. Qwest makes available detailed interface design specifications to enable competing carriers to modify or design their systems in a manner that will enable them to communicate with Qwest's systems and

any relevant interfaces. The efficacy of Qwest's electronic data interchange (EDI) documentation is demonstrated by commercial data, which show that 29 CLECs (excluding two pseudo-CLECs) have been able to construct and use EDI interfaces. The Third Party Test results also support the conclusion that Qwest's EDI documentation provides CLECs with sufficiently detailed interface design specifications.

12. Furthermore, according to the record, Qwest has implemented a stable test environment that mirrors the production environment. As part of the end-to-end interface testing process, Qwest provides two alternative testing environments to CLECs, each of which is a stable test environment that mirrors production. One is Qwest's stand-alone test environment (SATE), and the other is Qwest's interoperability environment. CLECs may test in either or both, as they choose.

13. Commercial results appear to support these conclusions as well. To date, five individual CLECs, as well as five others through a service bureau, have successfully completed testing using SATE and have achieved production status for EDI implementation of pre-ordering capabilities. A total of ten carriers have achieved production status after testing through SATE (individually or through a service bureau).

14. One of the provisioning PIDs, PO-19, measures the percentage of SATE test transactions that are successfully completed for a software release or mid-release performance test based upon the transactions reported in the Qwest SATE Document. In a January meeting, the Regional Oversight Committee Technical Advisory Group (ROC TAG) agreed that a 95 percent benchmark should apply to PO-19 beginning in March. As reflected in the commercial performance results, Qwest met the 95 percent standard for March. For the three months prior to March, Qwest also met or came close to meeting this 95 percent standard. For the four-month period between December 2001 and February 2002, Qwest successfully executed 98.73, 94.57, 95.38 and 97.10 percent of test transactions within SATE. Thus, Qwest either met the current benchmark or fell only a fraction of a percentage point short of it during the past four months.

15. In conclusion, the Commission finds that Qwest's change management process meets the FCC's criteria for Section 271 relief: (1) information relating to the change management process is clearly organized and readily accessible to competing carriers; (2) competing carriers have had substantial input in the design and continued operation of the change management

process; (3) Qwest's change management plan defines a procedure for the timely resolution of change management disputes; (4) Qwest makes available a stable testing environment that mirrors production; (5) Qwest makes available adequate documentation for the purpose of building an electronic gateway; and (6) Qwest has demonstrated a pattern of compliance with its change management plan.

16. However, as noted above, this Commission expects continued improvement in regards to Qwest's Change Management Process. It is our opinion that Qwest's change management process can make or break competition. Accordingly, the Nebraska Commission will continue to monitor Qwest's performance in this area and immediately take action should Qwest's efforts not continue to meet or exceed the requirements set forth herein.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Qwest's change management process meets the FCC's criteria as required by Sections 251(c)(3) and 252(d)(1) of the Telecommunications Act of 1996 as set forth above.

MADE AND ENTERED at Lincoln, Nebraska, this 12th day of June, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director