

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Qwest Corpora-) Application No. C-2750
tion, Denver, Colorado, seeking)
approval of PO-20 for inclusion) Request Denied
in the Qwest Performance)
Assurance Plan (QPAP).) Entered: January 7, 2003

APPEARANCES:

For the Commission:
Chris A. Post
300 The Atrium
1200 N Street, Suite 300
Lincoln, NE 68508

For Qwest:
Jill Vinjamuri
1650 Farnam Street
Omaha, NE 68102

and

For AT&T:
Steve Weigler
1875 Lawrence Street
Suite 1500
Denver, CO 80202

Lynn Stang
1801 California Street
Suite 4900
Denver, CO 80202

BY THE COMMISSION:

On August 19, 2002, Qwest Corporation (Qwest) filed an application seeking approval of a new PO-20 performance measurement and payment scheme for inclusion in the Qwest Performance Assurance Plan (QPAP). Notice of the application was published in The Daily Record, Omaha, Nebraska, on August 23, 2002. A hearing on this matter was held October 28, 2002, in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska, with appearances as shown above.

O P I N I O N A N D F I N D I N G S

Ms. Lynn Stang, on behalf of Qwest, did not call a witness, but instead, personally presented Qwest's position regarding the proposed inclusion of a new PO-20 performance measurement and payment scheme in Qwest's QPAP. She indicated that the proposed PO-20 is a pre-order measurement which was created to address manual service order accuracy and was intended to measure the degree to which Qwest accurately processes a local service request submitted by competitive local exchange carriers (CLECs) electronically but which are manually processed.

Ms. Stang recognized that Qwest developed the new PO-20 without going through the collaborative process. However, she

stated that it was Qwest's position that the Commission should accept the proposed PO-20 now and allow Qwest to make revisions, if necessary, as the proposed PO-20 went through the long-term PID administration or at the Commission's six-month review.

Mr. John Finnegan, the witness for AT&T, testified that it was AT&T's position that the proposed PO-20 should not be adopted in its current form, as it did not go through the collaborative long-term PID administration process. He indicated that the currently proposed PO-20 was not adequate in AT&T's opinion. Instead, it is AT&T's position that the Commission should: 1) Deny Qwest's request to adopt the proposed PO-20; 2) Order Qwest to collaborate with the parties to develop as much as possible a mutually agreeable PID; and 3) If necessary, bring the disputed issues back to the Commission for resolution.

In light of the concerns expressed by AT&T and the fact that Qwest did not follow the Commission adopted procedure for instituting a new PID through the collaborative process, the Commission declines to accept the Qwest proposed PO-20. Instead, the Commission directs Qwest to develop a new PO-20 using the collaborative process that includes other interested parties and re-file the resulting performance measurement as soon as it is completed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Qwest proposed PO-20 is not approved.

IT IS FURTHER ORDERED that Qwest shall develop a new PO-20 using the collaborative process that includes other interested parties and re-file the resulting performance measurement as soon as it is completed.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of January, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director