

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF THE REQUEST BY)
U S WEST COMMUNICATIONS, INC. FOR) DOCKET NO. 99-049-05

DECLARATION OF COMPLIANCE WITH R746-365-))
4(B)(2)(c)(iv) OR ALTERNATIVE))
TEMPORARY EXEMPTION))

DIRECT TESTIMONY

OF

PEGGY N. EGBERT

FOR THE

DIVISION OF PUBLIC UTILITIES
DEPARTMENT OF COMMERCE
STATE OF UTAH

June 18, 1999

1 **Q. PLEASE STATE YOUR NAME.**

2 A. My name is Peggy N. Egbert.

3 **Q. BY WHOM ARE YOU EMPLOYED AND WHAT ARE YOUR**
4 **RESPONSIBILITIES?**

5 A. I am employed by the State of Utah, Department of
6 Commerce, as a rate engineer in the Division of Public
7 Utilities, Telecommunication Section. My work address is
8 160 East 300 South, Salt Lake City, Utah. My general
9 responsibilities include regulated service and operations
10 evaluations, cost and rate studies, competitive entry and
11 related issues, quality of service monitoring and Extended
12 Area Service (EAS), Utah Universal Service Fund (USF)
13 qualifying analysis and development and analyzation of
14 TELRIC cost models and studies.

15

16 **Q. HAVE YOU FILED TESTIMONY FOR THE DIVISION IN THIS DOCKET?**

17 A. Yes I have.

18

19 **Q. PLEASE STATE THE PURPOSE OF YOUR TESTIMONY.**

20 A. The purpose of this testimony, is to present the
21 Division's position on the Direct Testimony filed by Jane K.
22 Smith for U S West Communications, Inc.

23

24 **Q. DOES THE DIVISION STAFF SUPPORT THE "JOINT PETITION FOR**
25 **DECLARATORY ORDER AND FOR AMENDMENT OF RULE" SUBMITTED BY**

1 **THE PARTIES IN THIS CASE? .**

2

3 A. Yes we do. A technical conference was held for the
4 purpose of discussing the US West Operations Support Systems
5 (OSS)that were critical to a CLEC's operation. In this
6 meeting the Division observed that all parties agreed that
7 the system interfaces that are critical, are the functions
8 of pre-ordering, ordering, provisioning, maintenance, repair
9 and billing.

10 The Division Staff supports the industry in its
11 Petition that the Commission consider amending their rule to
12 reflect only those OSS interfaces that are necessary for a
13 CLEC to conduct business (six listed above). Based on the
14 information we have been provided to date, we believe that
15 US West's "Network Administration" and "Engineering"
16 databases should not be accessible to a CLEC or reseller.

17

18 **Q. DOES THE DIVISION STAFF ALSO SUPPORT THE CHANGES US WEST**
19 **HAS PROPOSED TO RULE R746-365-3(B)?**

20 A. Based on the information that has been provided to
21 Division Staff at this time, we believe that it makes sense
22 to amend the rule to reflect the possibility that the two
23 companies may come to an agreement on the due date for
24 collocation that is greater or lesser than the 45 days
25 reflected in the Commission rule.

1 To amend the rule as US West has suggested would allow
2 agreements between companies and may circumvent the need for
3 U S West to file waivers to the Commission Rule even when
4 both companies are in agreement of the time frames.

5 The Division Staff is continuing its investigation on
6 this matter and will comment in its Rebuttal Testimony if
7 there is new information or further opinions or conclusions
8 to report.

9

10 **Q. HAS THE DIVISION STAFF REVIEWED US WEST'S PROGRESS OF**
11 **COMPLYING WITH THE COMMISSION'S ORDER AS IT RELATES TO OSS**
12 **SYSTEMS?**

13 A. Yes we have. The Division Staff met with US West and
14 reviewed the status of the six OSS functions and the
15 measurement development that is required by the Commission
16 rules. During our discussion we were told by the Company
17 that by the fourth quarter 1999, all but the billing credit
18 interface and measurements will be completed.

19 The Division did not have the opportunity to observe
20 the actual operation of the OSS interfaces, nor did we
21 observe the actual measurement output reports.

22

23 **Q. WHAT DOES THE DIVISION RECOMMEND AS IT RELATES TO US**
24 **WEST'S DEVELOPMENT OF THE OSS INTERFACES AND MEASUREMENTS?**

25 A. To assure an expedient developmental process, the

1 Division recommends that the Commission require US West to
2 estimate the time required to complete the measurement and
3 reporting processes that are necessary to comply with the
4 Commission's Carrier-to-Carrier rules. Once they have
5 provided a time-line, we suggest that the Commission set a
6 date specific deadline and require US West to provide
7 periodic status reports to the Division until the project is
8 complete.

9

10 **Q. DOES THE DIVISION AGREE WITH MS SMITH'S REASONING OF WHY**
11 **US WEST CANNOT RESTORE SERVICE OUTAGES WITHIN FOUR HOURS?**

12 A. Not entirely. U S West makes the claim that it is costly
13 to restore service outage in four hours, but to date has not
14 provided proof or a cost analysis for the Division to
15 review. To validate US West's claim, the Division Staff will
16 need more detailed information.

17 The Division Staff recommends that the Commission Order
18 US West to establish a cost methodology for the purpose of
19 estimating the actual cost to the Company to support their
20 accusations.

21 Additionally, Ms. Smith claims that compliance will
22 cause "undue hardship" but does not explain what in meant by
23 "undue hardship." It would be beneficial for Ms. Smith to
24 define, in detail, what is meant by her statement.

25

PNE 06/18/99 DOCKET NO. 99-049-05.

1 Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?

2 A. Yes it does.

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