



August 5, 2010

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TO:Kim Isaacs

Announcement Date:	August 5, 2010
Proposed Effective Date:	September 13, 2010
Notification Number:	PROD.INTE.08.05.10.F.07881.UBL_ADSL_V24
Notification Category:	Product Notification
Target Audience:	CLECs, Resellers
Subject:	CMP- Unbundled Local Loop - Asymmetric Digital Subscriber Line (ADSL) Compatible Loop - V24.0
Level of Change:	Level 3

Summary of Change:

On August 5, 2010, Qwest will post planned updates to its Wholesale Product Catalog that includes new/revised documentation for Unbundled Local Loop - Asymmetric Digital Subscriber Line (ADSL) Compatible Loop - V24.0. These will be posted to the Qwest Wholesale Document Review site at <http://www.qwest.com/wholesale/cmp/review.html>.

Qwest is updating this document to include a change in process. In the Implementation section of this document under Provisioning and Installation, information is being added regarding performance testing. Additionally, information is being added to clarify that service requests will be rejected if they do not meet the performance test parameters applicable to the product selected by the CLEC and that the standard jeopardy procedure will be followed.

Current operational documentation is found on the Qwest Wholesale Web site at <http://www.qwest.com/wholesale/pcat/unloopadslcompatloop.html>.

Comment Cycle:

Qwest encourages you to review the planned documentation changes and submit questions or comments at any time during the comment cycle as listed in the table below. Qwest will have up to 15 days following the close of the comment review to respond to any CLEC comments. This response will be included as part of the final notification. Qwest will not implement the change sooner than 15 days following the final notification.

Qwest provides an electronic means for CLEC customers to comment on proposed changes. The Document Review Web site provides a list of all documents that are in the review stage, the process to use to comment on documents, the submit comment link, and links to current documentation and past review documents. The Document Review Web site is found at <http://www.qwest.com/wholesale/cmp/review.html>.

To submit questions or comments on these changes, go to the Qwest Wholesale CMP Comment Process page at <http://qwestapps.com/wholesale/cmp/comment.cfm> and fill in all fields. Or you may submit comments by e-mail to cmpcomm@qwest.com. Be sure to reference the Notification Number listed above.

These documents will remain on the Qwest Wholesale Document Review Web site until the end of the comment cycle and will then be moved to the Qwest Wholesale Document Archive at http://www.qwest.com/wholesale/cmp/review_archive.html.

Timeline:

Planned updates available on Document Review Web site	August 5, 2010
CLEC Comment Cycle begins	August 6, 2010
CLEC Comment Cycle ends	5:00 PM MT, August 20, 2010
Qwest response to CLEC Comments (if applicable)	August 27, 2010 http://www.qwest.com/wholesale/cmp/review_archive.html
Proposed Effective Date	September 13, 2010

If you have any questions on this subject, please submit comments at <http://qwestapps.com/wholesale/cmp/comment.cfm>.

Sincerely,

Qwest Corporation

Note: If you would like to subscribe, unsubscribe or change your current profile to Qwest Wholesale mailouts please go to the 'Subscribe/Unsubscribe' web site and follow the subscription instructions. The site is located at:

<http://www.qwest.com/wholesale/notices/cnla/maillist.html>

cc: Stephanie Smith

Maryann Wiborg or Rita Urevig

Qwest Communications, 120 Lenora St, 11th Floor, Seattle WA 98121

Unbundled Local Loop – Asymmetric Digital Subscriber Line (ADSL) Compatible Loop – ~~V23-0~~V24.0

History Log (Link blue text to: [Replace Existing Download With attached Unbundled Local Loop – Asymmetric Digital Subscriber Line \(ADSL\) Compatible Loop History log](#))

NOTE: Existing Resale Qwest DSL service was grandparented effective January 28, 2006 and will not be available as a new service. Likewise, ADSL compatible UBL is not available in new contracts executed on the Negotiations Template after March 19, 2007. CLECs who sign the new contract will be able to maintain their existing ADSL Compatible UBLs until they are disconnected. No new ADSL Compatible UBLs can be ordered under this new contract. For information on alternative UNE products, contact your Qwest Sales Executive.

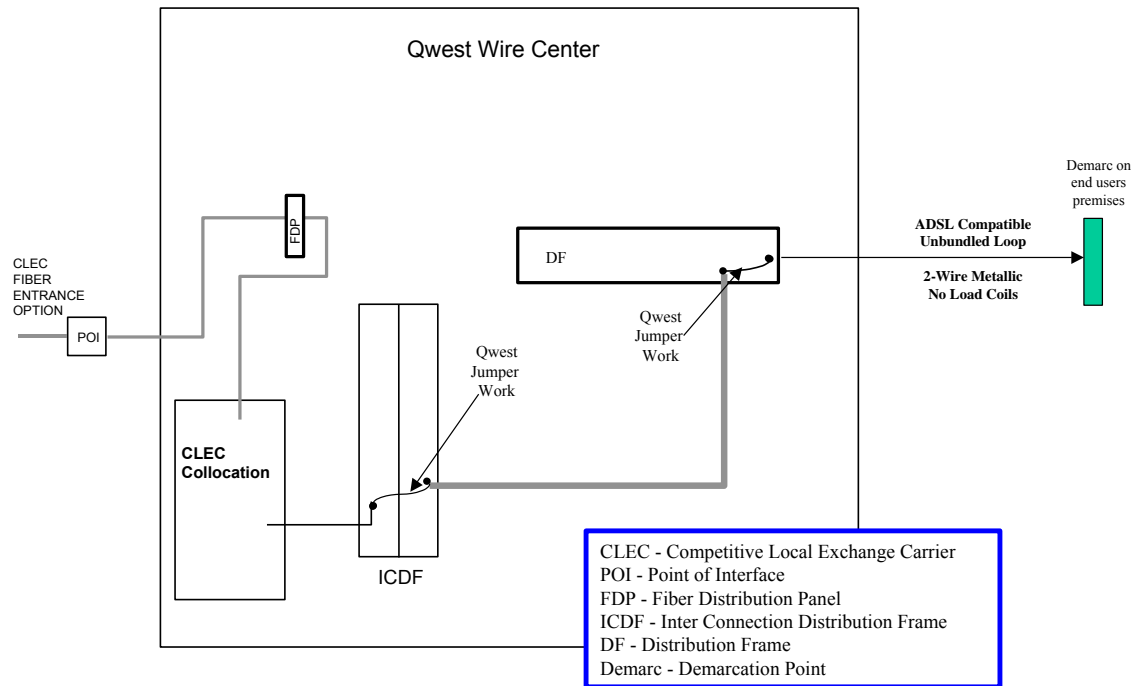
Product Description

Unbundled Local Loop Asymmetric Digital Subscriber Line (ADSL) Compatible Loop is an unbundled 2-wire metallic facility that establishes a transmission path between a Qwest Central Office (CO) Distribution Frame or equivalent and the loop demarcation point at an end-user premises. ADSL Compatible Loop is provided with the following characteristics:

- Metallic, Exchange cable facilities without Qwest active or passive equipment
- Facilities without Load Coils or Build out Capacitance
- Possibility of mixed gauges of cable
- Facilities that may have limited amounts of remaining Bridged Tap

General information regarding Unbundled Local Loop products is located in [Unbundled Local Loop – General Information](#). (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html>)

Product Diagram



Availability

ADSL Compatible Loop is available where facilities exist throughout [Qwest's 14-state local service territory](http://www.qwest.com/wholesale/pcat/territory.html). (Link blue text to: <http://www.qwest.com/wholesale/pcat/territory.html>)

Terms and Conditions

General Interconnection Agreement, regulations and policy information for ADSL Compatible Loop is described in the [Terms and Conditions](http://www.qwest.com/wholesale/pcat/unloop.html#pri) section of Unbundled Local Loop - General Information. (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html#pri>)

Technical Publications

Technical characteristics, including network Channel/Network Channel Interface (NC/NCI™) codes are described in Technical Publication, [Interconnection – Unbundled Loop](http://www.qwest.com/techpub/77384/77384.pdf), 77384. (Link blue text to: <http://www.qwest.com/techpub/77384/77384.pdf>)

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Pricing

Rate Structure

Recurring charges are comprised of the following rate elements:

- ADSL Compatible Loop
- Interconnection Tie Pair (ITP), per connection (two ITP for 4-Wire)

Recurring charges are billed on a month-to-month basis. Nonrecurring charges are billed at the time service is rendered. Term contracts are not available.

Nonrecurring charges depend on the Installation option chosen. Nonrecurring charges are billed at the time service is rendered. Term contracts are not available. A nonrecurring charge applies to the installation of service(s) and in some states a disconnect service(s) charge will apply.

Additional charges can apply. See Rate Structure under the [Pricing](#) section of Unbundled Local Loop - General Information. (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html#pri>)

Rates

Rates are available in Exhibit A or the specific rate sheet in your Interconnection Agreement. If there are elements that are not in your Interconnection Agreement, contact your [Qwest Service Manager](#). (Link blue text to: <http://www.qwest.com/wholesale/clecs/accountmanagers.html>)

Tariffs, Regulations and Policies

Tariffs, regulations and policies are located in the state specific [Tariffs/Catalogs/Price Lists](#). (Link to: <http://tariffs.qwest.com:8000/>)

Optional Features

There are no optional features available with ADSL Compatible Loop.

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Features / Benefits

Features	Benefits
Market Presence	<ul style="list-style-type: none">• Allows you to provide Local Exchange services to your end-users
Low Cost	<ul style="list-style-type: none">• Allows you to lease facilities from Qwest at wholesale rates

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Applications

See Features/Benefits.

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Implementation

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Product Prerequisites

If you are a new Competitive Local Exchange Carrier (CLEC) and are ready to do business with Qwest, view [Getting Started as a Facility-Based CLEC](#). (Link to: http://www.qwest.com/wholesale/clecs/clec_index.html) If you are an existing CLEC wishing to amend your Interconnection Agreement or your New Customer Questionnaire, additional information is located in the [Interconnection Agreement](#). (Link blue text to: <http://www.qwest.com/wholesale/clecs/negotiations.html>)

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Pre-Ordering

General pre-ordering activities are described in the [Pre-Ordering Overview](#). (Link blue text to: <http://www.qwest.com/wholesale/clecs/preordering.html>) The [Interconnect Mediated Access \(IMA\) User's Guide](#) specifically details the information applicable to pre-ordering functions. (Link blue text to: <http://www.qwest.com/wholesale/ima/gui/imauser.html>)

Loop Qualification

The Interconnect Mediated Access (IMA) User's Guide together with the Loop Qualification Raw Loop Data and CLEC Job Aid detail the information applicable to pre-ordering functions.

Qwest strongly recommends use of pre-ordering functionality to assist in achieving increased service request flow through and accuracy, which will result in reduced service request rejects.

The following activities may need to be performed by you in preparation for the issuance of the service request:

- Validate address
- Check facility availability
- Validate Connecting Facility Assignment (CFA)
- Review Customer Service Record (CSR)
- Loop Qualification – Query Unbundled Loop
- Query Raw Loop Data (RLD)

Information about the IMA based loop qualification queries are available in the [IMA User's Guide](#) (Link blue text to: <http://www.qwest.com/wholesale/ima/gui/imauser.html>) or the [Pre-Ordering Overview](#). (Link blue text to: <http://www.qwest.com/wholesale/clecs/preordering.html>) The [IMA Loop Qualification and Raw Loop Data-CLEC Job Aid](#) (Link blue text to: http://www.qwest.com/wholesale/training/desc_loopqualjobaid.html) is a web-based training course designed to provide valuable information and instructions on how to use and interpret IMA-based loop qualification queries and the raw loop data queries.

These activities will enable you to verify the type of facility and the loop make-up of the Unbundled Local Loop, which will assist you in identifying the appropriate service request intervals located in the [Service Interval Guide \(SIG\)](#). (Link blue text to: <http://www.qwest.com/wholesale/guides/sig/index.html>)

Additional pre-ordering information is available in the [Pre-Ordering](#) section of Unbundled Local Loop - General Information. (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html#preorder>)

Ordering

General ordering activities are described in the [Ordering Overview](#) (Link blue text to: <http://www.qwest.com/wholesale/clecs/ordering.html>) and in the [Ordering](#) section of Unbundled Local Loop - General Information. (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html#order>)

Unbundled Local Loop Installations Options:

Six installation options are available for Unbundled Local Loop. Detailed information about the different installation options is available in the [Ordering](#) section of Unbundled Local Loop - General Information. (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html#order>)

Circuit ID (ECCKT)

ADSL Compatible Loops are assigned with Circuit Identification numbers. Detailed information about the Circuit Identification number format is available in the [Ordering section of Unbundled Local Loop - General Information](#). (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html#order>)

Conditioning

ADSL Compatible Loop may require conditioning (removal of Load Coils and/or Interfering Bridged Taps). Specific information on loop conditioning is available in the [Ordering section of the Unbundled Local Loop - General Information](#). (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html#order>)

Required Forms and Activity Types

ADSL Compatible Loop service requests are submitted using the following Local Service Ordering Guidelines (LSOG) forms:

- Local Service Request (LSR)
- End User (EU)
- Loop Service (LS)
- Directory Listing (DL), if applicable

Field Entry requirements are described in the [LSOG](#). (Link blue text to: <http://www.qwest.com/wholesale/clecs/lsoq.html>) Valid LSR ACT types are described in the [Ordering](#) section of Unbundled Local Loop - General Information. (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html#order>)

Service requests should be placed using Interconnect [Mediated Access \(IMA\) Extensible Markup Language \(XML\)](#), (Link blue text to: <http://www.qwest.com/wholesale/ima/xml/index.html>) [IMA Graphical User Interface \(GUI\)](#), (Link blue text to: <http://www.qwest.com/wholesale/ima/gui/index.html>) or faxed to (888) 796-9089.

A Design Layout Record (DLR) request) is described in the [IMA XML Network Disclosure Document](http://www.qwest.com/disclosures/netdisclosure409.html) (Link blue text to: <http://www.qwest.com/disclosures/netdisclosure409.html>) and the [IMA User's Guide](http://www.qwest.com/wholesale/ima/gui/imauser.html). (Link blue text to: <http://www.qwest.com/wholesale/ima/gui/imauser.html>)

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Provisioning and Installation

General provisioning and installation activities are described in the [Provisioning and Installation Overview](http://qwest.com/wholesale/clecs/provisioning.html) (Link blue text to: <http://qwest.com/wholesale/clecs/provisioning.html>) and in the [Provisioning and Installation](http://www.qwest.com/wholesale/pcat/unloop.html#pro) section of [Unbundled Local Loop - General Information](#). (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html#pro>)

Firm Order Confirmation (FOC) intervals are located in the [SIG](http://www.qwest.com/wholesale/guides/sig/index.html). (Link blue text to: <http://www.qwest.com/wholesale/guides/sig/index.html>)

A jeopardy occurs on a service request if a condition exists that threatens timely completion. Jeopardy notifications are described in the [Provisioning and Installation Overview](http://www.qwest.com/wholesale/clecs/provisioning.html). (Link blue text to: <http://www.qwest.com/wholesale/clecs/provisioning.html>)

Cooperative Testing information is available in the [Provisioning and Installation](http://www.qwest.com/wholesale/pcat/unloop.html#pro) section of [Unbundled Local Loop - General Information](#). (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html#pro>)

[Performance testing available on ADSL Compatible Loop is specified in your Interconnection Agreement \(ICA\). In addition to such tests, Qwest will also test Insertion Loss at 1004 Hertz \(Hz\). Test results will be provided to you through CEMR.](#)

~~Performance testing available on ADSL Compatible Loop includes:~~

- ~~•No Load Coils, Opens, Grounds, Shorts, Noise, or Foreign Volts~~
- ~~•Insertion Loss at 1004 Hertz (Hz)~~

Transmission performance parameters and limits are available in the Technical Publication, [Interconnection – Unbundled Loop, 77384](http://www.qwest.com/techpub/77384/77384.pdf). (Link blue text to: <http://www.qwest.com/techpub/77384/77384.pdf>)

Loss and Completion Reports are generated based on loss and gain account activity. Loss and Completion Reports are described in [Billing Information – Additional Outputs – SMDR, Completion Report, Loss Report](#). (Link blue text to: <http://www.qwest.com/wholesale/clecs/output.html>)

Spectrum Management information is available in the [Provisioning](http://www.qwest.com/wholesale/pcat/unloop.html#pro) section of [Unbundled Local Loop - General Information](#). (Link blue text to: <http://www.qwest.com/wholesale/pcat/unloop.html#pro>)

[Service requests can be rejected for various reasons including not meeting the performance testing parameters specified in your ICA. In these instances, Qwest will place the order in jeopardy using the C31 jeopardy code and the standard jeopardy process will be followed. Error and rejection notifications are described in the Ordering Overview. Service request can be rejected for various reasons. Error and rejection notifications are described in the Ordering Overview.](http://www.qwest.com/clecs/ordering.html) (Link blue text to: <http://www.qwest.com/clecs/ordering.html>)

Hours of Operation

Installation hours are described in the Provisioning and Installation section of [Unbundled Local Loop – General Information](#). (Link italicized text to: <http://www.qwest.com/wholesale/pcat/unloop.html#pro>)

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Maintenance and Repair

General maintenance and repair activities are described in the [Maintenance and Repair Overview](#). (Link blue text to: <http://www.qwest.com/wholesale/clecs/maintenance.html>)

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Billing

Customer Records and Information System (CRIS) billing is described in [Billing Information – Customer Records and Information System \(CRIS\)](#). (Link blue text to: <http://qwest.com/wholesale/clecs/cris.html>)

Training

View Qwest courses by clicking on [Course Catalog](#). (Link blue text to <http://www.qwest.com/wholesale/training/coursecatalog.html>)

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Contacts

Qwest contact information is located in [Wholesale Customer Contacts](#). (List blue text to: <http://www.qwest.com/wholesale/clecs/customercontacts.html>)

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Frequently Asked Questions (FAQs)

This section is currently being compiled based on your feedback.

Last Update: ~~May 27, 2009~~[September 13, 2010](#)

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META Tags: Unbundled Local Loop, Unbundled Loop, Asymmetric Digital Subscriber Loop, Unbundled ADSL, LXR-

From: Johnson, Bonnie J.
Sent: Wednesday, August 18, 2010 3:40 PM
To: 'cmpcr@qwest.com'
Cc: Isaacs, Kimberly D.; Johnson, Bonnie J.; Julia Redman-Carter (julia.redman-carter@paetec.com)
Subject: PROD.INTE.08.05.10.F.07881.UBL_ADSL_V24

Mark/Qwest,

Due to the length of Integra's comments and formatting issues that occur when comments are submitted via the website, I am providing a courtesy copy of Integra's comments in the attached WORD document.

Thanks,

Bonnie

Bonnie Johnson | Director Carrier Relations
direct 763.745.8464 | fax 763.745.8459
Integra Telecom | 6160 Golden Hills Drive | Golden Valley, MN 55416-1020
bjjohnson@integratelecom.com



8/18/10

Integra and its affiliates (“Integra”) provide these comments, questions, and objections to Qwest’s level 3 notification and proposed changes:

As a general matter, before Integra can fully comment and formulate a position, Qwest needs to better explain how its process is changing and, because Qwest’s proposed PCAT changes relate to performance testing, explain: (1) what performance tests if any Qwest performs now that Qwest will cease performing as a result of the changes; and (2) what performance tests Qwest will perform after the PCAT changes are implemented if any that Qwest does not perform today; and (3) for both, under what circumstances (and will those circumstances change as a result of these PCAT changes). As part of answering these questions, provide specific testing information (*e.g.*, 1004 Hz versus 196 kHz; whether wideband noise and impulse noise testing is conducted today and whether this will change as result of the PCAT changes).

As this is a Level 3 change, something must be changing from the current situation in which Qwest has grandparented ADSL and takes a narrow view of ICA language. What is the practical effect of the proposed PCAT changes? Please answer the specific questions below as well.

Proposed Deletion

Currently, according to Qwest’s notification, Qwest’s ADSL Compatible Loop product catalog (“PCAT”) contains the following language, which Qwest proposes to delete:

Performance testing available on ADSL Compatible Loop includes:

- No Load Coils, Opens, Grounds, Shorts, Noise, or Foreign Volts
- Insertion Loss at 1004 Hertz (Hz)

Qwest does not explain why it is proposing deletion of the first bullet, as Qwest should test for No Load Coils, Opens, Grounds, Shorts, Noise, or Foreign Volts. Please explain. Qwest does not explain why it is proposing deletion of the second bullet instead of modification of that bullet to indicate that Insertion Loss at 1004 Hertz (Hz) is in addition to testing at digital parameters. Please explain.

Qwest’s notification is a Level 3 notification, which indicates “a change in process.” If Qwest were simply documenting an existing process, Qwest would have designated the change as Level 2, per CMP Document Section 5.4.3 (“Documentation concerning existing processes/products not previously documented”). Therefore, Qwest’s PCAT change recognizes that, until now, Qwest has in these cases limited testing to voice parameters (1004 Hz).

As Integra has indicated in CMP previously, Qwest’s current position that it can limit testing for conditioned copper loops to voice transmission parameters is inconsistent with industry standards and 47 CFR §51.319(a)(1)(iii)(C). See Integra’s Escalation of CR #PC082808-1IGX (March 20, 2009). If the meaning of the proposed deletion of 1004 Hz in the second bullet point is that Qwest will no longer limit testing to voice transmission parameters, Integra agrees that Qwest cannot limit testing for conditioned copper loops to voice transmission parameters.

It is unclear if the previous paragraph identifies Qwest's reason for the change in process. Qwest's August 10, 2010 notices states simply that: "Qwest is updating this document to include a change in process. In the Implementation section of this document under Provisioning and Installation, information is being added regarding performance testing. Additionally, information is being added to clarify that service requests will be rejected if they do not meet the performance test parameters applicable to the product selected by the CLEC and that the standard jeopardy procedure will be followed." Please explain.

An alternate reason for Qwest to delete this language is because Qwest will not offer performance testing for ADSL compatible loops at all (including via interconnection agreement that refer to Qwest's PCAT or industry standards), unless a particular parameter is "specified" in an ICA (as discussed below) due to previous Qwest grandparenting of ADSL. If that is the reason for the deletion, the revision to the PCAT does not reflect a change in Qwest's current process. As indicated in the existing note at the top of Qwest's current ADSL compatible loop PCAT:

NOTE: Existing Resale Qwest DSL service was grandparented effective January 28, 2006 and will not be available as a new service. Likewise, ADSL compatible UBL is not available in new contracts executed on the Negotiations Template after March 19, 2007. CLECs who sign the new contract will be able to maintain their existing ADSL Compatible UBLs until they are disconnected. No new ADSL Compatible UBLs can be ordered under this new contract. For information on alternative UNE products, contact your Qwest Sales Executive.

Integra has previously informed Qwest of its objections to Qwest's grandparenting of ADSL compatible loops as contrary to the law. See FCC Report and Order and NPPR, FCC 05-150 Adopted: 8/5/05 Released: 9/23/05 ["Broadband Order"], ¶¶126-127. Integra has also previously objected in CMP to Qwest's "productization" of ADSL compatible loops. If Qwest's products or processes (or lack of a product due to grandparenting) are inconsistent with the law, the law controls and any flaws in Qwest's products or processes need to be brought into compliance with the law. It is not an adequate response to any of the operational, legal and contractual issues raised by Integra to argue that Qwest did not choose to develop its "product" that way. Qwest cannot escape its obligations through productization. There is no exception in the rules or FCC orders (e.g., TRO ¶23; 47 CFR §51.319) to the effect that Qwest must unbundle xDSL capable loops unless Qwest chooses to develop a different product. See Integra's Escalation of CR #PC082808-1IGX (March 20, 2009). If the proposed deletion of the above-quoted language from the PCAT confirms Qwest's grandparenting of ADSL compatible loops, Integra disagrees and objects to the change. Instead of removing the language, Qwest should revise it to reflect that Qwest will perform the performance testing necessary to assure that the facility meets appropriate performance parameters, including testing at 196 kHz. This language appears under the heading of "Provisioning and Installation," and Qwest must deliver a working loop conditioned to transmit the digital signals needed to provide ADSL.

First Proposed Insertion

Instead of the above-quoted language, which Qwest proposes to delete, Qwest proposes to insert the following language in the PCAT:

Performance testing available on ADSL Compatible Loop is specified in your Interconnection Agreement (ICA). In addition to such tests, Qwest will also test Insertion Loss at 1004 Hertz (Hz). Test results will be provided to you through CEMR.

Integra agrees that interconnection agreements control over the PCAT. That, however, is not a change in process. The Scope section of the CMP Document (§1.0) already makes this clear.

Qwest's use of the term "specified in" before "your Interconnection Agreement" (here and in the insertion quoted below) suggests that Qwest is attempting to limit the kind of interconnection agreement terms that Qwest will recognize before Qwest will provide performance testing for ADSL when ADSL is in a CLEC's ICA. If so, Integra disagrees. What does Qwest mean with this proposed language? If, for example, an ICA provides that a CLEC may order two-wire loops that are conditioned to transmit the digital signals needed to provide ADSL but it does not specify a particular testing parameter (*e.g.*, 196 kHz), will Qwest limit testing to voice transmission parameters? Or, will Qwest test to digital parameters (*e.g.*, including 196 kHz)? Please describe the performance testing that Qwest will perform, after it implements its proposed PCAT changes, in this scenario.

Integra will also use a specific example to attempt to gain clarity as to what Level 3 change in operating procedures will occur as a result of Qwest's PCAT changes. Please review the current Utah Qwest-Integra ICA, including Sections 3.48 (xDSL includes conditioned copper loops including but not limited to ADSL), 3.4.9 (ICA terms, which includes line conditioning, have the meaning as in the Act and regulations implementing the Act), 8.2.4.1.2 (Qwest "shall provide to Integra two-wire . . . Loops, conditioned if necessary, such that they are capable of carrying digital signals.") As the magic term "196 kHz" is not used, Qwest could conceivably argue that testing at 196 kHz is not "specified" in the ICA, even though the ICA specifies "digital signals." What is Qwest's position? Integra orders ADSL compatible loops today in Utah using the NC code of LXR- (unlike Integra of Oregon, for which Qwest claims Integra cannot order using LXR-, see below).

What performance testing parameters does Qwest believe are "specified" in the current Qwest-Integra Utah ICA?

Today, before the proposed PCAT changes, what performance testing parameters does Qwest perform for ADSL compatible loops ordered by Integra in Utah?

After implementation of the proposed PCAT changes, what performance testing parameters will Qwest perform for ADSL compatible loops ordered by Integra in Utah?

If Qwest is attempting to limit the kind of interconnection agreement terms that Qwest will recognize before Qwest will provide performance testing for ADSL when ADSL is in a CLEC's ICA, this is also not a change in process. Today, for example, Integra's ICA in Oregon expressly provides that Integra is entitled to "two-wire loops that are conditioned to transmit the digital signals needed to provide . . . ADSL, . . . and DS1-level signals." Integra has a right, therefore,

under the ICA (Att. 3, §2.1 & Part A, §§ B, C, 18, 35.1, 36) and federal law (TRO ¶1249) to order ADSL, which has an NC code of LXR-. Nonetheless, Qwest has rejected such orders, denying Integra in Oregon the ability to order ADSL compatible loops based on Qwest's narrow reading of the ICA. (Regarding Qwest productization, see discussion above).

Second Deletion and Second Proposed Insertion

Qwest proposes to delete the following language in the current PCAT:

Service requests can be rejected for various reasons. Error and rejection notifications are described in the Ordering Overview.

Qwest proposes to replace the above-quoted language with the following proposed language (with the new language shown in underlining):

Service requests can be rejected for various reasons including not meeting the performance testing parameters specified in your ICA. In these instances, Qwest will place the order in jeopardy using the C31 jeopardy code and the standard jeopardy process will be followed. Error and rejection notifications are described in the Ordering Overview.

Qwest's proposed insertions (shown in underlining) appear to increase the number or kind of situations in which Qwest will reject CLEC orders (service requests). Is this the Level 3 change in process? If so, please describe the additional or different situations in which Qwest will reject CLEC orders. If not, please identify and describe what change in process this language represents.

In Qwest's proposed PCAT changes, Qwest omits any mention of situations in which CLEC authorizing conditioning. If a CLEC authorizes conditioning, Qwest should condition the loop so that it meets the performance parameters required by the law. The FCC defines line conditioning as "the removal from a copper loop of any device that could diminish the capability of the loop to deliver xDSL. Such devices include bridge taps, load coils, low pass filters, and range extenders." 47 C.F.R. §51.319(a)(1)(iii)(A). As there is no exception in Qwest's proposed language for line conditioning, it appears that Qwest will reject orders regardless of line conditioning. Is that Qwest's intent? If not, how will Qwest modify its proposed language?

Please explain the reference to the jeopardy code of C31. Did Qwest consider any other codes? The "C" in the code indicates that Qwest intends to code all of these rejections as CLEC-caused issues. How does Qwest know that in advance? Qwest's language is under the Provisioning and Installation heading. Qwest needs to deliver and install a working ADSL compatible loop capable of carrying digital signals. If the reason that a loop does not meet performance testing parameters is in Qwest network (such as bridge tap meeting the FCC definition), why would the code of C31 apply? Please explain.

Integra did not find any other proposed changes in the redlined PCAT. If there are other changes, please describe and explain the reason for the changes.

Qwest should retract the proposed changes at least until the questions are answered satisfactorily. A purpose of notice is to allow CLECs to prepare for changes. CLECs cannot prepare for these changes, because it is unclear what they are.

From: bjjohnson@integratelecom.com [mailto:bjjohnson@integratelecom.com]
Sent: Wednesday, August 18, 2010 3:31 PM
To: Johnson, Bonnie J.
Subject: PROD.INTE.08.05.10.F.07881.UBL_ADSL_V24

Thank you for submitting your comments through the Qwest CMP Document Review and Comment Process.

The information you entered is listed below.

If you have any questions, please direct them to cmpcomm@qwest.com.

This communication was sent with <http://qwestapps.com/wholesale/cmp/comment.cfm>.

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Notification Number: PROD.INTE.08.05.10.F.07881.UBL_ADSL_V24

Comment:

Integra and its affiliates (“Integra”) provide these comments, questions, and objections to Qwest’s level 3 notification and proposed changes: As a general matter, before Integra can fully comment and formulate a position, Qwest needs to better explain how its process is changing and, because Qwest’s proposed PCAT changes relate to performance testing, explain: (1) what performance tests if any Qwest performs now that Qwest will cease performing as a result of the changes; and (2) what performance tests Qwest will perform after the PCAT changes are implemented if any that Qwest does not perform today; and (3) for both, under what circumstances (and will those circumstances change as a result of these PCAT changes). As part of answering these questions, provide specific testing information (e.g., 1004 Hz versus 196 kHz; whether wideband noise and impulse noise testing is conducted today and whether this will change as result of the PCAT changes). As this is a Level 3 change, something must be changing from the current situation in which Qwest has grandparented ADSL and takes a narrow view of ICA language. What is the practical effect of the proposed PCAT changes? Please answer the specific questions below as well. Proposed Deletion Currently, according to Qwest’s notification, Qwest’s ADSL Compatible Loop product catalog (“PCAT”) contains the following language, which Qwest proposes to delete: Performance testing available on ADSL Compatible Loop includes: • No Load Coils, Opens, Grounds, Shorts, Noise, or Foreign Volts • Insertion Loss at 1004 Hertz (Hz) Qwest does not explain why it is proposing deletion of the first bullet, as Qwest should test for No Load Coils, Opens, Grounds, Shorts, Noise, or Foreign Volts. Please explain. Qwest does not explain why it is proposing deletion of the second bullet instead of modification of that bullet to indicate that Insertion Loss at 1004 Hertz (Hz) is in addition to testing at digital parameters. Please explain. Qwest’s notification is a Level 3 notification, which indicates “a change in process.” If Qwest were simply documenting an existing process, Qwest would have designated the change as Level 2, per CMP Document Section 5.4.3 (“Documentation concerning existing processes/products not previously documented”). Therefore, Qwest’s PCAT change recognizes that, until now, Qwest has in these cases limited testing to voice parameters (1004 Hz). As Integra has indicated in CMP previously, Qwest’s current position that it can limit testing for conditioned copper loops to voice transmission parameters is inconsistent with industry standards and 47 CFR §51.319(a)(1)(iii)(C). See Integra’s Escalation of CR #PC082808-1IGX (March 20, 2009). If the meaning of the proposed deletion of 1004 Hz in the second bullet point is that Qwest will no longer limit testing to voice transmission parameters, Integra agrees that Qwest cannot limit testing for conditioned copper loops to voice transmission

parameters. It is unclear if the previous paragraph identifies Qwest's reason for the change in process. Qwest's August 10, 2010 notices states simply that: "Qwest is updating this document to include a change in process. In the Implementation section of this document under Provisioning and Installation, information is being added regarding performance testing. Additionally, information is being added to clarify that service requests will be rejected if they do not meet the performance test parameters applicable to the product selected by the CLEC and that the standard jeopardy procedure will be followed." Please explain. An alternate reason for Qwest to delete this language is because Qwest will not offer performance testing for ADSL compatible loops at all (including via interconnection agreement that refer to Qwest's PCAT or industry standards), unless a particular parameter is "specified" in an ICA (as discussed below) due to previous Qwest grandparenting of ADSL. If that is the reason for the deletion, the revision to the PCAT does not reflect a change in Qwest's current process. As indicated in the existing note at the top of Qwest's current ADSL compatible loop PCAT: NOTE: Existing Resale Qwest DSL service was grandparented effective January 28, 2006 and will not be available as a new service. Likewise, ADSL compatible UBL is not available in new contracts executed on the Negotiations Template after March 19, 2007. CLECs who sign the new contract will be able to maintain their existing ADSL Compatible UBLs until they are disconnected. No new ADSL Compatible UBLs can be ordered under this new contract. For information on alternative UNE products, contact your Qwest Sales Executive. Integra has previously informed Qwest of its objections to Qwest's grandparenting of ADSL compatible loops as contrary to the law. See FCC Report and Order and NPPR, FCC 05-150 Adopted: 8/5/05 Released: 9/23/05 ["Broadband Order"], ¶¶126-127. Integra has also previously objected in CMP to Qwest's "productization" of ADSL compatible loops. If Qwest's products or processes (or lack of a product due to grandparenting) are inconsistent with the law, the law controls and any flaws in Qwest's products or processes need to be brought into compliance with the law. It is not an adequate response to any of the operational, legal and contractual issues raised by Integra to argue that Qwest did not choose to develop its "product" that way. Qwest cannot escape its obligations through productization. There is no exception in the rules or FCC orders (e.g., TRO ¶23; 47 CFR §51.319) to the effect that Qwest must unbundle xDSL capable loops unless Qwest chooses to develop a different product. See Integra's Escalation of CR #PC082808-1IGX (March 20, 2009). If the proposed deletion of the above-quoted language from the PCAT confirms Qwest's grandparenting of ADSL compatible loops, Integra disagrees and objects to the change. Instead of removing the language, Qwest should revise it to reflect that Qwest will perform the performance testing necessary to assure that the facility meets appropriate performance parameters, including testing at 196 kHz. This language appears under the heading of "Provisioning and Installation," and Qwest must deliver a working loop conditioned to transmit the digital signals needed to provide ADSL. First Proposed Insertion Instead of the above-quoted language, which Qwest proposes to delete, Qwest proposes to insert the following language in the PCAT: Performance testing available on ADSL Compatible Loop is specified in your Interconnection Agreement (ICA). In addition to such tests, Qwest will also test Insertion Loss at 1004 Hertz (Hz). Test results will be provided to you through CEMR. Integra agrees that interconnection agreements control over the PCAT. That, however, is not a change in process. The Scope section of the CMP Document (§1.0) already makes this clear. Qwest's use of the term "specified in" before "your Interconnection Agreement" (here and in the insertion quoted below) suggests that Qwest is attempting to limit the kind of interconnection agreement terms that Qwest will recognize before Qwest will provide performance testing for ADSL when ADSL

is in a CLEC's ICA. If so, Integra disagrees. What does Qwest mean with this proposed language? If, for example, an ICA provides that a CLEC may order two-wire loops that are conditioned to transmit the digital signals needed to provide ADSL but it does not specify a particular testing parameter (e.g., 196 kHz), will Qwest limit testing to voice transmission parameters? Or, will Qwest test to digital parameters (e.g., including 196 kHz)? Please describe the performance testing that Qwest will perform, after it implements its proposed PCAT changes, in this scenario. Integra will also use a specific example to attempt to gain clarity as to what Level 3 change in operating procedures will occur as a result of Qwest's PCAT changes. Please review the current Utah Qwest-Integra ICA, including Sections 3.48 (xDSL includes conditioned copper loops including but not limited to ADSL), 3.4.9 (ICA terms, which includes line conditioning, have the meaning as in the Act and regulations implementing the Act), 8.2.4.1.2 (Qwest "shall provide to Integra two-wire . . . Loops, conditioned if necessary, such that they are capable of carrying digital signals.") As the magic term "196 kHz" is not used, Qwest could conceivably argue that testing at 196 kHz is not "specified" in the ICA, even though the ICA specifies "digital signals." What is Qwest's position? Integra orders ADSL compatible loops today in Utah using the NC code of LXR- (unlike Integra of Oregon, for which Qwest claims Integra cannot order using LXR-, see below). What performance testing parameters does Qwest believe are "specified" in the current Qwest-Integra Utah ICA? Today, before the proposed PCAT changes, what performance testing parameters does Qwest perform for ADSL compatible loops ordered by Integra in Utah? After implementation of the proposed PCAT changes, what performance testing parameters will Qwest perform for ADSL compatible loops ordered by Integra in Utah? If Qwest is attempting to limit the kind of interconnection agreement terms that Qwest will recognize before Qwest will provide performance testing for ADSL when ADSL is in a CLEC's ICA, this is also not a change in process. Today, for example, Integra's ICA in Oregon expressly provides that Integra is entitled to "two-wire loops that are conditioned to transmit the digital signals needed to provide . . . ADSL, . . . and DS1-level signals." Integra has a right, therefore, under the ICA (Att. 3, §2.1 & Part A, §§ B, C, 18, 35.1, 36) and federal law (TRO ¶249) to order ADSL, which has an NC code of LXR-. Nonetheless, Qwest has rejected such orders, denying Integra in Oregon the ability to order ADSL compatible loops based on Qwest's narrow reading of the ICA. (Regarding Qwest productization, see discussion above). Second Deletion and Second Proposed Insertion Qwest proposes to delete the following language in the current PCAT: Service requests can be rejected for various reasons. Error and rejection notifications are described in the Ordering Overview. Qwest proposes to replace the above-quoted language with the following proposed language (with the new language shown in underlining): Service requests can be rejected for various reasons including not meeting the performance testing parameters specified in your ICA. In these instances, Qwest will place the order in jeopardy using the C31 jeopardy code and the standard jeopardy process will be followed. Error and rejection notifications are described in the Ordering Overview. Qwest's proposed insertions (shown in underlining) appear to increase the number or kind of situations in which Qwest will reject CLEC orders (service requests). Is this the Level 3 change in process? If so, please describe the additional or different situations in which Qwest will reject CLEC orders. If not, please identify and describe what change in process this language represents. In Qwest's proposed PCAT changes, Qwest omits any mention of situations in which CLEC authorizing conditioning. If a CLEC authorizes conditioning, Qwest should condition the loop so that it meets the performance parameters required by the law. The FCC defines line conditioning as "the removal from a copper loop of any device that could diminish the capability of the loop to

deliver xDSL. Such devices include bridge taps, load coils, low pass filters, and range extenders.” 47 C.F.R. §51.319(a)(1)(iii)(A). As there is no exception in Qwest’s proposed language for line conditioning, it appears that Qwest will reject orders regardless of line conditioning. Is that Qwest’s intent? If not, how will Qwest modify its proposed language? Please explain the reference to the jeopardy code of C31. Did Qwest consider any other codes? The “C” in the code indicates that Qwest intends to code all of these rejections as CLEC-caused issues. How does Qwest know that in advance? Qwest’s language is under the Provisioning and Installation heading. Qwest needs to deliver and install a working ADSL compatible loop capable of carrying digital signals. If the reason that a loop does not meet performance testing parameters is in Qwest network (such as bridge tap meeting the FCC definition), why would the code of C31 apply? Please explain. Integra did not find any other proposed changes in the redlined PCAT. If there are other changes, please describe and explain the reason for the changes. Qwest should retract the proposed changes at least until the questions are answered satisfactorily. A purpose of notice is to allow CLECs to prepare for changes. CLECs cannot prepare for these changes, because it is unclear what they are.

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Date/Time Submitted: 8/18/10 01:31:18PM

From: Redman-Carter, Julia [mailto:Julia.Redman-Carter@PAETEC.com]
Sent: Friday, August 20, 2010 3:18 PM
To: 'cmpcr@qwest.com'
Cc: Isaacs, Kimberly D.; Johnson, Bonnie J.; Bilow, Joyce
Subject: FW: PROD.INTE.08.05.10.F.07881.UBL_ADSL_V24

Qwest,

This email is a copy of what PAETEC submitted in the CLEC comments.

PAETEC agrees with Integra's comments, concerns, positions, and poses the same questions to Qwest. Additionally, see the following questions below.

Please explain how existing CLEC customers with the ADSL and grandfathered ADSL Compatible Loops are to obtain repair, maintenance, etc if new ICAs don't have the ADSL language Qwest is requiring as referenced in the PCAT? Likewise, for testing and repair, what language specifics satisfy Qwest's proposed PCAT requirement ("Performance testing available on ADSL Compatible Loop is specified in your Interconnection Agreement (ICA)?"

Qwest's espoused position is that the ICAs contain general terms and conditions, and the processes and associated detail are covered in the PCAT. Our current ICAs may have ADSL, but not include the testing detail Qwest's PCAT is now referencing. How would Qwest propose that the language be changed to address this issue? Likewise, how does this situation work when an ICA is silent?

In light of Integra's 8-18-2010 response/comments and PAETEC's additional concerns/queries noted above, PAETEC reaffirms Integra's request that Qwest retract the proposed changes, at least until the questions are answered satisfactorily and parties to the ICAs can affirm that the PCAT changes will not be modifying existing terms and interpretations under which we have been operating.

Julia



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