

Qwest Wholesale Change Management Process (CMP) Meeting Minutes

CMP Oversight Committee Meeting Minutes
January 10, 2005, 1-877-572-8687, Conference ID 3393947#
3:00 p.m. – 4:00 p.m. Mountain Time

PURPOSE

This was the second meeting of the CMP Oversight Committee to review an issue submitted to the committee on 11/30/04 by Liz Balvin of Covad. The following is the write-up of the discussion.

List of Attendees:

Jen Arnold – TDS Metrocom/U S Link
 Liz Balvin – Covad
 Becky Quintana – Colorado PUC
 Bonnie Johnson – Eschelon
 Sharon Van Meter – AT&T
 Amanda Silva – VCI
 Susie Bliss - Qwest
 Susan Lorence – Qwest
 Bill Campbell – Qwest
 Cindy Macy – Qwest
 Peggy Esquibel-Reed – Qwest
 Linda Sanchez-Steinke – Qwest

MEETING MINUTES

Linda Sanchez-Steinke of Qwest stated that on Friday Qwest sent an e-mail to Oversight members explaining that we would prefer to revise the CR PC102704-1ES. By revising the CR the historical information is preserved and the references to law would be removed and the title would be changed. Attached to the e-mail was a redlined CR with the proposed changes. The proposed deletions would become the revised title and the revised description of change keeping the original title and the original description of change within the CR. The Oversight members stated they had received and reviewed.

Liz Balvin of Covad stated she did not think this process would preserve the CR history and recalled from the last meeting the only recommendation was to defer the CR until the final rules were issued.

Susie Bliss of Qwest stated Qwest reviewed three options for the CR; defer until final rules, amend the CR or withdraw the CR and issue a new CR.

Liz Balvin asked if Qwest was going to consider deferring until the rules are permanent.

Susie Bliss said that the approach was considered and voiced concern that the products are currently not available and current contracts are expiring.

Bonnie Johnson of Eschelon stated there are products in the PCAT that cannot be ordered because they are not in the CLEC's contract. Bonnie said she was trying to understand why the CR is needed.

Bill Campbell of Qwest explained that the PCATs are based on the approved SGATs and the SGATs can be different from the ICA. We try to time the CMP update changes with the SGAT changes and Qwest did put together SGAT changes. However, the SGAT's have been pulled back with concurrence of the states due to the unsettled regulatory situation post USTA II, post interim order and pre final FCC order. Qwest has changed the ICA language template (insert comment) but the current SGAT's do not accurately reflect the products Qwest offers and Qwest (end comment) feels it is important to notify CLECs on the changes to the products.

Qwest Wholesale Change Management Process (CMP) Meeting Minutes

Liz Balvin countered that if the legal implications were removed, the situation is in flux, the permanent rules will be issued later this month and the CLECs are restricted from ordering existing products that are not included in their ICA.

Bill Campbell responded after 6/15/04 CLECs without the ICA including the products do not have the option of ordering the products. Qwest is choosing to move forward with the CR because the final FCC rules although scheduled to be finalized in January and effective in March, it would most likely be June before changes to the order are made.

Liz Balvin felt that the process was backward because if a CLEC wants these products they would work with the negotiation team and would not go through CMP (insert comment) because CMP specifically call out ICA's override (end comment).

Bill Campbell discussed that Qwest has an obligation to notice the change in the PCAT when the SGAT has not changed.

Bonnie Johnson said that product availability is based on the ICA and even though Qwest notices about product availability, CLEC's can't get the products without an agreement including the product.

Bill Campbell explained that new CLECs may go to the Qwest website to find which products are available and then would be given a contract that does not list all the products that were available on the website. Normally the SGAT change would force the change in the PCAT.

Liz Balvin stated that Qwest restricting products to CLECs who don't have them in their ICA is different than limiting the product availability. The intent of the CR was drawn from legal rules and the permanent rules could change the offering.

Bill Campbell responded that the CR would have to be changed. Bonnie Johnson asked if traditionally a new CLEC would go to the SGAT or PCAT to see what is available and they are not in sync.

Bill Campbell explained that the PCAT and SGAT are in sync but they are not in sync with Qwest policy. The states are not accepting SGAT changes at this time and the SGAT and PCAT are in sync but the ICA template is different.

Becky Quintana of the Colorado PUC asked if Qwest was considering filing the SGAT prior to the final rules or waiting and Bill Campbell stated that Qwest is waiting, although we did file prior to the USTA decision, but withdrew the filings when it was clear that the states did not believe the timing was right to make the proposed changes knowing full well any state proceedings would have to be revisited. Becky Quintana voiced concerned that the SGAT on file and the Wholesale tariff are not the current Qwest offering.

Liz Balvin and Bill Campbell agreed that the CR was issued as a result of law. Liz was concerned that Qwest would be restricting CLECs from gaining the product going forward but it is available for CLECs with an ICA.

Liz Balvin stated that she continues to see the only option is deferring to keep the history of the CR and that not all the history is maintained about the Escalation and Oversight review.

Susie Bliss said at the last meeting the committee was polled on the options.

Liz Balvin and Bill Campbell discussed whether the CR is limiting products (as called for in the CMP governing document), restricting new CLECs from getting these products and if a CLECs contract expires then they would be restricted from the product availability.

Liz Balvin stated that the CR should identify the interim rules as the basis for notifying the CLECs of 6/15 product changes and that Qwest is not going to file the SGAT until the permanent rules are available.

Qwest Wholesale Change Management Process (CMP) Meeting Minutes

Bill Campbell agreed that the CR is based on the USTA II rules and that Qwest has restricted the products and changes will have to be made to comply with the final rules.

Liz Balvin stated the basis is USTA II and Bill Campbell said he agreed that the basis is USTA II, and under the FCC guidance, are no longer required to provide unbundled elements.

Liz Balvin said Qwest's current position needs to be identified in the CR.

Bill Campbell said that AT&T and Eschelon have a different opinion.

Bonnie Johnson said AT&T and Eschelon agree this is not a Regulatory CR and restated Liz's concern if it was appropriate to issue the CR at all if the guidelines are not followed. We agreed the CR is not regulatory because Qwest was not ordered, Qwest made the choice not to offer the products.

Bill Campbell asked Liz if we include the language and make it a regulatory CR.

Liz Balvin said that the genesis of the change was the USTA II decision and now Qwest wants to remove that.

Bill Campbell stated that during the last meeting it was clear this was not a Regulatory CR. USTA II was a court opinion about what needed to be offered.

Bonnie Johnson said that is what takes it out of Regulatory CR classification.

Liz Balvin argued that the rules are "as is" until the permanent rules come out and since it is just an opinion and believes Qwest should follow the SGATs until the rules are permanent.

Bill Campbell stated that the DC court vacated the FCC rules and in a sense undermined them and took away the unbundled rules. The FCC said here is the interim rules and will freeze prior to 6/15 until we can put out the final rules. Qwest doesn't want to put the CR in deferred status.

Bonnie Johnson said Eschelon does not have an objection to Qwest updating the existing CR (insert comment) because Eschelon has updated CRs without the clock starting over.

Becky Quintana questioned whether the CLECs were arguing the merits of the CR rather than the process that Qwest used.

Liz Balvin said the CR could be updated and requested information relating to Oversight and Escalation be included. Linda Sanchez-Steinke stated that Qwest has not included Escalation response or Oversight minutes in other CRs as the Escalation and Oversight minutes are found in another location on the web site. There was agreement that the CR would provide the revised title, original title, revised description of change, original description of change and url links to the Escalation and Oversight web locations. CR PC120803-1 was provided as an example of a CR that has been revised.

Bonnie stated that the history is captured and that this CR is an anomaly because it had the regulatory issue and was not just a systems to process crossover, but does not agree with the CR and does understand what Qwest is trying to accomplish and Qwest feels the need to move forward.

Sharon Van Meter stated that AT&T does not think this is a regulatory CR and would like the CR to include the history of what has been discussed. Deferring the CR would be better and revising is acceptable if the history is included. Liz Balvin agreed deferring would be better and revising the CR sets a precedent that the CR is regulatory but not identifying in that way. There was recommendation from Covad, Eschelon, AT&T, TDS/MetroCom and MCI that the CR be deferred until permanent rules are issued. Becky Quintana stated that without making any statement on the merits of the CR, she believed that Qwest should go ahead with the CR because she agreed with Bill Campbell's estimated timeline for permanent rules. Qwest would like to move forward by revising the CR. The Oversight Recommendation will include the different recommendations from the Oversight members.

Qwest Wholesale Change Management Process (CMP) Meeting Minutes

Bonnie Johnson and Becky Quintana discussed the merit of language changes to the CMP process. Liz Balvin and Bonnie Johnson stated that the CR should not have defaulted to CMP as it was not the appropriate approach and the importance of keeping the CMP guidelines in tact.

The meeting was concluded.