

Service Date: March 22, 2001

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER OF the Investigation)	UTILITY DIVISION
Into Qwest Corporation's)	
Compliance with Section 271 of the)	DOCKET NO. D2000.5.70
Telecommunications Act of 1996)	ORDER NO. 6254c

SECOND AMENDED PROCEDURAL ORDER
AND FURTHER AMENDED SCHEDULE

Introduction

1. On June 27, 2000, the Montana Public Service Commission (Commission) issued Procedural Order No. 6254 in this docket, describing briefly the scope of the docket, the details of the collaborative process, and establishing a procedural schedule. The procedural schedule was first modified by staff action on September 14, 2000. Procedural Order No. 6254 was first amended, and the procedural schedule amended a second time in Order No. 6254b on December 8, 2000. Based on developments in the collaborative process since early December, 2000, it is necessary to amend again the procedural order and schedule. Therefore, the Commission issues this second amended procedural order and further schedule change.

Procedural Order Amendments

2. References to "U S WEST" in Order No. 6254 are changed to "Qwest." This change has already been reflected in previous Commission documents.
3. Order No. 6254, paragraph 5 is amended to reflect the addition of the Wyoming PSC and the New Mexico PSC to the collaborative process.
4. The last sentence of paragraph 7, Order No. 6254, is deleted.
5. Order No. 6254, paragraph 11, "Discovery," is amended only to reflect that the process has evolved and does not necessarily conform exactly to the requirements of this paragraph.
6. Order No. 6254, paragraph 19, "Reports of Findings and Disputes," is deleted and replaced with the process described below.

7. Order No. 6254 contemplated that section 271 checklist items and related issues would be divided into four parts. Three of the parts would be considered in separate workshop sessions, and one part, addressing less controversial checklist items, would be considered on paper filings, without the need for a workshop. On December 8, 2000, in Order No. 6254b, the Commission amended its original procedural order and schedule in recognition that additional sessions would be required to complete the checklist items in Workshop 1. Since then it has become apparent that further modifications to Procedural Order No. 6254 are necessary in order to 1) allow for additional workshop sessions, and 2) recognize changes in the grouping of checklist issues for purposes of the collaborative.

8. The new grouping of checklist issues is indicated in Attachment "A" to this Order. Also indicated at Attachment "A" is a new workshop schedule, and a schedule for outside consultant reports, briefing, and submission of final reports to the Commission. That schedule shall conform to the following guidelines:

- a. The outside consultant (consultant, see Order No. 6254, paragraph 12) shall determine when that portion of the record consisting of transcribed workshop sessions shall be considered closed.
- b. Prior to the filing of such briefs, Qwest shall file with the Commission and shall serve on all participants SGAT language addressing the topics within the scope of the relevant Group; this language shall incorporate all agreements reached by Qwest and participants and it shall set forth Qwest's proposal for those SGAT sections about which there is disagreement. Qwest shall clearly delineate those portions of the SGAT where there is such disagreement, in order to make clear to other participants and to the Commission what SGAT language Qwest considers to be in dispute. Any participant objecting to any aspect of this SGAT filing may raise it in its brief.
- c. The last report – for Group 5 – shall be filed with the Commission and served on the participants within 35 days of the deadline for briefs and the reports for the preceding groups. It shall be filed under a timeline that spaces the preceding reports (except the paper workshop report) on roughly a monthly basis commencing in late May 2001.
- d. After the filing of briefs, the participants shall have no further opportunity for comment or exceptions prior to the submission of the staff reports to the Commission.
- e. Upon the filing of each staff report, all participants shall have 10 days in which to file with the Commission briefs, comments, and argument addressing that report.

f. The Commission shall determine after consideration of such briefs, comments, and argument what, if any, further proceedings may be necessary for it to exercise its responsibilities in connection with Section 271 of the Telecommunications Act of 1996.

9. The current procedural order notes the existence of the OSS testing under the auspices of the ROC and it provides that the Commission will determine upon completion of that testing what process to use to consider testing results. In order to promote the timely consideration of those results, the Commission asks that each participant provide to the Commission and all other participants in the workshops by June 15, 2001 its preliminary comments or recommendations as to the process to be used to consider testing results.

DONE AND DATED this 21st day of March, 2001, by delegation to Commission staff as the Order of the Montana Public Service Commission.

BY THE MONTANA PUBLIC SERVICE COMMISSION

GARY FELAND, Chairman
JAY STOVALL, Vice Chairman
BOB ANDERSON, Commissioner
MATT BRAINARD, Commissioner
BOB ROWE, Commissioner

ATTACHMENT AA≅

AMENDED PROCEDURAL SCHEDULEDocket No. D2000.5.70, Order No.6254c

<u>Deadline*</u>	<u>Action</u>
June 9, 2000	Qwest will file Statements of Generally Available Terms and Conditions (SGAT) in each of the participating states and an overview of its entire 271 case, including the to greatest extent possible, identifying all evidence it intends to produce to support its case that it is now in compliance with section 271.
June 2000	The Commissions retain the Outside Consultant.
July 14, 2000	Qwest Overview of Entire 271 Case

The current schedule for each of the five Groups is shown below; the consultant may change the schedule where reasonably necessary to reflect delays in the completion of the in-person portion of any workshop session associated with a Group. Any changes shall remain reasonably consistent with the durations between activities as set forth below.

Group 1: Poles, Ducts, Conduits, and Rights of Way, 911/E911, Directory Assistance, Operator Services, White-Page Listings, Number Administration, Signaling and Related Databases, and Dialing Parity. (This is the "paper workshop," indicated on the original schedule as "Filing/Comments on Checklist Item Numbers 3, 7, 8, 9, 10 and 12.)

N/A	Session Days
Filed	Qwest Final SGAT Language
Filed	Briefs
March 19, 2001	Report to the Commission
March 29, 2001	Exceptions/Comments/Briefs Filed with the Commission

Group 2: Local Number Portability, Interconnection, Collocation, Resale, Reciprocal Compensation

October 3-6, 2000	Session 1
December 18-20, 2000	Session 2
January 16-19, 2001	Session 3
February 28-March 1, 2001	Session 4

March 9, 2001	Qwest Final SGAT Language
April 10, 2001	Briefs
May 15, 2001	Report to the Commission
May 25, 2001	Exceptions/Comments/Briefs Filed with the Commission

Group 3: Emerging Services

January 16-19, 2001	Session 3
February 28-March 1, 2001	Session 4
March 16, 2001	Qwest Final SGAT Language
April 30, 2001	Briefs
June 4, 2001	Report to the Commission
June 15, 2001	Exceptions/Comments/Briefs Filed with the Commission

Group 4: Unbundled Network Elements

March 26-30, 2001	Session 5 (Denver)
April 30-May 4, 2001	Session 6 (Denver)
May 10, 2001	Qwest Final SGAT Language
May 31, 2001	Briefs
July 17, 2001	Report to the Commission
July 27, 2001	Exceptions/Comments/Briefs Filed with the Commission

Group 5: Section 272, Public Interest, Track A, General SGAT Terms and Conditions, Forecasting (the last if determined necessary by the outside coordinator)

June 4-8, 2001	Session 7 (Denver)
June 25-29, 2001	Session 8 (if necessary) (Denver)
June 13, 2001	Qwest Final SGAT Language
July 5, 2001	Briefs
August 8, 2001	Report to the Commission
August 17, 2001	Exceptions/Comments/Briefs Filed with the Commission