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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for MCImetro Access Transmission Services LLC

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO)
FCC ORDER ON REVIEW OF SECTION 251)
UNBUNDLING OBLIGATIONS OF)
INCUMBENT LOCAL EXCHANGE)
CARRIERS (CC DOCKET NO. 01-338))
NINE-MONTH REVIEW ON ECONOMIC)
AND OPERATIONAL IMPAIRMENT)
REGARDING ACCESS TO SPECIFIC UNES)**

**CASE NO. GNR-T-03-23
PETITION TO INTERVENE**

Pursuant to the Idaho Public Utility Commission's ("Commission") rules of Procedure 72 and 73, IDAPA 31.01.01.072 and -.073, MCImetro Access Transmission Services LLC ("MCI"), a competitive local exchange carrier providing local exchange service in Idaho, hereby petitions intervene in this proceeding.

As of the date of filing this pleading, the FCC has not issued its written order in its Triennial Review proceeding that has spawned this docket. . Nonetheless, MCI has a direct and substantial interest in this proceeding. MCI is authorized to provide and does provide competitive local exchange service in Idaho, and is a purchaser of unbundled network elements. Accordingly MCI has a direct and substantial interest in proceedings addressing the availability, terms and prices of network elements.

All pleadings, papers and other documents should be served upon:

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Participation by MCI will not unduly broaden the issues herein.

In order to expedite consideration of this matter, MCI advises the Commission of the following views of this and the related proceeding:

MCI supports a multi-state inquiry or investigation. This would provide a forum for the development of facts that are common across the region. Such a process would make more efficient use of parties' and state commissions' resources, enhance judicial economy, and generate active participation by the broadest group of stakeholders. Moreover, this type of process would comport with due process requirements and ensure that all parties have a fair and meaningful opportunity to participate.

As the Commission is aware, for many of the same reasons listed above, Qwest recommended that a collaborative process be used by the Commission in its Section 271 proceeding. As a participant in that collaborative, MCI found the process to be both useful and effective. Most important, using a collaborative process permitted the parties to develop a more thorough and extensive record than would have been possible had the states, conducted each proceeding on its own.

While there will certainly be issues that will need to be handled on a state-specific basis, there are broad areas of discovery and fact-finding (OSS for example) that will apply uniformly to all states in the Qwest region.

MCI has put together the following comprehensive list of information it believes the Commission will need in order to make the findings required by the FCC's Triennial Review Order. In Order to help clarify why such information will be helpful to the Commission, MCI has divided its list into several groups of information.

OSS Information:

1. *Current* ILEC OSS capabilities to support automated, flow-through processes for Pre-ordering, Ordering, Provisioning, Maintenance/Repair and Billing for *voice-grade* UNE loops on a) all-copper facilities; b) hybrid fiber-copper facilities using IDLC and c) hybrid fiber-copper facilities using UDLC or NGDLC.
2. *Current* ILEC OSS capabilities to support automated, flow-through processes for Pre-ordering, Ordering, Provisioning, Maintenance/Repair and Billing for *DSL-capable* UNE loops on a) all-copper facilities; b) hybrid fiber-copper facilities using IDLC; and c) hybrid fiber-copper facilities using UDLC or NGDLC.
3. *Current* ILEC OSS capabilities to support automated, flow-through processes for Pre-ordering, Ordering, Provisioning, Maintenance/Repair and Billing for *line-split* UNE loops on a) all-copper facilities; b) hybrid fiber-copper facilities using IDLC; and c) hybrid fiber-copper facilities using UDLC or NGDLC.
4. *Planned* ILEC OSS capabilities to support automated, flow-through processes for Pre-ordering, Ordering, Provisioning, Maintenance/Repair and Billing for *voice-grade* UNE loops on a) all-copper facilities; b) hybrid fiber-copper facilities using IDLC; and c) hybrid fiber-copper facilities using UDLC or NGDLC.
5. *Planned* ILEC OSS capabilities to support automated, flow-through processes for Pre-ordering, Ordering, Provisioning, Maintenance/Repair and Billing for *DSL-capable* UNE loops on a) all-copper facilities; b) hybrid fiber-copper facilities using IDLC; and c) hybrid fiber-copper facilities using UDLC or NGDLC.
6. *Planned* ILEC OSS capabilities to support automated, flow-through processes for Pre-ordering, Ordering, Provisioning, Maintenance/Repair and Billing for *line-split* UNE loops on a) all-copper facilities; b) hybrid fiber-copper facilities using IDLC; and c) hybrid fiber-copper facilities using UDLC or NGDLC.
7. Current and planned capabilities of ILEC OSS to scale any automated flow-through processes in questions 1-6 for current and future customer churn rates to and from UNE-P based services.
8. If the ILEC OSS in questions 1-3 are not currently fully automated whether flow-through, manual and semi-mechanized processes are available to CLECs.
9. Current and planned ILEC capabilities to support single-order migration from a) ILEC to CLEC; b) CLEC to ILEC; and c) CLEC to CLEC, for adding/dropping voice only, data only and voice plus data.
10. Availability of CLEC direct, real-time, read-only access to all data in all ILEC OSS (including what some ILECs have called back-office systems) related to loop and transport facilities.

11. Adequacy and scalability of ILEC bulk hot cut processes for a) initial transition from UNE-P to UNE-L; and b) real-time migrations and new installations.
12. Fall-out rates for all ILEC automated, flow-through processes.
13. Estimates of cost and time required to upgrade ILEC OSS to be fully automated and flow-through and the price for manual and semi-mechanized CLEC use in the meantime.
14. Parity of ILEC OSS for ILEC-affiliate transactions versus CLEC transactions.

Economic Information:

1. ILECs' variable costs and marginal costs for local, long distance and broadband services individually and as part of a bundled offering.
2. Market demand elasticity for local, long distance and broadband services, individually and as part of a bundled offering.
3. ILEC digital loop carrier equipment costs, broken down into a) equipment capital costs; and b) EF&I (Engineered, Furnished and Installed) costs.
4. ILEC cost of capital and capital structure, including differential costs of capital for different service types.
5. On an individual central office, end office, and serving wire center basis a) forecasts of demand for circuit switching and b) current capacity utilization for the major switch components, (i.e., processors, line cards, trunk cards).
6. On an individual central office, end office, and serving wire center basis recent history of line growth/line loss for a) primary voice lines; b) additional voice lines; c) broadband/data lines.
7. Expected wholesale demand for a) UNE loops; b) UNE-P; and c) resale.
8. ILEC contracts to lease long distance transport capacity and/or procure minutes of use.
9. Constraints (if any) on ILEC ability to a) reduce prices in relation to some measure of cost (e.g., price floor based on TSLRIC); b) target price reductions to geographic areas; c) target price reductions to types of customers (including individual customers).
10. ILECs' current and planned unbundling of local voice service, long distance voice service and/or data/broadband Internet access.
11. Any risk of stranded capacity on ILECs' existing network.

Loop Information:

1. On an individual central office, end office, and serving wire center basis, information about the ILEC local loop plant such as a) total loops in service; b) number of loops that are all-copper, hybrid fiber-copper, all-fiber; c) if the loop is provisioned using DLC, type of DLC (IDLC, UDLC, NGDLC), d) copper feeder plant that has been/will be retired; e) dark fiber in the loop plant
2. On an individual central office, end office, and serving wire center basis, information about current in-service quantities by a) customer type (residential, business); and b) service type (e.g., residence measured, residence flat rate, business measured, Centrex lines, PBX trunks, etc.)

3. On an individual central office, end office, and serving wire center basis, current in-service quantities for UNE loops for a) total 4-wire loops, b) total 2-wire voice grade loops and c) DSL-capable loops.
4. On an individual central office, end office, and serving wire center basis, current in-service quantities for UNE-P based services by a) residential customers and b) business customers.
5. On an individual central office, end office, and serving wire center basis, the current total number of UNE loops per day that can be provisioned by the ILEC.
6. For each ILEC central office, end office, and serving wire center, the CLLI (Common Language Location Identifier), the V&H (vertical and horizontal) coordinates, and the street address.
7. For each central office and by telephone number, the type of loop plant used to serve that particular telephone number, including specifics on the type of loop plant (e.g., all copper, UDLC, fiber fed ILDC, etc)
8. Plans to upgrade the loop plant by installing additional a) hybrid fiber-copper loops and b) all-fiber loops
9. Plans to use copper feeder plant that has been replaced with fiber-feeder plant for the reinforcement to meet growth needs on shorter all-copper feeder routes.

Collocation Information:

1. Collocation rates, terms and conditions are/should be controlled by tariffs or interconnection agreement in a UNE loop environment.
2. The current non-recurring and monthly recurring charges for a physical collocation space of representative size sufficient to support all equipment needed in a UNE loop environment.
3. On an individual central office, end office, and serving wire center basis, a) total collocation space; b) total collocation space currently occupied by carriers; c) names of carriers currently occupying collocation space; d) collocation space held by carriers who are currently in bankruptcy proceedings; e) collocation space occupied by CLECs no longer operating; and f) total collocation space available for carriers.
4. Restrictions on the type of equipment that can be placed in collocation space.

Economic issues:

1. When does facilities-based investment make economic and policy sense?
2. What economic, technological, pricing, or marketing factors go into a decision to invest in switching facilities?
3. What are the carrier impacts of premature (forced) removal of local switching as an unbundled network element?
4. What are the customer impacts to premature removal of switching as an unbundled network element?
5. Should a Commission monitor or oversee CLEC facilities-based investment?
6. If the answer to Question No. 5 above is in the affirmative, how does a Commission monitor or oversee CLEC facilities-based investment?
7. What is the proper geographic or other area in which impairment is analyzed?

8. Should impairment be determined per switch, per region, or on some other basis?
9. How will the Commission and the ILEC/CLECs track changes in impairment status for particular COs?
10. What are the cost drivers that affect CLEC deployment of switching facilities?
11. How do operational impairment issues affect the economic analysis?
12. How does the evolution of new technologies (e.g., packet switching) affect the CLEC decision to deploy switching facilities?
13. How is "impairment" defined from an economic perspective for switching facilities?

Operational Issues:

1. What are the dynamics of a competitive local telecommunications market, including customer churn, CLEC to CLEC, CLEC to ILEC, ILEC to CLEC migrations, over various service delivery methods?
2. How do the dynamics of a competitive, facilities-based local telephone market affect the operational issues? For example, what new processes, procedures, and OSS systems need to be deployed to allow CLECs to communicate with each other on a real-time electronic basis and ensure the smooth migration of customers among different providers with different service delivery methods?
3. How does the fact that CLEC networks are designed differently from ILEC networks affect the operational issues?
4. What ILEC systems and processes need to be altered to accommodate a dynamic facilities-based local telecommunications competition?
5. What CLEC systems and processes need to be altered to accommodate a dynamic facilities-based local telecommunications competition?
6. What industry-wide systems and processes need to be altered to accommodate a dynamic facilities-based competition, including but not limited to, updates to E911, number portability issues, directory listings, white pages, and customer service records?
7. What are the implications of various digital loop carrier technologies on CLECs' ability to utilize the full functionality of the ILECs' loop facilities on an unbundled basis or otherwise?
8. How can the CLEC means of gaining access to the unbundled loop plant be made more efficient/commercially viable?
9. What changes need to be made to ILEC collocation tariffs/processes?
10. What changes need to be made to ILEC enhanced extended loop tariffs or product offerings?
11. How will CLECs be able to use the ILECs' loop plant to provide DSL/IP-based services?
12. Where and how do interconnection trunks need to be augmented or established?
13. What additional interconnection arrangements need to be established or augmented to ensure call completion between all local exchange carriers (CLECs, SBC, independent LECs, etc.)?

MCI recommends that the Commission be flexible as it approaches the process of implementing the Triennial Review decision in Idaho. Until the FCC issues its written order, the parties and the Commission are simply offering best-guesses as to what the appropriate process should be. The Commission will be in a better position to refine and determine the process once all have had an opportunity to review the text of the FCC's decision.

WHEREFORE, MCI respectfully requests that this petition be granted and that MCI be accorded party status with full right of participation.

Dated this 24th day of June, 2003.

MCImetro Access Transmission Services LLC

By:



Dean J. Miller