DECISION MEMORANDUM

TO:COMMISSIONER NELSON

COMMISSIONER SMITH

COMMISSIONER HANSEN

MYRNA WALTERS

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JOE CUSICK

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WORKING FILE

FROM:DON HOWELL

DATE:SEPTEMBER 29, 1995

RE:CLOSURE OF THE VALLEY LINK COMPLAINT AGAINST U S WEST, CASE NO. USW-S-95-3

On May 30, 1995, Valley Link Communications filed a Complaint against U S WEST Communications.  Valley Link requested that the Commission issue an Order precluding U S WEST from disconnecting Valley Link’s telecommunications services for 30 days.  In Order No. 26048 issued June 2, 1995, the Commission granted Valley Link’s request.  On September 21, 1995, Valley Link (dba Voice Technology Corporation) advised the Commission that the Complaint could be closed.

BACKGROUND

At the time Valley Link filed the Complaint, it was providing extended area service (EAS) bridging services similar to those of Upper Valley Communications.  After the Commission issued its final Order in the Upper Valley case in February 1995, Valley Link asserted that it began the process of converting its bridging service to long-distance switched access service.  During the conversion period Valley Link alleged it experienced numerous delays in the processing of its service request and difficulties in interfacing with U S WEST’s network.  Although  Valley Link attempted to rectify these problems, U S WEST notified Valley Link that it would disconnect Valley Link’s service on June 1, 1995.

In answer to the Complaint, U S WEST noted that the Commission directed that EAS bridging services be prohibited.  Pursuant to this directive, U S WEST advised Valley Link on May 22 that service would be disconnected on June 1.  U S WEST stated that Valley Link was provided with the requested access services in April 1995.  U S WEST attributed the transition difficulties to “incompatibility between Valley Link’s equipment and USWC’s service.”

In granting the 30-day stay, the Commission noted that examination of the disputed issue cannot be accomplished before the disconnection was scheduled to occur the following day.  Consequently, the Commission granted Valley Link’s Petition to Stay but directed Valley Link to take all necessary actions to complete the transition to switched access services as soon as possible.  Order No. 26048 at 3.  The Commission also directed the Staff to make an independent inquiry into Valley Link’s Complaint.

STAFF REVIEW AND RECOMMENDATION

Staff confirmed that Valley Link was having difficulties getting its equipment to work with the feature group D trunks provided by U S WEST.  Other interexchange carriers use the same configurations and trunking groups.  Staff determined that Valley Link had modified interconnection equipment and problems arose configuring this equipment to U S WEST’s network.  Eventually, Valley Link and U S WEST were able to get the feature group D circuits to work.

On September 21, 1995, Valley Link (dba Voice Technology) filed a letter with the Commission Secretary stating that all conditions regarding Case No. USW-S-95-3 have been satisfied and recommends “[t]his case can now be closed.”  Id.  Given this letter from the Complainant, the Staff believes that it is appropriate to close this case.

Commission Decision

Does the Commission wish to close this case based on the representations of the Complainant?

Don Howell

DH/vld/M:USW-S-95-3