Federal Communications Commission
Washington, D.C. 20554

January 16, 2003

William Johnston
Executive Director
Federal and Financial Policy
Qwest Communications International, Inc.
1801 California Street, 47th floor
Denver, CO 80202

RE: Section 271 Compliance Review Program for Section 271-Approved States in the Qwest Region

Dear Mr. Johnston:

The Commission has granted Qwest Communications International, Inc. authorization, pursuant to section 271 of the Communications Act of 1934, as amended (the "Act"), to provide interLATA services in nine states within its region: Colorado, Idaho, Iowa, Montana, Nebraska, North Dakota, Utah, Washington, and Wyoming.[1] The Enforcement Bureau ("Bureau") will monitor Qwest's continuing compliance with section 271 in each of these states through the Section 271 Compliance Review Program. This program is based on a structured and systematic approach to compliance review and enforcement. The Bureau has assigned a team of auditors, attorneys, and other professional staff from the Investigations and Hearings Division ("Compliance Review Team" or "Team") to work with Qwest through the duration of the review and to monitor Qwest's performance in the states where it has received section 271 approval. The primary team members responsible for this review are Mika Savir, Attorney, and Robert Bentley, Auditor.

During the review, the Team will closely review Qwest's performance in subject matter areas that the Commission has identified as areas of concern in the *Qwest Multistate Order*. In this regard, we have attached a list of specific performance measures and other areas about which the Commission expressed its concern in the *Qwest Multistate Order*. The Bureau will focus its review on these areas; however, it may also monitor other areas not noted by the Commission in the *Qwest Multistate Order*.

The Bureau's review will occur in three phases:

Phase 1: The Phase 1 review will occur during the first six months following the section 271 grant. Shortly after the grant of approval, a representative from the Bureau will contact Qwest to schedule a planning meeting with Qwest representatives and the Team overseeing the review. The purpose of this meeting is to provide Qwest with the opportunity to participate in developing the Review Program and to assist the Bureau in determining the type and format of information pertaining to Qwest's performance that the Team will review.

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[1] *Application by Qwest Communications International, Inc. for Authorization to Provide In-Region, InterLATA Services in the States of Colorado, Idaho, Iowa, Montana, Nebraska, North Dakota, Utah, Washington, and Wyoming*, Memorandum Opinion and Order, FCC 02-332 (rel. Dec. 23, 2002) (*Qwest Multistate Order*).

At the meeting, Qwest should be prepared to discuss the areas of concern that the Commission noted in the *Qwest Multistate Order* (also listed in the attachment to this letter) and to identify knowledgeable employees, applicable corporate records, and computer systems related to these areas. Qwest should also provide to the Team the names and contact information of Qwest employees authorized to respond to requests for information on behalf of the corporation. Following the meeting, the Team will send a follow-up letter to Qwest memorializing the discussions at the meeting and describing the information Qwest is responsible for submitting to the Bureau approximately six months after the approval date. The Team will also continue to monitor Qwest's performance during Phase 1 through the monthly carrier-to-carrier performance reports.

Phase 2: The Phase 2 review will occur during the second six-month period after the grant. This phase of the review contemplates the issuance of a request for information directing Qwest to update information submitted previously, and to provide additional information concerning its performance since the Phase 1 review. The information responsive to this request will be due at the end of the Phase 2 review period. The Team will continue to monitor Qwest's performance through the carrier-to-carrier reports. The Team will not limit its review in Phase 2 to performance data or information derived from the second six-month period; rather, when evaluating the need for any further action, the Team will consider all of the post-authorization data and information.

Phase 3: The third phase of the review will begin after Qwest submits the information the Team required in Phase 2.

At any time during this review, the Team may ask Qwest to provide additional information. The Team may also request additional meetings with Qwest employees who have expertise in specific subject matters. These additional inquiries may supplement existing requests or may encompass new inquiries.

If you have any general questions concerning the issues raised in this letter, please feel free to contact me at (202) 418-1420. You may also contact William Davenport, Assistant Chief, Investigations and Hearings Division at (202) 418-1034 or Trent Harkrader, Section 271 Compliance Review Program Team Leader at (202) 418-2955. Thank you in advance for your cooperation.

Sincerely,

Maureen F. Del Duca
Acting Division Chief
Investigations and Hearings Division
Enforcement Bureau

Enclosure
Cc: Melissa Newman

Attachment
Commission-Identified Compliance Review Subjects[2]

I. Checklist Item 2: Unbundled Network Elements
   - A. OSS
     1. Pre-Ordering
        - a. Pre-Ordering and Ordering Integration (*Qwest Multistate Order* at ¶¶ 45-60)
        - b. Access to Loop Qualification Information (*Qwest Multistate Order* at ¶¶ 61-83)
     2. Ordering
        - a. Jeopardy Notices (*Qwest Multistate Order* at ¶¶ 91-96)
        - b. Service Order Completion (*Qwest Multistate Order* at ¶ 97)
        - c. Processing of Manually Handled Orders (*Qwest Multistate Order* at ¶¶ 98-105)
        - d. Order Flow-Through Rate (*Qwest Multistate Order* at ¶¶ 106-112)
     3. Billing
        - a. Wholesale Bills (*Qwest Multistate Order* at ¶¶ 119-126)
        - b. Billing Accuracy (*Qwest Multistate Order* at ¶¶ 128-130)
     4. Maintenance and Repair (*Qwest Multistate Order* at ¶ 154 & note 581)
     5. Provisioning (*Qwest Multistate Order* at ¶¶ 162-164, 166-167)
   - B. Pricing – Colorado -- Line Sharing (*Qwest Multistate Order* at ¶¶ 210-213)

II. Other Checklist Items
   - A. Unbundled Local Loops (*Qwest Multistate Order* at ¶¶ 352-354, 356-359)
   - B. Unbundled Local Transport (*Qwest Multistate Order* at ¶ 367)

III. Section 272 Compliance (*Qwest Multistate Order* at ¶¶ 399, 406, 412, 414, 416)

IV. Public Interest Analysis -- Unfiled Interconnection Agreements (*Qwest Multistate Order* at ¶ 466)

[2] The Bureau may monitor other subjects or performance indicators not expressly noted by the Commission in the *Qwest Multistate Order* or this letter.