State of Florida

Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: February 19, 1997

TO: Blanca S. Bayo, Director, Division of Records and Reporting

FROM: Walter D'Haeseleer, Director, Division of Communications *WDH/tm*

RE: Staff recommendations for Proposed Arbitration Agreements between MCI Telecommunications Corporation, MCI Metro Access Transmission Services and BellSouth Telecommunications, Inc. in Docket No. 960846-TP; and AT&T Communications of the Southern States, Inc. and BellSouth Telecommunications, Inc. in Docket No. ████████-TP

On February 17, 1997, staff filed two recommendations in response to a proposed Arbitration Agreement between MCI Telecommunications Corporation, MCI Metro Access Transmission Services and BellSouth Telecommunications, Inc. in Docket No. 960846-TP; and a proposed Arbitration agreement between AT&T Communications of the Southern States, Inc. and BellSouth Telecommunications, Inc. in Docket No. 960833-TP.

Staff has several changes to the recommendation in Docket No. 960846-TP. On pages 8-10 of the recommendation, staff has inadvertently omitted information that should have appeared in this section of the recommendation. Specifically, the information omitted pertains to MCIm's rationale for its specific contract language on Line Information Database (LIDB) performance standards (beginning on page 8) and the staff analysis on page 10. In addition, a correction is being made to Section 4.5.1 on page 34. The second line reads: "...usage data performance..." It should read: "...and for PIC change data performance..."

Staff has one change with respect to the recommendation for the proposed agreement between AT&T Communications of the Southern States, Inc. and BellSouth Telecommunications, Inc. in Docket No. 960833-TP. On page 10 of the recommendation, under the heading "AT&T's Proposed Language", the last line reads: "...BellSouth shall provide AT&T a copy of AT&T's request." The line should read: "...BellSouth shall provide AT&T a copy within ten (10) business days of AT&T's request."

Attached is a copy of staff's revised recommendation pages.

Attachment III - Network Elements

Sections   Title

13.4.2.25 - 13.4.2.25.6.3   Performance measures and standards
                              for Line Information Database (LIDB)

MCIm's Proposed Language

13.4.2.25 BST shall provide LIDB performance that complies
with the following standards:

13.4.2.25.1 There shall be at least a 99.9% reply rate
to all query attempts.

13.4.2.25.2 Queries shall time out at LIDB no more than
0.1% of the time.

13.4.2.25.3 Date in LIDB replies shall have at no more
than 2% unexpected data values, for all queries to LIDB.

13.4.2.25.4 No more than 0.01% of all LIDB queries shall
return a missing subscriber record.

13.4.2.25.5 There shall be no defects in LIDB Data
Screening of responses.

13.4.2.25.6 Group troubles shall occur for no more than
1% of LIDB queries. Group troubles include:

13.4.2.25.6.1 Missing Group - When reply is
returned "vacant" but there is no active record for
the 6-digit NPA-NXX group.

13.4.2.25.6.2 Vacant Code - When a 6-digit code is
active but is not assigned to any subscriber on
that code.

13.4.2.25.6.3 Non-Participating Group and
unavailable Network Resource - should be identified
in the LARG (LIDB Access Routing Guide) so MCIm
does not pay access for queries that will be denied
LIDB.

MCIm's Rationale: No rationale given. To guarantee service to its
customers, MCIm must have agreed upon performance standards for
LIDB. BellSouth's Tariff FCC No. 1 references Technical
Publication TR-TSV-000905 for immediate action limits, acceptance

limits and maintenance limits. In addition BellSouth references TR-TSV-000954 for acceptance testing. These are the same type of requirements which are reflected in MCIm's proposed language. Conforming to the contract requirements would ensure BellSouth is providing this service at parity to that which it provides itself and other subscribers.

BellSouth's Proposed Language:

> 13.4.2.25 With the exception of 13.4.2.25.3, which will be implemented on the effective date of this Agreement, BellSouth shall utilize its best efforts to implement the performance measurements delineated in 13.4.2.25.1 and 13.4.2.25.2 within 6 months of the effective date of this Agreement.
>
> > 13.4.2.25.1 Percent messages processed within one second.
> >
> > 13.4.2.25.2 Percent LIDB queries handled in a round trip time of two seconds or less.
> >
> > 13.4.2.25.3 BellSouth and MCIm agree to establish a LIDB forum that may included representatives from other CLECs. Said forum shall determine other measurements necessary to demonstrate service parity.
> >
> > 13.4.2.25.4 To identify CLEC-by-CLEC performance, approximately six months development time is required.

BellSouth's Rationale: The Commission's decision clearly stated that "BellSouth provide to AT&T and MCIm telecommunications services for resale and access to unbundled network elements at the same level of quality that it provides to itself and its affiliates." Arbitration Order, at pp. 73-74. BellSouth's proposal is consistent with the Commission's decision. The measurements reflected above will, upon completion of the necessary adjustments to BellSouth's measurement systems, report BellSouth's performance for MCIm vis a vis its own retail customers. To adopt specific benchmarks, as proposed by MCIm, is to go well beyond the Commission's intent. Further, the measurements proposed by BellSouth will only require modification to BellSouth's current measurements. On the other hand, those measurements proposed by MCIm that are not included in BellSouth's proposal are not currently tracked and measured today for BellSouth's own retail purposes.

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Staff Recommended Language: Staff recommends that BellSouth should adhere to the direct measures of quality and performance standards proposed by MCIm in its proposed agreement.

Staff Analysis: The Commission ordered MCIm and BellSouth to develop direct measures of quality and performance standards for services. The companies have not agreed on performance standards for Line Information Database (LIDB). BellSouth's proposed language for proposed standards is vague and less specific than MCIm's. BellSouth stated in its rationale that it does not track and measure for itself the same level that MCIm requests. BellSouth did not say that it cannot provide MCIm's requested standards. MCIm states that its standards are the same as those described in Technical Publications TR-TSV-000905 and TR-TSV-000954. These technical publications are referenced in BellSouth's FCC Tariff No. 1 regarding standards for immediate action limits, acceptance limits, maintenance limits, and acceptance testing. MCIm's proposed standards in its proposed agreement were also admitted into the record of this proceeding as Exhibit 27 (attachment to MCIm witness Ron Martinez's testimony). MCIm's proposed performance standards appear to be within reason. Staff therefore recommends that the Commission approve MCIm's language for LIDB performance standards.

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Section	Title

Section 4.5   Reporting

MCIm's Proposed Language:
4.5 Reporting

>4.5.1 BST shall agree to develop reports to be used for local usage and for PIC change data performance measurement within (sixty) 60 days of the Effective Date of this Agreement.

>4.5.2 In addition to the reporting requirements stated above BST shall produce and publish annually with respect to its network and service quality performance, a report which will provide evidence that BST shows no undue discrimination by BST among CLECs or between BST retail and other CLECs with respect to quality of service.

>>4.5.2.1 The specific services to be included in the Performance Measurement Report, its format, measurement timeframe, and initial implementation date shall be as required by MCIm.

MCIm Rationale: Here, MCIm is specifying guidelines and standards necessary for MCIm to be able to efficiently process billing information. Agreement between the parties on these types of issues are essential to ensure accurate and timely billing. It is not sufficient for BST to say only that they will implement "controls" and "procedures."

BST's proposed language in its January 30, 1997 "Proposed Language and Rationale and letter for disputed contract provisions:

>BellSouth and MCIm will incorporate the OLEC Daily Usage File (ODUF) service into BellSouth and MCIm Future Optimum State (FOS) billing forum. Said forum will develop the appropriate billing measurements for service parity.

BST's Rationale: The Commission's decision clearly stated that "BellSouth provide AT&T and MCIm telecommunications services for resale and access to unbundled network elements at the same level of quality that it provides to itself and its affiliates." (Order No. PSC-96-1579-FOF-TP, pp. 73-74) BellSouth's proposal is consistent with the Commission's decision. MCIm's previous proposals relating to the daily usage file have included

ISSUE 4: Should the Commission establish language for the dispute associated with Local Services Resale between AT&T Communications of the Southern States, Inc. and BellSouth Telecommunications, Inc.?

RECOMMENDATION: Yes. The Commission should approve the staff proposed language identified in the staff analysis.

STAFF ANALYSIS:

Part 1 - Local Services Resale

Sections   **Title**

Section 25.5.2   Contract Service Arrangements

Staff would note that BellSouth currently is required to report CSAs quarterly with the Commission (See Order No. 15317, Docket No. 840228-TL). BellSouth is required to file the case number, location, description of the CSA, the reason, and the contract rates for the CSA. The parties have proposed the following language.

AT&T's Proposed Language

> Unless otherwise publicly available, BellSouth shall use the best efforts to provide AT&T copies of all existing CSAs within a reasonable time after the Effective Date. Any CSA entered into after the Effective Date shall be provided to AT&T no less than thirty (30) days before the Effective Date of any such CSA. In any event, if AT&T identifies a specific CSA, BellSouth shall provide AT&T a copy within ten (10) business days of AT&T's request.

BellSouth's Proposed Language

> If AT&T identifies a specific CSA, BellSouth shall provide AT&T a copy within ten (10) business days of AT&T's request.

AT&T proposed language requires BellSouth to provide AT&T copies of all CSAs within a reasonable time after the effective date unless they are otherwise publicly available. AT&T's language further requires that any CSA entered into after the effective date shall be provided to AT&T no less than 30 days before the effective date. AT&T argues that since CSAs are not published or generally disclosed by BellSouth, but were required to be resold by the Commission, BellSouth should be ordered to disclose the CSAs. AT&T

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