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June 21, 2001

HAND DELIVERY

Mrs. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

Re: Docket No. 960786-TL and Docket No. 981834-TP

Dear Mrs. Bayo:

Enclosed are AT&T's comments concerning changes to the interim performance metrics involved in connection with the dockets referenced above and fifteen (15) copies.

Please contact me at 404-810-4196 if you have any questions.

Sincerely,

Jim Lamoureux

JL: tb

cc: All Parties of Record

Enclosure

- APP
- CAF
- CMP
- COM
- CTR
- ECR
- LEG
- OPC
- PAI
- RGO
- SEC
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FPSC BUREAU OF RECORDS

DOCUMENT NUMBER - DATE

07729 JUN 21 01

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Consideration of ) Docket No. 960786-TL  
BellSouth Telecommunications, )  
Inc.'s entry into interLATA )  
services pursuant to Section 271 ) Filed: 06/21/01  
of the Federal Telecommunications )  
Act of 1996 )  
\_\_\_\_\_ )

In re: Petition of Competitive ) Docket No. 981834-TP  
Carriers for Commission action )  
to support local competition in )  
BellSouth Telecommunications, )  
Inc.'s service territory. )  
\_\_\_\_\_ )

**AT&T'S COMMENTS CONCERNING  
CHANGES TO INTERIM PERFORMANCE METRICS**

AT&T Communications of the Southern States, Inc. ("AT&T"), hereby files its comments concerning the "corrections made to the revised interim performance metrics" approved by the Florida Public Service Commission at its Agenda session on June 12, 2001 ("Agenda").

During the Agenda, AT&T raised several concerns related to business rule changes of certain interim performance measures. AT&T's specific concerns are set forth in greater detail below.

**Pre-Ordering/Ordering**

OSS-2, *Interface availability (Pre-Ordering/Ordering)*  
and OSS-3, *Interface availability (Maintenance & Repair)*.  
AT&T requests that KPMG investigate the hours that BellSouth is using in the numerator and denominator of this measure

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and provide feedback to the ALEC community. In determining scheduled availability, BellSouth should only exclude the scheduled hours posted on its web-site, and include only the remaining hours. For example, the calculation for the maximum EDI interface availability for a month is 24 hours times the number of days in the month. BellSouth should subtract the scheduled down-time from the maximum availability time to obtain the scheduled availability time for the interface. That figure then becomes the denominator for this measure. Unscheduled downtime during the same month is the numerator.

#### Ordering

O-8, *Reject Interval*; O-9, *Firm Order Confirmation Timeliness*; O-14, *LNP-Reject Interval Distribution and Average Reject Interval*; O-15, *LNP-Firm Order Confirmation Timeliness Interval Distribution and Firm Order Confirmation Average Interval*. A major change to these measures that significantly impacts ALECs is the exclusion of non-business hours from the interval calculations for partially mechanized LSRs. This exclusion effectively extends the intervals rather than lessening or improving them. These measures reveal delays in processing orders that likely will affect timely provisioning of the end-users' service. Additionally, the resulting outcome is the ALEC must expend resources and pay additional costs to intervene and manage an untimely ordering process. Indeed, the FCC, in

considering § 271 applications, recognizes that timely return of order confirmation notices "is a key consideration for assessing whether competitors are allowed a meaningful opportunity to compete."<sup>1</sup>

The revised performance measures may suggest that BellSouth's performance has improved as BellSouth now excludes non-business hours from the calculation, however BellSouth's performance may not have improved. For example, a partially mechanized LSR submitted on Monday at 1:00 P.M. should result in the ALEC receiving a FOC no later than 7:00 A.M. the next morning. With BellSouth's exclusion of non-business hours from the calculation, BellSouth would still be compliant if it returned the FOC by 11:00 A.M. on Wednesday, almost one and a half days later. Thus, BellSouth may appear to "meet" the more rigorous requirements, but it has not. BellSouth has merely modified its process to allow longer and easier to meet intervals.

It was suggested during the Agenda that the corresponding change to the benchmarks for these measures, while lowering the performance standard for the short term, would ultimately improve the standards for ALECs when the most aggressive benchmark becomes effective on August 01, 2001. However, based on the current Project Plan for the

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<sup>1</sup> Memorandum and Order, FCC 01-29, *Joint Application by SBC Communications Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance for Provision of In-region, interLATA Services in Kansas and Oklahoma*, CC Docket No. 00-217, ¶ 137 (January 22, 2001) ("SWBT Kansas & Oklahoma Order").

Florida Third-Party Test, the functional testing portion of TVV1, POP Functional Evaluation, will conclude on July 10, 2001, and therefore leaves the benchmark BellSouth will rely on for its 271 procedure untested.

O-8, Reject Interval; O-9, Firm Order Confirmation Timeliness; O-14, LNP-Reject Interval Distribution and Average Reject Interval; O-15, LNP-Firm Order Confirmation Timeliness Interval Distribution and Firm Order Confirmation Average Interval. A further concern of AT&T is the modification that excludes certain data from the calculations of the above-referenced measures. BellSouth excludes all LSRs that are classified as BellSouth ``projects.'' BellSouth has not specifically defined ``project'' in this context, but its Project Manager Guidelines posted on its website include all orders that BellSouth deems to be ``complex.'' Additionally, all orders with as few as 5 DS1 lines and as few as 20 lines for even simple services are considered BellSouth ``projects.'' These types of orders are generally the most frequent and most important ALEC accounts because larger customers typically order these types of services. Yet, BellSouth does not measure how it performs on those accounts.

BellSouth stated at the Agenda that ``projects'' have always been excluded from the measures and the business rule changes were merely clarifying what was already in

existence. However, BellSouth's June 8, 2001 response to AT&T's May 18, 2001 letter regarding the impact of this issue, made no mention as to what was made of the purported ongoing exclusion of ``projects.'' In fact, BellSouth says in its June 8, 2001, response to AT&T that ``It would be ludicrous to think the GPSC intended `project' orders to be subject to these intervals . . .`` We suggest that it is not ludicrous but imminently reasonable for any Commission to expect that orders for the customers and citizens of that state to receive timely provisioning of the service they desire. Accordingly, this Commission should not allow performance for this important customer segment to remain unmeasured.

Secondly, BellSouth's June 8, 2001 response letter states ``BellSouth's performance on project orders cannot be accurately reflected in these measures.'' However, there is no alternate suggestion on how performance for these important customers should be measured.

Outside of the BellSouth region, we know of no other regulatory body that has excluded projects from performance measures. In fact, a California Public Utilities Commission Administrative Law Judge recently issued a recommended Decision of a benchmark of 90% within 72 hours for projects.<sup>2</sup>

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<sup>2</sup> Decision 01-05-087, *Order Instituting Rulemaking on the Commission's Own Motion into Monitoring Performance of Operations Support Systems*, Rulemaking 97-10-016 and

O-11, *Firm Order Confirmation and Reject Response Completeness*. BellSouth excludes non-mechanized orders from the FOC and Reject Response Completeness measure. This measure addresses how often BellSouth returns either a FOC or a reject notice - the only appropriate responses - in response to an ALEC order. Without a FOC, ALECs are unable to provide their customers with a forecasted date and time of when their service will be provisioned. This inability to provide such information leads to customer frustration and potential cancelled orders. For the ALEC industry in December 2000, non-mechanized orders comprise 12% of the all orders submitted to BellSouth region wide.<sup>3</sup> Evaluating only 88% of the orders submitted to BellSouth is not an evaluation of BellSouth's total performance. Consequently, a partial evaluation does not provide ALECs or this Commission with the complete picture of BellSouth performance in this key area. Further, although not listed as an exclusion, it does not appear from AT&T's performance data that BellSouth is including Local Number Portability (LNP) orders in this measure. There is no justification for excluding this order type.

O-13, *LNP-Percent Rejected Service Requests*; O-14, *LNP-Reject Interval Distribution and Average Reject Interval*;

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Investigation 97-10-017 (Filed October 9, 1997) Before the Public Utilities Commission of the State of California, Attachment C, Page 17. (May 24, 2001)

<sup>3</sup> Ronald M. Pate Testimony, Exhibit 45, North Carolina Utilities Commission, Docket P-45, Sub 1022, April 12, 2001.

and O-15, *LNP-Firm Order Confirmation Timeliness Interval Distribution and Firm Order Confirmation Average Interval*. BellSouth has removed a key exclusion for these measures. ``Order Activities of BST or the CLEC associated with internal or administrative use of local services (Record Orders, Test Orders, etc.) where identifiable'' should remain as an exclusion to these measures since the timeliness of these order activities generally are not customer impacting and their inclusion could mask BellSouth's performance for ALEC's end-user customers. Notably, BellSouth did not remove this exclusion from its provisioning measures.

#### Provisioning

P-1, *Mean Held Order Interval & Distribution Intervals*. BellSouth has excluded rural orders from this measure. Thus, BellSouth's performance measures reporting does not reveal whether customers in rural areas are receiving slower service due to their geographic location. There is no justification for excluding customers in rural areas as customers should be afforded the same level of quality service regardless of their location.

P-2, *Average Jeopardy Notice Interval & Percentage of Orders Given Jeopardy Notices*. BellSouth added additional exclusions to the Jeopardy Notice Interval measure. A jeopardy notice advises the ALEC that an order is in



jeopardy. The ALEC can then advise its customer that the order will be delayed. BellSouth now excludes non-dispatch orders from the Jeopardy Notice Interval. Thus, BellSouth does not report the jeopardy notice interval for any orders for which it does not require a technician to visit the customer's premises.

Regardless of whether a BellSouth technician is required to go to the customer premises, ALEC customers need timely notice that their service will be delayed. Moreover, BellSouth has stated that, if an order is designated as non-dispatch, and it is determined there is a facility delay, the order will be given a dispatch code. Even under BellSouth's rules, this manual change could be overlooked and result in the exclusion of data that should be reported. Allowing BellSouth to specify non-dispatch as an exclusion can deny ALECs, this Commission, and Florida consumers an accurate picture of BellSouth's performance.

*P-3, Percent Missed Installation Appointments; P-12, LNP-Percent Missed Installation Appointments.* BellSouth modified its Missed Appointment measure to include only the original missed appointment. This change allows BellSouth to miss all appointments set after the original missed appointment without a consequence to itself, and severe consequences to the ALEC and its end-users. The logic behind the need to measure and report this data is straightforward. A customer may be annoyed the first time

an appointment is missed, but is likely to be furious at repeated failures to meet subsequent appointments. ALECs, not BellSouth, will suffer the consequences of those repeatedly missed appointments, but this Commission will not even know they occurred.

P-3, *Percent Missed Installation Appointments*; P-4, *Average Completion Interval & Order Completion Interval (OCI) Distribution*. For these two measures BellSouth excluded directory listing orders. As a result, these measures do not report whether BellSouth completes directory listing orders in a timely manner. BellSouth's failure to provide timely directory listings for ALEC customers has a direct negative impact on consumers, as ALEC customers' numbers will not be adequately available like BellSouth's customers are. BellSouth, however, excludes any reporting of those failures. Further, only orders should be disaggregated and reported separately for directory listings.

P-5, *Average Completion Notice Interval*. BellSouth is proposing to exclude D&F orders, except for LNP stand-alone orders. It is unclear why BellSouth is making this exception as AT&T understands that the D&F<sup>4</sup> orders being excluded are ALEC requests for disconnects. D&F orders are not BellSouth internal disconnects that occur on all

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<sup>4</sup> "D" is Disconnect Order, "F" is the From portion of a To and From (T&F) or move order; an "F" order also indicates a disconnection of service

migration orders. AT&T requests that KPMG evaluate the rationale for the inclusion of these orders and the appropriateness of this activity being included in this measure.

P-8, *Cooperative Acceptance Testing - % of xDSL Loops Tested.* BellSouth has altered the disaggregating function for this measure such that the performance is not reported on a statewide basis. This could mask BellSouth's true performance by aggregating results across the region, as opposed to reporting BellSouth's results in Florida.

P-13, *LNP-Average Disconnect Timeliness Interval & Disconnect Timeliness Interval Distribution.* The denominator in the calculation for this measure specified in BellSouth's October 2000 SQM has been changed from the ``Total Number of Disconnect Service Orders Completed in Reporting Period'' to the ``Total Number of Disconnected Numbers Completed in Reporting Period.'' A single service order frequently has multiple numbers. Accordingly, with BellSouth's modification, any calculation of the interval is likely to be shorter. This measure is critical because failure to expeditiously disconnect the customer in the BellSouth switch will result in lost calls to ALEC customers.

Additionally, BellSouth changed the condition under the Disconnect Timeliness Interval calculation from the order

level to the number level. BellSouth indicated that this was because they receive port-out messages at the number level only, not at the order level, and BellSouth says it has no other way to capture this data. However, because the customer is affected at the order level, it is more appropriate to measure at the order level.

#### **Database Update Information**

D-3, *Percent NXXs and LRNs Loaded by the LERG Effective Date*. BellSouth excludes data relating to its timeliness in providing database updates for the Local Exchange Routing Guide ("LERG"). One data exclusion inappropriately omits expedited orders from the calculation. Timely loading of NXXs and LRNs impacts whether ALECs can offer service to customers. There is no justification for excluding expedited orders from the performance calculation as expedited orders are given a due date based on the expedited request.

#### **Change Management**

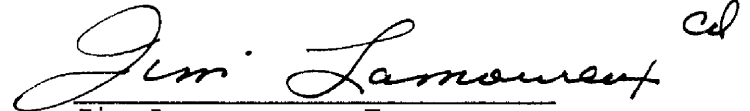
CM-1, *Timeliness of Change Management Notices*. BellSouth also modified the Timeliness of Change Management Notices measure offered by the ALECs. This measure is important because it represents the amount of advanced notice received by ALECs for making critical and time-consuming software changes. BellSouth independently excluded changes to release data for reasons outside of

BellSouth's control. This exclusion grants BellSouth considerable discretion to decide what is within its own control. For example, BellSouth could determine that any Commission directed change is out of its control, even if the Commission granted BellSouth a generous window to make the change as well as give adequate notice of the change to ALECs. BellSouth should not have unilateral authority to determine what is out of its own control. This determination should be made by the industry as a whole.

#### Conclusion

For the reasons stated above, AT&T has serious concerns about the changes made to the measurements being used in KPMG's third party test in Florida. AT&T requests that KPMG consider these concerns as part of its adequacy review of the measures used in the test.

RESPECTFULLY SUBMITTED this 21<sup>st</sup> day of June, 2001.

 *Jim Lamoureux* <sup>cd</sup>

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CERTIFICATE OF SERVICE  
DOCKETS 981834-TP and 960786-TL

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via

U.S. Mail to the following parties of record on this 21st day of June 2001:

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