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November 19, 2002

BY HAND DELIVERY

Blanca Bayó
Director, Divison of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: Docket No. 000121A-TP

Dear Ms. Bayó:

Enclosed for filing in this docket on behalf of the ALEC Coalition are the original and fifteen copies of its Comments Concerning Disputed Issues Regarding Proposed Changes to BellSouth's SQM Plan, together with attached exhibits.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning it to me. If you have any questions regarding this filing, please give me a call at (850) 425-2313.

By copy of this letter, copies of this filing have been furnished to the parties shown on the certificate of service.

Very truly yours,

Richard D. Melson

Richard D. Melson

RDM/mee
Enclosures
cc: Certificate of Service

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the Establishment of Operations Support System Permanent Performance Measures for Incumbent Local Exchange Telecommunications Companies (BellSouth Track)	)	Docket No. 000121A-TP Filed: November 19, 2002

COMMENTS OF ALEC COALITION CONCERNING DISPUTED ISSUES REGARDING PROPOSED CHANGES TO BELLSOUTH'S SQM PLAN

The members of the ALEC Coalition[1] hereby submit their comments on the disputed issues regarding proposed changes to BellSouth's SQM Plan.

These comments also address some key issues raised by BellSouth's Response to Action Items from 6-Month Review Workshop (filed November 1, 2002) and BellSouth's Comments in Response to KPMG Adequacy Study (filed October 31, 2002). Due to time constraints, the ALEC Coalition has not been able thoroughly analyze and respond to all items in BellSouth's two filings. Consequently, the lack of comments on other items in those filings does not necessarily indicate agreement with BellSouth's position.

[1] For purposes of these comments, the ALEC Coalition consists of AT&T Communications of the Southern States, Inc., ("AT&T"), WorldCom, Inc. ("WorldCom"), DIECA Communications Company d/b/a Covad Communications Company ("Covad"), ITC^DeltaCom, Inc. ("DeltaCom"), and Mpower Communications Corp.

I. DISPUTED ISSUES MATRIX

Exhibit 1 to these Comments is a disputed issues matrix on which the ALEC Coalition has provided its rationale for each of the proposed SQM and SEEM changes that it either supports or opposes. The following sections of these Comments provide more detailed information on certain key SQM and SEEM issues.

II. CHANGE CONTROL MEASURE REMEDIES

Despite paper improvements in BellSouth's change control process ("CCP"), the current CCP still suffers from serious flaws that require changes to the associated SQM/SEEM to encourage improvement.

In its recent evaluation of BellSouth's Florida/Tennessee 271 application, the DOJ expressed a number of concerns regarding the adequacy of BellSouth's CCP. Although DOJ found that BellSouth has made progress in addressing the concerns of ALECs and the state commissions, the DOJ nonetheless urged the FCC to monitor BellSouth's performance closely "to assure nondiscriminatory access by competitors." DOJ Eval. at 6, 9. In particular, the DOJ urged the FCC to monitor: "(1) BellSouth's adherence to the CLEC prioritization of [the CLECs'] change requests; (2) its provision of sufficient change capacity to implement CLEC-requested OSS changes; (3) its provision for adequate pre-release testing of OSS changes; and (4) review of OSS changes implemented for BellSouth's retail operations to assure that they do not result in discriminatory access." *Id.* at 7.

The ALECs' experiences confirm the validity of DOJ's concerns. Despite paper improvements to the CCP, BellSouth still fixes problems that it considers important, but refuses to fix the same problems in the systems that affect ALECs until pressure is applied from some

outside source, usually from regulatory authorities responding to complaints by ALECs. Recently, rather than improve its performance under the CCP, BellSouth has attempted to mask its performance by submitting performance data that are flatly contrary to reality.

A. BellSouth Disregards the Priorities Assigned To Change Requests by the ALECs.

As the DOJ recognizes, although BellSouth has promised to allocate half of available release capacity to change requests prioritized by ALECs – and to follow the priorities assigned by the ALECs in implementing those requests – BellSouth has not done so. BellSouth continues to determine what change requests are implemented (and when) without providing ALECs with an adequate explanation when it decides not to follow the ALECs' priorities. As the DOJ explained:

> Unfortunately, while a substantial improvement to the earlier process, [BellSouth's] "50/50 plan" does not appear to have completely resolved concerns that BellSouth is not following the priorities of the CLECs when scheduling implementation of their change requests. Although there may be good operational reasons for BellSouth to depart somewhat from the CLECs' priorities, to the extent practical the CLECs should be regarded as the best judges of which their requested changes should be implemented first, and BellSouth should discuss its releases openly with CLECs when it believes constraints prevent it from following CLEC priorities.[2]

Although the clear intent of the prioritization procedures is for BellSouth to follow the ALECs' prioritization in creating a release package, and only deviate from it based on group consensus, BellSouth has deviated substantially from ALEC priorities. The 2003 implementation schedule that BellSouth originally presented fell woefully short of reflecting the priorities that ALECs had assigned to change requests. Even the revised schedule that BellSouth proposed in October 2002 (after ALECs complained about the original schedule) still failed to include many

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[2] DOJ Eval. at 7.

higher-prioritized change requests (CRs). Yet BellSouth's schedule called for implementation of several lower-prioritized CRs – including CRs which were initiated by BellSouth, not by the ALECs.

By itself, BellSouth's unilateral inclusion of its own change requests in a release that was supposed to be an *ALEC* production release under the "50/50 Plan" shows a total disregard for the prioritization procedure. Even more flagrantly, however, BellSouth decided to implement two change requests prioritized as 13th and 14th, respectively, by the ALECs ahead of other, higher-prioritized CRs. BellSouth did not even advise ALECs of its decision until after the two change requests had already been implemented.

BellSouth has compounded its disregard of the prioritization procedure by refusing even to provide ALECs with an adequate explanation for its deviations from ALEC prioritization decisions. When BellSouth finally advised the ALECs that it had already implemented the change requests that ALECs had ranked as 13th and 14th in a prioritization meeting held only two weeks earlier, BellSouth provided only a superficial explanation for why it could not implement other CRs requested by the ALECs (including two CRs that had been given a higher priority by the ALECs). BellSouth provided that explanation, as inadequate as it was, only after ALECs had protested BellSouth's failure to follow the prioritization procedure.[3] BellSouth's attitude provides further confirmation that, although the CCP document itself may have been improved, those paper improvements have not been observed by BellSouth in practice.

[3] When BellSouth engaged in the charade of proposing a balloting procedure in early October to determine whether a high-priority CR should be implemented in place of a lower-priority CR, the ALECs returned the ballot without voting to protest BellSouth's refusal to implement CRs in the priorities assigned by ALECs. Only at that point did BellSouth provide any explanation for its refusal.

B. BellSouth Fails To Devote Sufficient Resources To Implementing ALEC Change Requests.

The DOJ's continuing concern "regarding the sufficiency of the resources that BellSouth is devoting to ALEC change requests" is well-founded. The continuing large backlog of change requests demonstrates BellSouth's failure to devote sufficient capacity to the change control process.

According to BellSouth's own posted data, as of September 30, 2002, BellSouth had not implemented a total of 45 feature change requests that the ALECs had prioritized – and had not even scheduled 15 of those CRs for implementation, even though some of them were submitted as long ago as *August 1999* and *mid-2000.*[4] Moreover, the time that BellSouth takes to implement change requests is unreasonable under any standard. Even if BellSouth adheres to the implementation dates that it has scheduled for 30 pending prioritized feature change requests, the majority of those requests will not have been implemented until two to three years – or more – after they were submitted. For one of those change requests, the scheduled implementation date is *45 months* after the submission date, and *32 months* after the date on which the request was prioritized.

BellSouth's own feature change requests, by contrast, experience no such backlogs or delays. Only four BellSouth-initiated change requests are pending at this time. Moreover, although it has not scheduled one-third of pending ALEC-prioritized requests for implementation, BellSouth has scheduled *all* of its own CRs for implementation in June 2003 – in a release that it supposedly created as an *ALEC* production release.

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[4] To compute the total number of pending prioritized feature change requests as of September 30, the ALECs relied on two logs posted to BellSouth's CCP website: the Current Log as posted October 16, 2002; and the Archived Log as posted on October 17, 2002. The 45 pending prioritized change requests do not take into account an additional 8 "pending" status ALEC change requests that have not yet been prioritized, any change requests currently in "new" status, or others that will be submitted in the future.

In addition to allowing a substantial backlog of prioritized feature change requests to accumulate, BellSouth has failed to implement an enormous number of defect change requests. According to BellSouth's Daily Change Request Activity Report and Change Control Process Log, as of September 30, 2002, BellSouth had not implemented 44 defect change requests that it had recognized as valid.[5] Under BellSouth's proposed implementation schedule, many of these defects will be corrected at intervals up to four times the maximum intervals permitted by the Commission (10 business days for high-impact defects, 30 business days for medium-impact defects, and 45 business days for low-impact defects).

In short, a substantial number of change requests prioritized by the ALECs have been awaiting implementation for two or three years, while few BellSouth-initiated change requests are pending. The FCC stated in the *Five State Order* that this is not "a trend we wish to see continue," and urged BellSouth to "use some of its half of the release capacity to implement some of the more highly prioritized or older competitive LEC requests during the course of the next year." *Five-State 271 Order* ¶ 196.

BellSouth has ignored both the FCC's request and its own "50/50 plan" by scheduling four of its own requests for implementation in the *ALEC* production releases, while making no offer to dedicate to ALEC-prioritized requests any of the capacity assigned to *BellSouth* production releases. As always, BellSouth talks the CCP talk, but fails to walk the CCP walk.

Rather than devote more capacity to the implementation of ALEC-prioritized change requests, BellSouth offers excuses that simply confirm both its failure to devote sufficient resources to, and its lack of cooperation in, the CCP. For example, on October 8, BellSouth advised the CLECs that it could not implement CR0127 (which the CLECs had prioritized 6th in

[5]Some of these 44 defect change requests are simply "validated" (*i.e.*, requests that BellSouth has analyzed and determined to be a valid defect), while the remainder are validated requests for which

their prioritization meeting in September) in lieu of certain other change requests which it had previously scheduled for its forthcoming Release 13.0, because those other CRs "did not make available the necessary SGG capacity required to implement CR0127." "SGG," or Service Gate Gateway, is BellSouth's Integrated Data Network ("IDN"), which BellSouth has claimed will provide significant improvements to its OSS when it replaces ENCORE as the OSS platform. Stated otherwise, BellSouth is now citing as a constraint on its ability to implement change requests the very IDN platform that it has touted as a benefit to its OSS. This explanation is illogical.[6]

These delays in the implementation of change requests will not end unless BellSouth vastly increases the resources that it devotes to such implementation. BellSouth now claims in its recently filed Reply Comments in the Florida/Tennessee 271 proceeding that it is devoting "approximately 80% of production capacity" for 2003 to implementing ALEC changes, thereby eliminating the DOJ's concerns about the sufficiency of the resources that it devotes to such changes. BellSouth Reply at 3, 9; Stacy Reply Aff. ¶ 11. BellSouth, however, provides absolutely no basis to support this figure. In fact, BellSouth's own Reply Comments contradict its claim.

Specifically, BellSouth states that 2,900.9 units of "starting capacity" are available for 2003.[7] It appears, however, that:

BellSouth has scheduled implementation dates.

[6] BellSouth has still not provided ALECs with adequate information regarding the implementation of the IDN platform. At a CCP meeting on October 23, 2002, BellSouth stated that the migration to the IDN platform is "planned" for December 2003, but did not commit to a specific implementation date. BellSouth provided few details about the migration, stating only that "more specifics should be available" by the next CCP meeting in November.

[7] Stacy Reply Aff. ¶ 64. In all of the previous estimates provided to ALECs, BellSouth estimated that the starting capacity for 2003 was 3,000 units. BellSouth has provided no explanation for the 100-unit discrepancy.

(1) 1567.3 of these units will be dedicated to the implementation of the industry standard ELMS6 release (Release 14.0) in 2003;

(2) 347.5 additional units will be dedicated to maintenance releases; and

(3) 100 additional units will be dedicated to the industry standard NANC 3.2 release.[8]

Thus, at most, 886.1 units (2900.9 – 1567.3 – 347.5 – 100) would be available for implementation of feature change requests. According to its own Exhibit WNS-33, however, BellSouth would devote only 423.93 units – or 48 percent – of these 886.1 units to implementation of ALEC-initiated change requests. That is below even the 50 percent share that BellSouth had promised to the ALECs, and well below the 80 percent that BellSouth claims it will provide. Furthermore, even if all of the feature change requests prioritized by ALECs (whether ALEC-initiated or BellSouth-initiated) are taken into account, only 567.18 units – or 64 percent of the remaining available capacity – would be dedicated to the implementation of feature requests.[9] In addition to falling well short of 80 percent, this 64 percent figure is considerably overstated, because it includes four BellSouth-initiated change requests which BellSouth, in violation of its "50/50 Plan" and the prioritizations made by the ALECs, unilaterally included in an ALEC production release. When those four change requests are excluded, the percentage is only 48 percent.

BellSouth has also asserted that its ability to implement prioritized change requests (including its ability to implement such requests within 60 weeks of prioritization) will be limited because of the ALECs' recent vote to implement the LSOG6/ELMS6 industry standard

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[8] Stacy Reply Aff. ¶ 64. *See also id.* ¶ 58 (stating that Release 14.0 is "the industry release implementing ELMS6").

[9] The ALECs performed these calculations using the data in Exhibit WNS-33 to Mr. Stacy's Reply Affidavit, in the portion of the exhibit entitled "Encore Suite CCP Prioritization for Release 12 and Release 13" – which Mr. Stacy cites in his affidavit. *See* Stacy Reply Aff. ¶¶ 62, 65 & Ex. WNS-33 at 1-

release. This rationalization is disingenuous. In contrast to other RBOCs, BellSouth unilaterally decided in November 2001 that it would not implement the industry standard LSOG5/ELMS5 release (as it had originally scheduled) but instead would "leapfrog" to LSOG6/ELMS6, which it targeted for implementation for March 2003.[10] Given its decision to "skip" one industry standard release – a decision that "freed up" capacity that otherwise would have been used for that release – BellSouth cannot seriously contend at this stage that the implementation of LSOG6/ELMS6 limits its ability to implement change requests in a timely manner. The simple reality is that BellSouth has not devoted sufficient resources to implementing change requests, and has deliberately chosen not to make additional capacity available.

Given these facts, it is clear that BellSouth will not even come close to implementing "nearly all of the outstanding CLEC change requests" by the end of 2003. As previously indicated, BellSouth's 2003 implementation schedule calls for implementation of only 30 of the 45 outstanding ALEC-prioritized change requests at various dates through December 2003. The remaining 15 change requests, or one-third of the total, still have not even been scheduled, and thus will likely not be implemented until sometime in 2004.[11] Even if BellSouth ultimately implements these 15 change requests in January 2004 (*i.e.*, the earliest possible month in that year), their implementation will occur at least 16 months, and as long as 33 months, after

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2. The ALECs used the latest figures included in the columns of the exhibit associated with each release in which the change is scheduled to be implemented.

[10] BellSouth had originally scheduled LSOG5/ELMS5 for implementation in May 2002. ALECs had already devoted a substantial amount of time and resources in preparing for that release before BellSouth announced its decision in November 2001 that it would "skip" to LSOG6/ELMS6 instead.

[11] Even if the change requests approved by the Flow-Through Task Force and designated as regulatory (Type 2) change requests are excluded, at least 7 of the 15 unscheduled prioritized requests are ALEC-initiated (Type 5).

prioritization – intervals that far exceed the 60-week intervals to which BellSouth has purportedly committed itself.

The fact that one-third of pending prioritized change requests will not have been implemented by the end of 2003 is bad enough. The full picture, however, is even more stark. Currently there are 20 pending ALEC change requests that have not even been prioritized.[12] Because BellSouth's 2003 schedule already appears to be "filled," these requests will not be implemented until 2004 or later. Moreover, ALECs will undoubtedly file additional feature change requests between now and the end of 2003 – making it questionable whether BellSouth will even be able to meet its schedule of implementing the 30 scheduled prioritized change requests by the end of next year.

C. BellSouth's Software Releases Have Serious Flaws.

BellSouth's software releases continue to contain a high level of errors, due to BellSouth's failure to conduct adequate internal testing prior to implementation. For example, according to BellSouth's own Daily Change Request Activity Reports, a total of 22 defect change requests were filed between August 26, 2002 (when BellSouth implemented Release 10.6) and September 30, 2002 – an average of nearly one defect change request per business day Such poor performance cannot reasonably be regarded as sufficient. The obvious problems (including order rejections) that these defects create for ALECs are made even worse by the inordinately long times that BellSouth takes to correct them.

[12] Of these 20 change requests, 12 are "new" (*i.e.*, the requests have been received by the BellSouth Change Control Manager, but have not yet been validated), and the remaining 8 are "pending" (*i.e.* , the requests have been accepted by the Change Control Manager and scheduled for change review and prioritization).

D. BellSouth Attempts To Use Its Reported Performance Data To Mask Its Inadequate Performance Under the CCP.

The various problems with the CCP show that, regardless of how the CCP might read on paper, the CCP as implemented by BellSouth is not providing ALECs with a meaningful opportunity to compete. Far from adhering to the CCP, BellSouth has not only disregarded it, but has manipulated its reported performance data to mask its lack of serious commitment to change management.

BellSouth's repeatedly cites the new performance measurements for change management recently adopted by the Florida and Georgia Commissions as improvements to the CCP, and as additional assurance that preexisting deficiencies in the CCP (such as BellSouth's failure to implement releases without conducting adequate internal testing) will not reappear in the future. The data that BellSouth has reported for two of the new metrics, however, are so patently unreliable that they reflect a clear attempt by BellSouth to subvert them. These metrics are CM-6 (Percent of Software Errors Corrected in X (10, 30, or 45) Business Days) and CM-11 (Percent of Change Requests Implemented Within 60 Weeks of Prioritization).

BellSouth began reporting data for these two metrics in August, as required by the Florida Commission. On their face, however, the data that BellSouth has reported are flatly wrong. For CM-6, BellSouth reported that in both August and September, it implemented only 4 defect change requests during each month – and that all of these change requests were implemented within the required interval, resulting in a 100% on-time performance. BellSouth's reported data, however, are flatly contradicted by its own Daily Change Activity Reports, which state that BellSouth implemented *22* – not four – defect change requests in August. Moreover, the Daily Change Activity Reports indicate that in both August and September, more than 20

other defect change requests had not been implemented within the prescribed time intervals (and in fact had not been implemented at all).

The information that BellSouth has reported for CM-11 (percentage of change requests implemented within 60 weeks of prioritization) is equally flawed. For both August and September, BellSouth reported that there was "No Activity This Period" for this measurement. This statement flies in the face of reality. For example, BellSouth implemented Release 10.6 – which contained 9 feature change requests – on August 25, 2002. To assert that there was "no activity" despite this fact – and despite the fact that BellSouth is required to report data for this measurement in accordance with the business rules prescribed by the Florida Commission – demonstrates that BellSouth is willing to go to any lengths to avoid true compliance with the CCP.[13]

E. The Commission Should Modify SEEM to Provide BellSouth Appropriate Incentives to Improve its CCP Performance

Because of these deficiencies, the ALECs have proposed a number of changes to the SQM measures associated with the CCP, including expansion of the number of measures included in the SEEM, the imposition of Tier 1 penalties under SEEM, and an increase in the dollar amounts for SEEM penalties. The following table contrasts the present and ALEC-proposed SEEM structure for CCP measures.

SQM Change Control Process Metric	**Present SEEM Treatment**			**ALEC Proposed SEEM Treatment**	
	Tier 1	Tier 2		Tier 1	Tier 2
CM-1 Timeliness of Change Management Notices		**X**		**X**	**X**

[13] AT&T has provided the Florida PSC staff with information showing how AT&T believes that BellSouth's method of calculating its reported data for the change management performance measurements is contrary to the business rules that the Florida PSC has prescribed for these measurements, and asking the Staff to facilitate a meeting among the parties to resolve the issue.

CM-2 Change Management Notice Average Delay Days				X	X
CM-3 Timeliness of Documents Associated with Change		X		X	X
CM-4 Change Management Documentation Average Delay Days				X	X
CM-5 Notification of CLEC Interface Outages					
CM-6 Percent of Software Errors Corrected in X (10, 30, 45) Business Days		X		X	X
CM-7 Percent of Change Requests Accepted or Rejected Within 10 Days		X		X	X
CM-8 Percent Change Requests Rejected					
CM-9 Number of Defects in Production Releases (Type 6 CR)				X	X
CM-10 Software Validation					
CM-11 Percent of Change Requests Implemented Within 60 Weeks of Prioritization		X		X	X

1. Tier 1 Penalties Are Appropriate

Tier 1 penalties exist to compensate ALECs for harm when BellSouth fails to perform at objective levels. Tier 2 payments, in contrast, are a regulatory penalty imposed when BellSouth's performance failures impact the competitive market as a whole. Both types of payments can be, and are, imposed simultaneously. The existing process typically does not apply a Tier 2 penalty until a number of Tier 1 events have occurred. This is not, however, an escalation process. The CCP impacts the competitive market as a whole at all times. When individual ALECs are harmed by BellSouth's failures to meet CCP metrics, Tier 1 penalties are appropriate and will increase BellSouth's incentive to meet the CCP metrics.

In other forums, BellSouth has implied that Tier 1 penalties for CCP measure are an invitation to ALECs to game the system by submitting a large number of meaningless requests in an attempt solely to receive payments for those rejected and not implemented. Any such potential is virtually non-existent and any gaming would be instantly visible to the Commission. The CCP process requires ALEC collaboration, joint prioritization, and joint issue resolution to

result in the timely and accurate implementation of changes. No ALEC has any incentive to submit a large number of meaningless requests as BellSouth suggests, and any such attempt would be instantly detected, recognized and dispatched.

Similarly BellSouth has stated in other forums that the administration of Tier 1 penalties for CCP metrics failures would be almost impossible to administer. BellSouth has used as an example a "low priority" request failing to be implemented in 60 weeks. This example is a red herring. The Commission-approved metric requires the implementation of at least 95% of the requests within 60 weeks of prioritization. In its example BellSouth states that the ALEC originating the low priority request should not be entitled to an individual penalty. Again BellSouth's example misses the point. When a request is not implemented within the required timeframe, all ALECs using the associated OSS are harmed, not just the ALEC that initiated the request.

2. Allocation of Tier 1 Penalties.

The administration of Tier 1 penalties for CCP metrics failures should be no more difficult than the administration of other Tier 1 penalties requiring allocation of payments to ALECs harmed by a common BellSouth performance failure. An allocation methodology, upon which a methodology for use in the BellSouth states could be created, exists in New York, where all penalties are Tier 1.

The methodology in New York is based on line counts. Conceptually, using CM-6 and CM-11 as examples, a line count methodology[14] would function as follows. The number of lines belonging to each ALEC and the ALECs in aggregate are determined and the aggregate count is

[14] Other methodologies based upon transaction volumes (queries for pre-ordering, LSRs for ordering, trouble tickets for M&R, etc.) are possible, however the ALECs believe a line count method is likely to

divided by the individual counts to establish an allocation ratio.[15] The failed defect and feature change requests are analyzed to determine the interface(s) impacted. The ALECs not utilizing the affected interface(s)[16] are eliminated from the pool and the ratios re-normalized to 100%. Tier 1 penalties are determined, allocated and paid. For CM-6, Tier 1 total penalties of $35,000 are imposed for each month in which the number of validated defects not implemented within the required interval (10, 30 or 45 business days) prevents BellSouth from meeting the 95% benchmark. For CM-11, Tier total 1 penalties of $100,000 are imposed for each month in which the number of prioritized feature changes not implemented within the 60 week interval from prioritization prevents BellSouth from meeting the 95% benchmark.[17] These Tier 1 penalties are imposed in addition to and simultaneously with the Tier 2 penalties of $35,000 for CM-6 and $100,000 for CM-11.[18] This allocation methodology completely eliminates any incentives for individual ALECs to game the system and at the same time provides compensation to all ALECs individually harmed by BellSouth's failures.

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be more easy to implement. Enhancements to the line count method to account for market entry methods (resale, UNE-L, UNE-P, xDLS, etc.) are also possible.

[15] This process could be performed quarterly to account for changes in ALEC market penetration.

[16] BellSouth knows which ALECs utilize which interfaces.

[17] The ALECs are concerned that even these increased amounts are insufficient to compensate them for harm done by BellSouth's lack of compliance with these SQMs, and therefore suggest they be closely monitored after implementation in preparation for the next six-month review. For example, one division of AT&T estimates that it will have to spend $50,000 for re-coding and other work necessary to deal with the 900+ documentation errors it has discovered in the BBRLO associated with Release 11.0.

[18] Other ILECs currently have much greater incentives than BellSouth. For example, Verizon New York has the following obligations: For Percent Change Management Notices Sent on Time: $250,000 is paid if performance is less than 94.9% but not worse than 90%. $500,000 is paid if performance is less than 90%. For Change Management Notice Average Delay Days, $25,000 per day after 5 days. For Software Validation Errors, for 5.1-10% errors $100,000 is paid, for more than 10%, $1 million is paid. If Qwest in Colorado fails to resolve software outages following a release within 48 hours, they must pay $100,000 for each additional 48 hours out of service. Additionally, Qwest has proposed penalties for failure to meet change management deliverables ranging from $500 *per instance* to $10,000 *per instance*, based on the degree of ALEC impact.

III. DATA REPOSTING POLICY

The ALEC Coalition raised the issue of BellSouth's flawed data reposting policy in its comments on August 30, 2002. Those comments asked that BellSouth be required to repost performance data when it discovers inaccuracies in its reporting of any measure ordered by the Commission, and not limit reposting to large changes in a limited number of metrics.

During the workshops held on October 17 and 18, the Commission asked BellSouth to file its reposting policy. On November 1, BellSouth filed its policy as Item 4 of BellSouth's Responses to Action Items from Six-Month Review Workshop. While this version is modified slightly from the version addressed by the ALEC Comments, BellSouth's policy remains fatally flawed.

A. BellSouth's Data Reposting Policy is Inappropriate Because It Allows BellSouth to Report Incorrect Data.

In its evaluation of BellSouth's Florida/Tennessee 271 application, the Department of Justice reported that it was concerned with potential effect of BellSouth's reposting policy on accuracy of BellSouth's reported performance data and recommended that the FCC examine this policy carefully to ensure it does not conceal inaccuracies in BellSouth's performance reporting.[19] As shown in the following comments, the current reposting policy results in exactly the concealment that the DOJ feared might exist.

First, BellSouth's policy completely eliminates from error correction numerous measures ordered by the Florida Commission. Only 37 of the 74 measures in the Florida SQM are subject to correction if errors are detected. BellSouth addressed the issue of the measures it had included in its reposting policy in the reply affidavit of BellSouth witness Varner who stated that "key

[19] See page 10 of DOJ Evaluation in WC Docket No. 02-307.

measures can certainly be amended by a state commission if new measures are introduced that are important to regulatory authorities."[20] By excluding from its reposting policy one half of the Commission-ordered measures in the SQM, BellSouth appears to assume these current measures are unimportant to the Florida Commission.

Second, BellSouth's exclusion from reposting of sub-metrics with less than 100 transactions shields a significant number of sub-metrics from error correction. For example, in the September MSS report for Florida there are 183 sub-metrics resulting in a non-compliant determination. Of these, 82 have less than 100 transactions. Thus 45% of the sub-metric misses in September will not be corrected even if found to be incorrect. Further, BellSouth's use of 100 transactions as a threshold for error correction would allow performance reports to remain in error even if dozens of records had changed in a particular sub-metric.

Third, BellSouth's policy does not correct errors for out of parity reports if correction of the error would result in less than a 2% change in reported performance for benchmark measures, or less than a 0.5% z-score change for parity measures. These omissions can hide a large quantity of errors in the original data.

Fourth, BellSouth's policy does not appear to require the correction of ALEC-specific SQM reports when aggregate reposting occurs, nor does ALEC specific reposting occur when there is no aggregate reposting, regardless of the significance of errors that occur in ALEC-specific reports.

[20] See paragraph 9 of Varner Reply Affidavit in WC Docket No. 02-307 filed November 1, 2002.

B. BellSouth's Data Reposting Policy is Inappropriate Because It Does Not Require BellSouth to Adequately Calculate SEEM Remedies.

Item 2 of BellSouth's policy states that "Performance sub-metric calculations for SEEM measures as reflected in the MSS that result in a shift in performance in the aggregate from an 'in parity' condition to an 'out of parity' condition will be available for reposting." Further Item 6 states that "when updated performance data has been made available for reposting or when a payment error in PARIS has been discovered, BellSouth will recalculate applicable SEEM payments." Thus it appears that BellSouth only recalculates SEEM remedies when the *MSS* report is changed to an out-of-parity condition or meets other criteria that require reposting. However, the MSS report and SEEM reports are calculated using different statistical methodologies, which can result in a measure being in parity in MSS and out of parity in SEEM. Thus relying on MSS reposting as the trigger for SEEM recalculations is inappropriate and can result in instances where Tier I and/or Tier II comparisons in SEEM should have changed from "in compliance" to "in violation," but the correct result is never reported and the correct remedies are never calculated or paid.

C. BellSouth's Data Reposting Policy Is Inappropriate Because It Violates the Commission's Performance Measures Order.

In this performance measures docket, the Commission examined whether BellSouth should incur penalties for issuing incomplete or inaccurate performance results.[21] The Commission ordered BellSouth to provide complete and accurate performance reports and found that penalties should be assessed whenever BellSouth fails to do so. Critically, the Commission did not give BellSouth the discretionary authority to exclude particular types of

errors in its reported results. BellSouth had argued "that the definitions of 'incomplete' and/or 'inaccurate' are so imprecise that there would be an ongoing administrative burden each month to determine what is incomplete or inaccurate"[22] Although BellSouth expressed confusion regarding the kinds of defects that might render its results "incomplete" or "inaccurate," and opposed the imposition of penalties for inaccuracies in its reported results, the Commission rejected BellSouth's arguments and stated unequivocally that, if BellSouth fails to calculate "any" performance results in accordance with the business rules in the SQM, BellSouth will incur a penalty.[23]

> We disagree with BellSouth witness Coon that the terms incomplete or inaccurate are sufficiently ambiguous to preclude taking any action to prevent improper reporting of the data. For purposes of determining the applicability of penalties, reports shall be deemed incomplete if they do not present all of the required data as specified above. Similarly, reports shall be deemed inaccurate if *any* of the required data is not calculated as specified in the SQM plan.
>
> ***
>
> Complete and accurate performance reports are necessary for the ALECS and this Commission. A penalty will establish an incentive for BellSouth to post the reports in a complete and accurate fashion.[24]

The ALEC Coalition requests that the Commission require that BellSouth comply with this Order by correcting and re-stating all erroneous performance reports. Further, BellSouth should be required to re-calculate SEEM measures whenever there are errors identified in the reported data, not merely when there are changes in parity determinations under MSS. These actions are

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[21] See In re: Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies, Docket No. 000121-TP Order No. PSC-10-1819-FOF-TP, issued September 10, 2001.
[22] Id. at 132.
[23] Id. at 134.
[24] Id. (emphasis added)

essential so that ALECs and the Commission will have accurate and reliable performance data to use in monitoring BellSouth's performance and so that ALECS can be appropriately compensated for penalty plan violations. Reposting whenever errors are discovered in the reports is also important because the frequency and nature of corrections is a valuable indicator of the quality of both the original and the reposted data. Further, as the DOJ noted, BellSouth should be required to provide the reasons for any restatement, because without the reasons for the nature and cause of the error, regulators cannot easily ascertain its significance.[25]

IV. SPECIAL ACCESS MEASURES

In the ALECs' comments filed on August 30, 2002, they explained why it is important for the Commission to adopt special access metrics. BellSouth filed comments dated October 16, 2002 responding to the ALECs' proposal ("BellSouth's Written Comments"). The ALECs address each of the points raised by BellSouth below:

A. ALECs Need Special Access As An Alternative To Unbundled Network Elements ("UNEs") Or Interconnection

Although many ALECs would like to be able to serve all customers, including larger business, government and institutional customers, with their own networks, it has simply not been possible for *any* competing carrier to build out last-mile facilities nationwide (or even in any one state or one metro area) to duplicate the facilities of the incumbent LECs. WorldCom, a large facilities-based ALEC, has said previously[26] that it can provide coverage to only about 10% of commercial buildings nationwide and in Florida using its own facilities. Where WorldCom cannot provide services via its own facilities, WorldCom looks first to other competing facilities-

[25] See footnote 38 of DOJ Evaluation.

[26] WorldCom representative Karen Furbish in an oral presentation before the staff of the Florida Public Service Commission on September 25, 2002.

based carriers to purchase "dedicated" services to serve large customers. If no other competing carrier has facilities available, WorldCom then has no choice but to rely upon incumbents like BellSouth to meet its interconnection and transport needs to serve customers.

BellSouth claimed at pages 1-2 of its Written Comments that "WorldCom has not demonstrated a need to utilize special access as an alternative to UNEs or interconnection." However, while ALECs in some cases can purchase individual UNEs from the ILECs to meet the greater voice, data and Internet traffic volumes of large customers, existing FCC rules restrict the UNEs that can be ordered in the most commonly needed combination.[27] First, WorldCom and other competitors often need both the UNE loop and UNE transport in combination ("Enhanced Extended Links," or "EELs") to permit customers' communications traffic to reach their networks. At the urging of BellSouth and other incumbents, the FCC imposed restrictions on competing carriers' ability to order EELs—either new EELs or as conversions from special access service—by requiring a "significant amount of local exchange usage" (voice traffic) to be carried on the EEL.[28] ALECs that have no choice but to rely on incumbent LEC facilities can cannot meet the FCC's significant local usage requirements for EELs in all circumstances, because many larger users of telecom services do not put all their eggs in one telecom service

[27] BellSouth stated on page 3 of its Written Comments that "Although WorldCom contends that special access and network elements are functionally identical, they are different offerings that entail different services and different prices." Except for the part about price differences (special access is most often higher priced than UNEs, since the pricing is not based on incremental costs), that statement is curious at best, because the FCC relied, in paragraph 485 (see also paragraph 474) of its Third Report and Order in the Local Competition proceeding, CC Docket No. 96-98, on BellSouth's assertion to the contrary: "As BellSouth explains, existing combinations of unbundled loops and transport network elements are a 'direct (and often physically identical) substitute for the incumbent LEC's regulated access services . . . ,' but priced significantly lower than tariffed special access services." (http://www.fcc.gov/Bureaus/ Common_Carrier/Orders/1999/ fcc99238.pdf) The footnote no. 982 corresponding to this statement refers to an *ex parte* filing made in FCC CC Docket No. 96-98 by BellSouth on August 9, 1999. If UNE loops and UNE transport were not functionally equivalent, the FCC would not have imposed the EELs restrictions, which were designed to ensure continued viability of the ILEC's special access revenue streams, and then-existing federal universal service contributions.

provider's basket—thus, there is no way to assure that large customers will put all or most of their local voice traffic on a particular carrier's EEL or maintain that traffic on the EEL. Even if large customers did put most of their voice traffic on an EEL ordered by a competing carrier, and maintained that status, competing carriers cannot "commingle" EELs with the incumbent's special access services. Therefore, UNEs often cannot be used to provide last-mile links for larger customers to reach their networks, and competing carriers then must look to incumbent LECs' "special access" services.

Second, ALECs relying on incumbent LECs for last-mile connections cannot order special access out of the incumbents' intrastate tariffs because of the FCC's "10% rule," which requires that if a circuit carries more than 10% interstate traffic, that circuit or service must be purchased from the incumbent LECs' FCC-approved ("interstate") tariff, even though up to 90% of the traffic traversing that circuit can be intrastate in nature.[29] Thus, where WorldCom and other ALECs must rely on the incumbents' facilities to compete for larger customers, the only alternative is usually the incumbents' federally tariffed special access services.

B. Special Access Metrics Are Appropriate Under The Act And Have Been Required By Several States.

BellSouth asserts on page 2 of its Written Comments that performance measures have been ordered to apply only to interconnection, unbundling and resale. However, under Section 251(c)(2) of the Telecommunications Act of 1996, relating to the duties of incumbent LECs, the section on interconnection states that incumbents have "[t]he duty to provide, for the facilities and equipment of any requesting telecommunications carrier, interconnection with the local

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[28] *In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, Supplemental Order Clarification, rel. June 2, 2002.

[29] 47 C.F.R. § 36.154

exchange carrier's network—(A) for the transmission and routing of telephone exchange service and *exchange access.*" (emphasis supplied). Further, Section 251 (c)(3), relating to unbundling requirements for incumbent LECs, states in part that unbundling must be provided to any requesting carrier "for the provision of a telecommunications service . . . in accordance with the terms and conditions . . . and requirements of *this section* and section 252." (emphasis supplied)

While the FCC decided it will not mandate or include special access performance metrics in its Section 271 "backsliding" requirements, several states (including Georgia, Tennessee, Texas, Colorado, Washington and Utah) have ordered the monitoring and reporting by BOCs of their intrastate and interstate special access services in post-271 six-month reviews. New York ordered monitoring and reporting of Verizon's (then New York Telephone Company) special access services beginning in the mid-1980s. Several other states are currently considering the issue in generic or Section 271-related proceedings.[30]

BellSouth asserts at pages 7-8 of its Written Comments that: "Thus, even the New York Commission...acknowledges that it cannot enforce standards relating to interstate special access without a delegation of authority from the FCC. Obviously, this delegation has not occurred."

This characterization of the New York situation is misleading. The New York PSC wrote on two separate occasions to the FCC, first to request investigation of that state commission's finding that not only had Verizon been providing substandard special access performance, but was doing so in a discriminatory manner in favor of its own retail customers. The New York PSC apparently desired to impose penalties on Verizon, but asked the FCC to review the matter

[30] See Exhibit 2 for a summary of the status of other states' activities as of this date. The Georgia Public Service Commission has not yet released its order codifying its unanimous vote on September 17, 2002 to adopt the Joint Competitive Industry Group (JCIG) metrics applicable to BellSouth's intrastate and interstate special access services. The ALECs will provide a copy of this order when it is available.

and to delegate such penalty authority to it. That matter has been rolled into the FCC's special access Notice of Proposed Rulemaking, issued November 19, 2001.[31]

The second New York PSC letter was sent to the FCC on January 18, 2002 in the FCC's special access performance proceeding. In that letter, the NYPSC requested the FCC to adopt the New York Special Services Guidelines for nationwide ILEC reporting, and said the New York PSC wished to maintain the status quo in New York until the FCC concluded its investigation. The New York PSC also set forth a proposal in the letter for *joint state-federal oversight* of incumbent LEC performance on special access services sold via FCC-approved tariffs. (A copy of that letter is provided as Exhibit 3.)

As for BellSouth's plea to the Commission to forego action on measuring its special access performance until the FCC decides the issue, there is no date or time table for the FCC to act on the matter. In fact, a Qwest (as U.S. WEST) petition filed in 1999 seeking FCC pre-emption of any state oversight of ILEC interstate special access tariffs was never responded to, and was incorporated into the FCC's current proceeding. In the FCC's Special Access Performance NPRM, the FCC has specifically asked what role states should play in the monitoring and reporting of ILEC special access,[32] but at least half of dozen states have chosen not to wait, and have ruled in favor of adopting ILEC special access performance monitoring since the issuance of the FCC's NPRM on November 19, 2001. The ALECs urge the Florida Commission to join the Georgia PSC and adopt the JCIG metrics and standards, applied to BellSouth's special access performance to affiliated and non-affiliated customers, and its retail end-users.

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[31] *In the Matter of Performance Measurements and Standards for Interstate Special Access Service,* Docket No. 01-321, Notice of Proposed Rulemaking, issued November 19, 2001 ("FCC Special Access Performance NPRM").
[32] Id.

C. Federal Tariffing of Special Access Services Does Not Prevent the Commission from Requiring that BellSouth's Performance Be Measured Against Specified Standards

Contrary to BellSouth's assertions that ALECs are proposing to "regulate" federally tariffed special access services, ALECs are not asking that the Florida Commission or any other state commission perform any action that would change the rates or terms contained in BellSouth's tariffs. Further, the ALECs are not at this time seeking the imposition of remedies for substandard special access performance by BellSouth. Rather, ALECs are merely asking the Commission to require BellSouth to monitor and report on its performance in providing special access services to its non-affiliated wholesale (competing) carrier customers--as well as to its affiliates and directly to retail end-users—to ensure that reasonable levels of service are being provided to all customers in a non-discriminatory manner.

Exhibit 2, previously referenced, cites the growing number of states that have ordered performance metrics and standards applied to incumbent LEC special access services.

D. In The Vast Majority of Cases, ALECs Lack Competitive Options for Special Access Services.

BellSouth asserts that special access services are competitive, "thus the marketplace should drive the behavior of providers."[33] If special access were truly competitive, there would be no need for ALECs to complain to regulatory authorities about Incumbent LECs' special access service performance and rates. In a competitive marketplace, providers like BellSouth could not get away with providing inferior service or raising prices to their customers.

If an ALEC upsets a customer served via special access because of sub-par performance, that customer can always purchase services from the incumbent LEC, but only occasionally from

[33] BellSouth Written Comments, p. 9-10.

another competing provider. If an ALEC is unhappy with ILEC special access services, alternatives – either via the ALEC's own network or the network of another competing carrier – rarely exist. And building out additional "on-net" facilities in the current capital-strained environment is not feasible.

WorldCom's representative on September 25, 2002 presented an analysis drawn from actual WorldCom proprietary data showing how non-competitive the special access market in Florida and the Miami Metropolitan Statistical Area (MSA) is at present, and will likely be for the foreseeable future. In fact, WorldCom's data show the extent to which WorldCom provides services to business, government and institutional customers either via its own facilities or in combination with the special access services of other competitive access providers, versus the special access services of incumbent LECs (BellSouth, GTE, and Sprint in Florida). This data is based on May 2002 information contained in WorldCom's proprietary internal database, and includes the building addresses identifying special access circuits provided by WorldCom on-net, purchased by all WorldCom subsidiaries from other competitive access providers (CAPs), and from BellSouth, Verizon and Sprint.

This data shows that WorldCom relies on ILEC special access in Florida (statewide) for about 92% of its special access needs to serve larger volume business, government and institutional customers. In the Miami MSA, WorldCom relies on BellSouth-only special access for approximately 91% of its special access needs in order to serve large customers.

E. BellSouth's Special Access Performance Needs to Improve.

WorldCom's and AT&T's experience with BellSouth indicates a variable and inconsistent – hence unpredictable—set of performance results. Currently, WorldCom receives some reporting from BellSouth on its special access performance. However, WorldCom is

unable to publicly disclose BellSouth's unaudited self-reported results due to confidentiality requirements imposed by BellSouth. Nevertheless, it can be stated that BellSouth does not measure its performance to WorldCom in accordance with the JCIG metrics and standards, nor pursuant to the version of JCIG that BellSouth agreed to with Time Warner Telecom.

WorldCom tracks BellSouth's performance in its internal systems, but the recorded results are significantly different from those reported by BellSouth. Part of the difference is BellSouth's lack of reporting on "projects," which include orders for activity on more than one circuit. Exclusion by BellSouth of "projects" from measurement means that a significant portion of WorldCom's orders are not measured at all, and BellSouth has complete control over the level of service provided on those projects. The other known reason for major differences between BellSouth's and WorldCom's measurements are related to other differences in business rules.

A review of WorldCom's own monitoring of BellSouth's special access performance in Florida indicates a trend of poor performance in 2001, followed by variable improvement up to Second Quarter of 2002, with declining performance in most cases since that point to the present. Looking at DS1s, the most common circuit type ordered from BellSouth, WorldCom internal tracking data shows the following, for a few of the key indicators:

(1) Ordering and Provisioning

FOC Receipt (Days) – From a low point of 4 days on average in First Quarter 2001 (1Q2001), BellSouth showed improvement through 2Q2002 (to 2.2 days) but has subsequently declined again to 3 days in September 2002.

On Time Performance (OTP) to FOC Due Date -- From a low point in 1Q2001 of 48.1% on time installations when measured against BellSouth's own stated due date issued on its FOCs, BellSouth improved to meeting OTP in 79.3% of the

time in 1Q2002, and has declined thereafter in the 3Q2002, the worst month being September 2002 with 71.6%

OTP Installation Intervals – BellSouth's average installation intervals for DS1s have gone from 13.2 days in 1Q2001, to 8.8 days in 1Q2002, and subsequently worsening to 12 days in September 2002.

(2) Maintenance and Repair.

In general, WorldCom is not able to disaggregate Florida-specific, or state-specific data for BellSouth's performance relating to maintenance and repair of its special access circuits. However, a review of BellSouth's own reported maintenance and repair data shows a trend for the metrics pertaining to Mean Time to Repair, Repeat Troubles, and Failure after Install similar to the trend noted above: poor performance in 2001, with improvements thereafter up to 1Q2002, followed by declining performance, sometimes to a point of worse maintenance performance than recorded in 2001.

AT&T, like WorldCom, is prohibited from sharing BellSouth's self-reported special access results. Without violating that prohibition, however, it is possible to compare BellSouth's performance relative to the 8 access service providers that self-report performance to AT&T using the same methodology. There are 10 Critical DMOQs (Direct Measures of Quality) in the special access self-reporting structure. BellSouth has one first-place rank, one third-place rank, one fourth-place rank, five fifth-place ranks, and two eighth (last) place ranks. Thus BellSouth's performance is in the lower half of all providers for 7 of the 10 critical measures.

F. The Joint Competitive Industry Group ("JCIG") Metrics and Standards Should Be Adopted.

The WorldCom and AT&T data clearly demonstrate that BellSouth has significant need to improve performance in the provision of its special access services to non-affiliated competing carrier customers. The adoption of carefully crafted performance metrics and standards designed to measure the 11 critical points in the provisioning system, and which reflect the realities of business demands (i.e., the JCIG metrics and standards), would be in the public interest to ensure consistent and effective reporting of BellSouth's special access performance. Performance reports based on JCIG metrics and standards would provide the Commission with the information necessary to determine whether BellSouth is providing reasonable levels of service to all its customers -- wholesale and retail -- and would detect whether any discriminatory activities are occurring in favor of one customer, or set of customers, over other customers. The JCIG metrics are attached as Exhibit 4.

The biggest concern of ALECs is that once BellSouth has obtained Section 271 approval and entered the in-region interLATA market, its ability to compete fully and directly with its non-dominant carrier customers will -- absent regulatory oversight -- result in the kind of declining and potentially discriminatory performance documented in other states like Texas and New York.

WorldCom's and AT&T's summaries of their experience with BellSouth's performance, based on internal company monitoring and BellSouth's own reported data, show how variable and inconsistent BellSouth's performance in Florida has been and continues to be. Adoption of appropriate metrics and standards applied to BellSouth's special access services will permit the Commission to monitor BellSouth's performance to both its competitors and its own affiliates

and retail end users to assess whether performance is reasonable, and if any discriminatory activity is occurring in favor of BellSouth's own affiliates or retail end-users at the expense of fair competition.

BellSouth's claim in comments to this Commission that the JCIG metrics are "generally unachievable and unrealistic" runs directly counter to its recent action whereby it reached an agreement with Time Warner Telecom to report against the JCIG metrics, with the exception of a few policy-oriented changes in the JCIG business rules, but with substantially lower standards than are acceptable to today's customers.[34]

Moreover, large business users – who are the customers driving the demand for services and performance --are also signatories to JCIG (i.e., the e-commerce Telecommunications Users Group ("eTUG") and the American Petroleum Association). The JCIG metrics and standards were agreed upon by a consortium of competing carrier customers and business users as the best and most efficient means to measure and ensure that overwhelmingly dominant incumbent LEC special access services are provided in a timely manner, and in a nondiscriminatory fashion.

V. OTHER KEY PERFORMANCE MEASURE ISSUES

A. BellSouth Responses To SEEM Action Items From 6-Month Review Workshop

On November 1, 2002, BellSouth filed its Response to Action Items from the 6-Month Review Workshop. BellSouth's response to those action items is deficient in a number of respects. The following discussion highlights a number of items where the ALECs disagree with BellSouth's response. Due to time constraints, the ALECs have been unable to thoroughly analyze BellSouth's filing, and the failure to comment on other specific items does not indicate that the ALEC's agree with BellSouth's position on those items.

1. Item No. 12

In the ALEC comments dated August 30, 2002, ALECs conveyed the need for an independent audit of the data underlying Bellsouth's PARIS reports to ensure that the remedy payments are accurate. For instance, ALECs need the assurance that transactions are being distributed to the correct cell for modified Z determinations. Likewise, they need to ensure the accuracy of the aggregation of z scores, which are used to make the Truncated Z determination, which in turn is used (along with the Balancing Critical Value) to determine parity. Accordingly, ALECs recommended that there be an independent audit of the SEEM Plan.

The Staff established an action item for BellSouth to provide a proposal for the SEEM Plan audit. The ALECs have numerous concerns about BellSouth's proposed SEEM replication audit plan.

First, BellSouth proposes that the audit be conducted every other year up to five years. BellSouth provides no rationale for limiting the audit to every other year. The Georgia Third Party Test exceptions have highlighted a very diverse set of problems with SEEM. Given the current problems with SEEM, the audit should be conducted on an ongoing basis. Until the industry agrees that SEEM is operating with some agreed upon level of integrity, any discussions on limiting the audit to alternating years is premature.

Second, BellSouth proposes that a maximum of two SEEM metrics will be audited quarterly. Given the diverse set of exceptions identified in the Georgia Third Party Test and SEEM-related concerns raised by ALECs in other states, a more aggressive review of SEEM is required. Based on BellSouth's proposal, a maximum of eight metrics would be audited in any year. This is totally inadequate. Any abnormalities in SEEM need to be identified and corrected

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[34] The BellSouth-TWT agreement calls for TWT to agree to advocate against UNEs in exchange for BellSouth's consent to measure its special access performance under a modified version of JCIG.

expeditiously. It is important to reiterate that SEEM was ordered by the Commission as an enforcement vehicle. If SEEM is not functioning effectively, it does not achieve the goal for which it was ordered. Therefore, ALECs recommend that at least two metrics be audited each month until each of the 36 enforcement measures have been audited.

Third, BellSouth proposes that concurrent or recently completed internal or external SEEM replication audits from other states and common audit points (such as data acquisition, statistical methodology, controls and other calculation methodology) be leveraged to avoid redundancy and limit cost. The ALECs agree that redundancy is a consideration in determining the auditing plan for metrics. However, it is important to note that replication can be performed at a number of different levels. Before agreeing that replication performed in another state is a satisfactory substitute for a Florida-specific audit, the Commission needs to understand the level at which replication was performed and determine whether it is sufficient to meet Florida's needs.

Fourth, BellSouth proposes that the cost of SEEM audits should be borne by the ALECs. ALECs oppose this proposal. Cost for the audits should be borne by BellSouth. BellSouth is the dominant market provider with the incentive and ability to discriminate. BellSouth has been ordered by the Commission to report performance results, including compliance determinations. Since BellSouth has been given this reporting responsibility, BellSouth should want its reporting to be accurate. Given that the SEEM audit is a vehicle to ensure accurate reporting, it would clearly be BellSouth's responsibility to incur the cost of the audit.

2. Item No. 13 & Item No. 14

In response to Item No. 13, BellSouth attached document FL_Item_13.pdf which included the corrected SQM pages for each affected measurement, reflecting the SEEM

disaggregation. In response to Item No. 14, BellSouth attached a redline comparison of its proposed SEEM disaggregation as document FL_Item_14.pdf.

BellSouth provides no new arguments to justify proposed changes to SEEM. These unsupported changes do no more than further reduce the effectiveness of SEEM. These proposed changes were previously considered and ruled against by this Commission.

The following table contains the ALEC's preliminary responses to BellSouth's red-lined SQM contained in FL_Item_13.pdf

MEASURE	ALEC PRELIMINARY COMMENTS
Response Interval(M&R)	This has also been ordered as an enforcement measure in NY, GA, & NC.
O-2: Acknowledgement Message Completeness	This benchmark for this metric has also been ordered by GA.
O-3; Percent Flowthrough Service Request(Summary)	ALECs do not understand what BellSouth is proposing. This metric is already a Tier II metric.
O-4: Percent Flowthrough Service Request(Detail)	ALECs do not understand what BellSouth is proposing. This metric is currently a Tier I metric.
O-8: Reject Interval	Local Interconnection Trunk submeasure is in enforcement plans in all other states in the BellSouth region.
O-11: Firm Order Confirmation and Reject Response Completeness	ALECs do not understand the purpose for this proposal. BellSouth is not providing totally compliant performance for each of the submeasures within the partially mechanized or non-mechanized categories. To eliminate partially mechanized and non-mechanized would allow non-compliant performance without consequences.
O-12: Speed of Answer in Ordering Center	This metric has been ordered as an enforcement metric in NC and TX.
P-3: Percent Missed Installation Appointment	This Commission ruled against a Percent Missed Installation Appointment enforcement measure that does not include subsequent appointment. This Commission also ruled against this request in the Motion For Reconsideration. This Commission has also ruled that this level of disaggregation is inadequate, especially given that BellSouth's UNE Loop category aggregates a diversity of dissimilar loops (ISDN BRI, <DS1, >=DS1,,,)
P-3A: Percent Missed Initial Installation Appointments	This Commission ordered this as an enforcement metric and ruled against BellSouth's original request to exclude it. The Commission again ruled against this request in response to BellSouth's Motion For Reconsideration.
P-4: Average Completion Interval & Order Completion Interval Distribution	This Commission has also ruled that this level of disaggregation is inadequate, especially given that BellSouth's UNE Loop category aggregates a diversity of dissimilar loops (ISDN BRI, <DS1, >=DS1,,,) Also, this Commission ruled in support of P-4A's inclusion in the remedy plan.
P-4A: Average Order Completion and Completion Notice Interval Distribution	This Commission has previously considered BellSouth's request and still ruled to include this metric in the remedy plan.
P7: Coordinated Customer Conversions Interval	ALECs do not know BellSouth's rationale for this change. ALECs are not aware of BellSouth having previously made this request.
P-9: % Provisioning Troubles Within 30 Days of Service Order Completion	This Commission has also ruled that this level of disaggregation is inadequate, especially given that BellSouth's UNE Loop category aggregates a diversity of dissimilar loops(ISDN BRI, <DS1, >=DS1,,,)
P12-A: LNP-Percent Out of Service < 60 Minutes	The benchmark should be >=96.5%.
M&R-1: Missed Repair Appointment	This Commission has also ruled that this level of disaggregation is inadequate, especially given that BellSouth's UNE Loop category aggregates a diversity of dissimilar loops(ISDN BRI, <DS1, >=DS1,,,)
M&R-2: Customer Trouble Report Rate	This Commission has also ruled that this level of disaggregation is inadequate, especially given that BellSouth's UNE Loop category aggregates a diversity of dissimilar loops(ISDN BRI, <DS1, >=DS1,,,)
M&R-3: Maintenance Average Duration	This Commission has also ruled that this level of disaggregation is inadequate, especially given that BellSouth's UNE Loop category aggregates a diversity of dissimilar loops(ISDN BRI, <DS1, >=DS1,,,)

M&R-4 : Percent Repeat Troubles within 30 Days	This Commission has also ruled that this level of disaggregation is inadequate, especially given that BellSouth's UNE Loop category aggregates a diversity of dissimilar loops(ISDN BRI, <DS1, >=DS1,,,)
M&R-5: Out of Service > 24 Hours	This Commission has also ruled that this level of disaggregation is inadequate, especially given that BellSouth's UNE Loop category aggregates a diversity of dissimilar loops(ISDN BRI, <DS1, >=DS1,,,) This is an enforcement metric in NY, TX and NC.
B-1: Invoice Accuracy	BellSouth provides no justification for consolidating results for Resale, UNE & Interconnection.
TGP-1: Trunk Group Performance-Aggregate	This metric is currently a Tier II metric in the remedy plan. BellSouth's proposed change appears to be erroneous. Changes to retail analogs are addressed in the Disputed Issues Matrix in this filing.

Although ALECs have provided preliminary comments in response to Item No. 13, the ALECs request an opportunity to have BellSouth explain its responses. The inconsistencies in BellSouth's responses to Item No. 13 and Item No. 14 create a significant amount of ambiguity. Therefore, ALECs are not able to provide a complete response pending clarification of BellSouth's position. ALECs also do not understand what BellSouth is proposing as SEEM measures. For example, there was nothing specified in the red-lined SQM (FL_Item_14.pdf) that denoted that the Percent Flow-through Service Requests (Summary) would have had the following SEEM disaggregation change:

From: Percent Flow-through Service Request (Summary)-Business
Percent Flow-through Service Request (Summary)-LNP
Percent Flow-through Service Request (Summary)-Residence
Percent Flow-through Service Request (Summary)-UNE

To: Percent Flow-through Service Request (Summary)

Another example is that of the Mean Time To Deliver Invoices measure. There was nothing specified in the red-lined SQM (FL_Item_14.pdf) that denoted that the Mean Time To Deliver Invoices metric would have had the following SEEM disaggregation change:

From: Mean Time To Deliver-CRIS
Mean Time To Deliver Invoices-CABS

To: Mean Time To Deliver Invoices

As described above, the two documents (FL_Item_13.pdf and FL_Item_14.pdf) that were intended to represent BellSouth's SEEM position are not consistent.

Although the ALECs are not clear on BellSouth's position on SEEM enforcement measures, the measure/submeasure changes in Table B-2: Tier 2 Submetrics and Table B-1: Tier 1 Submetrics are totally inadequate for an effective remedy plan. BellSouth's apparent change from 798 to 70 Tier 1 submeasures, and from 846 to 83 Tier 2 submeasures, seems only to represent BellSouth's attempt to eliminate any consequences for discriminatory performance. What is suggested in these two tables is totally without merit.

BellSouth is basically reviving its original position on SEEM disaggregation. BellSouth is proposing only seven levels of product disaggregation for penalty determinations.[35] This Commission has previously considered this proposal and ruled against it.

> However, the BellSouth SEEM methodology for determining penalties re-aggregates various product categories. BellSouth is proposing only seven levels of product disaggregation for penalty determination. We find this product reaggregation is inappropriate for penalty determination. There are eight metrics included in this Order to which product disaggregation is applicable. We find BellSouth product disaggregation for compliance purposes shall match what it has recommended, and we have approved, for product reporting purposes.

The metrics referenced above in the Commission Order include the following:

- Percent Missed Installation Appointment
- Average Completion Interval & Order Completion Interval Distribution
- % Provisioning Troubles Within 30 Days of Service Order Completion
- Missed Repair Appointment
- Customer Trouble Report Rate
- Maintenance Average Duration
- Percent Repeat Troubles Within 30 Days

[35] In re: Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. Florida Public Service Commission, Docket No. 000121-TP, Order No. PSC-01-1819-FOF-TP, September 10,, 2001, p. 102.

BellSouth seeks to do nothing more than provide non-compliant support without suffering any consequences. This is clearly evidenced in BellSouth's remedy reporting. As an example, BellSouth failed 14 submeasures for the Customer Trouble Report Rate in September 2002. Based on BellSouth's proposal, it would incur remedies on a maximum of 7 submeasures. Therefore, BellSouth would have been able to provide non-compliant service and avoid the following Tier 1 remedies:

UNE digital Loop DS1	$176,700.00
UNE ISDN	$ 64,600.00
Resale Residence	$ 37,450.00
Resale ISDN	$ 1,200.00
Resale Centrex	$ 1,200.00
Local Transport	$ 2,850.00
2W Analog Loop Design	$ 9,500.00
	$292,900.00 [36]

3. Item No. 18

The FPSC Staff requested that BellSouth convey its plans for adhering to the audit ordered by the Commission. The audit, specified in paragraph 4.4.5 of the SEEM Plan, states the following:

> At the end of each calendar year, an independent accounting firm, mutually agreeable to the Florida Public Service Commission and BellSouth, shall certify that all penalties under Tier-1 and Tier –2 enforcement Mechanisms were paid and accounted for in accordance with Generally Accepted Account Principles (GAAP). These annual audits shall be performed based upon audited data of BellSouth's performance measurements.

[36] The remedy amount specified may actually be less than calculated given that BellSouth's Tier 1 remedy reports to not always reflect all Tier 1 remedies incurred. This is attributed to the fact that BellSouth may have applied an adjustment for a previous month. Therefore, the remedy incurred would not be accurately represented if the adjustment was greater than the remedy incurred for the current month.

BellSouth's response does not address the Staff's request. First, the Staff requested that BellSouth convey its plan for complying with the SEEM audit **this year**. However, BellSouth responds with a plan which will not commence until May 2003. Given BellSouth's reposting policy for Florida, an audit beginning in May 2003 would allow erroneous reporting and payments by BellSouth for November, December, January, and February without correction of the errors for these months. This is due to BellSouth's reposting policy which limits error corrections to only 3 prior months. Therefore, for errors that would be identified in a May 2003 audit, reposting would only be done for March, April, and May of that year.

Second, BellSouth proposed a much more limited audit than the Staff requested. Instead of proposing to audit the calculation and distribution of remedy amounts, BellSouth states that: "Audit is limited to SEEM payment and distribution processes and excludes the remedy calculation process."[37] Clearly, it was not Staff's intent that BellSouth would conduct an audit simply to confirm that SEEM payments were properly distributed. While SEEM payment distribution validation is a necessary element of a SEEM audit, validation that the payment amount has been properly calculated is even more critical. For instance, validation that transactions are being distributed to the correct cell for modified Z determinations is one necessary component of a SEEM audit. Likewise, another essential element of a SEEM audit would be to assure the accuracy of the aggregation of z scores, which are used to make the Truncated Z determination, which in turn is used (along with the Balancing Critical Value) to determine parity. It is not understandable why BellSouth's proposed scope for this audit excludes items specified in BellSouth's response to Item No. 12.

[37] BellSouth Telecommunications, Inc. Florida Public Service Commission, Docket No. 000121A-TP, November 1, 2002.

Based on BellSouth's response, ALECs are unclear of BellSouth's plan to comply with the Commission's Order.

4. Item No. 21

BellSouth was also requested in Item 21 to provide the SEEM Allocation methodology. While BellSouth did provide calculations for the region and state coefficients, BellSouth did not explain how the coefficients are applied to determine a specific remedy amount. The ALECs have unanswered questions pertaining to determining the actual remedy amounts. As an example, the Tier 1 Fee Schedule reflects a remedy amount of $450.00 for Ordering Measures. Does BellSouth's SEEM Allocation result in $450.00 being divided between all ALECs for its failure to meet the Acknowledgement Timeliness and Acknowledgement Completeness measures?

The ALECs are also having difficulty interpreting some of the language in BellSouth's response. As an example, ALECs are not clear on the meaning of "valid RI transactions."

Given the lack of clarity in BellSouth's response, the ALECs request that the Commission provide a forum to review this response and an opportunity for the ALECs to provide additional comments once the scope of BellSouth's proposal is clarified.

B. Changes to Flow Through Metrics

The ALECs recommend a number of changes to the Flow Through Metrics O-3 and O-4, including additional disaggregation and establishment of benchmarks for Achieved Flow Through.

The achieved flow through rate (AFTR) differs from the percent flow through rate (PFTR) in that it includes the impact of BellSouth's "designed manual fallout" which is identified on the Flow Through Reports as Total Manual Fallout. The current benchmarks are applied only

to the PFTR and thus do not provide any incentive to BellSouth to improve (reduce) the level of designed manual fallout. BellSouth's Florida Flow Through Improvement Action Plan submitted on July 30th makes this point clear by focusing exclusively upon "BellSouth Caused Fallout," otherwise known as "system error." The consumer is impacted negatively by both system error and designed manual fallout, but the PFTR is impacted only by system errors.

Exhibit 5 provides data for the first nine months of 2002 (volumes, benchmarks, PFTR and AFTR). As one would expect, the AFTRs are lower than the PFTRs. The gap is fairly narrow for residential orders (approximately 7%) and huge for LNP orders (approximately 37.5% in September).

AFTR benchmarks should be applied separately to the four categories of orders (Residential, Business, UNE and LNP) as is the case today for the PFTR metric. The AFTR benchmarks should be set to provide an incentive for improvement and at the same time recognize that there are some legitimate causes of designed manual fallout, although far less than what BellSouth imposes today. Where the gap between current actual performance and desired performance is wide, a phased approach seems warranted.

The ALECs therefore suggest that the Commission adopt the following AFTR Benchmarks:

Residential	90%
Business	70% now, 80% in 9 months, 85% in 15 months
UNE-P	95%
UNE	80% now, 85% in 6 months, 90% in 12 months
LNP	70% now, 80% in 9 months, 85% in 15 months

The establishment of the AFTR benchmarks should provide the incentive for BellSouth to reduce the level of "designed manual fallout" to a more appropriate level.

C. OSS-2 Disaggregation for CSOTS Database

The ALECs propose a new issue for consideration in this proceeding. ALECs have experienced continuing problems with frequent outages and degraded service from the CLEC Service Order Tracking System (CSOTS) database. This is the database that ALECs use to track the progress of their orders, including completion. When CSOTS is out of service or degraded, it impedes the ALECs' ability to know when to bill a new customer, when to discontinue billing a lost customer, to find the status of an order for which a confirmation, rejection or provisioning completion notice has been received, or to validate that the contents of BellSouth's order accurately reflect the actions requested by the ALEC.

Because of the service impacting effect when this database is degraded or out of service, the OSS-2 metric should be modified to separately disaggregate CSOTs performance and to apply the same 99.5% benchmark that applies to other systems. The metric also needs to capture degraded as well as full outages. While CSOTS is not a database that order and preorder queries go through, it contains order status information and an image of the order's content. That information is extracted from the BellSouth Service Order Control System (SOCS) that is measured in the OSS-2 metric, and CSOTS is the database to which BellSouth refers ALECs for order status information in lieu of providing access to SOCS. Because the problems with the database are causing ALECs a great deal of inconvenience and financial burden, ALECs should not be required to wait for the next six-month review to include a metric and associated remedies for poor performance.

The Commission need only check BellSouth's website to see the numerous outages which CSOTS has experienced.[38] In addition, the ALECs have included as Exhibit 6 a detailed timeline and description of the impact of these outages (including outages of less than 20 minutes that are not reported on BellSouth's website) on Birch Telecom's operations. Other ALECs have experienced similar downtimes, with the only differences resulting from their schedule for use of the database. Also included in Exhibit 6 are Birch's e-mails showing that this is a recurring problem, which indicates that metric monitoring and enforcement through SEEM inclusion is warranted. Even though Birch escalated the problems with BellSouth in late 2001, the problems are back in full force in late 2002. Network Telephone also reports that it is logging a couple of trouble tickets a day until CSOTS is available, robust, and updates in a reliable fashion. Currently, Network Telephone provisioners are waiting 30 or 40 minutes for a status query to be returned, and then the response returned is that the data has not been posted. Also, because of the major impact of system outages and delays on ALEC operational efficiencies, Tier 1 remedies should go to ALECs based on their share of lines in the market. (See Section II above for discussion of an allocation methodology for Tier I remedies.)

D. EEL Provisioning Standards

In its adequacy review, KPMG concluded that the current retail analog for EELS of DS1/DS3 is not appropriate, and recommended that the standard be changed to diagnostic until data can be collected and appropriate standards developed. In its reply to KPMG's adequacy review, BellSouth argues that its current retail analog is appropriate, but does not oppose the change of the standard to diagnostic while data is being collected. The ALECs reiterate their

[38] Attached as Exhibit 7 is a list, compiled by ITC^DeltaCom of outages reported on the website from September through early November. The most recent information is available at http://www.interconnection.bellsouth.com/markets/lec/ccp/ccp_so_csots.html

earlier comments that while they too are not opposed to further analysis to determine the appropriate standards, they urge the Commission to do so in the current six-month review. The ALECs are opposed to changing these sub-measures to diagnostic because that removes any incentive for BellSouth to perform well for these services. The ALECs note that the Georgia Commission has ordered a benchmark for EELs for the Order Completion Interval of 30% within 5 days and 70% within 8 days, and recommend that the Commission consider this benchmark as its revises the standards for EELs.

E. OSS Response Intervals for Maintenance and Repair

In Item 6 of BellSouth's Response to Action Items, BellSouth provided a description of the how the main functions for trouble reports, such as create trouble, status trouble, modify trouble, cancel trouble, trouble report history break out for TAFI. The ALECs recommend that this information be put in the metric business rules of the SQM to describe what times to add together. BellSouth should provide the same information for similar queries for ECTA. MLT testing is something the ALECs can do through ECTA, and for this and possibly TAFI as well, the time for such ALEC testing should be measured in the OSS response time. It appears that for TAFI use of the same LMOS and DLETH databases overlap, so ALECs cannot adequately tell the time for the different types of queries that utilize these systems. At the next 6 month review, ALECs recommend that BST should be required by the Commission to propose modifications to measure the time for each type of query, rather than measuring the piece parts separately. Verizon measures OSS queries by the time from when its firewall is hit until a response from backend systems is returned.

RESPECTFULLY SUBMITTED this 19th day of November, 2002.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following parties by U.S. Mail and/or Hand Delivery (*) this 19th day of November, 2002.

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
3	BST	Pg 4, 8/30 Filing	OSS-2	MODIFY: Definition - Meaning of Function Availability and Schedule Availability	The ALECs' proposed language captures the down time on any part of the route to the back end systems in the numerator and does not multiply the denominator by the number of servers that support each interface. BST's business rules currently do not reflect how BST is calculating this metric by adding together the scheduled hours of numerous servers for each interface. For instance, WorldCom experienced an 11:02 hour outage of TAG on 7/14/02. This total time, along with other TAG hours of outage in the numerator, would be diluted by BST's practice of calculating the denominator by adding together the scheduled hours of all other servers available (but not deployed as a backup) for TAG. See Attachment 1 from the Louisiana collaborative which shows that BST added together the non-maintenance hours of 10 servers to get the total "up time" for March. By counting each of these 10 servers separately in the denominator, BST shows only a fraction of the actual "down time" in reporting its performance results.
11	BST	Pg 6, 8/30 Filing	O-2	Modify: Benchmark - From 100% to 99.5% for EDI	ALECs oppose changing this standard. This measure is the first warning sign that the ALECs' orders are not processing through BST's systems. The acknowledgement is an electronic handshake that either is or is not transmitting and any variance from 100% is an indicator of major system problems that could slow ALEC placement of orders. If BST is concerned about acknowledgements to orders sent at the end of a calendar month reporting period, ALECs are willing to change the denominator to acknowledgements due in the reporting period, but considering the speed at which acknowledgements are sent, this number should be very small.

Exhibit 1

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15	BST	Pg 7, 8/30 Filing	O-7	ADD: Exclusion - LSRs identified as projects	BST should not exclude projects from the reject interval metrics. Disaggregation by project difficulty or size would be acceptable to the ALECs, but some type of limit should be placed on how long ALECs must wait for a rejection notice when there is an issue that might impact a negotiated due date. Many of the ALECs' trunk and loop orders are classified as projects and excluded from this measurement. BST currently is implementing a UNE-P-to-loop conversion process that would involve 99 LSRs covering up to 25 loops each. See Attachment 2. When implemented, these important orders could be excluded from the metric and escape any mechanism to ensure that rejects are received in a timely manner. Any delay in receiving rejections delays the ALEC's ability to correct the order, and can jeopardize BST's ability to meet the customer requested due date. SBC-Pacific Bell has established special benchmarks for rejects for projects that have been effective the last three years: Projects: • Standard -90% within 72 hours - all products except Interconnection Trunks • Standard - Interconnection Trunks • New - 90% within 10 days Augment - 90% within 7 days
16	BST	Pg 8, 8/30 Filing	O-9	MODIFY: Benchmark - BST in the midst of analysis and wants opportunity to file during the course of the six-month review	BST has not provided any data to show that doing mechanized facilities checks requires a long FOC interval or a lower percentage benchmark for on-time performance. The FOC interval should be lowered to the levels proposed in the ALECs' comments.
17	BST	Pg 7, 8/30 Filing	O-11 O-9	ADD: Exclusion - LSRs identified as projects	BST should not exclude projects from the confirmation interval and reject and confirmation completeness metrics. It may disaggregate them by difficulty or size of project, but some type limit should be placed on how long ALECs must wait for a

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
					confirmation notice. ALECs must also receive a confirmation or rejection for all their orders rather then have them held in unmeasured limbo. Many of the ALECs' trunk and loop orders are classified as projects and excluded from this measurement. BST currently is implementing a UNE-P-to-loop conversion process that would involve 99 LSRs covering up to 25 loops each. See Attachment 2. When implemented, these important orders could be excluded from the metric and escape any mechanism to ensure that confirmations are received in a timely manner to enable the ALEC to know the due date, to manage customer expectations and monitor whether the due date is being met. SBC-Pacific Bell has established special benchmarks for rejects for projects that have been effective the last three years: Projects: • Standard -90% within 72 hours - all products except Interconnection Trunks • Standard - Interconnection Trunks • New - 90% within 10 days • Augment - 90% within 7 days
19	BST	Pg 9, 8/30 Filing	P-2	ADD: Exclusion to P-2A - Orders for which a jeopardy is identified on the due date.	The proposed exclusion is too broad. ALECs could agree to an exclusion along the following lines recommended in Georgia1: *"This exclusion only applies when the technician on premises has attempted to provide service but must refer to Engineer or Cable Repair for facility jeopardy."*
21	BST	Pg 10, 8/30 Filing	P-3A	DELETE: Eliminate measurement P-3A (% Missed Installation Appts	The Florida PSC correctly decided to include subsequent due dates in the Missed Appointment measures. BST has provided no new arguments as to why if a new due date is missed for BST reasons, it

1 Staff Recommendation, "Performance Measurement for Telecommunications Interconnection, Unbundling and Resale(6-month Review Process), Georgia PSC, Docket 7892-U, August 8, 2002.

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
				including Subsequent Appts) & replace with P-3 (% Missed Installation Appts). BST wants to exclude subsequent appointments.	should not be included in this metric.
22	BST	Pg 11, 8/30 Filing	P-3A	Benchmark - BST in the midst of analysis and wants opportunity to file during the course of the six-mth review	BST has provided no data to support its contention that the requirement of conducting electronic facilities checks before FOCs are issued requires a longer interval for providing the FOCs.
23	BST	Pg 10, 8/30 Filing	P-4A	DELETE: Eliminate measurement P-4A (Avg Order Completion & Completion Notice Intvl Dist) and replace with original measure P-4 (Avg Completion Intvl & Order Completion Intvl)	ALECs believe that return to BST's previous method of calculating average intervals would defeat the ALECs' need to have a calculation of standard interval performance across all ILEC regions done in a similar manner. As ALECs have expressed in the six-month review, they would be willing to drop the FPSC's addition of the completion notice interval to P-4A if the start time were changed to receipt of a valid LSR, a start time similar to Verizon, SBC and Qwest metrics designed to judge whether ALECs receive the standard interval when requested. Although the ALECs had proposed in proceedings in these other ILEC territories that the end time should be when the ALEC receives its completion notices, other jurisdictions did not adopt this as the stop time. Copies of the other ILEC metrics (including start times and end times) were submitted with the ALECs' comments in the six-month review. If BST is unwilling to make this modification, the ALECs propose that the end time remain as the FPSC ordered in its permanent metrics proceeding. There is no need to make the end time the same as other ILEC average interval metrics when the start time is calculated differently.
	BST	Pg 11, 8/30 Filing	P-4A	Benchmark - BST in the midst of analysis and wants opportunity to file during the course of the	ALECs have not seen any data from BST to support its claims of the impact of including the order completion interval in the metric on its meeting the PSC's parity standard. The PSC should not change its decision on this metric, unless it accepts the ALECs'

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
				six-month review	proposal to ensure that this metric has similar start and stop times as other average completion interval metrics for other major ILECs nationwide.
29	BST	Pg 15, 8/30 Filing	TGP-1, TGP-2	ADD: Exclusion - 2) trunk groups blocked due to ALEC delayed or refused orders	ALECs are concerned that BST may claim ALECs are holding up the orders when the problem really is that BST is failing to respond to an ALEC inbound trunk group resizing request. In this case, BST is the one to send the ASR. Two-way trunking only has recently been won in arbitrations giving the ALEC more control by enabling it to send the ASR when it believes an inbound trunk group augment is required. Such two-way trunk ordering has not been implemented yet, although WorldCom (and likely other ALECs) are negotiating to use this trunk ordering regime since its new BST contracts have been implemented. If the PSC does allow this exclusion, it should not do so until two-way trunk ordering processes are fully implemented. BST should at least be required to notify the ALEC when such blocking meets this exclusion criteria and report the results, both with and without the exclusions. This is what Verizon-East does in NY and most of its states that have adopted the New York Carrier-to-Carrier guidelines. The New York exclusions state: *VZ will electronically notify CLECs (operational trunk staffs), of the following situations for blocked trunks. This notification will identify that VZ has identified a blocked trunk group and that the trunk group should be excluded from VZ performance. Unless the CLEC responds back with documentation that the information on the condition is inaccurate, the trunk group will be excluded:* • *Trunks blocked due to CLEC network failure* • *Trunks that actually overflow to a final trunk, but are not designated as an overflow trunk* • *Trunks blocked where CLEC order for augmentation is overdue*

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
					• *Trunks blocked where CLEC has not responded to or has denied VZ request for augmentation* • *Trunks blocked due to other CLEC trunk network rearrangements.*
30	BST	Pg 15, 8/30 Filing	TGP-1, TGP-2	ADD: Exclusion - 3) trunk groups blocked due to unanticipated significant increases in ALEC traffic	ALECs oppose this exclusion as being too broad and too vague. It does not define "significant" and ALECs must assume that "unanticipated" means beyond forecasted traffic increases. But the traffic increase may have been at a level described in an ALEC trunk resizing request that BST has not responded to because it did not think the current trunk capacity levels warranted an augment. Nevertheless the ALEC did expect the increase that caused the blockage BST seeks to exclude with this metric. This exclusion presents another loophole in the trunk blocking metric without checks or balances on its use to exclude blockage. KPMG's metric adequacy report also agrees that this exclusion needs further quantification, pg. 75. In BST's response to the adequacy study, BST does provide some qualifications on the size of what constitutes a significant unanticipated increase, which is an improvement. Still other ILECs, such as Verizon do not include this among their many exclusions. Even with BST's change, it is not clear that BST intends to include blockage caused by its failure to implement (or delay in implementing) ALEC-requested trunk augments.
32	BST	Pg 15, 8/30 Filing	TGP-1, TGP-2	MODIFY BENCHMARK: Currently refers to trunk blockage for "any two hour period in 24 hours". BST wants to change to "any two consecutive hour period in 24 hours"	ALECs believe that the requirement of two consecutive hours of blocking is a means by which BST can ensure that it never pays remedies on this measure. Use of two consecutive hours has no basis in realistic measurement of trunk blockage. As proposed, an ALEC could exceed BST's blocking levels every other hour of the 24-hour period and pay no remedy. KPMG has even agreed with ALECs in its metric adequacy report that this benchmark is unreasonable:

TABLE OF DISPUTED ISSUES
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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
					BellSouth has stated that the phrase, "any 2 hour period," refers to any consecutive two-hour blocking period, e.g. 9 a.m. – 11 a.m. While blocking that occurs over a consecutive two-hour period is an issue, KPMG Consulting is concerned that issues with non-consecutive busy hours are not being addressed by the current benchmark. If CLEC blocking exceeded BellSouth blocking by more than 0.5% from 9 a.m. – 10 a.m. and 6 – 7 p.m., the blocking of the two non-consecutive hours would not be considered as "failing" the standard. Pg. 75. BST's response to KPMG's finding does not address the failure of this metric to capture numerous non-consecutive instances of non-parity in achieving the same trunk performance as BST trunks. BST also tries to minimize the effect of the disparity by the way it describes the trigger for establishing a blocking hour. While the difference in determining whether parity exists may be 0.5%, the actual blocking difference could be much greater but would still have to be repeated in two consecutive hours to trigger remedies. And what may be counted as parity, before the buffer of 0.5% is exceeded, may be unacceptable performance for many business and emergency service customers in and of itself.
				SQM Changes- EXHIBIT 3	
10	BST	Exhibit 3	OSS-3	Definition change: This measures the ~~% of time the OSS interface is functionally available compared to scheduled availability % for the CLEC and BST interface systems and for the legacy systems access by them are captured.~~ % of time	ALECs believe that this definitional change allows BST to combine together in the denominator the hours of scheduled availability of multiple servers (see response to BST Comment No. 3 in the preceding section) or not count the interface as down when any part of the route to the backend systems is down. ALECs believe that such a methodology will understate the impact of down time on ALECs. Therefore, only the clock hours of the day where a system can be up or down should be counted in the

				applications are functionally available as compared to scheduled availability. Calculations are based upon availability of applications and interfacing applications utilized by CLECs for maintenance & repair. "Functional Availability" is defined as the combined total # of hours per application/interface in the reporting period that application/interface components are available to users. "Scheduled Availability" is defined as the combined total # of hrs in the reporting period that application/interface components are scheduled to be available.	denominator.
15	BST	Exhibit 3	PO-2	Business Rules-Delete references to "LENS"	LENS should not be deleted because it continues to be used to access Loop Makeup information. This change was not recommended in Georgia.
18	BST	Exhibit 3	O-12	Report Structure changes: Delete Note: Combination of Residence Service Center and Business Service Center data under development Under BST: Delete **Business Service Center** Delete: **Residence Service Center.** Replace with **Retail Service Center (Business Retail Service Center + Residence Retail Service Center)**	Business Service Center and Residence Service Center calls should not be put in the same category. Doing so would mask poor performance because BST's performance for residential calls is significantly worse than that for business calls. For example, the performance for residential calls in September was 14 times worse than for business calls. September results are: BST Business - 24.03 seconds BST Residence – 346.61 seconds ALEC - 22.08 seconds Further, many interconnection agreements require BST to provide to the ALEC service equal to the best service provided to any other BST customer (or group of customers). Clearly the best service to which the ALECs are entitled to receive currently is the answering result in the business centers. But since BST may at any time elect to revise its priorities and provide better service to residence customers (say because it wanted to encourage existing residence local customers to select BST for long distance),

					ALECs should then be provided with that grade of service.
25	BST	Exhibit 3	P-3	Changes to SQM Disagg-Analog/Benchmark: **LEVEL of Disagg** **SQM** **Analog/Benchmark** UNE ISDN ~~(Incl UDC)~~ Retail ISDN-BRI	The UDC product should be deleted from this category because it is a different product offering by BST and is not analogous to the UNE ISDN or the UNE ISDN-BRI, which is the analog for this measure. For this reason, the UDC product should be reported separately from UNE IDSN.
25	BST	Exhibit 3	P-3	Changes to SQM Disagg-Analog/Benchmark: **LEVEL of Disagg** **SQM** **Analog/Benchmark** UNE UDC/ISDL Retail ISDN-BRI and PRI	The Analog/Benchmark for UDC/IDSL loop should be ISDN-BRI. The ISDN-BRI is the same subscriber interface used for IDSL. This interface is 2B + 1D channels, meaning 2 Bearer (B) Channels and 1 Data (D) channel. The PRI subscriber interface has 23B channels + 1D channel, which is equivalent to a T-1. ALECs' concern is that the aggregation of the BRI and PRI product types increases the denominator and, as a result, poor performance on one product type would be masked by better performance on the other.
25	BST	Exhibit 3	P-3	Changes to SQM Disagg-Analog/Benchmark: **LEVEL of Disagg** **SQM** **Analog/Benchmark** UNE Line Splitting ADSL Provided to Retail	The Line Splitting product will be used in both the residential and business markets. Therefore, the BST analog should include both the residential and business retail markets that are offering ADSL.
28	BST	Exhibit 3	P-3A	Changes to SQM Disagg-Analog/Benchmark: **LEVEL of Disagg** **SQM** **Analog/Benchmark** UNE ISDN ~~(Incl UDC)~~ Retail ISDN-BRI	The UDC product should be deleted from this category because it is a different product offering by BST and is not analogous to the UNE ISDN or the UNE ISDN-BRI, which is the analog for this measure. For this reason, the UDC product should be reported separately from UNE IDSN.
28	BST	Exhibit 3	P-3A	Changes to SQM Disagg-Analog/Benchmark: **LEVEL of Disagg** **SQM** **Analog/Benchmark** UNE UDC/ISDL	The analog for UDC/IDSL should be ISDN-BRI. The ISDN-BRI is the same subscriber interface used for IDSL. This interface is 2B + 1D channels, meaning 2 Bearer (B) Channels and 1 Data (D) channel. The PRI subscriber interface has 23B channels + 1D channel, which is equivalent to a T-1. ALECs' concern is that the aggregation of the BRI

				Retail ISDN-BRI and PRI	and PRI product types increases the denominator and, as a result, poor performance on one product type would be masked by better performance on the other.
28	BST	Exhibit 3	P-3A	Changes to SQM Disagg-Analog/Benchmark: **LEVEL of Disagg** **SQM** **Analog/Benchmark** UNE Line Splitting ADSL Provided to Retail	The Line Splitting product will be used in both the residential and business markets. Therefore, the BST analog should include both the residential and business retail markets that are offering ADSL.

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2	ALEC	Pg 7, 8/30 Filing	P-1	ADD to SEEM: • Mean Held Order Interval	Both NY and TX include a similar measure in their remedy plans. NY has the *Held > 15 Days metric* and TX has the *Percent Held Orders* metric.
3	ALEC	Pg 7, 8/30 Filing	P-2	ADD to SEEM: • Jeopardy Notice Intvl & % Orders Given Jeopardy Notice	Customers become displeased when their service is not delivered on the scheduled date. Yet BST consistently failed to meet the required standard for the following metrics in June, July and August: UNE ISDN 2W Analog Loop 2W Analog Loop w/LNP Dig Loop < DS1 Dig Loop ≥ DS1. In addition, EELs/Dispatch, which was not reported prior to August, was noncompliant in August. Yet BST has not had to pay remedies for noncompliance. BST retail customers experienced fewer jeopardies than ALEC customers. Without a remedy, BST lacks sufficient motivation to provide compliant support.
4	ALEC	Pg 7, 8/30 Filing	P-4	ADD to SEEM: • Avg Completion Notice Intvl	Because these notices are so important to the ALECs' relationship with their customers, the New York PSC fined Verizon $10 million dollars and added measures for billing completion notifiers not returned in 3 days and a metric on missing notifiers not resolved in 3 days to Verizon's self-executing remedy plan after it was discovered that thousands of completion notifiers were missing. BST provided completion notifiers in a much shorter interval for itself than for ALEC customers for:

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					xDSL < 10 circuits/Dispatch 2W Analog Loop Dsgn/<10 circuits/Disp Dig Loop < DS1/<10 circuits/Dispatch services. Even so, there were no remedies for this level of service. This metric is a Tier 1/Tier 2 measure in Louisiana.
5	ALEC	Pg 8, 8/30 Filing	B-9	ADD to SEEM: • % Daily Usage Feed Errors Corrected in X Bus Days	ALECs are willing to defer discussion until the next review.
6	ALEC	Pg 8, 8/30 Filing	B-5	ADD to SEEM: • Usage Data Delivery Timeliness	The delivery of pay-per-use feature records to the ALEC in a timely manner is required to bill end users for Star type services that are billed on a per-use basis (e.g., *69 can be used to find out the telephone number of the person or entity that last called the customer). Pay-per-use features are normally identified in EMI 42 category records and need to be provided to the ALEC in the same intervals that ODUF usage records are supplied. Disgruntled customers who receive a bill for pay-per-use features long after they use them are not likely to remain with an ALEC. ALECs also need to be provided with usage information to manage their costs and pricing plans and to audit the ILEC's usage reports. Without this information, ALECs may be forced to institute a huge price increase or, worse yet, withdraw from the local market because they cannot make a

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					profit. The NCUC ordered this measure as an enforcement measure in the remedy plan.
7	ALEC	Pg 8, 8/30 Filing	B-10	ADD to SEEM: • % Billing Errors Correct in X Days	Performance data for June, July, August and September reflect that BST is consistently performing poorly in correcting billing errors within 45 days for UNEs. BST's abysmal performance results for those months is as follows: June 43.97% in 45 days July 16.92% in 45 days August 10.77% in 45 days September 19.16% in 45 days. Remedies are necessary to motivate BST to provide compliant performance. Note: In BST's Response to Action Items - Item 10, BST provided results for Local Interconnection Trunks (measure C.4.4), but not for UNEs. The above information for UNEs was obtained from PMAP using the current MSS chart for measure B.4.4.
8	ALEC	Pg 8, 8/30 Filing	CM-2	ADD to SEEM: • Change Mgmt Notice Avg Delay Days	This metric should be added to the remedy plan to determine whether there are long delays when notice dates are missed. ALECs propose that this metric and CM-1 should be treated as a family where one remedy is paid if one or both metrics are missed. Qwest has done this with some of its ordering and provisioning metrics to better look at the full picture of discrimination. See the comments accompanying this matrix for discussion of the metrics that should be added to the remedy plan.

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9	ALEC	Pg 8, 8/30 Filing	CM-4	ADD to SEEM: • Change Mgmt Documentation-Avg Delay Days	This metric should be added to the remedy plan to determine whether there are long delays when documentation dates are missed. ALECs propose that this metric and CM-3 should be treated as a family where one remedy is paid if one or both metrics are missed.
10	ALEC	Pg 8, 8/30 Filing	CM-9	ADD to SEEM: • Number of Defects in Production Releases (Type 6 CR)	ALECs' ordering and preordering activity can be stopped in its tracks if software updates with defects are released by BST. Resources are drained in escalating issues and deploying workarounds for such defects. Remedies should be applied to this metric to ensure that BST software is released with few if any defects.
13	ALEC	Pg 8, 8/30 Filing	P-11	ADD to Tier 1, once BST has mechanized this measure	Service order accuracy is critical for customer service. P-11 is the only metric measuring order accuracy in the current plan and therefore merits inclusion as a Tier 1 measure. This metric is both a Tier I & Tier II measure in TX. Tier II performance is based on the aggregate performance of all ALECs; a small number of ALECs could experience significant service order inaccuracies and the aggregate performance for all ALECs would still reflect compliance.
15	ALEC	Pg 9, 8/30 Filing	PARIS	ADD: Info in PARIS reports for each submeasure • Tier I Metric	BST's PARIS reports only provide the remedy amount, not the information necessary to inform ALECs of the level and degree of noncompliance. Additionally, BST does not post all remedy failures on its remedy report.2 The requested information should not be difficult for BST to provide because BST has been providing similar

2 BellSouth Response To GA Exception 176, Georgia Public Service Commission, September 19, 2002.

Original #	Proposer	Ref	Metric	Proposal	ALEC Response
					information in response to the Louisiana Public Service Commission request3. Without information on the level and degree of noncompliance, the ALECs are unable to judge the relative severity of the violations and to develop plans for seeking improved performance. **NOTE: Items 15 through 24 related to the same reporting request.**
16	ALEC	Pg 9, 8/30 Filing	PARIS	ADD: Info in PARIS reports for each submeasure • Truncated Z-Score	**Same as #15**
17	ALEC	Pg 9, 8/30 Filing	PARIS	ADD: Info in PARIS reports for each submeasure • Balancing Critical Value	**Same as #15**
18	ALEC	Pg 9, 8/30 Filing	PARIS	ADD: Info in PARIS reports for each submeasure • Pass/Fail Indication	**Same as #15**
19	ALEC	Pg 9, 8/30 Filing	PARIS	ADD: Info in PARIS reports for each submeasure • Benchmark %	**Same as #15**
20	ALEC	Pg 9, 8/30 Filing	PARIS	ADD: Info in PARIS reports for each submeasure • BST Metric Result	**Same as #15**
21	ALEC	Pg 9, 8/30 Filing	PARIS	ADD: Info in PARIS reports for each submeasure • ALEC Metric Result	**Same as #15**

3 The LA Tier 1 Remedy Report was provided in response to Action Item 11 as part of the January 9-11, 2002 LA Performance Measurement Workshop.

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22	ALEC	Pg 9, 8/30 Filing	PARIS	ADD: Info in PARIS reports for each submeasure • Total ALEC Volume	**Same as #15**
	ALEC	Pg 9, 8/30 Filing	PARIS	ADD: Info in PARIS reports for each submeasure • Fee Schedule Amount	**Same as #15**
24	ALEC	Pg 9, 8/30 Filing	PARIS	ADD: Info in PARIS reports for each submeasure • Remedy Paid	**Same as #15**
29	ALEC	Pg 10, 8/30 Filing	CM-6	MODIFY: More significant remedy payment ($35,000 for Tier I and $35,000 for Tier II)	Because OSS software release defects can be costly to ALECs, a significant remedy should be paid for both Tier 1 and Tier 2. Remedies should be allocated as described in the comments accompanying this matrix. New York has implemented and Colorado is near implementing high remedies if change control metrics are missed.
30	ALEC	Pg 10, 8/30 Filing	CM-7	MODIFY: More significant remedy payment	Both Tier 1 and Tier 2 remedies should apply for BST delay in responding to change requests, which can be the first snag in implementation. ALECs do not have a chance to dispute rejected requests or see accepted requests move to prioritization without BST being timely in responding to these change requests.
31	ALEC	Pg 10, 8/30 Filing	CM-11	MODIFY: More significant remedy payment ($100,000 for Tier I and $100,000 for Tier II)	BST's slowness in implementing ALEC change requests can add to ALEC costs because of process inefficiencies without the change. Some change requests enable ALECs to better serve their customers. A significant remedy amount should be paid to ALECs and the state when this metric is missed.

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32	ALEC	Pg 11, 8/30 Filing	NEW SQM	ADD: SQM - Special Access Metrics	See body of comments for ALEC explanation of why JCIG special access measures should be adopted in Florida.
33	ALEC	Pg 15, 8/30 Filing	NEW SQM	ADD: SQM - Ordering Trouble Ticket Responses in 48 Hours	ALECs need to have their ordering issues addressed promptly by the LCSC and by the EC-Support help desks. The ALECs have requested that 95% of trouble tickets receive responses in 48 hours. At the very least, ALECs need BST to implement the counter metric it proposed in GA which provided a 24-hour *average* response time. See Attachment 3. BST's metric covers the EC-Support, where ALECs bring their trouble tickets regarding missing notifiers and systems failures. Verizon-NY has a similar metric covering whether trouble tickets about missing notifiers are cleared in 3 days. Monitoring of the LCSC and EC-Support delivery of timely responses is needed. Currently the situation has improved, as many ALECs have been assigned a point of contact that contacts the LCSC or the EC-Support for them. This has been helpful to date, but ALECs are vulnerable to long delays in responses to their ordering and missing notifier issues if the POC is taken away. This metric is needed to avoid backsliding in this area.
34	ALEC	Pg 16, 8/30 Filing	NEW SQM	ADD: SQM - Percent Line Loss Notifications Returned within 24 Hours of Disconnect Order Completion and Average Delay for Line Loss Notifications	As the PSC can see from the data compiled by WorldCom since the beginning of the year (see Attachment 4), BST's performance in sending line loss reports has not been consistent, although it has been better of late. Often changes in software bring new problems for ALECs in receiving the line loss reports that they need to stop their own billing of customers lost to BST or other ALECs. These customers would be less likely to switch back to the ALEC if angered over having billing continued by that ALEC

Original #	Proposer	Ref	Metric	Proposal	ALEC Response
					even though they have migrated away. The Average Delay Day metric would pick up how long the line loss is delayed. ALECs usually have to report suspicions of missing line losses (usually noticed when expected levels of losses drop) and have them reflowed, which the Average Delay Day metric would capture.
36	ALEC	Pg 17, 8/30 Filing	ADM	Raw data necessary to verify accuracy of BST's reports should be made available	The North Carolina Utilities Commission concurred that BST should be required to provide all data, including BST retail data, required to reproduce performance results. The NCUC concluded that BST is required: *"(1) To provide the [ALECs] with access to all raw data, to the extent it exists, that BST uses otherwise relies on to calculate its retail analog performance statistic;* *"(2) To provide the data required in Item No. (1) above via the PMAP in a format or formats that can be readily downloaded, understood, and manipulated by each CLP for purposes of verifying its reported results;"* The NCUC believed that the raw data was extremely valuable to the ALECs even though it was voluminous. Additionally, the NCUC stated that if an ALEC has access to this information, it can better determine if the performance measurement results are being correctly reported and whether it should request a mini-audit. The NCUC also believed that allowing the ALECs to have access to the raw data will likely lead to fewer reporting inaccuracies.
37	ALEC	Pg 18, 8/30 Filing	ADM	BST should be required to respond to requests for data reconciliation in a timely manner	When AT&T attempts to resolve data integrity issues with BST, BST's response time is unreasonably long. Inquiries initially raised in February were not satisfactorily addressed until the July 23, 2002 meeting.

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					Providing initially incomplete responses added to this delay. ITC^DeltaCom has made many attempts to reconcile its data with BST's collected data. Face-to-face meetings have been scheduled, some meetings were cancelled due to BST platform issues, some were delayed, and lastly BST advised ITC^DeltaCom that SME resources were not available to support this request. BST should be required to respond to requests for data reconciliation within the timeframes recommended by the ALEC Coalition. At the request of Staff, BST filed its data reconciliation policy. The policy, while using the timelines requested by ALECs, is rendered ineffective through the use of caveats for virtually all items. Based on these shortcomings and the problems experienced by ALECs, the ALECs strongly urge the Commission to adopt the policy described in its August 30 filing, which strikes an appropriate balance between predictability for the ALEC and flexibility for BST.
38	ALEC	Pg 20, 8/30 Filing	ADM	BST should be required to report any report that changes because of a revision in the underlying data. BST will only repost benchmark metrics that are in out-of-parity condition if there is a greater than 2% deviation in performance	See ALEC response in comment section of this filing.

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ALEC SQM Redline					
1	ALEC	PG 4, ALEC Modified Redline	CM-9	MODIFY: Add as Tier I & II Penalty	See response to BST Comment No. 29. Tier I remedies may be paid to individual ALECs by apportioning the dollars as described in the comments accompanying this matrix.
2	ALEC	PG 4, ALEC Modified Redline	OSS-2	MODIFY: Business Rules regarding downtime.	The PSC should add to business rules that: "The measure will capture down time if any part of the route from the BST firewall to backend OSS systems is down." The rules also should state: "The denominator also should include the scheduled hours of operability in the month where the whole route to the backend system is up." BST should end the practice of multiplying the denominator by the number of servers for the interface in question. As can be seen from the data BST submitted in the LA collaborative, the number of servers where availability is added together can be quite large for some interfaces. (See Attachment 1) This dilutes the down time that BellSouth reports. ALECs never expected more than clock hours of availability (no more than hours of the day during the month being measured) to be in the denominator. This is the way SBC calculates the metric.
4	ALEC	PG 7, ALEC Modified Redline	OSS-3	MODIFY: Business Rules regarding downtime.	Similar business rules as those proposed by ALECs for OSS-2. The scheduled hours of availability for ECTA and GUI interfaces should not be the up time for all the underlying servers added together.
8	ALEC	PG 21, ALEC Modified Redline	O-3	MODIFY: Benchmark to include UNE-P at 95% and UNE and LNP at 90%.	BST should include UNE-P, a high flow through product, with a 95% standard as the metric excludes types of orders that do not flow through. The UNE other and LNP benchmarks should be 90%, as the

Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
					previously established levels are too low for a metric that only includes what is designed to flow through in the first place. The ALECs' request for disaggregation and a 95% benchmark for UNE-P are supported by the Georgia Commission and the KPMG adequacy study of the Florida metrics. BST's response to the KPMG adequacy recommendation and its quotes from the FCC fail to recognize that UNE-P is and should be the category for which most orders flow through. The more UNE-P activity there is, the better BST's flow through rates for the combined UNE category are. ALECs are not opposed to having the UNE loop category proposed by KPMG be a UNE other category, but the UNE-P flow through rate should be monitored separately as is done in the Verizon and SBC-SWBT and AIT regions. Verizon-NY, PA and NJ have a 95% flow through rate for UNE-P orders designed to flow through. Qwest in Colorado reports UNE-P separately, with a benchmark of 90% by 1/2003 and 95% by7/2003. SBC-SWBT and AIT have parity benchmarks. In the case of AIT, the retail flow through performance for June, July and August has been 98.52%, 97.96% and 98.21% BST should be able to define the USOCs that do and do not flow through to inform ALECs when to expect the longer FOC/Reject intervals for certain types of orders. Other ILECs appear to be able to

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					provide more specificity on what orders will fall to manual handling than BST. Further, a benchmark should be established for total flow through (known as achieved flow through in BST region) that ramps up over time to truly ensure what orders flow through. See the comments accompanying this matrix for the ALECs' proposal on how these metrics should be set initially and increased over time. The NY Performance Assurance Plan requires Verizon to pay remedies if UNE total flow through is less than 80% and UNE-P orders designed to flow through are not at 95% or above.
9	ALEC	PG 24, ALEC Modified Redline	O-4	MODIFY: Benchmark to include UNE-P at 95% and UNE and LNP at 90%.	See ALEC response to 8 above.
10	ALEC	PG 31, ALEC Modified Redline	O-8	DELETE: Exclusion for "LSRs identified as projects".	See ALEC response to BST Original Comment Nos. 15 and 17 on projects.
11	ALEC	PG 31, ALEC Modified Redline	O-8	MODIFY: Change exclusion "LCSC" to "center(s)".	This metric should capture the response time for all the ordering centers that ALECs call. The LCSC is not the only help desk that needs to pick up the phone quickly when ALECs are having problems with customer orders.
12	ALEC	PG 33, ALEC Modified Redline	O-8	MODIFY: Disagg to include projects (diagnostic).	See ALEC response to BST Original Comment Nos. 15 and 17 on projects. The ALECs note that the current Staff proposal for performance measures for Sprint in Florida includes projects as a

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
					level of disaggregation, with a benchmark to be determined, but with current reporting as diagnostic.
13	ALEC	PG 33, ALEC Modified Redline	O-8	MODIFY: Benchmark for partially mech to $\leq$ 5 hrs and non-mech to $\leq$ 10 hrs.	ALECs need to know quickly if partially mechanized and non-mechanized orders have been rejected so that efforts can be made to get the order corrected or to dispute an invalid rejection. With exclusions for business hours, waiting the current intervals for a reject could add a day or more to the due date for the order.
14	ALEC	PG 35, ALEC Modified Redline	O-9	DELETE: Exclusion for "LSRs identified as projects".	See ALEC response to BST Original Comments Nos. 15 and 17 on projects.
16	ALEC	PG 38, ALEC Modified Redline	O-9	MODIFY: Disagg to include projects (diagnostic).	See ALEC response to BST Original Comment Nos. 15 and 17 on projects. The ALECs note that the current Staff proposal for performance measures for Sprint in Florida includes projects as a level of disaggregation, with a benchmark to be determined, but with current reporting as diagnostic.
17	ALEC	PG 38, ALEC Modified Redline	O-9	MODIFY: Benchmark for partially mech to $\leq$ 5 hrs and non-mech to $\leq$ 10 hrs.	ALECs also need to receive an FOC quickly so they know when the order is due in order to advise the customer and monitor if completion does not occur on that date.
19	ALEC	PG 42, ALEC Modified Redline	O-11	MODIFY: Benchmark from 95% to 97%.	ALECs need to receive an FOC or reject on every LSR sent in order to know that this order is moving forward or needs some changed or additional information to move the order toward completion. ALECs proposed the standard recommended by staff in Georgia at the time of its 8/30/02 comments, but the

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					adequacy study KPMG Consulting conducted of the metrics recommended even a stricter benchmark because of the importance of this measure: *"The Performance Standard section should be updated to apply a more stringent benchmark to this SQM. KPMG Consulting notes that the current benchmark is 95%. Based on KPMG Consulting's interpretation of the definition, every transaction should receive a response of a FOC or a reject. Therefore, KPMG Consulting believes that the current benchmark of 95% is too low of a benchmark, due to the potential impact to CLECs of not receiving FOCs or rejects. KPMG Consulting notes that the test CLEC for the Third Party OSS Test in Florida applied a 99% Benchmark" Adequacy Study, .p. 36.* BST's response to the adequacy study provides no compelling reason to reject the ALECs' proposed benchmarks. As the ALECs have said for the acknowledgement completeness metric, they would be agreeable to changing the denominator to completions and rejects due in the month so that LSRs submitted at the end of the month would not be counted until the next month when the confirmations or rejects due on them would be received. BST also appears to be correcting other problems it claims impede its delivery of a high percentage performance on sending confirmations or rejections. This makes it even more reasonable to adjust the benchmark to reflect a higher level of performance.

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20	ALEC	PG 43, ALEC Modified Redline	O-12	DELETE: Business Rules - eliminate "service" & "LCSC".	This change reflects that more than the LCSC should be monitored for telephone answer time.
21	ALEC	PG 43, ALEC Modified Redline	O-12	ADD: Report Structure-CRSG and EC Support Desk.	The CRSG and EC Support Desk are help desks that support ALECs; their answer times should be monitored just as the LCSC's answer times are monitored. ALECs cannot efficiently serve their customers if they have to wait a long time for the phone to pick up when they have ordering issues brought to the CRSG and EC Support desks.
22	ALEC	PG 43, ALEC Modified Redline	O-12	DELETE: Data retained - Delete "LCSC".	This change reflects that more than the LCSC should be monitored for telephone answer time.
23	ALEC	PG 43, ALEC Modified Redline	O-12	ADD: Disagg-CRSG - Parity with Retail	By including these additional support desks, ALECs propose to keep the same parity standard that exists for the LCSC. The CRSG would be compared to a retail help desk that assists similar (business, residential, complex, etc.) customer issues as the CRSG.
24	ALEC	PG 43, ALEC Modified Redline	O-12	ADD: Disagg: EC Support Desk-Parity with Retail	By including these additional support desks, ALECs propose to keep the same parity standard that exists for the LCSC. The EC-Support would be compared to a retail help desk that assists similar systems issues as the EC-Support desk.
26	ALEC	PG 48, ALEC Modified Redline	P-1	ADD: Disagg-word "industrial" after ADSL.	The ALECs withdraw their request that the word "industrial" be added to the metric.
27	ALEC	PG 50, ALEC Modified Redline	P-2	ADD: Disagg-word "industrial" after ADSL.	The ALECs withdraw their request that the word "industrial" be added to the metric.

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
28	ALEC	PG 51, ALEC Modified Redline	P-2	MODIFY: SEEM Disagg-Remove "Not Applicable" and replace w/"Same as SQM disagg and benchmark/analog above".	ALECs need notice of when BST may miss an appointment to keep a good relationship with their customers who may have to rearrange vendors or their own availability in a cutover. This metric needs to include benchmarks and remedies. The 48 hour notice interval also needs to be shortened for products, such as line sharing, where the standard interval is shorter than 48 hours.
30	ALEC	PG 55, ALEC Modified Redline	P-3A	MODIFY: Exclusion "Canceled Service Order" and replace w/"Orders canceled prior to the due date"	If BST misses a due date, the metric should count that miss even if the order is cancelled after that miss. The fact that the order was cancelled does not make the fact that BST missed the appointment any less of a problem to the ALEC and could well be the reason the customer left the ALEC. SBC-Southwestern Bell has a similar metric (Percent SWBT-Caused Missed Due Dates) with business rules specifying that the metric covers "*the percentage of N, T, and C orders by circuit where installations were not completed by the due date or were canceled after the due date that were caused by SWBT.*" Verizon-NY and most other VZ states have a metric that just captures cancellations five days or more after the due date.
31	ALEC	PG 55, ALEC Modified Redline	P-3A	DELETE: Exclusion for "Disconnect (D) & From (F) orders"	ALECs need disconnects to be monitored separately to ensure they were executed properly by BST. Untimely BST processing of disconnects can result in overbilling of the ALEC, overbilling of the customer, delays in updates of the CSR and other databases and problems with Channel Facilities Assignments. Verizon-NY and most other Verizon

TABLE OF DISPUTED ISSUES
Florida BellSouth Performance Assessment Plan
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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
					states report on whether disconnect due dates are met.
32	ALEC	PG 56, ALEC Modified Redline	P-3A	ADD: SQM Disagg-UNE UDC/IDSL - Benchmark of Retail ISDN-BRI.	The Analog/Benchmark for UDC/IDSL loop should be ISDN-BRI. The ISDN-BRI is the same subscriber interface used for IDSL. This interface is 2B + 1D channels, meaning 2 Bearer (B) Channels and 1 Data (D) channel. The PRI subscriber interface has 23B channels + 1D channel, which is equivalent to a T-1. ALECs' concern is that the aggregation of the BRI and PRI product types increases the denominator and, as a result, poor performance on one product type would be masked by better performance on the other.
33	ALEC	PG 56, ALEC Modified Redline	P-3A	ADD: SQM Disagg-ALEC disconnect requests-dispatch - Benchmark of 95% on time.	ALECs believe that a 95% on time performance is reasonable for disconnects. BST does not have to disaggregate disconnects by specific products but by the type of work that is involved in the disconnection. Those requiring dispatch may be the ones more likely delayed past the due date, so problems in this area would be captured better by not aggregating them with quick central-office disconnects.
34	ALEC	PG 56, ALEC Modified Redline	P-3A	ADD: SQM Disagg-ALEC disconnect requests-central office - Benchmark of 95% on time.	ALECs believe that a 95% on time performance is reasonable for disconnects. BST does not have to disaggregate disconnects by specific products but by the type of work that is involved in the disconnection. Central office types of disconnects should be rarely missed and should be reported separately as their results might dilute the impact
35	ALEC	PG 56, ALEC	P-3A	ADD: SQM Disagg-BST disconnects	See 33 and 34 above. Measurement of disconnects of ALEC lines as well as BST

TABLE OF DISPUTED ISSUES Florida BellSouth Performance Assessment Plan Six Month Review as of October 22, 2002					
Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
		Modified Redline		due to migrations-dispatch - Benchmark of 95% on time.	disconnects for lines migrated to ALECs are necessary to insure that all disconnects affecting ALEC customers are handled appropriately.
36	ALEC	PG 56, ALEC Modified Redline	P-3A	ADD: SQM Disagg-BST disconnect due to migrations-central office - Benchmark of 95% on time.	See 33 and 34 above. Measurement of disconnects of ALEC lines as well as BST disconnects for lines migrated to ALECs are necessary to insure that all disconnects affecting ALEC customers are handled appropriately
38	ALEC	PG 61, ALEC Modified Redline	P-4A	MODIFY: Business Rules-replace "issues a FOC or SOCs date time stamp receipt of an order" with "receives a valid LSR or ASR."	This measure should be adjusted to measure the complete customer experience in waiting for order delivery. Beginning the measurement when the FOC is sent leaves out an important segment of time on each order that could add a day or more to the customer's wait for when he or she calls for service. BST should be required to start the timing of this measurement with receipt of a valid LSR, as do the Verizon, SBC, Qwest and Sprint metrics designed to judge whether ALECs receive the standard interval when requested. This change will also make this metric more uniform for national carriers to use to compare performance. These other carriers include both the complete standard interval metric and the FOC timeliness metric in their remedies plans as they mark critical areas where discrimination can occur, such as (1) whether the standard interval can be met at parity for retail and wholesale when requested , and (2) whether a due date is provided in a prompt manner.
39	ALEC	PG 62, ALEC Modified	P-4A	ADD: SQM Disagg - UNE UCL (Non-Design) - Benchmark of 5 Days.	The standard delivery interval for the UCL-ND loop, according to BST's Product Interval Guide, is 5 business days. Based on the fact that BST does not

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
		Redline			count the day it receives the LSR as "day one" of the delivery interval but is required to return the FOC within 4 hours, BST in essence has given itself an extra day to meet the loop delivery interval that is not accounted for in this measure.
40	ALEC	PG 62, ALEC Modified Redline	P-4A	ADD: UNE UDC/ISDL - Benchmark of Retail ISDN-BRI.	The Analog/Benchmark for UDC/IDSL loop should be ISDN-BRI. The ISDN-BRI is the same subscriber interface used for IDSL. This interface is 2B + 1D channels, meaning 2 Bearer (B) Channels and 1 Data (D) channel. The PRI subscriber interface has 23B channels + 1D channel, which is equivalent to a T-1. Covad's concern is that the aggregation of the BRI and PRI product types increases the denominator and as a result, poor performance on one product type would be masked by better performance on the other.
41	ALEC	PG 62, ALEC Modified Redline	P-4A	ADD: SQM Disagg - Word "industrial" after ADSL.	The ALECs withdraw their request that the word "industrial" be added to the metric.
44	ALEC	PG 66, ALEC Modified Redline	P-5 (P-4 in ALEC Comments)	ADD: SEEM: Add to Tier I and Tier II.	ALECs need to know when they own the customer and when they can start billing and sending welcoming literature and feature instruction packages. The lack of a completion notice can cause customer relationship problems, so this metric requires coverage by remedies in both the ALEC specific and ILEC aggregate results.
45	ALEC	PG 66, ALEC Modified Redline	P-5 (P-4 in ALEC Comments)	MODIFY: SEEM Disagg-Remove "Not Applicable" and replace w/"Same as SQM disagg and benchmark/analog above".	This change needs to be made to include this metric in the remedy plan as proposed above.

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Florida BellSouth Performance Assessment Plan
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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
47	ALEC	PG 74, ALEC Modified Redline	P-7B	MODIFY: Benchmark-Unbundled Loops w/INP-Replace "Diagnostic (to be established at the 6 month review period)" with "98% in one hour, 100% in 2 hours"	When the hot cut has problems putting the customer out of service, BST should restore that service promptly. Usually, it will know what has been done during the hot cut to cause the loss of service so it can quickly reverse the problem. SBC-SWBT has a similar metric 114.1, which requires restoral in 60 minutes (1 – 10 lines) and 120 minutes (11 – 24 lines). It has a 95% standard. This is such an important metric in terms of keeping customers from being harmed by migrating to a new carrier that the benchmark should be higher than 95%.
48	ALEC	PG 74, ALEC Modified Redline	P-7B	MODIFY: Benchmark-Unbundled Loops w/LNP-Replace "Diagnostic (to be established at the 6 month review period)" with "98% in one hour, 100% in 2 hours"	See 47 above. The same reasoning applies for the less-used INP product.
50	ALEC	PG 76, ALEC Modified Redline	P-7C	MODIFY: SQM Disagg - replace "5%" with "3%".	This is another metric that shows an area where customers are likely to drop the ALEC if performance is bad. The 5% level is high for having troubles in the early days after conversion where the ALEC's performance is most carefully being assessed by the customer. The similar VZ (NY and most other VZ-east states) metric has a 2% trouble rate in the Mode of Entry part of the plan, with additional special remedies if it hits 3% and a higher tier if 4% trouble rate is hit. Verizon tops out on remedies before BST even would start to pay remedies for poor performance. Troubles during provisioning not just a few days after order completion are also included in the VZ metric.
52	ALEC	PG 80, ALEC	P-9	ADD: SQM Disagg - Word "industrial"	The ALECs withdraw their request that the word "industrial" be added to the

TABLE OF DISPUTED ISSUES Florida BellSouth Performance Assessment Plan Six Month Review as of October 22, 2002					
Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
		Modified Redline		after ADSL.	metric.
53	ALEC	PG 82, ALEC Modified Redline	P-10	DELETE: Delete SQM and modify average completion interval as noted.	This unremedied measure is not required if the PSC starts the OC interval metric at the receipt of a valid LSC.
54	ALEC	PG 86, ALEC Modified Redline	P-11	ADD: Definition-"orders that require manual handling" and also "For manually submitted orders where CLECs have no alternative, BST will use a sampling process of non-mechanized/manually submitted LSRs.	ALECs want BST's order accuracy measure to be made more robust by only examining the accuracy of orders that fall to manual handling and by automating the comparison process rather than using sampling. Including flow through orders artificially raises the accuracy rates because those orders are rarely changed by systems from what is on the LSR. Verizon and SBC-SWBT have order accuracy metrics that only include manually handled (partially mechanized) orders. The service orders counted in the denominator are the ALEC LSRs and not the multiple service orders the ILEC might create from the order. BST has said in the Georgia six-month review that it can automate the comparison of fields on the LSR to the SOC orders it creates. ALECs and BST are agreed on what fields should be compared from work done in Georgia and Louisiana collaborative. An automated process will better capture accuracy issues and will enable Tier I payments to be made to ALECs that face the loss of customers because of inaccurately provisioned orders. SBC-SWBT has automated its order accuracy metric and VZ is working on automating its metric in ongoing Carrier Working Group

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
					discussions. Orders that are submitted manually should still be sampled for accuracy. BST has said it can do all manual orders easier than selecting only those that ALECs have to submit manually because BST has not made electronic ordering available. ALECs believe that manually submitted orders should be sampled, and if doing all no matter the reason submitted manually is easier for BST, that is acceptable to ALECs.
55	ALEC	PG 86, ALEC Modified Redline	P-11	DELETE: Exclusion for "Listing Orders".	Listing orders should also be checked for accuracy through an automated process.
56	ALEC	PG 86, ALEC Modified Redline	P-11	ADD: Exclusion for "Fully mechanized LSRs that do not fall to manual handling before order is completed."	See 54 above for how the inclusion of flow through orders makes the benchmark easier to meet because these are orders not changed through BST manual handling.
57	ALEC	PG 86, ALEC Modified Redline	P-11	ADD: Business Rules-"For mechanized orders, BST will compare the LSR as sent by the CLEC to the final CSR after order completion to determine accuracy. For manual orders, BST will select a"	ALECs believe this is the best way to capture all aspects of accuracy including whether the correct name of the customer's provider is on the CSR. For the manual orders, BST should select a statistically valid sample or use all orders if the sample size is small.
58	ALEC	PG 86, ALEC Modified Redline	P-11	ADD: Business Rules - add "non-mechanized" before service orders.	This indicates that only the non-mechanized orders will be sampled; all LSRs received electronically and which fall to manual are analyzed using a mechanized process.
59	ALEC	PG 86, ALEC Modified Redline	P-11	MODIFY: Business Rules-Replace "not be counted. For small sample sizes an effort will be made to replace	This change is designed to ensure that efforts are made not to lose ALEC LSRs.

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Florida BellSouth Performance Assessment Plan
Six Month Review
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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
				the service request" with "be counted as a miss".	
60	ALEC	PG 86, ALEC Modified Redline	P-11	ADD: Calculation-Add "Manually Handled" before "orders completed".	The inclusion of flow through orders weakens the metric's ability to pick up errors from BST manual handling.
61	ALEC	PG 86, ALEC Modified Redline	P-11	MODIFY: Report Structure-Delete "Reported in categories of < 10 line/circuits;>= 10 line/circuits" and "Dispatch/Non-Dispatch" and replace these with "State".	This metric should be reported on a state-specific basis as accuracy issues with the types of codes for blocking, calling plans and other products may vary with regulatory requirements.
64	ALEC	PG 91, ALEC Modified Redline	M&R-1	ADD: Exclusion-Add verbiage "The number of trouble tickets excluded will be reported for this measure"	BST's position on providing excluded data is constantly changing. BST's current position is to provide the data due in 2/2003 in a format the ALECs do not expect to be particularly usable. Based on BST's early statements, it appears that BST will lump all excluded and defective data together. ALECs do not have the resources to wade through this dog's breakfast of excluded data every month. BST should be reporting the number of excluded trouble tickets each month so the ALECs can note unusually high exclusion rates that warrant this added review effort.
65	ALEC	PG 94, ALEC Modified Redline	M&R-2	ADD: Exclusion-Add verbiage "The number of trouble tickets excluded will be reported for this measure"	See 64 above.
66	ALEC	PG 96, ALEC Modified Redline	M&R-3	ADD: Exclusion-Add verbiage "The number of trouble tickets excluded will be reported for this measure"	See 64 above.
67	ALEC	PG 99, ALEC	M&R-4	ADD: Exclusion-Add verbiage "The	

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
		Modified Redline		number of trouble tickets excluded will be reported for this measure"	See 64 above.
68	ALEC	PG 99, ALEC Modified Redline	M&R-4	ADD: Business Rules-Include "Troubles closed to a non-excluded code will be counted as repeats even if the prior trouble closure was an excluded code."	Repeated calls often reflect that a trouble is erroneously closed to a CPE or other excluded code in error. To address that problem, whether the repeat is included in the metric should key off of whether the second trouble is closed to an excludable code, regardless of the reason code for closing the first trouble. Verizon-NY has a business rule similar to this: for its repeat troubles metric. *Any trouble, regardless of the original Disposition Code, that repeat as a Disposition Code 03, 04, or 05 will be classified as a repeat report. (NY Carrier-to-Carrier Guidelines MR-5 Repeat Trouble Report Rate).*
69	ALEC	PG 102, ALEC Modified Redline	M&R-5	ADD: Exclusion-Add verbiage "The number of trouble tickets excluded will be reported for this measure"	See 64 above.
74	ALEC	PG 118, ALEC Modified Redline	B-5	ADD: SEEM - Add to Tier I and Tier II.	Receipt of usage data in a timely manner is critical to an ALEC's ability to audit its carrier bills and to bill certain non-recurring charges to end user customers in a timely manner. Keeping current with usage data better enables the ALEC to assess whether flat rate and other innovative calling plans are sustainable in light of the impact of customer calling patterns on underlying costs. Many ILECs include usage timeliness in their remedy plans because of this importance to the ALEC's viability in the market.
75	ALEC	PG 118, ALEC	B-5	MODIFY: SEEM Disagg-Replace "Not	BST should not report this measure as a diagnostic but instead as a parity metric

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
		Modified Redline		applicable" with "Parity with Retail".	with disaggregation that matches any in retail.
83	ALEC	PG 127, ALEC Modified Redline	B-10	MODIFY: SQM Disagg - Replace "Diagnostic" with "95% within interval"	BST needs a benchmark and remedies to promote better performance in adjusting ALEC bills. Although the 45 day standard is longer than the Verizon-RI 95% adjustments in 28 days of acknowledgement, BST is performing miserably on this metric. A strong incentive for improvement is required. (Also see comments in ALEC Original Comments No. 7 in the preceding section.)
84	ALEC	PG 127, ALEC Modified Redline	B-10	MODIFY: SEEM Disagg - Replace "Not Applicable" with "State".	This metric should be reported on a state specific basis, and should be in the remedy plan with a benchmark.
90	ALEC	PG 142, ALEC Modified Redline	TGP-1	ADD: Business Rules-Add "Any trunk group blocking for more than an hour four times during the month is counted even if those times vary from the time-of-day analysis."	If BST's representations in the collaborative that the hours of blocking are not based on having to block on the same consistent busy hour during the month, then ALECs will drop this request. If BST is using a consistent busy hour blocking threshold before even considering that blocking has occurred, that process should be replaced with one that includes any trunk group that blocks more than four times during the month in the blocking category for the 24 hour period to determine if remedies are due for a non-parity situation.
91	ALEC	PG 143, ALEC Modified Redline	TGP-1	ADD: Benchmark-Add "hours do not have to be consecutive"	See ALEC position on BST proposal to make the blocking benchmark two consecutive hours of blocking. KPMG's adequacy study agreed with the ALECs' position that a consecutive two-hour standard should not be adopted. Pg. 75. See 32 above.
92	ALEC	PG 143,	TGP-1	DELETE:	ALECs believe that since this is a parity

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
		ALEC Modified Redline		Benchmark-Delete "by more than .5%"	metric, the use of the delta function gives BST an already generous buffer and no additional padding is necessary.
93	ALEC	PG 145, ALEC Modified Redline	TGP-2	ADD: Business Rules-Add "Any trunk group blocking for more than an hour four times during the month is counted even if those times vary from the time-of-day analysis."	BST represented in the collaborative that the hours of blocking are not based on having to block on the same consistent busy hour during the month. If BST is using a consistent busy hour blocking threshold before even considering that blocking has occurred, that process should be replaced with one that includes any trunk group that blocks more than four times during the month in the blocking category for the 24 hour period to determine if remedies are due for a non-parity situation.
94	ALEC	PG 146, ALEC Modified Redline	TGP-2	ADD: Benchmark-Add "does not have to be consecutive"	See ALEC position on BST proposal to make the blocking benchmark two consecutive hours of blocking. KPMG's adequacy study held same views as ALECs that a consecutive two-hour standard should not be adopted. Pg. 75. See 32 above.
95	ALEC	PG 146, ALEC Modified Redline	TGP-2	DELETE: Benchmark-Delete "by more than .5%"	ALECs believe that since this is a parity metric, the use of the delta function gives BST an already generous buffer without the need to add extra padding.
98	ALEC	PG 154, ALEC Modified Redline	CM-2	MODIFY: SEEM Disagg-Replace "Not Applicable" with "Region"	This metric should be reported by region and not be diagnostic. It captures the magnitude of delays in providing parity performance.
99	ALEC	PG 154, ALEC Modified Redline	CM-2	MODIFY: SEEM Disagg-Replace "Not Applicable" with "<+ 5 Days".	ALECs believe that this benchmark is needed because even a small percentage of late notices can have a large impact on ALECs' ability to adjust for new software updates if sent much later than the CMP rules require.
100	ALEC	PG 155, ALEC	CM-3	ADD:	ALECs believe that remedies should be allocated to ALECs who bear the costs of

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Original No.	Proposer	Reference	Metric	Proposal	ALEC Response
		Modified Redline		SEEM - Add to Tier I.	adjusting to late notices and documentation. IT resources are costly and remedies going to the state alone do not help the ALECs stay in the market and keep pace with unfriendly change control processes. ALECs propose that the PSC require remedies based on the ALEC's share lines. See accompanying ALEC comments for description of Tier I allocation methodology.
101	ALEC	PG 156, ALEC Modified Redline	CM-4	MODIFY: SEEM Disagg-Replace "Not Applicable" with "Region"	This metric should be subject to Tier 1 and Tier 2 remedies. See the comments accompanying this matrix.
102	ALEC	PG 156, ALEC Modified Redline	CM-4	MODIFY: SEEM Disagg-Replace "Not Applicable" with "<= 5 Days".	This metric should be subject to Tier 1 and Tier 2 remedies. See the comments accompanying this matrix.
104	ALEC	Pg 170, BST Redline	CM-10	Need weighting table for software validation metric.	In item 11 of its response to action items, BST provided a copy of its test desk weighting table. However, ALECs need to have a meeting with BST to understand its use before they concur with this methodology. Verizon developed its weighting table collaboratively with ALECs, while BST developed its table unilaterally and without supporting explanation.

CC: BF

BEFORE THE

LOUISIANA PUBLIC SERVICE COMMISSION

In Re: BellSouth Telecommunications, Inc.	)	**Docket No. U-22252**
Service Quality Measurements	)	**Subdocket C**

2002 MAY 24 PM 3:58

LOUISIANA PUBLIC SERVICE COMMISSION

BELLSOUTH TELECOMMUNICATIONS, INC.'S
RESPONSE TO ACTION ITEM 23, PARTS 6 & 7

Pursuant to the Louisiana Public Service Commission Staff's Notice and Procedural Schedule in the captioned docket, BellSouth Telecommunication, Inc. hereby files its Response to Action 23, Parts 6 & 7.

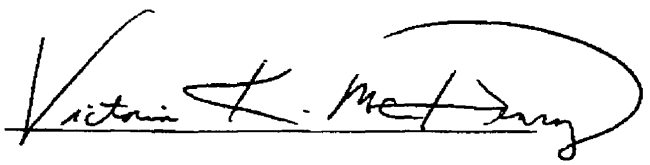
Respectfully Submitted on this 24th day of May, 2002.

VICTORIA K. MCHENRY
L. BARBEE PONDER IV
365 Canal Street, Suite 3060
New Orleans, LA 70130
(504) 528-2050

ATTORNEYS FOR
BELLSOUTH TELECOMMUNICATIONS, INC.

CERTIFICATE OF SERVICE

This is to certify that a copy of the above and foregoing has been served upon all parties of record listed on attached Official Service List by email and/or federal express this the 24th day of May, 2002.



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BELLSOUTH

Problem Management

System Performance Summary

ITOP-TAG

Report Period: 10/1/01 - 10/31/01

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRTAG-1D	35,750	0	100.00			TAG Third Party Test Server
BRTAG-2D	34,490	0	100.00			TAG BLP
BRTAG-3D	35,750	0	100.00			TAG Third Party Test Server
BRTAG-7D	34,490	0	100.00			TAG BLP (EDI Due Date)
BRTAG-8D	34,490	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
BRTAG-9D	34,490	0	100.00			TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-1D	35,690	0	100.00			TAG Security
CRTAG-2D	35,510	0	100.00			TAG Security
CRTAG-6D	34,490	97	99.72	344,476	65,036	TAG Gateway
CRTAG-7D	35,690	0	100.00	166,595	125,144	TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-8D	34,490	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
CRTAG-9D	34,490	0	100.00			TAG Third Party Test Server
I-IOCTAG1	34,490	0	100.00			Retired TAG Server
I-IOCTAG2	34,490	0	100.00			Retired TAG Server
I-IOCTAG4	34,490	51	99.85	10,269	5,068	TAG Gateway
I-IOCTAG5	35,450	0	100.00			TAG Third Party Test Server
Total	**558,740**	**148**	**99.97**	**521,340**	**195,248**	

NOTE:

- Pre-Order and Firm Order volumes for TAG are only captured for the TAG Gateway servers. Volume data for BLP and security servers is not readily accessible.

BELLSOUTH

Problem Management

System Performance Summary

ITOP-TAG

Report Period: 11/1/01 - 11/30/01

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRTAG-1D	33,300	0	100.00			TAG Third Party Test Server
BRTAG-2D	33,300	0	100.00			TAG BLP
BRTAG-3D	33,300	0	100.00			TAG Third Party Test Server
BRTAG-7D	33,300	0	100.00			TAG BLP (EDI Due Date)
BRTAG-8D	33,300	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
BRTAG-9D	33,300	0	100.00			TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-1D	33,300	0	100.00			TAG Security
CRTAG-2D	33,300	0	100.00			TAG Security
CRTAG-6D	33,300	2	99.99	313,752	32,328	TAG Gateway
CRTAG-7D	33,300	0	100.00	339,821	253,230	TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-8D	33,300	40	99.88			TAG BLP (LENS Due Date and Firm Orders)
CRTAG-9D	33,300	0	100.00			TAG Third Party Test Server
I-IOCTAG1	33,300	0	100.00			Retired TAG Server
I-IOCTAG2	33,300	0	100.00			Retired TAG Server
I-IOCTAG4	33,300	85	99.74	11,369	5,443	TAG Gateway
I-IOCTAG5	34,260	0	100.00			TAG Third Party Test Server
Total	533,760	127	99.98	664,942	291,001	

NOTE:

- Pre-Order and Firm Order volumes for TAG are only captured for the TAG Gateway servers. Volume data for BLP and security servers is not readily accessible.

BELLSOUTH

Problem Management

System Performance Summary

ITOP-TAG

Report Period: 12/1/01 - 12/31/01

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRTAG-2D	33,890	0	100.00			TAG BLP
BRTAG-7D	33,890	0	100.00			TAG BLP (EDI Due Date)
BRTAG-8D	33,890	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
BRTAG-9D	33,890	0	100.00			TAG Gateway (LENS Due Date and Firm Orders)
CRELBO8D	51,120	0	100.00			TAG Security
CRTAG-1D	33,890	0	100.00			TAG Security
CRTAG-2D	33,890	0	100.00			TAG Security
CRTAG-6D	33,890	40	99.88	270,774	56,382	TAG Gateway
CRTAG-7D	33,890	0	100.00	303,032	241,970	TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-8D	33,890	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
I-IOCTAG4	33,890	5	99.99	10,489	4,573	TAG Gateway
Total	**390,020**	**45**	**99.99**	**584,295**	**302,925**	

NOTE: Pre-Order and Firm Order volumes for TAG are only captured for the TAG Gateway servers. Volume data for BLP and security servers is not readily accessible.

BELLSOUTH

Problem Management

System Performance Summary

ITOP-TAG

Report Period: 1/1/02 - 1/31/02

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRTAG-2D	34,490	0	100.00			TAG BLP
BRTAG-7D	34,490	0	100.00			TAG BLP (EDI Due Date)
BRTAG-8D	34,490	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
BRTAG-9D	34,490	0	100.00	37,707	31,473	TAG Gateway (LENS Due Date and Firm Orders)
CRELBO8D	42,425	0	100.00			TAG Security
CRTAG-1D	34,490	0	100.00			TAG Security
CRTAG-2D	34,490	0	100.00			TAG Security
CRTAG-6D	34,490	46	99.87	352,095	66,493	TAG Gateway
CRTAG-7D	34,490	0	100.00	383,718	275,004	TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-8D	34,490	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
I-IOCTAG4	34,490	39	99.89	15,854	6,200	TAG Gateway
Total	387,325	85	99.98	789,374	379,170	

NOTE: Pre-Order and Firm Order volumes for TAG are only captured for the TAG Gateway servers. Volume data for BLP and security servers is not readily accessible.

BELLSOUTH

Problem Management

System Performance Summary

ITOP-TAG

Report Period: 2/1/02 - 2/28/02

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRTAG-2D	30,920	0	100.00			TAG BLP
BRTAG-7D	30,920	0	100.00			TAG BLP (EDI Due Date)
BRTAG-8D	30,920	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
BRTAG-9D	30,920	0	100.00	231,796	183,536	TAG Gateway (LENS Due Date and Firm Orders)
CRELBO8D	38,220	0	100.00			TAG Security
CRTAG-1D	30,920	0	100.00			TAG Security
CRTAG-2D	30,920	0	100.00			TAG Security
CRTAG-6D	30,920	91	99.71	251,978	69,173	TAG Gateway
CRTAG-7D	30,920	0	100.00	165,493	81,884	TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-8D	30,920	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
I-IOCTAG4	30,920	0	100.00	15,395	6,860	TAG Gateway

NOTE: Pre-Order and Firm Order volumes for TAG are only captured for the TAG Gateway servers. Volume data for BLP and security servers is not readily accessible.

BELLSOUTH

Problem Management

System Performance Summary

ITOP-TAG

Report Period: 3/1/02 - 3/31/02

Component Id	Tot Out Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRTAG-2D	33,890	0	100.00			TAG BLP
BRTAG-5D	44,640	0	100.00			TAG BLP
BRTAG-7D	33,890	0	100.00			TAG BLP (EDI Due Date)
CRELBO8D	42,315	0	100.00			TAG Security
CRTAG-1D	33,890	0	100.00			TAG Security
CRTAG-2D	33,890	0	100.00			TAG Security
CRTAG-6D	33,890	0	100.00	466,540	68,690	TAG Gateway
CRTAG-7D	33,890	0	100.00	407,146	260,789	TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-8D	33,890	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
I-IOCTAG4	33,890	0	100.00	16,218	5,235	TAG Gateway
Total	**358075**	**0**	**100.00**	**889,904**	**334,714**	

NOTE: Pre-Order and Firm Order volumes for TAG are only captured for the TAG Gateway servers. Volume data for BLP and security servers is not readily accessible.

BELLSOUTH

Problem Management

System Performance Summary

ENCORE LENS

Report Period: 10/1/01 - 10/31/01

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRLENS4D	38,100	0	100.00			Local Cache and Metrics Database Server
BRLENS5D	38,100	0	100.00			Local PSIMMS Database Server
CRHRMZ4D	38,100	0	100.00			CAFÉ Server
CRHRMZ5D	38,100	0	100.00			CAFÉ Server
CRHRMZ8D	38,100	0	100.00			Web Server
CRLENS1D	38,100	0	100.00	713,837		Application Server (Load Balanced)
CRLENS2D	38,100	0	100.00	741,077		Application Server (Load Balanced)
CRLENS3D	38,100	0	100.00	712,744		Application Server (Load Balanced)
CRLENS4D	36,660	152	99.58			User Profile, Local Cache and Metrics Database Server
CRLENS5D	36,660	152	99.58			Local PSIMMS Database Server
I-IOCLENS2-1	39,060	222	99.43			Web Server (Load Balanced)
I-IOCLENS2-2	36,660	0	100.00			Web Server (Load Balanced)
Total	**453,840**	**526**	**99.88**	**2,167,658**	**265,858**	

NOTE:

- Firm Order volumes for LENS are not tracked at the server level. Total LENS Firm Order volume has been provided for reference.

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Problem Management

System Performance Summary

ENCORE LENS

Report Period: 11/1/01 - 11/30/01

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRLENS1D	43,200	46	99.89	307,128		Application Server (Load Balanced)
BRLENS2D	43,200	46	99.89	327,210		Application Server (Load Balanced)
BRLENS3D	43,200	46	99.89	264,135		Application Server (Load Balanced)
BRLENS4D	35,400	46	99.87			Local Cache and Metrics Database Server
BRLENS5D	35,400	46	99.87			Local PSIMMS Database Server
CRHRMZ8D	35,400	0	100.00			Web Server
CRLENS1D	35,340	0	100.00	359,705		Application Server (Load Balanced)
CRLENS2D	35,400	0	100.00	350,461		Application Server (Load Balanced)
CRLENS3D	35,400	0	100.00	362,025		Application Server (Load Balanced)
CRLENS4D	35,400	0	100.00			User Profile, Local Cache and Metrics Database Server
CRLENS5D	35,400	0	100.00			Local PSIMMS Database Server
I-IOCLENS2-2	43,200	0	100.00			Web Server (Load Balanced)
I-IOCLENS2-1	37,500	143	99.62			Web Server (Load Balanced)
Total	**493,440**	**373**	**99.92**	**1,970,664**	**247,612**	

NOTE: Firm Order volumes for LENS are not tracked at the server level. Total LENS Firm Order volume has been provided for reference.

BELLSOUTH

Problem Management

System Performance Summary

ENCORE LENS

Report Period: 12/1/01 - 12/31/01

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRLENS1D	44,640	107	99.76	556,620		Application Server (Load Balanced)
BRLENS2D	44,640	107	99.76	592,698		Application Server (Load Balanced)
BRLENS3D	44,640	107	99.76	583,042		Application Server (Load Balanced)
BRLENS4D	36,060	0	100.00			Local Cache and Metrics Database Server
BRLENS5D	36,060	0	100.00			Local PSIMMS Database Server
CRHRMZ8D	36,120	0	100.00			Web Server
CRLENS1D	36,060	0	100.00	21,523		Application Server (Load Balanced)
CRLENS2D	36,060	0	100.00	21,381		Application Server (Load Balanced)
CRLENS3D	36,060	0	100.00	22,944		Application Server (Load Balanced)
CRLENS4D	36,060	0	100.00			User Profile, Local Cache and Metrics Database Server
CRLENS5D	36,060	0	100.00			Local PSIMMS Database Server
HOCLENS2-1	38,820	28	99.92			Web Server (Load Balanced)
HOCLENS2-2	36,120	28	99.92			Web Server (Load Balanced)
Total	**497,400**	**377**	**99.92**	**1,798,208**	**237,266**	

NOTE: Firm Order volumes for LENS are not tracked at the server level. Total LENS Firm Order volume has been provided for reference.

BELLSOUTH

Problem Management

System Performance Summary

ENCORE LENS

Report Period: 1/1/02 - 1/31/02

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRLENS1D	44,640	0	100.00	90,323		Application Server (Load Balanced)
BRLENS2D	44,640	0	100.00	92,462		Application Server (Load Balanced)
BRLENS3D	44,640	0	100.00	97,467		Application Server (Load Balanced)
BRLENS4D	36,660	0	100.00			Local Cache and Metrics Database Server
BRLENS5D	36,660	0	100.00			Local PSIMMS Database Server
CRHRMZ8D	36,660	0	100.00			Web Server
CRLENS1D	36,660	74	99.80	660,826		Application Server (Load Balanced)
CRLENS2D	36,660	0	100.00	696,271		Application Server (Load Balanced)
CRLENS3D	36,660	0	100.00	689,279		Application Server (Load Balanced)
CRLENS4D	36,660	0	100.00			User Profile, Local Cache and Metrics Database Server
CRLENS5D	36,660	0	100.00			Local PSIMMS Database Server
I-IOCLENS2-1	38,820	34	99.91			Web Server (Load Balanced)
I-IOCLENS2-2	36,660	20	99.95			Web Server (Load Balanced)
Total	502,680	128	99.97	2,326,628	299,191	

NOTE: Firm Order volumes for LENS are not tracked at the server level. Total LENS Firm Order volume has been provided for reference.

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Problem Management

System Performance Summary

ENCORE LENS

Report Period: 2/1/02 - 2/28/02

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRLENS1D	40,320	105	99.74			Application Server (Load Balanced)
BRLENS2D	40,320	105	99.74			Application Server (Load Balanced)
BRLENS3D	40,320	105	99.74			Application Server (Load Balanced)
BRLENS4D	32,880	0	100.00			Local Cache and Metrics Database Server
BRLENS5D	32,880	0	100.00			Local PSIMMS Database Server
CRHRMZ8D	32,880	46	99.86			Web Server
CRLENS1D	32,880	9	99.97			Application Server (Load Balanced)
CRLENS2D	32,880	0	100.00			Application Server (Load Balanced)
CRLENS3D	32,880	0	100.00			Application Server (Load Balanced)
CRLENS4D	32,880	0	100.00			User Profile, Local Cache and Metrics Database Server
CRLENS5D	32,880	0	100.00			Local PSIMMS Database Server
I-IOCLENS2	40,320	0	100.00			Web Server (Load Balanced)
I-IOCLENS2-1	35,040	0	100.00			Web Server (Load Balanced)
Total	459,360	370	99.92	2,863,641	262,531	

NOTE:

- Firm Order volumes for LENS are not tracked at the server level. Total LENS Firm Order volume has been provided for reference.

- In February 2002, new PMAP processing logic was implemented to calculate the OSS-1 measurement. This processing logic was not utilized for March 2002 data and is pending implementation for July 2002 data. Pre-Order query volumes by server for February data are not readily accessible. Total LENS Pre-Order volume has been provided for reference.

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Problem Management

System Performance Summary

ENCORE LENS

Report Period: 3/1/02 - 3/31/02

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRLENS1D	44,640	0	100.00	602,877		Application Server (Load Balanced)
BRLENS2D	44,640	0	100.00	601,086		Application Server (Load Balanced)
BRLENS3D	44,640	0	100.00	581,307		Application Server (Load Balanced)
BRLENS4D	36,060	0	100.00			Local Cache and Metrics Database Server
BRLENS5D	36,060	0	100.00			Local PSIMMS Database Server
CRHRMZ8D	36,060	30	99.92			Web Server
CRLENS1D	36,060	0	100.00	237,384		Application Server (Load Balanced)
CRLENS2D	36,060	0	100.00	208,371		Application Server (Load Balanced)
CRLENS3D	36,060	0	100.00	207,519		Application Server (Load Balanced)
CRLENS4D	36,060	0	100.00			User Profile, Local Cache and Metrics Database Server
CRLENS5D	36,060	0	100.00			Local PSIMMS Database Server
I-IOCLENS2	44,640	0	100.00			Web Server (Load Balanced)
I-IOCLENS2	44,640	0	100.00			Web Server (Load Balanced)
Total	511,680	30	99.99	2,438,544	252,250	

NOTE: Firm Order volumes for LENS are not tracked at the server level. Total LENS Firm Order volume has been provided for reference.

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Problem Management

System Performance Summary

ENCORE EDI

Report Period: 10/1/01 - 10/31/01

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Firm Order Volume	Component Type
BREDI-ID	43,440	0	100.00	87,896	Mercator
Total	**43,440**	**0**	**100.00**	**87,896**	

NOTE: EDI does not support Pre-Order query functionality, so Pre-Order query volumes are not included.

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Problem Management

System Performance Summary

ITOP-TAG

Report Period: 11/1/01 - 11/30/01

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRTAG-1D	33,300	0	100.00			TAG Third Party Test Server
BRTAG-2D	33,300	0	100.00			TAG BLP
BRTAG-3D	33,300	0	100.00			TAG Third Party Test Server
BRTAG-7D	33,300	0	100.00			TAG BLP (EDI Due Date)
BRTAG-8D	33,300	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
BRTAG-9D	33,300	0	100.00			TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-1D	33,300	0	100.00			TAG Security
CRTAG-2D	33,300	0	100.00			TAG Security
CRTAG-6D	33,300	2	99.99	313,752	32,328	TAG Gateway
CRTAG-7D	33,300	0	100.00	339,821	253,230	TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-8D	33,300	40	99.88			TAG BLP (LENS Due Date and Firm Orders)
CRTAG-9D	33,300	0	100.00			TAG Third Party Test Server
I-IOCTAG1	33,300	0	100.00			Retired TAG Server
I-IOCTAG2	33,300	0	100.00			Retired TAG Server
I-IOCTAG4	33,300	85	99.74	11,369	5,443	TAG Gateway
I-IOCTAG5	34,260	0	100.00			TAG Third Party Test Server
Total	**533,760**	**127**	**99.98**	**664,942**	**291,001**	

NOTE:

- Pre-Order and Firm Order volumes for TAG are only captured for the TAG Gateway servers. Volume data for BLP and security servers is not readily accessible.

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Problem Management

System Performance Summary

ITOP-TAG

Report Period: 12/1/01 - 12/31/01

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRTAG-2D	33,890	0	100.00			TAG BLP
BRTAG-7D	33,890	0	100.00			TAG BLP (EDI Due Date)
BRTAG-8D	33,890	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
BRTAG-9D	33,890	0	100.00			TAG Gateway (LENS Due Date and Firm Orders)
CRELBO8D	51,120	0	100.00			TAG Security
CRTAG-1D	33,890	0	100.00			TAG Security
CRTAG-2D	33,890	0	100.00			TAG Security
CRTAG-6D	33,890	40	99.88	270,774	56,382	TAG Gateway
CRTAG-7D	33,890	0	100.00	303,032	241,970	TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-8D	33,890	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
I-IOCTAG4	33,890	5	99.99	10,489	4,573	TAG Gateway
Total	**390,020**	**45**	**99.99**	**584,295**	**302,925**	

NOTE: Pre-Order and Firm Order volumes for TAG are only captured for the TAG Gateway servers. Volume data for BLP and security servers is not readily accessible.

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Problem Management

System Performance Summary

ITOP-TAG

Report Period: 1/1/02 - 1/31/02

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRTAG-2D	34,490	0	100.00			TAG BLP
BRTAG-7D	34,490	0	100.00			TAG BLP (EDI Due Date)
BRTAG-8D	34,490	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
BRTAG-9D	34,490	0	100.00	37,707	31,473	TAG Gateway (LENS Due Date and Firm Orders)
CRELBO8D	42,425	0	100.00			TAG Security
CRTAG-1D	34,490	0	100.00			TAG Security
CRTAG-2D	34,490	0	100.00			TAG Security
CRTAG-6D	34,490	46	99.87	352,095	66,493	TAG Gateway
CRTAG-7D	34,490	0	100.00	383,718	275,004	TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-8D	34,490	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
I-IOCTAG4	34,490	39	99.89	15,854	6,200	TAG Gateway
Total	**387,325**	**85**	**99.98**	**789,374**	**379,170**	

NOTE: Pre-Order and Firm Order volumes for TAG are only captured for the TAG Gateway servers. Volume data for BLP and security servers is not readily accessible.

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Problem Management

System Performance Summary

ITOP-TAG

Report Period: 2/1/02 - 2/28/02

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRTAG-2D	30,920	0	100.00			TAG BLP
BRTAG-7D	30,920	0	100.00			TAG BLP (EDI Due Date)
BRTAG-8D	30,920	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
BRTAG-9D	30,920	0	100.00	231,796	183,536	TAG Gateway (LENS Due Date and Firm Orders)
CRELBO8D	38,220	0	100.00			TAG Security
CRTAG-1D	30,920	0	100.00			TAG Security
CRTAG-2D	30,920	0	100.00			TAG Security
CRTAG-6D	30,920	91	99.71	251,978	69,173	TAG Gateway
CRTAG-7D	30,920	0	100.00	165,493	81,884	TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-8D	30,920	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
I-IOCTAG4	30,920	0	100.00	15,395	6,860	TAG Gateway
Total	347,420	91	99.97	664,662	341,453	

NOTE: Pre-Order and Firm Order volumes for TAG are only captured for the TAG Gateway servers. Volume data for BLP and security servers is not readily accessible.

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Problem Management

System Performance Summary

ITOP-TAG

Report Period: 3/1/02 - 3/31/02

Component Id	Tot Onl Min Sch	Tot Full Onl	Continuous % Available	Pre Order Volume	Firm Order Volume	Component Type
BRTAG-2D	33,890	0	100.00			TAG BLP
BRTAG-5D	44,640	0	100.00			TAG BLP
BRTAG-7D	33,890	0	100.00			TAG BLP (EDI Due Date)
CRELBO8D	42,315	0	100.00			TAG Security
CRTAG-1D	33,890	0	100.00			TAG Security
CRTAG-2D	33,890	0	100.00			TAG Security
CRTAG-6D	33,890	0	100.00	466,540	68,690	TAG Gateway
CRTAG-7D	33,890	0	100.00	407,146	260,789	TAG Gateway (LENS Due Date and Firm Orders)
CRTAG-8D	33,890	0	100.00			TAG BLP (LENS Due Date and Firm Orders)
I-IOCTAG4	33,890	0	100.00	16,218	5,235	TAG Gateway
Total	**358075**	**0**	**100.00**	**889,904**	**334,714**	

NOTE: Pre-Order and Firm Order volumes for TAG are only captured for the TAG Gateway servers. Volume data for BLP and security servers is not readily accessible.

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November 1, 2002

Written Ex-Parte

October 30, 2002

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
The Portals, 445 12th Street, SW
Room TW-A325
Washington, DC 20554

Re: CC Docket No. 01-338

Dear Ms. Dortch:

On October 4, 2002, representatives from BellSouth met with Commission staff to discuss the need for UNE switching relief. *See* Section 1.1206 Letter signed by W.W. (Whit) Jordan, Vice President, Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, CC Docket No. 01-338 (Oct. 7, 2002; K. B. Levitz letterhead). During BellSouth's presentation, Commission Staff asked BellSouth a number of questions concerning BellSouth's ability to handle bulk UNE-P to UNE-L conversions; whether Self Effectuating Enforcement Mechanism ("SEEMs") penalties applied to project-managed hot cuts; and current charges for hot cuts. This follow-up written *ex parte* is intended to provide additional clarification on these points.

1. BellSouth's Ability to Process Bulk Conversions

During our discussion, Commission staff noted that at least one competitive local exchange carrier ("CLEC") had suggested that BellSouth could only handle one single UNE-P to UNE-L conversion per Local Service Request ("LSR"). As we advised, this is simply untrue. BellSouth has mechanized processes in place that allow us to easily handle multiple lines for a given account on one LSR, and is improving this process. BellSouth's new bulk migration process is being designed to provide a CLEC with the capability to submit up to 99 end user accounts per LSR, with each account containing a maximum of 25 lines. End user accounts with more than 25 lines will continue to be submitted on a single LSR under the new process.

As we discussed, BellSouth is able to handle a significant number of conversions from UNE-P to UNE-L. BellSouth, together with a CLEC, co-developed a mechanized process for bulk migration of UNE-P arrangements to stand-alone loops. BellSouth's work-force modeling and forecasting skills are sufficient to meet any increased demand that may arise; BellSouth has

Attachment 2 to
Exhibit 1

undertaken skill matching efforts to identify individuals within other work groups in the company who may be moved, if needed, to handle any unanticipated large bulk conversion requests. In addition, BellSouth continues to look at electronic processes with third party vendors and to assess their efficiency, reliability and cost in relation to BellSouth's existing conversion processes.

In response to apparent concern over transitions and conversions, BellSouth recommended that the Commission consider establishing a transition plan for implementing UNE switching relief that would make both incumbent local exchange carriers ("ILECs") and CLECs responsible for implementing timely and precise conversions. For instance, a CLEC would be responsible for indicating which UNE-P lines it intends to convert to UNE-L by a date certain. The ILEC would be responsible for completing the conversions of the specified lines by the specified date. In the event that the ILEC was unable to complete the conversions by the specified date (with any delay in conversion unattributable to the requesting CLEC), the requesting CLECs would continue to pay UNE-P rates for any unconverted "late" circuits until the conversions actually take place. BellSouth's existing systems and processes, as well as its willingness to abide by such a transition plan for implementing switching relief, should assure the Commission that any migration off of switching UNEs could be managed reasonably.

2. The Applicability of SEEMs Penalties to Hot Cuts

All performance measures and their associated SEEMs penalties apply to project managed hot cuts (which are also referred to as "Project Managed Orders" or "PMOs") except for four (4) ordering measures and one (1) provisioning measure. Those exceptions are discussed in BellSouth's Service Quality Measurements ("SQM") plan documentation and are listed below:

Ordering:

Percent Rejected Service Requests
Reject Interval
Firm Order Confirmation (FOC) Timeliness
FOC and Reject Response Completeness

Provisioning:

The only Provisioning measure which excludes PMOs is Order Completion Interval ("OCI"). PMOs are given an "L" appointment code (since there is no standard interval for them) that excludes them from the measure. All four hot cut specific measures include PMOs.

Maintenance and Repair:

No Maintenance and Repair measures exclude PMOs.

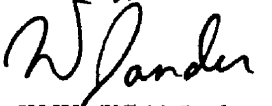
In BellSouth's experience CLECs generally prefer project managed hot cuts in order to assure an even higher level of coordination and cutover efficiency compared to those hot cuts that are not project managed. BellSouth's performance measurements for non-project managed hot cuts demonstrate excellent hot cut performance both in timeliness (on-time cutovers and cutovers completed within acceptable intervals) and quality (customer trouble reports within seven (7) days of the cutover). Thus, the Commission can be assured that BellSouth's hot cut performance for project managed conversions is likewise excellent. Because dozens of measures apply to project managed cutovers, there is ample opportunity for regulators to monitor BellSouth's performance regarding project managed hot cuts.

3. Current Charges for Hot Cuts

The FCC advised BellSouth that several CLECs have complained of average ILEC loop hot cut rates ranging from $175 to over $200 dollars. BellSouth estimates that a CLEC's weighted average hot cut cost per loop in BellSouth's region to be approximately $43. This is an average of nonrecurring rates in each of BellSouth's nine states that apply to CLEC hot cut orders for SL1 loops, weighted by state-specific UNE-P demand using the latest available figures. It assumes (conservatively) three loops per LSR, and that the order is completed within standard implementation intervals. To the extent carriers request additional time-specific targets within existing intervals, BellSouth estimates that the regional CLEC cost average would increase by about $9 per loop. In any event, the CLEC averages quoted to the Commission exceed BellSouth's weighted POTS averages by a magnitude of 300%-400%.

If you have any questions, please do not hesitate to contact me.

Sincerely,



W.W. (Whit) Jordan

cc: Craig Coster
Claudia Pabo
Jeremy Miller
Ian Dillner
Ben Childers
Aaron Goldberger
Gina Spade
Tom Navin
Pete Martin
Keith Milner
Bob Blau
Bill Taylor

1/11/02

Attachment Item 13
Proposed O-16 – Average Response Interval for Ordering Trouble Tickets

DRAFT DRAFT DRAFT DRAFT DRAFT

State: Georgia

Measure Category: Ordering

O-16: Average Response Interval for Ordering Trouble Tickets

Definition

This measurement calculates the average interval between the time an ordering trouble ticket is received by the EC-SPOC and the time
the response is returned to the originator. It includes trouble reports on the following systems: EC-TA, CSOTS, EDI, LENS, TAG,
and PON/PF Reports.
This measurement addresses responsiveness to trouble reports. It does not measure system outages.

Exclusions

- None

Business Rules

- An escalation on a measured request will be considered a new request and measured as such.
- Requests handled on initial call will be counted as response met with a duration of one minute.

Calculation

Ordering Trouble Ticket Interval = (a - b)

- a = Date/Time of Ordering Trouble Ticket Response
- b = Date/Time of Ordering Trouble Ticket Receipt

Average Response Interval for Ordering Trouble Tickets = (c ¸ d)

- c = Sum of all Response Intervals
- d = Total Number of Ordering Trouble Tickets for Reporting Period

Report Structure

Regional

Data Retained

Related to CLEC Experience Related to BST Experience

- Report Month
- CLEC Name
- Trouble Ticket
- Ticket Submission Date/Time
- Ticket Completion Date/Time
- Not Applicable

SQM Disaggregation – Retail Analog/Benchmark

SQM Level of Disaggregation SQM Retail Analog/Benchmark

- Regional • Diagnostic

Bell South (9417) Line Loss Notification

Day Interval for LL Notificaton	Prior Notice	Same Day	1 Day	2 Day	3 Day	4 Day	5 - 10 Days	11 - 15 Days	16 - 30 Days	31 - 45 Days	46 - 60 Days	61 - 85 Days	85 - 100 Days	100+ Days
January	0.01%	0.00%	81.42%	2.79%	3.03%	2.84%	9.20%	0.31%	0.28%	0.01%	0.05%	0.03%	0.01%	0.03%
February	0.00%	0.00%	89.94%	1.25%	3.32%	1.72%	2.82%	0.45%	0.49%	0.00%	0.00%	0.00%	0.00%	0.01%
March	0.00%	0.00%	64.15%	0.51%	0.48%	0.25%	0.38%	0.03%	0.13%	0.49%	0.61%	0.71%	1.04%	31.21%
April	0.00%	0.00%	81.00%	0.84%	0.50%	0.31%	5.20%	3.01%	2.35%	6.43%	0.34%	0.02%	0.00%	0.00%
May	0.00%	0.00%	61.42%	0.73%	0.00%	0.00%	10.79%	8.67%	18.39%	0.00%	0.00%	0.00%	0.00%	0.00%
June	0.00%	0.00%	96.06%	3.94%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
July	0.00%	0.00%	93.59%	6.41%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
August	0.00%	0.00%	88.79%	7.91%	3.30%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
September	0.00%	0.00%	93.85%	6.15%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
October	0.00%	0.00%	85.90%	4.04%	0.05%	0.00%	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
November	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
December	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2002 Combined	0.00%	0.00%	84.22%	4.15%	1.08%	0.34%	2.41%	1.26%	2.40%	0.41%	0.09%	0.08%	0.11%	3.44%

Attachment 4 to
Exhibit 1

WorldCom, Inc. – 11/04/02 – Florida PSC - Attachment A

The Status Of State Commission Orders And Activity Relating To The Measurement Of ILEC Interstate And Intrastate Special Access Services.

States are increasingly recognizing the importance of incumbent LEC special access services provided to both wholesale competitor customers and retail end-users in the development of competition. As summarized below, to date, 9 states have ordered or adopted some form of special access performance reporting on ILECs' provision and maintenance of interstate and intrastate services. In addition there are at least 5 states currently considering ILEC special access performance issues and reporting requirements.[1]

- **Georgia:** On Tuesday, September 17, 2002, the Georgia PSC Commissioners voted 5-0 to adopt the Joint Competitive Industry Group (JCIG) metrics and standards proposed by WorldCom and originally endorsed by Time Warner Telecom in the GA PSC's review of BST's performance to competing carrier customers. A written order is not yet released, but is expected within two-three weeks of the date of the Commissioners' vote. GA PSC Docket No. 7892-U: *Performance Measurements for Telecommunications Interconnection, Unbundling and Resale*, Voted, 9/17/02, ISSUE DATE:

- **Minnesota:** Since passage of the Telecommunications Act of 1996, The Minnesota PUC became the first state to issue an order finding jurisdiction over an ILEC's (Qwest/U S WEST's) interstate special access for performance reporting . *In the Matter of the Complaint of AT&T Communications of the Midwest, Inc. Against U S WEST Communications, Inc. Regarding Access Service.* Docket No. P-421/C-99-1183, Order Finding Jurisdiction, Rejecting Claims For Relief, And Opening Investigation (ISSUE DATE: August 15, 2000)

  In March 2002, the Minnesota PUC adopted metrics proposed by WorldCom (*i.e.*, the metrics developed and advocated by WorldCom before they were subsequently modified and endorsed by the Joint Competitive Industry Group) and required Qwest to report on its performance in provisioning special access to its wholesale competitor customers. *In the Matter of Qwest Wholesale Service Quality Standards* Docket No. P-421/M-00-849, Order Setting Reporting Requirements And Future Procedures (ISSUE DATE: March 4, 2002)

  In May 2002, the Minnesota PUC issued an order denying Qwest's motion for reconsideration, and ordered Qwest to file its first special access monthly performance report for the month of August 2002 on September 30, 2002. *In the Matter of Qwest Wholesale Service Quality Standards,* Docket No. P-421/M-00-849, Order Denying Reconsideration And Modifying Order On Own Motion (ISSUE DATE: May 29, 2002).

[1] Copies of orders and documentation for all states listed below can be made available upon request.

Exhibit 2

- **New York:** Verizon reports on its special access performance on an interstate and intrastate basis, for both wholesale and retail customers, to the New York Public Service Commission, as part of the NYPSC's "Special Services Guidelines." Verizon has been reporting on its special access performance under the New York Guidelines since the mid-1980s.

  In June 2001, the New York PSC updated the Guidelines, adding additional metrics. CASE 00-C-2051 - *Proceeding on Motion of the Commission to Investigate Methods to Improve and Maintain High Quality Special Services Performance by Verizon New York Inc;* CASE 92-C-0665 - *Proceeding on Motion of the Commission to Investigate Performance-Based Incentive Regulatory Plans for New York Telephone Company.* Opinion And Order Modifying Special Services Guidelines For Verizon New York Inc., Conforming Tariff, And Requiring Additional Performance Reporting (ISSUED AND EFFECTIVE June 15, 2001)

  In December 2001, the NY PSC slightly revised and updated the Special Services Guidelines on reconsideration. CASE 00-C-2051 - *Proceeding to Investigate Methods to Improve and Maintain High Quality Special Services Performance by Verizon New York Inc.;* CASE 92-C-0665 - *Proceeding on Motion of the Commission to Investigate Performance-Based Incentive Regulatory Plans for New York Telephone Company.* Order Denying Petitions For Rehearing And Clarifying Applicability Of Special Services Guidelines (ISSUE DATE: December 20, 2001)

- **Colorado:** In November 2001, the Colorado PUC affirmed the "requirement [for Qwest] to monitor and report special access information." In March 2002, Qwest's petition for reconsideration of that Order was denied by the Colorado PUC, and implementation of special access performance reporting is underway. *In the Matter of the Investigation into Alternative Approaches for a Qwest Corporation Performance Assurance Plan in Colorado,* Docket No. 01I-041T, Decision on Remand and Other Issues Pertaining to the Colorado Performance Assurance Plan (ADOPTED: March 27, 2002)

- **New Hampshire:** In December 2001, Verizon began reporting special access service results to the New Hampshire PUC pursuant to stipulation. DT 01-006 *VERIZON NEW HAMPSHIRE Petition to Approve Carrier to Carrier Performance Guidelines and Performance Assessment Plan,* Order Regarding Metrics and Plan (ISSUE DATE March 29, 2002, referring to Stipulation).

- **Maine:** In April 2002, as part of its Order adopting a Performance Assurance Plan for Verizon's §271 related obligations, the Maine PUC also accepted a voluntary agreement from Verizon to report its intrastate and interstate special

access performance against certain New York Special Services Guidelines. *Inquiry Regarding the Entry of Verizon-Maine into the InterLATA (Long Distance) Telephone Market Pursuant to Section 271 of the Telecommunications Act of 1996*, Docket No. 2000-849, Findings Report (ISSUE DATE: April 10, 2002)

- **Washington:** In April 2002, the Washington Utilities and Transportation Commission ("WUTC") adopted the Colorado special access performance metrics to measure Qwest's interstate and intrastate wholesale special access performance. *In the Matter of the Investigation into US West Communications, Inc.'s Compliance with Section 271 of the Telecommunications Act of 1996*, Docket No. UT-003022, 30th Supplemental Order, Commission Order Addressing Qwest's Performance Assurance Plan.

  In May 2002, the WUTC denied Qwest's petition for reconsideration regarding its special access reporting. *In the Matter of the Investigation into US West Communications, Inc.'s Compliance with Section 271 of the Telecommunications Act of 1996*, Docket No. UT-003022, 33rd Supplemental Order; Denying in Part and Granting in Part, Qwest's Petition for Reconsideration of the 30th Supplemental Order.

- **Tennessee:** In May 2002, the Tennessee Regulatory Authority adopted a modified version of WorldCom's original (i.e., pre-Joint Competitive Industry Group) metrics. *In re: Docket to Establish Generic Performance Measurements, Benchmarks and Enforcement Mechanisms for BellSouth Telecommunications, Inc.*, Docket No. 01-00193, Order Setting Performance Measurements, Benchmarks and Enforcement Mechanisms (ISSUE DATE: May 14, 2002). BellSouth did not request reconsideration of the special access portion of that order, but did request consideration of other aspects of the order.

  Subsequently, BellSouth agreed in a settlement to abide by the TRA's special access measurement and reporting order. The Settlement Agreement will be voted on August 26, 2002. Paragraph 3 of the Settlement Agreement states in part,

  > "In resolution of the contested issues ... the parties will request the [Tennessee Regulatory] Authority to adopt as the "Tennessee Performance Assurance Plan" the identical service quality measurement plan and self-effectuating enforcement mechanism adopted by the Florida Public Service Commission.....plus the Tennessee Performance Measurements for Special Access contained in the Order Setting Performance Measurements, Benchmarks and Enforcement Mechanisms issued in this docket on June 28, 2002 as set forth in Exhibit B to that order. If the FCC adopts national special access measurements, the Parties reserve the right to argue to the TRA

as to whether the FCC measures should supercede (sic) the Tennessee Measurements. . . ." (underlining added)

- **Utah:** In June 2002, the Utah Public Service Commission ordered Qwest to include special access in its Sec. 271-related Performance Assurance Plan. *In the Matter of the Applications of QWEST CORPORATION, fka US WEST Communications, Inc., for Approval of Compliance with 47 U.S.C. § 271(d)(3)(C),* Docket No. 00-049-08, Order On Performance Assurance Plan (issued June 18, 2002).

- **Massachusetts:** In August 2001, the Massachusetts Department of Telecommunications and Energy order Verizon to report its special access performance on both an interstate and intrastate basis, as an interim matter, pending completion of its review of Verizon's performance on both a wholesale basis for both affiliated and non-affiliated customers, and on a retail basis to Verizon's own retail customers. *Investigation by the Department of Telecommunications and Energy on its own motion pursuant to G.L. c. 159, §§ 12 and 16, into Verizon New England Inc., d/b/a Verizon Massachusetts' provision of Special Access Services.* D.T.E. Docket No. 01-34, Order, August 19, 2001. Final order pending.

- **Other states currently considering special access performance reporting in Sec. 271 or other ILEC performance-related dockets:**
    - Massachusetts (ordered interim reporting September 2001, as above; final decision pending)
    - New Jersey (staff recommendation to adopt NY metrics)
    - Illinois (staff recommendation; hearings completed; order pending)
    - Indiana (staff finding that special access performance should be considered in Ameritech's Indiana Plan)
    - Louisiana (under consideration in the 6-month review of BST's performance plan)
    - Texas (confirmed earlier ruling in September 2002 that it could order SWBT to measure its intrastate and interstate special access performance, and is currently establishing a schedule to determine the scope of the issues and appropriate measurements).

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

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PUBLIC SERVICE COMMISSION

MAUREEN O. HELMER
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LAWRENCE G. MALONE
General Counsel

JANET HAND DEIXLER
Secretary

January 18, 2002

Hon. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals II
445 Twelfth St., S.W.
Washington, D.C. 20554

Re: Comments of the New York State Department of Public Service In the Matter of Performance Measurements and Standards for Interstate Special Access Services, et al., CC Docket No. 01-321, 00-51, 98-147, 96-98, 98-141, 96-149 and 00-229

Dear Secretary Salas:

On November 19, 2001, the Federal Communications Commission (Commission) released a Notice of Proposed Rulemaking (NPRM) seeking comments on whether the Commission should adopt a select group of measurements and standards for evaluating incumbent local exchange carriers' (ILECs) performance in the provisioning of interstate special access services and, what, if any, specific measurements and standards it should adopt. In addition, the Commission seeks comments on how such measurements and standards should be implemented and enforced. Finally, the Commission seeks comments on whether it should periodically review and/or sunset these measurements and standards.

The New York State Department of Public Service (NYDPS) supports the enforcement of federal measurements and standards for the provisioning of interstate special access services. A global economy is dependent upon high speed telecommunication circuits and special services

Exhibit 3

are vitally important to the economic well being of competitors and business customers in New York. The NYDPS has spent considerable time and resources overseeing a collaborative process to establish special services guidelines in New York. With federal enforcement of these interstate services, the problems we have witnessed should be remedied. We will continue to collect information on the provisioning of special services in New York and make that information available to the Commission. We would, however, encourage the Commission to consider using New York's guidelines as a model and/or starting place for the federal standards. Finally, the NYDPS believes that any measurements and standards should remain in effect at least until service quality for special services is adequate.

Background

In New York, the provisioning of special services has received considerable attention.[1] Demand for such circuits has increased dramatically in recent years, as the economy has become more dependent on the Internet and other forms of data communications. Unfortunately, Verizon's provisioning of special services has been less than adequate. Consequently, the New York Commission on November 24, 2000 opened a proceeding to address this issue.[2] Over 13 parties met for approximately 3 months to discuss ways to improve Verizon's service quality performance. Subsequently, the New York Commission modified its special services guidelines by requiring additional performance reporting on the ordering, installation, and maintenance of these services.[3] On June 15, 2001, the New York Commission issued an order that, among other things, adopted modified special service guidelines and directed that Verizon's special services

[1] Case No. 00-C-2051, Opinion No. 01-1, Proceeding on Motion of the Commission to Investigate Methods to Improve and Maintain High Quality Special Services Performance by Verizon New York, Inc.; Case No. 92-C-0665, Proceeding on Motion of the Commission to Investigate Performance-Based Incentive Regulatory Plans for New York Telephone Company, Opinion and Order Modifying Special Services Guidelines for Verizon New York, Inc., Conforming Tariff, and Requiring Additional Performance Reporting, Order Denying Petitions for Rehearing and Clarifying Applicability of Special Services Guidelines, (issued June 15, 2001 and December 20, 2001 respectively).

[2] Id.

[3] This included reporting on the percent of on time service request, the percent of missed appointments due to the lack of facilities, the percent of missed appointments where the customer is provided advanced notice, the quality of installation, the reliability of service, and the promptness of repair.

be provided in a nondiscriminatory manner. On December 20, 2001, the New York Commission extended these guidelines to all local exchange carriers with 50,000 or more special circuits.[4]

The Commission Should Adopt Measurements and Standards for the Provisioning of Interstate Special Services

The Commission should adopt federal measurements and standards for interstate special access services. The ILECs are still the dominant providers of these services and uneven performance threatens to undermine competition. For example, Verizon, on average, met only 74% of its appointments on carrier service requests, but met 94% of its retail customer appointments. Under these circumstances, the Commission should enforce interstate special services rules.[5]

Some parties will argue that requiring federal measurements and standards will create unnecessary regulatory costs and burdens. For small carriers that provide a smaller number of special service circuits (50,000 or less) the cost may outweigh the benefits. Verizon however, has reported on its provisioning of special services in New York for years and should be able to readily measure and report service quality under our recently modified guidelines.

The Commission Should Adopt the New York Commission's Guidelines as a Model and/or Starting Point for Federal Measurements and Standards

New York's special services guidelines were developed after consultation with the industry, including competing carriers, incumbents, and other interested parties. These guidelines represent a balance of all parties' concerns, and recognize the difficulty of setting measurements and standards for a multitude of services that are considered "special".[6] It would

[4] Case Nos. 00-C-2051 and 92-C-0665.

[5] Id. at pp. 5-6. Verizon's two exchange access (wholesale) bureaus averaged 74% appointments met during first quarter 2001, and delays on missed appointments were over 14 days in the same time period. The company's 14 interLATA (retail) bureaus averaged 94% appointments met during the same period, but delays on missed appointments also averaged over 14 days.

[6] Any measurement or standard adopted by the Commission should have parity. The NYDPS supports parity as a means of demonstrating nondiscrimination provided it means that all consumers of special services receive adequate provisioning. Parity may not be enough, however, if it means that all consumers of special services suffer poor installation performance. In addition any measurement or standard should apply to all end-users, affiliates and competitors. The New York guidelines ensure equality in performance among these groups as well as overall performance.

be an unnecessary use of the Commission's time and resources to initiate a rulemaking to consider measurements and standards that would likely repeat the work that New York has already done. New York's guidelines should be used as a model and/or starting point for the federal standards.[7]

States Can Play a Vital Fact-Finding Role in Implementing and Enforcing Federal Measurements and Standards

The NYDPS supports a cooperative state/federal approach to implementing and enforcing the Commission's measurements and standards. States, if they choose, can collect information on the provisioning of special services and make that information available to the Commission. In New York, the Public Service Law gives the New York Commission broad authority to gather data and other information.[8] We will continue to exercise this authority to collect special services information and make it available to the Commission. Other states may wish to do this as well, and we urge the Commission to establish a process for the receipt of such information. This approach, however, will only work if the Commission acts aggressively to enforce its rules.

The Commission Should Sunset Measurements and Standards When Service Quality is Adequate in a Particular Market

The NYDPS believes that reporting should continue at least until reliable service quality for special services is restored and continues. As long as the ILECs are the dominant providers of these services, fair competition requires vigilant oversight. Upon a showing that the ILECs are no longer the dominant providers, or that service quality is sufficient, these rules should remain in place.

[7] The Commission has requested comment on whether New York's measurements and standards is an appropriate model, NPRM p. 10.

[8] Public Service Law § 94(2); see also 16 NYCRR 644.1; Arkansas Louisiana Gas Co. v. Dept. of Public Utilities, 304 U.S. 61 (1938)(state order requiring provision of information does not interfere with interstate commerce).

Conclusion

The NYDPS supports the enforcement of federal measurements and standards for the provisioning of interstate special access services. We encourage the Commission to adopt New York's special services guidelines as a model and/or starting point for these standards. Finally, the NYDPS supports a federal/state approach to the enforcement of these measurements and standards.

Respectfully submitted,

Lawrence G. Malone
General Counsel
Brian P. Ossias
Assistant Counsel
Public Service Commission
Of The State Of New York
Three Empire State Plaza
Albany, New York 12223-1350

January 22, 2002

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 Twelfth Street, S.W., Suite TW-A325
Washington, D.C. 20554

Re: Joint Competitive Industry Group Proposal Regarding Performance Metrics and Installation Intervals for Interstate Special Access Services

Dear Chairman Powell:

The undersigned competitive telecommunications carriers, trade associations and the eCommerce & Telecommunications Users Group (eTUG) (the "Joint Competitive Industry Group") urge the Commission to adopt performance measures, performance standards, and reporting requirements to govern the provision of special access services by incumbent local exchange carriers (LECs). Since release of the Commission's Notice of Proposed Rulemaking in this proceeding, the Joint Competitive Industry Group has devoted considerable time and effort to the development of a coherent, practical, and enforceable set of such measures, standards and reporting requirements. The results of that effort are reflected in the attached Performance Measurements & Standards applicable to the provision of all interstate special access services by Tier 1/Class A incumbent LECs (Attachment A), as well as the attached proposal regarding Offered Installation Intervals (Attachment B).

The Joint Competitive Industry Group believes that its proposal accomplishes the following objectives:

(1) A united competitive industry and user group view regarding the best way to achieve the quality of special access provisioning required to serve business customers;

(2) A concise set of metrics that will induce proper provisioning and deter discrimination by incumbent LECs;

(3) A set of metrics that can easily be incorporated into a remedy plan.

Exhibit 4

The Joint Competitive Industry Group therefore urges the Commission to adopt the Group's proposal regarding performance metrics and installation intervals.

Sincerely,

The Joint Competitive Industry Group

Robert W. Quinn, Jr.
Federal Government Affairs Vice President
AT&T Corp.

Jake E. Jennings
Vice President – Regulatory Affairs
NewSouth Communications

Rebecca H. Sommi
Vice President Operations Support
Broadview Networks

JT Ambrosi
Vice President, Carrier and Government Relations
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David A. Fitts
Director-Regulatory Affairs
Choice One Communications Inc.

Donna Sorgi
Vice President, Federal Advocacy
Law and Public Policy
WorldCom, Inc.

Richard J. Metzger
Vice President – Regulatory and Public Policy
Focal Communications Corporation

R. Gerard Salemme
Senior Vice President, External Affairs
XO Communications, Inc

Paul Kouroupas
Senior Counsel, Worldwide Regulatory and Industry Affairs
Global Crossing, Ltd.

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Dan M. Lipschultz
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McLeodUSA Corporation

H. Russell Frisby, Jr.
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Competitive Telecommunications Association

Lisa Korner Butler
Vice President – Regulatory & Industry Relations
Network Plus

Brian Moir
General Counsel
eCommerce & Telecommunications Users Group

Attachments

cc: Commissioner Abernathy
Commissioner Copps
Commissioner Martin
Dorothy Attwood
Jeffrey Carlisle
Michelle Carey
Uzoma Onyeije
Magalie Roman Salas

ATTACHMENT A

Joint Competitive Industry Group Proposal

ILEC PERFORMANCE MEASUREMENTS & STANDARDS

in the

Ordering, Provisioning,

and

Maintenance & Repair

of

SPECIAL ACCESS SERVICE

Version 1.1

Issued: January 18, 2002

TABLE OF CONTENTS

Reporting Dimensions

CLEC or IXC Carrier specific total, with the following reporting dimensions for all measurements.

?? Special Access disaggregated by bandwidth
  Sub Totaled by State
  Totaled by ILEC

Comparison reports are required for:
?? CLEC/ IXC Carrier Aggregate
?? ILEC Affiliates Aggregate

Special Access is any exchange access service that provides a transmission path between two or more points, either directly, or through a central office, where bridging or multiplexing functions are performed, not utilizing ILEC end office switches.

Special access services include dedicated and shared facilities configured to support analog/voice grade service, metallic and/or telegraph service, audio, video, digital data service (DDS), digital transport and high capacity service (DS1, DS3 and OCn), collocation transport, links for SS7 signaling and database queries, SONET access including OC-192 based dedicated SONET ring access, and broadband services.

Exclusions: Transmission path requests pursuant to an Interconnection Agreement for Unbundled Network Elements are excluded from these Performance Measures.

Reporting Period: The reporting period is the calendar month, unless otherwise noted, with all averages or percentages displayed to one decimal point.

ILEC Performance Measurements and Standards

ORDERING

Measurement: JIP-SA-1 FOC Receipt

Description

The Firm Order Confirmation (FOC) is the ILEC response to an Access Service Request (ASR), whether an initial or supplement ASR, that provides the CLEC or IXC Carrier with the specific Due Date on which the requested circuit or circuits will be installed. The expectation is that the ILEC will conduct a minimum of an electronic facilities check to ensure due dates delivered in FOCs can be relied upon. The performance standard for FOCs received within the standard interval is expressed as a percentage of the total FOCs received during the reporting period. A diagnostic distribution is required along with a count of ASRs withdrawn at the ILEC's request due to a lack of ILEC facilities or otherwise.

Calculation Methodology

Percent Meeting Performance Standard:
[Count FOCs received where (FOC Receipt Date – ASR Sent Date) < = Performance Standard] / Total FOCs received during reporting period x 100

FOC Receipt - Distribution:
(FOC Receipt Date – ASR Sent Date), for each FOC received during reporting period, distributed by: 0 day, 1 day, 2 days, through 10 days and > 10 days

ASRs Withdrawn at ILEC Request due to a lack of ILEC Facilities or Otherwise
Count of ASRs, which have not yet received a FOC, Withdrawn at ILEC Request, during the current reporting period, due to a lack of ILEC facilities or otherwise

Business Rules

1. Counts are based on each instance of a FOC received from the ILEC. If one or more Supplement ASRs are issued to correct or change a request, each corresponding FOC, which is received during the reporting period, is counted and measured.
2. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
3. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided within expected intervals.

Exclusions

?? Unsolicited FOCs
?? Disconnect ASRs
?? Cancelled ASRs
?? Record ASRs

Levels of Disaggregation

?? DS0
?? DS1
?? DS3
?? OCn

Performance Standard

Percent FOCs Received within Standard
- DS0 = > 98.0% within 2 business days
- DS1 = > 98.0% within 2 business days
- DS3 = > 98.0% within 5 business days
- OCn - ICB (Individual Case Basis)

FOC Receipt Distribution - Diagnostic

ASRs Withdrawn at ILEC Request Due to a Lack of ILEC Facilities or Otherwise - Diagnostic

ILEC Performance Measurements and Standards

ORDERING

Measurement: JIP-SA-2 FOC Receipt Past Due

Description

The FOC Receipt Past Due measure tracks all ASR requests that have not received an FOC from the ILEC within the expected FOC receipt interval, as of the last day of the reporting period and do not have an open, or outstanding, Query/Reject. This measure gauges the magnitude of late FOCs and is essential to ensure that FOCs are being received in a timely manner from the ILECs. A distribution of these late FOCs, along with a report of those late FOCs that do have an open Query/Reject, is required for diagnostic purposes.

Calculation Methodology

Percent FOC Receipt Past Due - Without Open Query/Reject:

Sum of ASRs without a FOC Received, and a Query/Reject is not open, where (End of Reporting Period – ASR Sent Date >Expected FOC Receipt Interval) / Total number of ASRs sent during reporting period x 100

FOC Receipt Past Due - Without Open Query/Reject - Distribution:

[(End of Reporting Period – ASR Sent date) – (Expected FOC Receipt Interval)] for ASRs without a FOC received and a Query/Reject is not open with the CLEC or IXC Carrier, distributed by;
1-5 Days, 6-10 Days, 11-20 Days, 21- 30 Days, 31-40 Days, and > 40 Days

Percent FOC Receipt Past Due - With Open Query/Reject:

Sum of ASRs without a FOC Received, and a Query/Reject is open, where (End of Reporting Period – ASR Sent Date > Expected FOC Receipt Interval) / Total number of ASRs sent during reporting period x 100

Business Rules

1. All counts are based on the latest ASR request sent to the ILEC. Where one or more subsequent ASRs have been sent, only the latest ASR would be recorded as Past Due if no FOC had yet been returned.
2. The Expected FOC Receipt Interval, used in the calculations, will be the interval identified in the Performance Standards for the FOC Receipt measure.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided within expected intervals.

Exclusions

?? Unsolicited FOCs
?? Disconnect ASRs
?? Cancelled ASRs
?? Record ASRs

Levels of Disaggregation

?? DS0
?? DS1
?? DS3
?? OCn

Performance Standard

Percent FOC Receipt Past Due - Without Open Query/Reject	< 2.0 % FOC Receipt Past Due
FOC Receipt Past Due – Without Open Query/Reject - Distribution	- Diagnostic
Percent FOC Receipt Past Due - With Open Query/Reject	- Diagnostic

ILEC Performance Measurements and Standards

ORDERING

Measurement: JIP-SA-3 Offered Versus Requested Due Date

Description

The Offered Versus Requested Due Date measure reflects the degree to which the ILEC is committing to install service on the CLEC or IXC Carrier Requested Due Date (CRDD), when a Due Date Request is equal to or greater than the ILEC stated interval. A distribution of the delta, the difference between the CRDD and the Offered Date, for these FOCs is required for diagnostic purposes.

Calculation Methodology

Percent Offered with CLEC or IXC Carrier Requested Due Date:
[Count of ASRs where (FOC Due Date = CRDD] / [Total number of ASRs where (CRDD – ASR Sent Date) = > ILEC Stated Interval] x 100

Offered versus Requested Interval Delta – Distribution:
[(Offered Due Date – CRDD) where (CRDD – ASR Sent Date) = > ILEC Stated Interval] for each FOC received during the reporting period, distributed by; 0 Days, 1-5 Days, 6-10 Days, 11-20 Days, 21 - 30 Days, 31-40 Days, and > 40 Days

Business Rules

1. Counts are based on each instance of a FOC received from the ILEC. If one or more Supplement ASRs are issued to correct or change a request, each corresponding FOC, which is received during the reporting period, is counted and measured.
2. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
3. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided within expected intervals.

Exclusions

?? Unsolicited FOCs
?? Disconnect ASRs
?? Cancelled ASRs
?? Record ASRs

Levels of Disaggregation

?? DS0
?? DS1
?? DS3
?? OCn

Performance Standard

Percent Offered with CRDD (where CRDD = > ILEC Stated Interval) = 100%
Offered versus Requested Interval Delta – Distribution - Diagnostic

ILEC Stated Intervals: To be determined by ILEC

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-4 On Time Performance To FOC Due Date

Description

On Time Performance To FOC Due Date measures the percentage of circuits that are completed on the FOC Due Date, as recorded from the FOC received in response to the last ASR sent. Customer Not Ready (CNR) situations may result in an installation delay. The On Time Performance To FOC Due Date is calculated both with CNR consideration, i.e. measuring the percentage of time the service is installed on the FOC due date while counting CNR coded orders as an appointment met, and without CNR consideration.

Calculation Methodology

Percent On Time Performance to FOC Due Date – With CNR Consideration:
[(Count of Circuits Completed on or before ILEC Committed Due Date + Count of Circuits Completed after FOC Due Date with a verifiable CNR code) / (Count of Circuits Completed in Reporting Period)] x 100

Percent On Time Performance to FOC Due Date – Without CNR Consideration:
[(Count of Circuits Completed on or before ILEC Committed Due Date) / (Count of Circuits Completed in Reporting Period)] x 100

Note: The denominator for both calculations is the total count of circuits completed during the reporting period, including all circuits, with and without a CNR code.

Business Rules

1. Measures are based on the last ASR sent and the associated FOC Due Date received from the ILEC.
2. Selection is based on circuits completed by the ILEC during the reporting period. An ASR may provision more than one circuit and ILECs may break the ASR into separate internal orders, however, the ASR is not considered completed for measurement purposes until all circuits are completed.
3. The ILEC Completion Date is the date upon which the ILEC completes installation of the circuit, as noted on a completion advice to the CLEC or IXC Carrier.
4. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided on the FOC Due Date.
5 A Customer Not Ready (CNR) is defined as a verifiable situation beyond the normal control of the ILEC that prevents the ILEC from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready. The ILEC must ensure that established procedures are followed to notify the CLEC or IXC Carrier of a CNR situation and allow a reasonable period of time for the CLEC or IXC Carrier to correct the situation.

Exclusions

?? Unsolicited FOCs
?? Disconnect ASRs
?? Cancelled ASRs
?? Record ASRs

Levels of Disaggregation

?? DS0
?? DS1
?? DS3
?? OCn

Performance Standard

Percent On Time to FOC Due Date - With CNR Consideration = > 98.0 % On Time
Percent On Time to FOC Due Date - Without CNR Consideration - Diagnostic

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-5 Days Late

Description

Days Late captures the magnitude of the delay, both in average and distribution, for those circuits not completed on the FOC Due Date, and the delay was not a result of a verifiable CNR situation. A breakdown of delay days caused by a lack of ILEC facilities is required for diagnostic purposes.

Calculation Methodology

Average Days Late:

? [Circuit Completion Date – ILEC Committed Due Date (for all Circuits Completed Beyond ILEC Committed Due Date without a CNR code)] / (Count of Circuits Completed Beyond ILEC Committed Due Date without a CNR code)

Days Late Distribution:

Circuit Completion Date – ILEC Committed Due Date (for all Circuits Completed Beyond ILEC Committed Due Date without a CNR code) distributed by: 1 day, 2-5 Days, 6-10 Days, 11-20 Days, 21- 30 Days, 31-40 Days, and > 40 Days

Average Days Late Due to a Lack of ILEC Facilities:

? [Circuit Completion Date – ILEC Committed Due Date (for all Circuits Completed Beyond ILEC Committed Due Date without a CNR code and due to a Lack of ILEC Facilities] / (Count of Circuits Completed Beyond ILEC Committed Due Date without a CNR code and due to a Lack of ILEC Facilities)

Business Rules

1. **Measures are** based on the last ASR sent and the associated FOC Due Date received from the ILEC.
2. **Selection is** based on circuits completed by the ILEC during the reporting period. An ASR may provision more than one circuit and ILECs may break the ASR into separate internal orders, however, the ASR is not considered completed for measurement purposes until all circuits are completed.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided on the FOC Due Date.
5. A Customer Not Ready (CNR) is defined as a verifiable situation beyond the normal control of the ILEC that prevents the ILEC from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready. The ILEC must ensure that established procedures are followed to notify the CLEC or IXC Carrier of a CNR situation and allow a reasonable period of time for the CLEC or IXC Carrier to correct the situation

Exclusions

?? Unsolicited FOCs
?? Disconnect ASRs
?? Cancelled ASRs
?? Record ASRs

Levels of Disaggregation

?? DS0
?? DS1
?? DS3
?? OCn

Performance Standard

Average Days Late	< 3.0 Days
Days Late Distribution	- Diagnostic
Average Days Late Due to a Lack of ILEC Facilities	- Diagnostic

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-6 Average Intervals - Requested/Offered/Installation

Description

The intent of this measure is to capture three important aspects of the provisioning process and display them in relation to each other. The Average CLEC or IXC Carrier Requested Interval, the Average ILEC Offered Interval, and the Average Installation Interval, provide a comprehensive view of provisioning, with the ultimate goal of having these three intervals equivalent.

Calculation Methodology

Average CLEC or IXC Carrier Requested Interval:
Sum (CRDD – ASR Sent Date) / Total Circuits Completed during reporting period

Average ILEC Offered Interval:
Sum (FOC Due Date – ASR Sent Date) / Total Circuits Completed during reporting period

Average Installation Interval:
Sum (ILEC Completion Date – ASR Sent Date) / Total Circuits Completed during reporting period

Business Rules

1. Measures are based on the last ASR sent and the associated FOC Due Date received from the ILEC.
2. Selection is based on circuits completed by the ILEC during the reporting period. An ASR may provision more than one circuit and ILECs may break the ASR into separate internal orders, however, the ASR is not considered completed for measurement purposes until all circuits are completed.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided within expected intervals.
5. The Average Installation Interval includes all completions.

Exclusions

?? Unsolicited FOCs
?? Disconnect ASRs
?? Cancelled ASRs
?? Record ASRs

Levels of Disaggregation

?? DS0
?? DS1
?? DS3
?? OCn

Performance Standard

Average Requested Interval - Diagnostic
Average Offered Interval - Diagnostic
Average Installation Interval - Diagnostic

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-7 Past Due Circuits

Description

The Past Due Circuits measure provides a snapshot view of circuits not completed as of the end of the reporting period. The count is taken from those circuits that have received an FOC Due Date but the date has passed. Results are separated into those held for ILEC reasons and those held for CLEC or IXC Carrier reasons (CNRs), with a breakdown, for diagnostic purposes, of Past Due Circuits due to a lack of ILEC facilities. A diagnostic measure, Percent Cancellations After FOC Due Date, is included to show a percent of all cancellations processed during the reporting period where the cancellation took place after the FOC Due Date had passed

Calculation Methodology

Percent Past Due Circuits:

[(Count of all circuits not completed at the end of the reporting period > 5 days beyond the FOC Due Date, grouped separately for Total ILEC Reasons, Lack of ILEC Facility Reasons, and Total CLEC/Carrier Reasons) / (Total uncompleted circuits past FOC Due Date, for all missed reasons, at the end of the reporting period)] x 100

Past Due Circuits Distribution:

Count of all circuits past the FOC Due Date that have not been reported as completed (Calculated as last day of reporting period - FOC Due Date) Distributed by: 1-5 days, 6-10 days, 11-20 days, 21-30 days, 31-40 Days, > 40 days

Percent Cancellations After FOC Due Date:

[Count (All circuits cancelled during reporting period, that were Past Due at the end of the previous reporting period, where (Date Cancelled > FOC Due Date) / (Total circuits Past Due at the end of the previous reporting period)] x 100

Business Rules

1. Calculation of Past Due Circuits is based on the most recent ASR and associated FOC Due Date.
2. An ASR may provision more than one circuit and ILECs may break the ASR into separate internal orders, however, the ASR is not considered completed for measurement purposes until all segments are completed.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included. Determination of what is or is not identified as a project varies by ILEC and should not alter the need to ensure that service is provided on the FOC Due Date.
5. A Customer Not Ready (CNR) is defined as a verifiable situation beyond the normal control of the ILEC that prevents the ILEC from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready. The ILEC must ensure that established procedures are followed to notify the CLEC or IXC Carrier of a CNR situation and allow a reasonable period of time for the CLEC or IXC Carrier to correct the situation

Exclusions

?? Unsolicited FOCs
?? Disconnect ASRs
?? Record ASRs

Levels of Disaggregation

?? DS0 / DS1 / DS3 / OCn

Performance Standard

Percent Past Due Circuits - Total ILEC Reasons	< 3.0 % > 5 days beyond FOC Due Date
Percent Past Due Circuits - Due to Lack of ILEC Facilities	- Diagnostic
Percent Past Due Circuits - Total CLEC Reasons	- Diagnostic
Past Due Circuits Distribution	- Diagnostic
Percent Cancellation After FOC Due Date	- Diagnostic

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-8 New Installation Trouble Report Rate

Description

New Installation Trouble Report Rate measures the quality of the installation work by capturing the rate of trouble reports on new circuits within 30 calendar days of the installation.

Calculation Methodology

Trouble Report Rate Within 30 Calendar Days of Installation:
[Count (trouble reports within 30 Calendar Days of Installation) / (Total Number of Circuits Installed in the Report Period)] x 100

Business Rules

1. The ILEC Completion Date is the date upon which the ILEC completes installation of the circuit, as noted on a completion advice to the CLEC or IXC Carrier.
2. The calculation for the preceding 30 calendar days is based on the creation date of the trouble ticket.

Exclusions

?? Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
?? CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
?? ILEC trouble reports associated with administrative service
?? Tickets used to track referrals of misdirected calls
?? CLEC or IXC Carrier requests for informational tickets

Levels of Disaggregation

?? DS0
?? DS1
?? DS3
?? OCn

Performance Standard

New Installation Trouble Report Rate < = 1.0 trouble reports per 100 circuits installed

ILEC Performance Measurements and Standards

MAINTENANCE & REPAIR

Measurement: JIP-SA-9 Failure Rate

Description

Failure Rate measures the overall quality of the circuits being provided by the ILEC and is calculated by dividing the number of troubles resolved during the reporting period by the total number of "in service" circuits, at the end of the reporting period, and is then annualized by multiplying by 12 months.

Calculation Methodology

Failure Rate – Annualized:

{[(Count of Trouble Reports resolved during the Reporting Period) / (Number of Circuits In Service at the end of the Report Period)] x 100} x 12

Business Rules

1. A trouble report/ticket is any record (whether paper or electronic) used by the ILEC for the purposes of tracking related action and disposition of a service repair or maintenance situation.
2. A trouble is resolved when the ILEC issues notice to the CLEC or IXC Carrier that the circuit has been restored to normal operating parameters.
3. Where more than one trouble is resolved on a specific circuit during the reporting period, each trouble is counted in the Trouble Report Rate.

Exclusions:

?? Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
?? CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
?? ILEC trouble reports associated with administrative service
?? CLEC or IXC Carrier requests for informational tickets
?? Tickets used to track referrals of misdirected calls

Levels of Disaggregation

?? Below DS3 (DS0 + DS1)
?? DS3 and Above (DS3 + OCn)

Performance Standard

Failure Rate Annualized	- Below DS3	<= 10.0%
	- DS3 and Above	<= 10.0%

ILEC Performance Measurements and Standards

MAINTENANCE & REPAIR

Measurement: JIP-SA-10 Mean Time to Restore

Description

The Mean Time To Restore interval measures the promptness in restoring circuits to normal operating levels when a problem or trouble is referred to the ILEC. Calculation is the elapsed time from the CLEC or IXC Carrier submission of a trouble report to the ILEC to the time the ILEC closes the trouble, less any Customer Hold Time or Delayed Maintenance Time due to valid customer, CLEC, or IXC Carrier caused delays. A breakdown of the percent of troubles outstanding greater than 24 hours, and the Mean Time to Restore of those troubles recorded as Found OK / Test OK, is required for diagnostic purposes.

Calculation Methodology

Mean Time To Restore:

? [(Date and Time of Trouble Ticket Resolution Closed to the CLEC or IXC Carrier – Date and Time of Trouble Ticket Referred to the ILEC) – (Customer Hold Times)] / (Count of Trouble Tickets Resolved in Reporting Period)]

% Out of Service Greater than 24 hrs:

[Count of Troubles where (Date and Time of Trouble Ticket Resolution Closed to the CLEC or IXC Carrier – Date and Time of Trouble Ticket Referred to the ILEC) – (Customer Hold Times) is > 24 hrs / (Count of Trouble Tickets Resolved in Reporting Period)] x 100

Mean Time To Restore – Found OK / Test OK:

? [(Date and Time of Trouble Ticket Resolution Closed to the CLEC or IXC Carrier as Found OK/Test OK – Date and Time of Trouble Ticket Referred to the ILEC) – (Customer Hold Times)] / (Count of Trouble Tickets Resolved in Reporting Period as Found OK/Test OK)]

Business Rules

1. A trouble report or trouble ticket is any record (whether paper or electronic) used by the ILEC for the purposes of tracking related action and disposition of a service repair or maintenance situation.
2. Elapsed time is measured on a 24-hour, seven-day per-week basis, without consideration of weekends or holidays.
3. Multiple reports in a given period are included, unless the multiple reports for the same customer is categorized as "subsequent" (an additional report on an already open ticket).
4. "Restore" means to return to the normally expected operating parameters for the service regardless of whether or not the service, at the time of trouble ticket creation, was operating in a degraded mode or was completely unusable. A trouble is "resolved" when the ILEC issues notice to the CLEC or IXC Carrier that the customer's service is restored to normal operating parameters.
6. Customer Hold Time or Delayed Maintenance Time resulting from verifiable situations of no access to the end user's premises, or other CLEC or IXC Carrier caused delays, such as holding the ticket open for monitoring, is deducted from the total resolution interval.

Exclusions:

?? Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
?? CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
?? ILEC trouble reports associated with administrative service
?? CLEC or IXC Carrier requests for informational tickets
?? Trouble tickets created for tracking and/or monitoring circuits
?? Tickets used to track referrals of misdirected calls

Levels of Disaggregation

?? Below DS3 (DS0 + DS1)
?? DS3 and Above (DS3 + OCn)

Performance Standard

Mean Time to Restore	- Below DS3	< = 2.0 Hours
	- DS3 and Above	< = 1.0 Hour
% Out of Service > 24 Hrs		- Diagnostic
Mean Time to Restore – Found OK / Test OK		- Diagnostic

ILEC Performance Measurements and Standards

MAINTENANCE & REPAIR

Measurement: JIP-SA-11 Repeat Trouble Report Rate

Description

The Repeat Trouble Report Rate measures the percent of maintenance troubles resolved during the current reporting period that had at least one prior trouble ticket any time in the preceding 30 calendar days from the creation date of the current trouble report.

Calculation Methodology

Repeat Trouble Report Rate:

[(Count of Current Trouble Reports with a previous trouble, reported on the same circuit, in the preceding 30 calendar days)] / (Number of Reports in the Report Period) x 100

Business Rules

1. A trouble report or trouble ticket is any record (whether paper or electronic) used by the ILEC for the purposes of tracking related action and disposition of a service repair or maintenance situation.
2. A trouble is resolved when the ILEC issues notice to the CLEC or IXC Carrier that the circuit has been restored to normal operating parameters.
3. If a trouble ticket was closed out previously with the disposition code classifying it as FOK/TOK/CPE/IXC, then the second trouble must be counted as a repeat trouble report if it is resolved to ILEC reasons.
4. The trouble resolution need not be identical between the repeated reports for the incident to be counted as a repeated trouble.

Exclusions:

?? Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
?? CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
?? ILEC trouble reports associated with administrative service
?? Subsequent trouble reports – defined as those cases where a customer called to check on the status of an existing open trouble ticket

Levels of Disaggregation

?? Below DS3 (DS0 + DS1)
?? DS3 and Above (DS3 + OCn)

Performance Standards

Repeat Trouble Report Rate	- Below DS3	<= 6.0%
	- DS3 and Above	<= 3.0%

GLOSSARY

Term	Definition
Access Service Request (ASR)	A request to an ILEC to order new service, or request a change to existing service, which provides access to the local exchange company's network, under terms specified in the local exchange company's special or switched access tariffs
Business Days	Monday thru Friday excluding holidays
Customer Not Ready (CNR)	A verifiable situation beyond the normal control of the ILEC that prevents the ILEC from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready
Facility Check	A pre-provisioning check performed by the ILEC, in response to an access service request, to determine the availability of facilities and assign the installation date
Firm Order Confirmation (FOC)	The notice returned from the ILEC, in response to an Access Service Request from a CLEC or IXC Carrier that confirms receipt of the request, that a facility has been made, and that a service request has been created with an assigned due date
Unsolicited FOC	An Unsolicited FOC is a supplemental FOC issued by the ILEC to change the due date or for other reasons, although no change to the ASR was requested by the CLEC or IXC Carrier
Project	Service requests that exceed the line size and/or level of complexity that would allow the use of standard ordering and provisioning processes
Query/Reject	An ILEC response to an ASR requesting clarification or correction to one or more fields on the ASR before an FOC can be issued
Repeat Trouble	Trouble that reoccurs on the same telephone number/circuit ID within 30 calendar days
Supplement ASR	A revised ASR that is sent to change due dates or alter the original ASR request. A "Version" indicator related to the original ASR number tracks each Supplement ASR.

ATTACHMENT B

Joint Competitive Industry Group Proposal

OFFERED INSTALLATION INTERVALS

The purpose of this document is to establish a definition of the offered installation interval referenced in ILEC Performance Measurement JIP-SA 3 (Offered Versus Requested Due Date).[1]

Definition

The Offered Interval may not be longer than the least of:

1. The Standard Interval

   DS0: 7 business days
   DS1: 7 business days
   DS3: 14 business days

2. The Interval Stated (published) by the ILEC; or

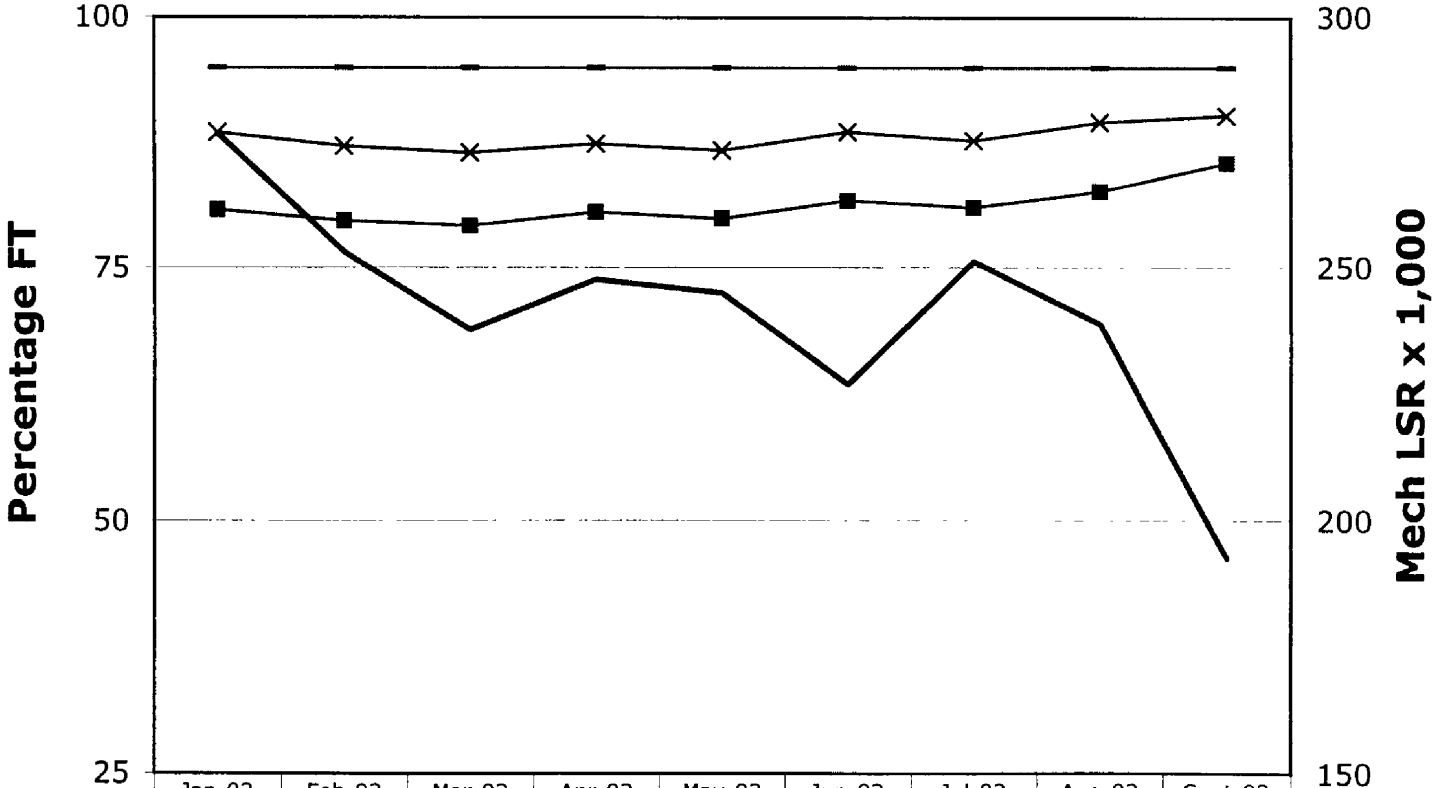
3. The Interval actually provided to the ILEC's Affiliates or the ILEC's Retail Customers in that state

Provided, however, that if the carrier-customer requests a longer interval, the customer-requested interval shall become the offered interval.

Issued: January 18, 2002

[1] *See* Joint Competitive Industry Group Proposal, ILEC Performance Measurements & Standards in the Ordering, Provisioning, and Maintenance & Repair of Special Access Service, Version 1.1, Issued January 18, 2002, at page 6.

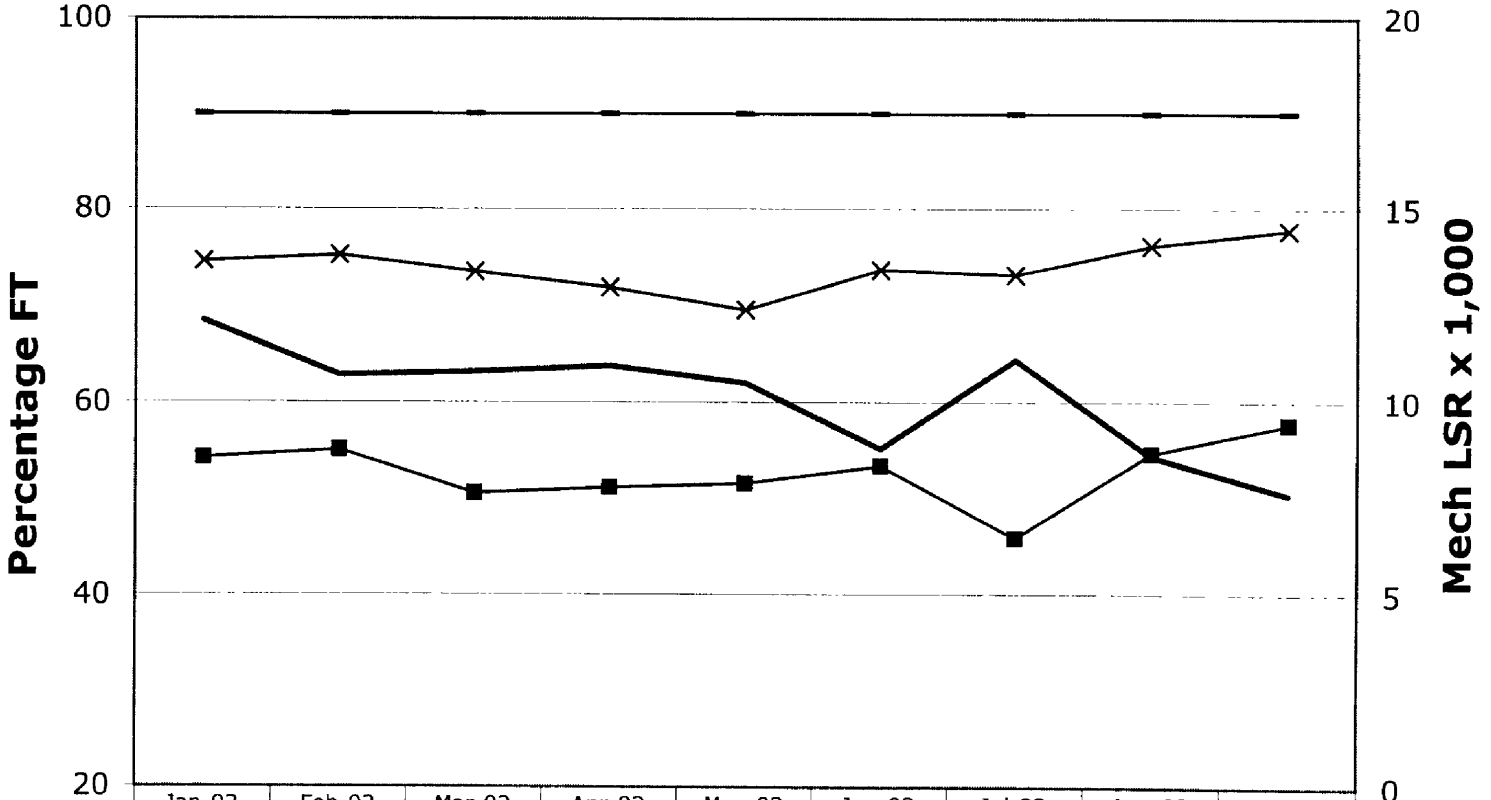
Flow Through - Residential



	Jan-02	Feb-02	Mar-02	Apr-02	May-02	Jun-02	Jul-02	Aug-02	Sept-02
%Benchmark	95.0	95.0	95.0	95.0	95.0	95.0	95.0	95.0	95.0
%Flow Through	88.6	87.2	86.5	87.4	86.7	88.6	87.7	89.5	90.2
% Achieved Flow Through	80.8	79.7	79.2	80.5	79.9	81.7	81.0	82.6	85.4
Total Mech LSR's x 1,000	276.9	253.1	237.7	247.7	245	226.8	251.2	238.7	192.5

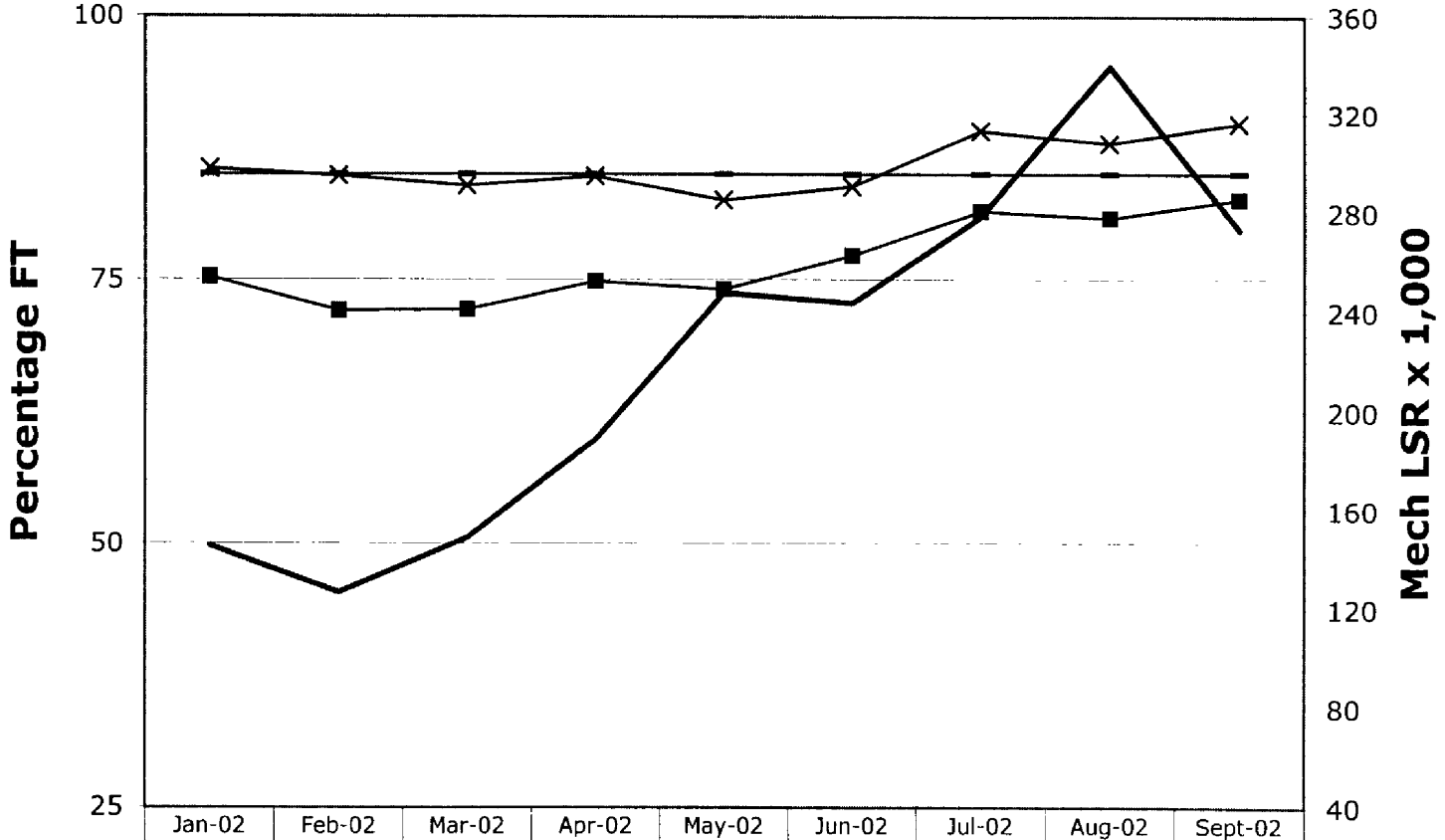
Exhibit 5

Flow Through - Business



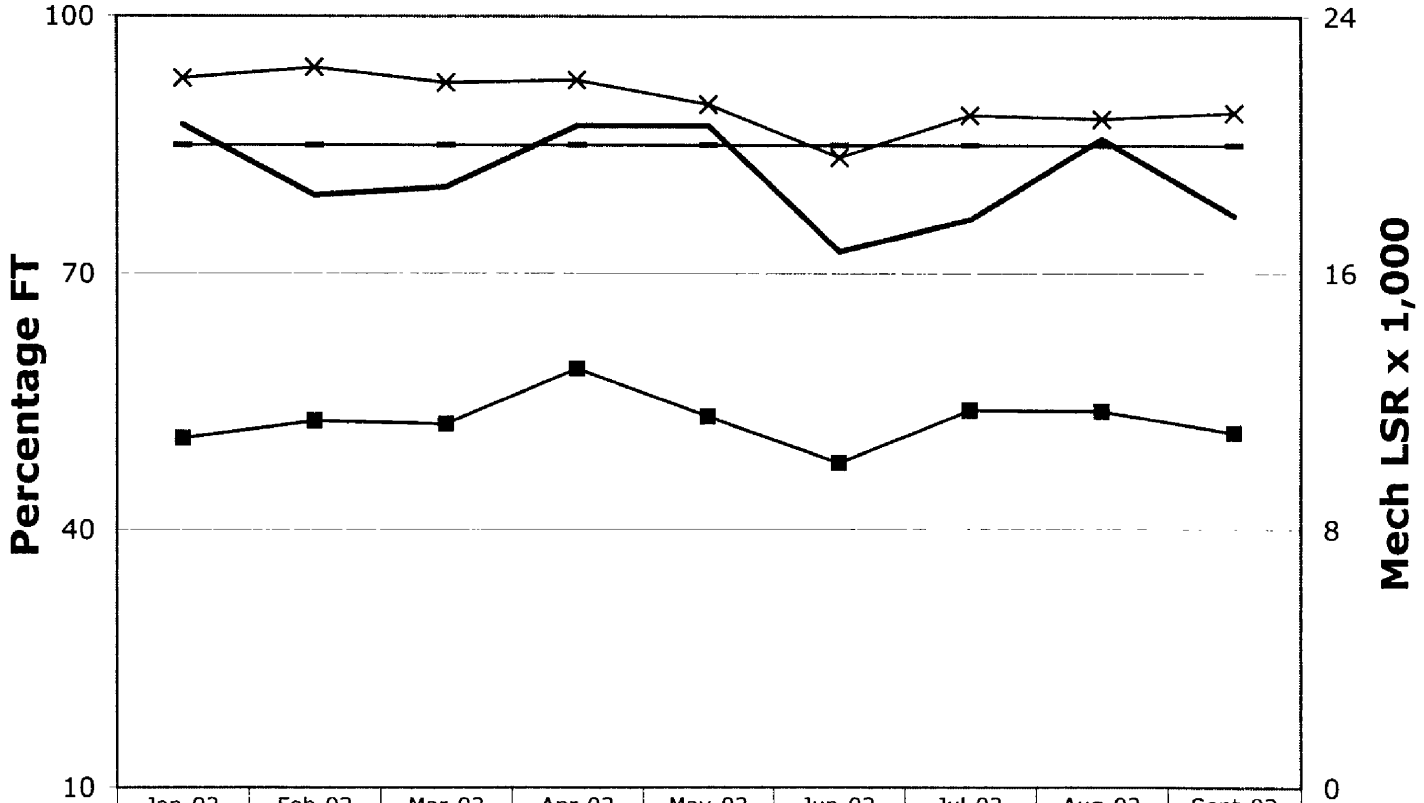
	Jan-02	Feb-02	Mar-02	Apr-02	May-02	Jun-02	Jul-02	Aug-02	Sept-02
%Benchmark	90.0	90.0	90.0	90.0	90.0	90.0	90.0	90.0	90.0
%Flow Through	74.6	75.2	73.5	71.9	69.5	73.7	73.2	76.2	77.8
% Achieved Flow Through	54.3	55.1	50.6	51.2	51.6	53.4	45.9	54.7	57.7
Total Mech LSR's x 1,000	12.1	10.7	10.8	10.9	10.5	8.8	11.1	8.6	7.6

Flow Through - UNE



	Jan-02	Feb-02	Mar-02	Apr-02	May-02	Jun-02	Jul-02	Aug-02	Sept-02
%Benchmark	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85.0
%Flow Through	85.5	84.9	83.9	84.8	82.6	83.8	89.1	87.9	89.8
% Achieved Flow Through	75.3	72.1	72.2	74.9	74.1	77.3	81.5	80.8	82.6
Total Mech LSR's x 1,000	145.8	127.0	149.1	189.0	248.1	244	278.7	339.7	273.3

Flow Through - LNP



	Jan-02	Feb-02	Mar-02	Apr-02	May-02	Jun-02	Jul-02	Aug-02	Sept-02
%Benchmark	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85.0
%Flow Through	92.8	94.1	92.3	92.6	89.8	83.6	88.5	88.1	88.8
% Achieved Flow Through	50.7	52.7	52.3	58.8	53.2	47.8	53.9	53.8	51.3
Total Mech LSR's	20.6	18.4	18.7	20.6	20.6	16.7	17.7	20.2	17.8

	Nov-01	Dec-01	Jan-02	Feb-02	Mar-02	Apr-02	May-02	Jun-02			
Aggregate											
Total Mech LSR's x 1,000	392.0	369.0	455.5	409.3	416.3	447.6	503.6	479.6			
% Achieved Flow Through	75.5	74.9	77 0	75.4	74.7	77.5	76.6	79.0			
%Flow Through	86.5	87.0	87.4	86.4	85.8	86.1	84.5	86.0			
Residential	**Nov-01**	**Dec-01**	**Jan-02**	**Feb-02**	**Mar-02**	**Apr-02**	**May-02**	**Jun-02**	**Jul-02**	**Aug-02**	**Sept-02**
Total Mech LSR's	244,533.0	221,718.0	276,926.0	253,123.0	237,652.0	247,694.0	245,039.0	226,834.0			
Total Mech LSR's x 1,000	244.5	221.7	276.9	253.1	237.7	247.7	245	226.8	251.2	238.7	192.5
% Achieved Flow Through	82.1	81.6	80.8	79.7	79.2	80.5	79.9	81.7	81.0	82.6	85.4
%Flow Through	89.4	89.5	88.6	87.2	86.5	87.4	86.7	88.6	87.7	89.5	90.2
%Benchmark	95.0	95.0	95.0	95.0	95.0	95.0	95.0	95.0	95.0	95.0	95.0
Business	**Nov-01**	**Dec-01**	**Jan-02**	**Feb-02**	**Mar-02**	**Apr-02**	**May-02**	**Jun-02**	**Jul-02**	**Aug-02**	**Sept-02**
Total Mech LSR's	12134.0	9724.0	12122.0	10709.0	10,800.0	10,948.0	10,474.0	8,779.00			
Total Mech LSR's x 1,000	12.1	9.7	12.1	10.7	10.8	10.9	10.5	8.8	11.1	8.6	7.6
% Achieved Flow Through	53 3	52.5	54.3	55.1	50.6	51.2	51.6	53.4	45.9	54.7	57.7
%Flow Through	75.2	74.1	74.6	75.2	73.5	71.9	69.5	73.7	73.2	76.2	77.8
%Benchmark	90.0	90.0	90.0	90.0	90.0	90.0	90.0	90.0	90.0	90.0	90.0
LNP	**Nov-01**	**Dec-01**	**Jan-02**	**Feb-02**	**Mar-02**	**Apr-02**	**May-02**	**Jun-02**	**Jul-02**	**Aug-02**	**Sept-02**
Total Mech LSR's	21034.0	17807.0	20639.0	18446.0	18,705.0	20,563.0	20604.0	16,722			
Total Mech LSR's x 1,000	21.0	17.8	20.6	18.4	18.7	20.6	20.6	16.7	17.7	20.2	17.8
% Achieved Flow Through	54.9	47.9	50.7	52.7	52.3	58.8	53.2	47.8	53.9	53.8	51.3
%Flow Through	91.2	87.6	92.8	94.1	92.3	92.6	89.8	83.6	88.5	88.1	88.8
%Benchmark	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85 0
UNE	**Nov-01**	**Dec-01**	**Jan-02**	**Feb-02**	**Mar-02**	**Apr-02**	**May-02**	**Jun-02**	**Jul-02**	**Aug-02**	**Sept-02**
Total Mech LSR's	114297.0	119789.0	145792.0	127006.0	149,121.0	189,007.0	248,097.0	244,024.00			
Total Mech LSR's x 1,000	114.3	119.8	145.8	127.0	149.1	189.0	248.1	244	278.7	339.7	273 3
% Achieved Flow Through	66.8	68 1	75 3	72.1	72.2	74.9	74.1	77.3	81.5	80.8	82.6
%Flow Through	79.7	82.7	85.5	84.9	83.9	84.8	82.6	83.8	89.1	87.9	89.8
%Benchmark	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85.0	85.0
UNE-P		**Dec-01**	**Jan-02**	**Feb-02**	**Mar-02**						
Total Mech LSR		111,919	135,025	114,977	133,177						
% Achieved Flow Through		68.6	76.6	73.5	74.2						
%Flow Through		83.2	86.4	85.8	85.1						
UNE Loops		**Dec-01**	**Jan-02**	**Feb-02**	**Mar-02**						
Total Mech LSR		7,865	10,764	12,024	15,711						
% Achieved Flow Through		60.3	57.8	57.9	53.8						
%Flow Through		74.1	72.2	73.8	71.7						

BIRCH TELECOM
CSOTS INCIDENT LOG
September - November 13, 2002

DAY	START	END	IMPACT INTERVAL	TYPE	DESCRIPTION
11/14	8:55 AM			Degraded	**Previous day file didn't update**
11/13	6:30 AM		8 Biz Hours	Degraded	Previous day file didn't update
11/13	8:05 AM	11:15 AM	3 hrs. 10 min	Intermittent Outage*	
11/13	8:58 AM	9:07 AM	9 min	Degraded	Slow response interval
11/12	8:45 AM		8 Biz Hours	Degraded	Previous day file didn't update
11/12	8:57 AM	10:25 AM	1 hr. 28 min	Outage*	
11/12	12:34 PM	1:03 PM	29 min	Outage*	
11/12	5:34 PM	6:20 PM	46 min	Outage*	
11/11	10:01 AM	10:09 AM	8 min	Functionality Loss	Could not query or print orders
11/8	10:20 AM	10:53 AM	33 min	Outage*	
11/8	6:30 AM		8 Biz Hours	Degraded	Previous day file didn't update
11/7	6:30 AM	7:23 AM	53 min	Outage*	
11/7	6:30 AM		8 Biz Hours	Degraded	Previous day file didn't update
11/6	6:30 AM		8 Biz Hours	Degraded	Previous day file didn't update
11/6	8:05 AM	8:13 AM	8 min	Functionality Loss	Can't pull & print order
11/5	6:44 AM		8 Biz Hours	Degraded	Previous day file didn't update
11/5	8:11 AM	8:18 AM	7 min	Outage	
11/4	8:20 AM		8 Biz Hours	Degraded	Previous day file didn't update
11/4	6:30 AM		8 Biz Hours	Degraded	Previous day file didn't update
10/30	7:10 AM	7:38 AM	28 min	Degraded Service*	Previous day file didn't update
10/23	6:30 AM	7:43 AM	73 min	Degraded Service*	Previous day file didn't update
10/22	8:58 AM	9:13 AM	15 min	Outage	
10/22	8:58 AM	10:02 AM	64 min	Outage*	
10/18	6:30 AM	12:00 PM	4 hrs. 30 min	Degraded Service*	Previous day file didn't update
10/18	11:22 AM	11:37 AM	15 min	Degraded Service	Could not access GA orders
10/16	8:00 AM	9:34 AM	1 hr. 34 min	Degraded Service*	Previous day file didn't update
10/15	8:00 AM	9:34 AM	1 hr. 34 min	Degraded Service*	Previous day file didn't update
10/15	6:30 AM		8 Biz Hours	Degraded Service*	Previous day file didn't update
9/18	11:11 AM	11:29 AM	18 min	Outage	
9/5	8:00 AM		8 Biz Hours	Degraded Service*	Previous day file didn't update
9/4	6:30 AM		8 Biz Hours	Degraded Service*	Previous day file didn't update
9/4	7:21 AM	7:49 AM	28 min	Outage	

TOTAL # INCIDENTS:	**32**
TOTAL DURATION (hrs)	**108+**
LOSS OF PRODUCTIVITY	**35-40%**

* Incidents in gray are those reported by BellSouth via the Type 1 System Outage Report

Exhibit 6

-----Original Message-----
From: Wagner, Mel [mailto:MWagner@birch.com]
Sent: Tuesday, December 04, 2001 9:27 PM
To: Pinick, Paul; Dreier, Nicole; Ivanuska, John; Mulvany, Rose; Kramer, Jody; Bush, Mary; Oliver, Jerry; Watts, Jelinda; Sauder, TJ
Subject: FW: CSOTS Outages & Issues-Status

Status - we took it the ladder and we have come down with amazing results, finally! Jody, please give a report first thing in the AM. A fix will be applied tonight to CSOTS to resolve the intermittent updating problems. BST has determined the root cause to be a downstream server/hardware problem and partially corrupt SOCS files. The causes are completely mechanical in nature and not a manual intervention issue. Will this improve short and long term stability, it should resolve our recent updating problems and resolve issues that occurred over the past 4 weeks. Although, I wouldn't bet the farm on it, but be assured that Paul Pinick and Jerry Oliver will be on top of it whenever it plans to hiccup. Thank you Jerry for being patience with Jody's team and BST.

Inadvertently, BST disclosed the fact that the enhancement to allow CSOTS real-time updating is being prepared for implementation in June, 2002. This is real progress to get it into a release.

I am aggressively working with our BST counterparts to implement a better framework to resolve issues such as this one. We absolutely can not expect or afford to micro-manage all issues in the fashion and escalate the VP each time. I think you will find the framework will become much clearer as we meet with our counterparts in Birmingham next week.

Thanks to Jody and her team for the patience in working with BST. Thanks to John for running this to his counterpart.

-Mel

> -----Original Message-----
> From: Wagner, Mel
> Sent: Tuesday, December 04, 2001 1:13 PM
> To: 'Scott Griffin (E-mail)'; 'Daphne Matchen (E-mail)';
> 'michael.d.wilburn@bellsouth.com'; Cynthia. Hodges (E-mail); Faye Williams
> (E-mail)
> Cc: Pinick, Paul; Dreier, Nicole; Ivanuska, John; Mulvany, Rose; Kramer,
> Jody; Bush, Mary; Oliver, Jerry; Watts, Jelinda; Sauder, TJ
> Subject: RE: CSOTS Outages & Issues
>
> Account Team,
>
> Folks, I guess we'll have to kick this up a notch. John, this is in your
> ballpark now. In addition, the common theme seems to be that issues have
> to be escalated before resource and resolution are evident. I think from
> this point forward I may start at Cathy's level and work my way down.
>

> I addressed our CSOTS issues in detail with the account team on Friday,
> November 23 (see email below). None of the issues have been addressed and
> the no relief has been provided to Birch. I am receiving daily issues
> from our provisioning shop related to orders not updating. BST has
> reported 8 outages (Type 1 website outage report) this month, which is
> almost triple of any previous month. My theory is a back-end system
> change was made to this system or the LCSC is not appropriately/timely
> updating individual orders. Below, I have provided specific examples for
> your investigation and in additional the BST CSOTS trouble outage
> notification (submitted by Birch) sent out this morning.
>
> Some examples from Friday (11/30/01) that didn't update are:
> 638008GA, 627064GA, 638218GA, 631060GA, 638002GA, 638032GA, 638232GA
>
> Some examples from yesterday (12/3/01) that should have updated
> today are:
> 639206GA, 639022GA, 639014GA, 638975GA, 637332GA, 639210GA, 639018GA
>
>
>
> You may think these CSOTS issues should be worked through CCP - makes
> perfect sense, but at this time they have effectively passed the buck on 4
> of the 5 items listed below including the problem explained above. This
> is a perfect example of the cyclical BST process that effectively results
> in NO resolution or answers. The micro-management by Birch to hand-hold
> issues such as this one is completely unacceptable. I speculate BST
> retail shops work the same way, my provisioning shop works in a real-time
> mode and we don't have the luxury/bandwidth/resource to work with
> unresponsive support teams. I would recommend immediate joint development
> of a framework for improved issue resolution and operational
> effectiveness.
>
> Simply, I need the following to resolve our most pressing customer
> impacting CSOTS issue by EOB today: 1) root cause(s) of CSOTS not
> updating 2) documented immediate resolution/process/recommendations.
> From my perspective, I have provided everything I can to assist you in
> resolving our issues.
>
> Please advise, respond, acknowledge.
>
> -Mel
>
> -----Original Message-----
> From: Wagner, Mel
> Sent: Monday, December 03, 2001 9:39 AM
> To: 'Scott Griffin (E-mail)'; 'Daphne Matchen (E-mail)';
> 'michael.d.wilburn@bellsouth.com'
> Cc: Pinick, Paul; Dreier, Nicole; Ivanuska, John; Mulvany, Rose; Kramer,
> Jody; Bush, Mary
> Subject: RE: CSOTS Outages & Issues
>
> Mike,
> Scott,
>
> Good morning. How about a morning cup of CSOTS to start the day off.
>
> My Birch provisioning Director has brought to my attention yet another

> example of where certain states in CSOTS have not been completely updated.
> Per my original email below, I have listed as issue #2 that exact problem
> Per your email, you are working through the appropriate channels to
> determine cause and resolution. I have discussed with CCP and they say it
> is an LCSC problem, at this time the issue has been passed once. I am
> looking to the Account Team to quickly work through the maze and provide
> an answer and/or alternative solution.
>
> -Mel.
>
> Mel Wagner Jr.
> Birch Telecom, Inc.
> Carrier Relations Mgmt.
> 816.300.3800 (Phone)
> 816-718-7715 (Cell)
> 816.300.3350 (Fax)
> mwagner@birch.com
>
>
> -----Original Message-----
> From: Michael.D.Wilburn@bridge.bellsouth.com
> [mailto:Michael.D.Wilburn@bridge.bellsouth.com]
> Sent: Tuesday, November 27, 2001 1:01 PM
> To: MWagner@birch.com
> Cc: Scott.Griffin@bridge.bellsouth.com;
> Daphne.Pierce@bridge.bellsouth.com
> Subject: FW: CSOTS Outages & Issues
>
>
> Mel- I have read your memo in which you outline issues surrounding CSOTS.
> I
> sense your frustration with the lack of one group/individual which is
> responsible (and accountable) for the issues you outline here.
>
> ➢ I will make inquiries as to the most appropriate group/groups that can
> ➢ > address
> these issues. I will commit to you that we will be responsible for getting
> the
> responses back to you. I think we also add this to our agenda for the
> upcoming
> Thursday call with our Operations team.
>
> Scott, please add these issues to the action register. Lets discuss in
> more
> detail.
>
> Regards..
>
> -----Original Message-----
> From: Wagner, Mel
> Sent: Friday, November 23, 2001 12:25 PM
> To: Scott Griffin (E-mail); Daphne Matchen (E-mail); BST-Change
> Control (E-mail); Faye Williams (E-mail);
> 'michael.d.wilburn@bellsouth.com'; 'dennis.L.Davis@bridge.bellsouth.com'
> Cc: Pinick, Paul; Dreier, Nicole; Ivanuska, John; Mulvany, Rose;
> Ashford, Cynthia; Kramer, Jody; Bush, Mary
> Subject: CSOTS Outages & Issues

>
>
>
>   Scott Griffin, Account Team:
>   Faye Williams, CSM:
>   Change Control:
>
>   Birch's experiences in working issues through BST's multi-faceted
> channels (CCP, Account Team, CSM, UNE-P Forum) has typically produced
> ineffective, slow and incomplete answers to our requests. The message to
> Birch has been there is no clear owner of issues and is passed off to
> one/multiples channels and escalation is inevitable for resolution.
>
>   In an effort to retrieve answers and resolution the first time and
> shorten the interval, Birch would like to submit, expedite, escalate and
> appeal (if necessary) the following issues related to CSOTS. If we are
> not sure which channel should be the sole owner, then I assume all
> channels will work the issue to resolution.
>
>   The five bullet points below are outlined in the attached CR
> document:
>
>   Birch has experienced multiple CSOTS outages during the past 30
> days. Of course only those outages that are 20 minutes or greater are
> logged to the website, although in the real user environment Birch has
> experienced many more intermittent outages and complications less than 20
> minutes. Birch is requesting the follow issues be addressed promptly and
> thoroughly:
>
> 1) Root cause(s) on the rash of outages to CSOTS, Change Control was
> asked during the 11/14/01 CCP meeting to provide a such a response. BST's
> initiatives for long term reliability and integrity of CSOTS. -CSOTS SMEs
> 2) Detailed explanation of how CSOTS is updated. Manual, mechanical or
> both. State by state, all at once, time/date stamp of completed
> order.-LCSC
> 3) Updates to CSOTS once a day is not acceptable or efficient. CSOTS
> should provide real-time updates. CR0040 to address this issue has been
> submitted since 5/00 and prioritized since 04/01. This request has yet to
> be scheduled for a release for resolution.-CCP
> 4) All scheduled changes to back-end systems should be disclosed on the
> 12 month systems release schedule.-??? Or Account Team
> 5) Report, determine cause, provide explanation to all system outages
> just not those 20 minutes or greater.-???
>
>   All question related to this request can be directed to Mel Wagner,
> Birch Change Management & Operations
>
>   Mel Wagner Jr.
>   Birch Telecom, Inc.
>   Carrier Relations Mgmt.
>   816.300.3800 (Phone)
>   816-718-7715 (Cell)
>   816.300.3350 (Fax)
>   mwagner@birch.com
>

TYPE 1 OUTAGES from BST Website for CSOTS:

11/12/2002

Outage #2708 TSC # 2612375. Outage was first reported at 12:34PM CDT and verified at 12:54PM CDT. Users are reporting that they are unable to log in or navigate through CSOTS. sfm
Service was restored at 1:03PM CDT by restarting the Clecview instance on the webserver. sfm

11/12/2002

Outage 2707. TSC 2611229. Outage was first reported at 8:57 am cst and was verified at 9:17 am cst. Users may receive time out errors or Microsoft OLE DB Provider errors when performing database queries. sfp RESOLUTUION: NT server was restarted and service was restored at 10:25AM CST. sfp

11/12/2002

Outage #2706. Outage was first reported at 6:45 AM CST and verified at 7:05 AM CST. File processing has not completed for today. jph As of 11:00 AM CST, file processing is still not complete. jph

11/11/2002

Outage #2705 TSC 2607923. Outage was first reported at 10:20AM CDT and verified at 10:40AM CDT. Users are reporting that they are unable to log in or navigate through CSOTS. sfm Service was restored at 10:51AM CDT by restarting the webserver. sfm

11/07/2002

Outage #2702. Outage was first reported at 6:30 AM CST and verified at 6:50 AM CST. Users are unable to login to the application - receiving timeout errors when trying to access the login page. jph Service was restored at 7:23 AM CST. the database server was rebooted. Jph

11/05/2002

Outage #2698. Outage was first reported at 6:44 AM CST and verified at 7:04 AM CST. File processing has not completed for today. jph Users are also unable to access the login screen - receiving timeout errors. jph Users can now login to the application. The database server was rebooted at 9:34 AM CST. Files are still being processed for today. jph

11/04/2002

Outage#2694. On Monday, November 4, 2002, the CSOTS application is currently experiencing a system outage. Outage # 2694 was first reported at 8:02 am cst and was verified at 8:22 am cst. File processing has not completed for today.sfp As of 11:45am cst, no change in status. sfp As of 15:45pm cdt file processing has not completed.bxf As of 18:30pm cdt file processing has not completed. sfm As of 7:00 AM CST, 11/05/2002, file processing is still not complete. jph As of 10:45 AM CST, file processing is still not complete. Delayed processing is due to maxed out processes on a backend server. Files are being manually transmitted. jph

11/01/2002

Outage #2692. Outage was first reported at 6:30 AM CDT and verifed at 6:50 AM CDT, File processing has not completed for today. jph At 11:00 AM CDT, file processing is still not complete. jph As of 3:00pm cdt files continue to be

Exhibit 7

processed.bxf As of 7:00 pm cdt, files continue to be processed and will be processed throughout the evening. sfm Files have completed as of 7:43PM CDT.

10/30/2002

Outage #2690. Outage was first reported at 7:10 AM CDT and was verified at 7:30 AM CDT. File processing has not completed for today. jph File processing completed at 7:33 AM CDT. jph

10/23/2002

Outage #2683. Outage was first reported at 6:44 AM CDT and verified at 7:04 AM CDT. File processing for all regions has not completed for today. jph File processing completed at 7:43 AM CDT. TSC # 2556221. jph Degraded Service.

10/22/2002

Outage #2679 TSC#2553366 On Tuesday Oct 22nd the CSOTs application is experiencing a system outage. The first call was received at 09:16am cdt and problem was verified at 09:36am cdt . User's are receiving slow response times at the login page and receive the error "Page can not be displayed" or "Microsoft OLE DB Provider for ODBC Drivers error '80004005' [Microsoft][ODBC SQL Server Driver][TCP/IP Sockets]ConnectionRead (recv()). /scripts/chkid2.asp, line 32 F.bxf Problem was resolved @ 10:02am cdt by restarting the web host server.bxf Full Outage

10/18/2002

Outage # 2677. TSC #2542809. Outage was first reported at 7:15 AM CDT and verified at 7:35 AM CDT. Files have not processed for today. jph As of 11:15 AM CDT, the cause of the problem has been cleared and the files are being processed. jph As of 3:45 PM CDT, files are still processing. jph Files completed processing at 9:34 PM CDT. jph Degraded Service. **UPDATE: After further investigation EC Support found the problem actually started at 6 AM CDT.SSS**

10/16/2002

Outage #2674.TSC #2536660. Outage was first reported at 8:51 AM CDT and verified at 9:11 AM CDT. All files have not completed processing for today. sss As of, 1:30 PM CDT the files are still processing.sss As of 4:00 PM CDT, the status has not changed and files are still processing. As of 8:00 PM CDT, the status has not changed and files are still processing. jeb At 9:34 PM CDT the files finished processing for the 6 regions. jeb Degraded Service. **UPDATE: After further investigation EC Support found the problem actually started at 6 AM CDT.SSS**

10/15/2002

Outage #2673. TSC # 2533127. Outage was first reported at 6:20 AM CDT and verified at 6:40 AM CDT. All files have not completed processing for today. jph At 7:34 AM CDT, all files have completed processing. jph Degraded Service.**UPDATE: After further investigation EC Support found the problem actually started at 6 AM CDT.SSS**

10/03/2002

Outage #2664. TSC # 2498731. Outage was first reported at 6:22 AM CDT and verified at 6:42 AM CDT. The files for several regions have not updated. jph A hardware problem was detected on a backend server. The hardware was replaced and the files are currently being processed. (9:24 AM CDT)jph As of 13:24pm cdt, files are still being processed.bxf As of 3:50 PM CDT, there is a delay in processing several regions. As of 18:54 pm cdt, problems with hardware are having to be readdressed. There is still a delay in processing several regions. sfm As of 10:20 PM CDT, there is no change in status. The next update in status will be Friday, 10/04/2002. jph Yesterday's files completed processing at 2:35 AM CDT. Today's files began processing after that, and are still processing. jph All files are finished processing. They completed at 7:25 AM CDT today. All files for yesterday and today are in. jph **Update: After further investigation it was determined this outage actually started at 6AM CDT. Degraded Service.**

09/05/2002

Outage #2635. On Thursday Sept 5th the CSOTs application is experiencing a system outage. The first call was received at 06:35am cdt and problem was verified at 06:55am cdt . The files of several regions have not been updated.bxf *As of 10:55am cdt, all files have not been updated.bxf As of 14:55 cdt file processing has not completed.bx* Files completed processing at 6:15 PM CDT. TSC#2417074.**UPDATE: After further investigation it was determined this outage actually started at 6AM CDT.sss Degraded Service.The TSC ticket number is 2417072.**

09/04/2002

Outage #2631. TSC#2407803 On Wednesday Sept 4th the CSOTs application is experiencing a system Outage. The first call was received at 7:11am cdt and problem was verified at 7:31am cdt. Users are receiving the error "Document contained no data" when trying to connect at the login page.bxf As of 9:35am cdt service has been restored, service was restored by restarting both the database and web servers.bxf Full Outage