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July 29, 2004

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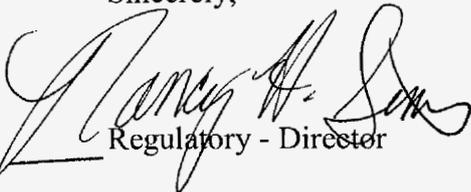
Mrs. Blanca S. Bayó  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

RE: Docket No. 991473 – Review and Revision of Rules 24-4.002 – 25-4.085,  
Florida Administrative Code

Dear Ms. Bayó:

Attached is BellSouth Telecommunication's, Inc. response to staff's June 30, 2004 data request regarding the staff's proposed rule revisions to the current service quality measurement rules. Additionally, Bellsouth Telecommunications, Inc. will be providing confidential cost support under separate cover. If you have any questions, please contact me or MaryRose Sirianni at (850) 224-5244.

Sincerely,



Regulatory - Director

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_ cc: Tim Devlin
- ECR \_\_\_\_\_ Rick Moses
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC 1
- OTH \_\_\_\_\_

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1. Please identify and estimate incremental costs to comply with each of the proposed rule requirements, including all potential transactional costs. For purposes of this question, “transactional costs” should include direct costs that are readily ascertainable based upon standard business practices. These costs may include filing fees, costs of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the costs of monitoring and reporting.

**Response:** The total estimated cost impact on BellSouth for the staff’s proposed rule changes will be \$41,447,005 annually and \$16,504,800 non-recurring for the initial capital outlay. Provided below is the estimated cost for various portions of the proposed rules.

**Customer Trouble Reports - 25-4.070 and 25-4.066 - Availability of Service**

The estimated costs to implement the staff proposed rule regarding Out of Service would be \$19,011,707 annually and \$8,516,000 non-recurring for the initial capital outlay. This cost impact reflects the capital and expense outlays BellSouth would be required to incur to meet what the FPSC staff has proposed. BellSouth’s estimated cost support is considered proprietary and will be provided under separate cover. It is an estimate and does not include all the cost associated with the rule provisions covering Service Availability and the Customer Trouble Report 95% Service Affecting reports repaired within 72 hours. BellSouth will continue its efforts to quantify all of the mitigating and aggravating factors and provide a more detailed cost impact as soon as possible. Should the Commission adopt the changes proposed by BellSouth (which is contained in Attachment I) which clearly take into consideration the “significant changed circumstances”, and reflect real customer perception of satisfactory service and customer demand for service, there would be no additional cost impact as it is the way BellSouth is currently operating its business.

**25-4.073 Answering Time – Consumer Business Office**

Companies like BellSouth that have specialized representatives to handle the various call types, i.e. collections, service, sales, etc., invest significant personnel and monetary resources in the development and design of the initial IVR menu to ensure it is customer friendly, customer focused, and that it routes the customer to the right place the first time. BellSouth strongly believes in providing our customers with alternatives to being placed in queue, such as our automated RightTouch system, web page, and, more recently, our Customer Call Back (CCB) System. Customer Call Back is software that monitors incoming calls in queue for BellSouth Consumer Sales, Service, and Collections Centers. When the wait in queue exceeds a predesignated threshold, the customer is given the following options: having the system hold his call in line until such time as it is his turn to be answered, at which time the system will call the customer back; schedule a callback for later that same day; or remain on the line for the next available representative. Currently, approximately 40% of customers calling the BellSouth business office are offered the CCB option.

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Of the 40% offered this option, approximately 12% of the customers choose the callback option. In order to ensure that these customers are promptly routed to an available rep at the designated time, Customer Call Back calls are priority queued along with the "non-player" calls (i.e., customer who does nothing).

BellSouth contends that exceptions to the standard screener options, such as the Florida "non-player" option, increase the customer's chances for reaching an incorrect representative and in the customer being on hold twice (i.e., once when they initially reach an operator and again when they are transferred to the appropriate center - sales, service, or collections), in addition to having to explain their request twice. Furthermore, special service level requirements for exceptions to the normal menu process will require staffing levels above those currently budgeted for a "business as usual" operation. At the same time, in order to maintain the success of Customer Call Back, BellSouth will need to continue to provide callback service levels equal to the 90/30 requirements for non-players.

BellSouth's estimated cost to reach the level of service proposed by the staff is estimated at \$21,535,298 annually and \$7,488,800 initial non-recurring/first year. The support for BellSouth's estimated costs are considered proprietary and will be provided under separate cover. The expenses on the support document are based on additional staffing requirements to meet 90/30 service levels for the 2005 forecasted 20% (approximately 3.2 million) of Florida callers electing the "non-player" option and "0" selection upfront, as well as, the 2.3 million customers regionally choosing BellSouth's callback option.

#### **25-4.073 Answering Time – Consumer Repair Office**

The estimated cost for the Consumer repair office to meet a service level of at least 90% of the calls answered in 30 seconds is \$1.4M (\$900,000 annual and \$500,000 non-recurring). The estimated cost is reflective of including "non player" calls (end users who **do not** respond to the initial message or **do not** opt out by pressing "0"), as well as "agent" or "0" calls (end users who wish to speak to an agent upfront and say "agent" in response to our voice response system or press "0").

Due to the fact that BST utilizes regional call processing, by including the "agent" calls in the same queue as the "non player" calls, it impacts the speed of answer for customers in all states in BellSouth's region that are in the priority queue, and this will take some re-engineering. The one time upfront cost in order to engage our vendors to design a new flow for the IVR calls, develop and record new scripts, test, implement, and measure the system changes, is estimated at \$500,000. The support for BellSouth's estimated costs are considered proprietary and will be provided under separate cover.

**2. Please identify and estimate additional benefits from the proposed rule.**

**Response:** N/A

**3. Please advise whether your company meets the definition of a small business per Section 288.703(1) Florida Statutes.**

**“Small business” means an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As applicable to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.**

**Response:** BellSouth does not meet the definition of a small business per Section 288.703(1).

**4. Please provide additional comments or cost estimates that may be useful to the Commission or its staff in assessing the economic impacts of the proposed rule. Please include any company-recommended modifications and related expenses/savings if not covered above.**

**Response:**

BellSouth originally petitioned for rule changes specifically regarding this rule in 1995. Docket 950778 was opened July 7, 1995, and after four years the Commission closed the Docket with BellSouth's agreement, and the Commission opened the current Docket in September 1999. The objective levels themselves have changed little over this period, although significant regulatory, competitive, technological advancements, system enhancements, and development of employee skill levels through training have occurred. BellSouth has worked diligently with the staff to develop service rules that are appropriate in today's environment. BellSouth has provided numerous sets of comments and rule proposals to the staff and parties, along with attending staff workshops to further discuss the rules. With competitive forces providing telecommunications service in every BellSouth Florida exchange, the marketplace and idea of good service for dollars spent has changed significantly. As stated in the FPSC December 2003 Local Competition Report to the Legislature, Competition has increased as evidenced by the steady increase in CLEC access lines. Total CLEC access lines have increased 92% for the 2001 through 2003 reporting periods, and almost 23% since 2002. A significant underpinning for this competition is the concept of parity. The Federal Communications Commission (FCC) and the Florida Public Service Commission (FPSC) have determined that the ILEC will provide parity of service or have to pay penalties to its competitors. As stated by BellSouth in correspondence since its original petition filed in 1995, the concept of satisfactory service and the customers' perception has changed just as significantly as the marketplace. The majority of customers believe that **any** trouble they are experiencing with their service needs to be repaired as quickly as possible. Our customers believe that noise on the line is as important as a no dialtone indication. BellSouth would ask the Commission to incorporate the comments and suggested rule language proposed by BellSouth in its previous filings in making a determination in this matter (see Attachment I – BST's June 21, 2002 comments to the FPSC staff).

**25-4.066 – Availability of Service**

The current FPSC rule requires that at least 90% of all requests for primary service in any calendar month shall be satisfied in each exchange within 3 working days after receipt of the application. The staff's proposed rule remains the same with the additional of an exemption of exchanges that contain less than 50,000 lines that can be aggregated on a quarterly basis. BellSouth proposes that when the company offers a due date and commitment, and the customer accepts that offer, and the commitment is subsequently met, it should be excluded from the three-day objective. Please see the attached comments previously filed by BellSouth in this docket for further discussion regarding this matter.

### **Customer Trouble Reports: 25-4.070**

Under the current FPSC's standards, BellSouth must repair 95% of out-of-service trouble reports in 24 hours. Additionally, service-affecting reports must be repaired within 72 hours, 95% of the time. The staff is proposing the OOS and service-affecting rule remain the same with the additional of an exemption of exchanges that contain less than 50,000 lines that can be aggregated on a quarterly basis. BellSouth is proposing that **all troubles** be repaired within an average of 30 hours at the State level performance, but no lower than a LATA level performance.

As stated in comments provided previously to the staff (see Attachments I), BellSouth suggests that, "**significant changed circumstances**" have taken place since the development and codification of the rules in the late 1960's and early 1970's. Competition, Internet, broadband delivery, customer perception of satisfactory service, penalty payments to competitors, ILEC's being restricted in the provision of service to properties, etc., provided the criteria necessary for a major change in these specific rules. BellSouth has changed the way it operates its dispatch strategies to insure that customers are satisfied with its service provision. As stated in BellSouth's previous comments to the FPSC staff, customer complaints regarding service is equal to or better than the industry average. BellSouth customers and Industry Analysts present BellSouth awards for its provision of service to both the residential and business market.

BellSouth is proposing, in accordance with customers' expectations, that a trouble be treated as a trouble and the same emphasis be provided in the repair of a trouble report. With this proposal, BellSouth and the other ILEC's are giving up 48 hours of repair time on forty-sixty percent of the troubles reported. BellSouth agrees to rebate a customer a days' service if the service trouble is not repaired within the twenty-four hour period. BellSouth's customers want their reported trouble to be cleared as soon as possible and believe the company should make the repair by the time committed. Please see the attached comments and proposed rule changes previously submitted in this docketed matter, including changes to rules that are not included in the staff's proposal.

### **25-4.073 Answering Time**

The Commission's rule currently requires that when a menu driven, automated, interactive answering system is utilized, at least 95% of the calls offered shall be answered by the system within 15 seconds after the last digit is dialed. BellSouth's proposal calls for the elimination of the 95/15 measurement in its entirety. Our systems consistently meet these criteria. This measurement was appropriate when automated systems were in their infancy. **Additionally, BellSouth does not have the capability to perform this measurement on a mechanized basis and must continue to track this measurement manually.** Thus, BellSouth proposes the 95/15 portion of the rule be eliminated. Elimination of this portion of the current rule would result in an annual savings to BellSouth of approximately \$28,000.

The staff proposes in its draft rules that when a menu driven, automated, interactive answering system is utilized, subscribers who either select the option of transferring to a live assistant, or do not interact with the system for twenty seconds, shall be transferred by the system to a live attendant at least 90% of the time within 30 seconds. The current rule requires 95% of the calls transferred to a live attendant in the repair office within 55 seconds, and 85% of the calls transferred to a live attendant in the business office within 55 seconds.

As stated in response to item no.1, staff's proposal would place a considerable burden and cause the Company to incur exorbitant cost without additional benefits to customers. BellSouth currently offers its customers various options in order to satisfy their needs. As described above, BellSouth currently offers its customers both the RightTouch option and the Customer Callback Option. RightTouch allows a customer to complete transactions such as the ordering of additional services and billing inquiries without ever talking to a live attendant. At any time in the IVR, the customer can "opt out" by not taking the appropriate action, i.e., "pressing 5", etc., and the call will be routed to the queue for answer by a live operator.

Once the customer reaches the queue, whether by selecting the "0" option, opting out or depressing the appropriate key, an announcement will be provided stating the expected wait time before a live attendant will answer. At this point the customer can make a decision. They can choose to wait or at that point they can utilize our CCB option. CCB is offered when calling our service centers and the hold time is outside a threshold the customer is willing to wait. Customer Callback is software that monitors incoming calls in queue. When the wait time exceeds a pre-designated threshold the customer will be provided the option to select an automatic call back either when their call is next in queue to be answered or they can establish a time later in the same day for their call back. When the customer chooses a callback they have the option of entering the telephone number where they want to receive a callback, along with the time of day they want to receive the callback.

The CCB system has been in place in Florida since June 2002 and has provided our end users with increased customer satisfaction resulting from the increased flexibility that the system provides. BellSouth believes that providing customers with the flexibility such as utilizing our on-line RightTouch system or our Customer Call Back system provides the additional flexibility that customers desire, and more than offsets the need to implement an answer time standard across all Incumbent Local exchange Companies that requires 90% of all calls be answered within 30 seconds. As far as we are aware, BellSouth is the only ILEC in Florida that provides a Customer Call Back feature that allows the end user to schedule a call back on a certain day, at a desired time and telephone number that is convenient to the customer. BellSouth believes that the various options that it provides to end users should be taken into consideration when setting an answer time standard.

To meet the proposed rules would require a significant capital and expense outlay for BellSouth. Therefore, BellSouth incorporates all of its previous comments and suggested rule changes in this current Docket.

#### **25-4.085 Service Guarantee Program**

BellSouth commends the staff for adding an option of a Service Guarantee Plan (SGP) to the Commission rules. BellSouth has operated under a SGP since March 2002. Both BellSouth and its customers have benefited from the SGP and it should become an integral part of any future Commission rules or objectives. The Commission should note that BellSouth customer complaints remain better than the industry average.



**BellSouth Telecommunications, Inc.**  
**Regulatory Relations**

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**Nancy H. Sims**  
Director

850 222 1201  
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June 21, 2002

Mr. Rick Moses, Chief  
Bureau of Service Quality  
Division of Competitive Services and Enforcement  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Docket No. 991473 – Review and Revision of Rules 24-4.066 – 25-4.081, and 25-24.049, Florida Administrative Code

Dear Mr. Moses:

You have requested BellSouth to provide you with proposed changes to the current Commission rules and objectives that BellSouth believes are appropriate and measure satisfactory service provided to the consumers in Florida. BellSouth provides the following preliminary comments. BellSouth reserves the right to amend these comments at any future rulemaking workshop or upon reviewing any comments that might be filed by other parties.

As you are well aware, there are two forces at work in Florida that define the provision of satisfactory service. The first is the current Commission rules, and the second is competition in the marketplace. The current commission rules were codified beginning in the late 1960's and modified over the past three decades. The objective levels themselves have changed little over this period, although significant regulatory, competitive, technological advancements, system enhancements, and development of employee skill levels through training have occurred. In 1995 and 1996, local exchange competition became law at the State and Federal level, respectively. Prior to the changes in State and Federal Law, local telephone companies were operating under rate of return regulation and could add force and commit infrastructure and in turn the company could request a rate proceeding to insure that the stakeholders remained committed to their business purposes. Now, more than ever, with competition at our heels, BellSouth must continuously work towards developing new and innovative systems, developing new testing, interactive methods, and dispatch strategies to keep its cost of service to its customers as low as possible.

With competitive forces providing telecommunications service in every BellSouth Florida exchange, the marketplace and idea of good service for dollars spent has changed significantly. As stated in the FPSC's December 2001 report to the Legislature titled "Competition in Telecommunications Markets in Florida", the Commission states: "ILECs report fewer residential access lines this year than last (7,994,987 in 2000 compared with 7,931,047 in 2001), which is the first time a reduction has been observed since this report was mandated by the Legislature in 1996." Additionally, the Commission states that based on the data collected for the report, it is apparent that ALECs view Florida as an attractive market. Competition has increased in residential markets and is evidenced by the fact that the number of residential access lines held by ALECs since last years report increased by more than 36%.

A significant underpinning for this competition is the concept of "PARITY". The Federal Communications Commission (FCC) and the Florida Public Service Commission (FPSC) have determined that the ILEC will provide parity of service or have to pay penalties to its competitors. In Docket No. 000121-TP (Order No. PSC-02-0187-FOF-TP issued February 12, 2002), the FPSC approved the Service Quality Measurement Plan (SQM) and Self Effectuating Enforcement Mechanism (SEEMs) administrative Plan. The SQM describes in detail the measurements produced to evaluate the quality of service delivered to BellSouth's customers both wholesale and retail. SEEMs is a process to measure where BST caused parity to be missed. The SEEMs plan includes Tier 1 (self effectuating damages paid directly to each ALEC when BST delivers non-compliant performance), and Tier 2 (assessments paid directly to the FPSC) enforcement mechanisms. BellSouth proposes, with the significant changes in the perception of service and the "parity" plan that includes the SEEMs payment plan, that the Commission should adopt our revisions to the existing retail rules as shown in Attachment II.

As mentioned by BellSouth in correspondence over the past five years, the concept of satisfactory service and the customers' perception has changed just as significantly as the marketplace. The majority of customers believe that **any** trouble they are experiencing with their service needs to be repaired as quickly as possible. Our customers believe that noise on the line is as important as a no dialtone indication. They want their second lines to work as well as their primary line. Usage patterns have changed with the general use of computers, facsimile, and mobile services. In fact, as already utilized in our Small Business centers, BST intends to launch a new residential business office application beginning June 25, 2002 in Florida called Customer Call Back (CCB). CCB gives customers more flexibility when calling our service centers (e.g., Business office, collections, etc.) and the hold time is outside a threshold the customer is willing to wait. CCB gives customers the option to select an automatic call back either when their call is next in queue to be answered, or they can establish a time later in the same day for their call back. As experienced when such a system was implemented in the small business centers, BellSouth believes that the consumers will experience increased customer satisfaction resulting from the increased flexibility that the system provides.

Unless modifications to the current service rules recognize the competitive market, BellSouth believes that service quality rules should apply equally to ILECs and ALECs. BellSouth believes that any new service measures should reflect the changing environment, and account for increased competition in the business market and in certain geographic areas in Florida. BellSouth believes that there should be some type of periodic review of the rules to readdress the market and to appropriately modify the rules on a going forward basis. For instance, relief from the Commission rules would be warranted in a geographic area that has local competition. A good example of this is the Small Business market in Florida. As further described in Attachment I, the Small Business market in Florida should be relieved from the FPSC's answer time requirement as well as all other service rules. Without this type of approach, BellSouth believes all companies should be subject to the Commission's service quality rules.

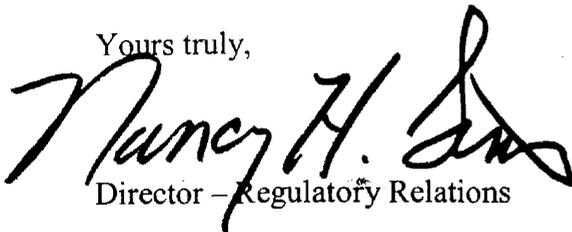
BellSouth believes the Commission's focus regarding service quality rules is to protect the public's interest. To accomplish rules that provide consumer protection, BellSouth believes the rules should be refocused into three major areas:

- 1) **Public Safety** - should apply to all local exchange companies (large and small). Serves to protect the consumer, and assists the company.
- 2) **Public Policy** - should apply to all local exchange companies (large and small). Encompasses broad public policy issues such as "slamming" and "cramming" and billing issues. This is designed to combat fraud and deception.
- 3) **Surrogate for Competition** - A select few measures, more concise and easy to measure (no room for interpretation). Where there is competition, the market should be the driver and the customer should "vote" through their choices. Move to market driven rules geographically.

Based on the aforementioned comments, BellSouth seeks to modify or eliminate some of the current FPSC rules to more accurately reflect the new telecommunications environment. While specific modifications are shown in legislative format in Attachment II, an overview and part of the rationale for the rule change request is provided as Attachment I.

As a note, we have not included comments regarding the staff's Answer time proposal. We will submit supplemental comments regarding residential answer time at a later time. If you have any questions or need additional information please call me or MaryRose Sirianni at (850) 224-5244.

Yours truly,



Nancy H. Sirianni  
Director - Regulatory Relations

## BellSouth's Proposed Changes to FPSC Rules

### 25 –4.003 Definitions

#### **Current FPSC rule – Staff proposes deletion**

- (12) “Drop or Service Wire.” The connecting link that extends from the local distribution service terminal to the protector or telephone network interface device on the customer’s premises.

BellSouth believes this definition should remain in the FPSC’s rules as the term, “service wire”, is used in BellSouth’s General Subscriber Service Tariff and should be used in the FPSC’s rules to differentiate between distribution facilities and service wire.

#### **FPSC Proposed language**

- (32) “New Construction”. New construction is the installation of telephone facilities to serve unserved areas; new construction is not the rearrangement of repair or defective facilities to serve an existing served area. Adding additional facilities to existing facilities is not considered “new construction.”

The FPSC in another section of the “Draft Rule Changes” has removed primary service in connection with the availability of service. BellSouth has determined that forty-sixty percent of the requests for service are for second or third lines. These requests are in areas of existing facilities that must be re-enforced to provide additional, third and fourth lines. New construction is also construed to be the re-enforcement of existing facilities where the service request is for an additional line.

The language in the FPSC’s “Draft Rule Changes” for item (32) should be modified to add; **unless it is specifically to meet the demand for additional lines**, to the end of the definition.

#### **(40) (a) and (d)**

Sub Sections (a) and (d) should be considered as a “Service Trouble.” If a customer reports a trouble condition and it is the result of adding or deleting one of these services, then it is still a trouble report. BellSouth repair service attendants, maintenance administrators, electronic technicians, etc., must test, review records and act on the complaint. Therefore, those services in (a) and (d) should be included in the definition of a “trouble.” BellSouth already excludes trouble reports concerning the use of or instructions for these type services.

## **25-4.040 Telephone Directories; Directory Assistance**

### **(4)(J) “No Sales Solicitation”**

BellSouth believes that additional wording to the directory regarding the Department of Agriculture’s “No Sales Solicitation” is extensive. We believe that the proposed wording is too lengthy. BellSouth currently dedicates ½ of a page in our directories that explains the requirements of the Florida Statute “No Sales Solicitation” Law. In addition to an explanation of the law, our directories provide the appropriate address and contact number for the Department of Agriculture and Consumer Services, Division of Consumer Services, and the initial and subsequent annual fee for the service. BellSouth believes that the information currently listed in our directories is sufficient and the customer should call the listed contact number if additional information is required.

## **25-4.040 Telephone Directories; Directory Assistance**

### **(5) Florida relay Service**

The staff is proposing that the telephone numbers to reach the Florida relay Service for access by the hearing and speech impaired appear on the inside of the front cover or the first page of the directory. BellSouth currently provides the telephone number to reach the Florida Relay Service for access in the Section of our directory titled “Information For Customers With Disabilities.” This section of the directory is identified in the Section Contents of the directory, which appears on the 2<sup>nd</sup> page of the directory. BellSouth believes that the current listing for the Relay access number in our directory is “clearly” noted and appropriately formatted with other essential information for related services.

## **25-4.066 – Availability of Service**

The staff’s rule proposal has removed “primary service” as a qualifier when determining the average installation of service, where facilities are readily available. BellSouth proposes that the “primary service” qualifier when determining the average installation of service, where facilities are readily available, remain in the FPSC rules.

Between forty to sixty percent of the requests for services received by BellSouth are for additional lines (1-4). While BellSouth prefers the “primary service” qualifier remain in the rules, if the FPSC insists on including additional lines in the average installation of service measurement, without the ability to view the re-enforcement of existing facilities as new construction, then a customer request for a later date or the customer’s acceptance of the company’s offered installation date, if outside the three-day period, should be excluded from the three-day average measurement.

### **BellSouth's Proposed language**

(2) Where new construction is not required, each telecommunications company shall complete service orders within an average of three (3) working days for all service orders involving the installation or relocation of access lines for basic local telecommunications service. Instances where a customer requests a later installation date, beyond three-days, or the customer accepts the installation date offered by the company, the service order may be excluded from the three-day average measurement.

### **25-4.070 Customer Trouble Reports**

#### **(3) Service Requirements:**

BellSouth is proposing that, in accordance with customers' expectations that a trouble be treated as a trouble and the same emphasis be provided in the repair of a trouble report. Under the current FPSC's standards, BellSouth must repair 95% of out-of-service trouble reports in 24 hours. Additionally, service-affecting reports must be repaired within 72 hours, 95% of the time. BellSouth is proposing that **all troubles** be repaired within an average of 30 hours. BellSouth and the other ILEC's are giving up 48 hours of repair time on forty-sixty percent of the troubles reported. BellSouth agrees to rebate a customer a day's service if the service trouble is not repaired within the twenty-four hour period. BellSouth's customers want their reported trouble to be cleared as soon as possible and believe the company should make the repair by the time committed.

#### **BellSouth's Proposal**

#### **(3) Service Requirements:**

Restoration of service shall be scheduled to insure that all trouble reports will be completed within an average of 30 hours as measured at the state [LATA] on a monthly basis. The service trouble will be considered completed at the time the trouble is cleared and the customer advised. For any failure to meet this objective, the company shall provide an explanation with its periodic report to the Commission.

Additionally, BellSouth believes that the satisfactory standard should be the State level performance, but no lower than a LATA level performance. BellSouth will continue to provide exchange level detail so that the FPSC can determine if any exchange is receiving a poorer standard of service on a continuous basis. At that time the Commission may exercise its authority to show cause a company on its failure in a particular exchange if the company has not already explained to the Commission's satisfaction, the reason for the failures and its plan to improve its performance.

The FPSC should not exclude "test ok" trouble reports from the average clearing time to determine a satisfactory standard. The average time from receipt to clear on a test

ok is approximately seven hours. These troubles reported by the customer are received and processed by the same repair service attendants and maintenance administrators who handle trouble reports that are dispatched. With the increase in modems, facsimile machines, voice mail, caller ID equipment, burglar alarm equipment, customer provided equipment, and the provision of service through unbundled network elements, the process of determining the cause of a trouble report is more complex than flipping keys on a 16 Test Cabinet or Test Console. If the FPSC decides to remove "test ok" trouble reports from the base of total troubles, then the average clearing time should increase by one or two hours.

#### **25-4.071 Adequacy of Service**

##### **Staff Proposal:**

(3) The call completion standards established by type of call are as follows:

- (a) Local, EAS or ECS Calls -- 97percent (increased from 95%), and
- (b) Intra-LATA DDD Calls – 97 percent (increased from 95%)

In the telecommunications environment today, BellSouth completes local, EAS, ECS, and IntraLATA DDD calls to its competitors. BellSouth cannot be held accountable for calls blocked or receiving a busy signal caused by the incompetence of another carrier. The standard should not be raised in an area over which an ILEC has no control. BellSouth believes that this would apply to item (1) as well and the standard should be 95% instead of the current 97%.

#### **25-4.073 Answer Time**

##### **Small Business -- Business Office and Repair**

Based on the new competitive environment, BellSouth proposes removing Small Business Sales/Service and repair from the "Business Office" definition for answer time. BellSouth proposes to treat Small Business the same as Complex Business and let the customer select a provider from the choices available in the market.

The success or failure of this change can be gauged by benchmarking against the rate of customer complaints directly related to business office access. The benchmark would be the number of complaints filed with the Florida Public Service Commission regarding access to the Small Business business office and repair center. Although we have not established a specific method to perform such a measurement at this time, BellSouth believes the FPSC's consumer complaint process is reasonable and we plan to review it in more detail.

Based on the FPSC's December 2001 report to the Legislature, 463 ALEC's had been approved to provide local service in Florida as of June 2001. Of the 255 responses

received, 108 ALECs stated they were providing service in Florida. The report states the total number of business access lines served by the 108 ALECs is 959,586 compared to the 91 ALECs that reported serving 710,617 one year ago. This gives ALECs 15.9% of the business market, compared with 14.2% one year ago. Additionally, in the supplemental affidavit of Elizabeth A. Stockdale filed in Docket 960786A on June 17, 2002, evidence shows that local competition in BellSouth's Florida service area continues to grow.

- The total ALEC access lines in Florida account for approximately 30% of the total access lines in the Small Business market;
- Data show that over 88% of the total ALEC lines are served by ALECs using their own facilities, either exclusively or in combination with BellSouth provided UNEs and/or UNE-Ps;
- As of April 2002, ALECs with forty or more lines in Florida serve approximately 17% of the local access lines in BST's service area;
- Between February 2001 and April 2002 the quantity of loop-port combinations (UNE-Ps) increased from 56,032 to 292,069, an increase of over 400%;
- Line share estimates show that over the last year ALEC facilities based competition in Florida has continued to grow in the business market. Despite the sluggish economy, facilities-based business lines have increased as much as 70% since February 2001.

BellSouth Small Business Services has changed the way it operates to respond to our customer's communication needs through several system enhancements. In 1994, a new Call Management system was installed to provide more enhanced call routing and tracking data. We have Internet web pages in both English and Spanish, so customers can communicate with us on-line. Customers can view their bills and find out information about products 24 hours a day.

We believe the testing and reporting for the Small Business sector is obsolete in the new environment. In addition to the electronic enhancements in the marketplace, the introduction of competition has changed the approach companies use to serve customers and changed the expectations customers have of their service providers. The ability for Florida Small Businesses to choose their provider puts greater pressure on BellSouth to respond quickly and effectively to their individual needs. If not, regardless of the Answer Time Rules, the customer will choose an alternate telecommunications provider.

### **Residential Business Office and Repair Center**

Specific Comments regarding the staff's answer time proposal will be provided at a later time, however preliminary comments regarding the abandonment of calls are addressed below.

#### **25-4.079 Hearing/Speech Impaired Persons**

BellSouth does not believe that the answering time measurements for TDD/TTY users should be the same as the normal business office and repair center. A TDD/TTY interaction takes considerably longer than a normal voice conversation because all words are typed and read instead of simply spoken. Just imagine having to type an entire telephone call. BellSouth believes that the communications between TDD customers and the TDD center utilize a terminal display device that is similar to the voice interactive system used in the normal business office and should fall under the standards that currently exist for the Residential business office. Thus, BellSouth recommends an answer time measurement of 55 seconds 85% of the time for the Telecommunications Center for Customers with Disabilities (TCCD).

#### **25-4.067 Extension of Facilities**

Although the FPSC did not address Section 25-4.067, Extension of Facilities in its draft, BellSouth believes that a reasonable change should be considered at this time. The current rule allows the company to bill an individual customer or group of customer's excessive cost of constructing facilities that have to be extended for service that will not serve the public in general. With the number of requests from individual subscribers requesting inordinate numbers of access lines, multiple ISDN type service, multiple T1 trunking arrangements, the current rule prohibits the company from recovering its reasonable cost in providing the services.

(2) This line extension policy shall have uniform application and shall provide the proportion of construction expense to be borne by the utility in serving the immediate applicant shall not be less than (1) year's exchange revenue of the applicant or applicants.