

HOPPING GREEN SAMS & SMITH  
PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELORS

ORIGINAL

JAMES S. ALVES  
BRIAN H. BIBEAU  
RICHARD S. BRIGHTMAN  
KEVIN B. COVINGTON  
PETER C. CUNNINGHAM  
RALPH A. DeMEO  
RANDOLPH M. GIDDINGS  
WILLIAM H. GREEN  
WADE L. HOPPING  
GARY K. HUNTER, JR.  
JONATHAN T. JOHNSON  
LEIGH H. KELLETT  
ROBERT A. MANNING  
FRANK E. MATTHEWS  
RICHARD D. MELSON  
ANGELA R. MORRISON  
SHANNON L. NOVEY  
ERIC T. OLSEN

123 SOUTH CALHOUN STREET  
POST OFFICE BOX 6526  
TALLAHASSEE, FLORIDA 32314  
(850) 222-7500  
FAX (850) 224-8551  
FAX (850) 425-3415

GARY V. PERKO  
MICHAEL P. PETROVICH  
DAVID L. POWELL  
WILLIAM D. PRESTON  
CAROLYN S. RAEPPLE  
DOUGLAS S. ROBERTS  
D. KENT SAFRIET  
GARY P. SAMS  
TIMOTHY G. SCHOENWALDER  
ROBERT P. SMITH  
DAN R. STENGLE  
CHERYL G. STUART  
W. STEVE SYKES  
OF COUNSEL  
ELIZABETH C. BOWMAN

Writer's Direct Dial No.  
(850) 425-2313

December 22, 1999

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Ms. Blanca S. Bayó  
Director, Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: BellSouth OSS Performance Metrics Docket Nos.  
960786-TL and 981834-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of Rhythms Links Inc. are the original and fifteen copies of its Comments on KPMG's Draft of Interim Performance Metrics.

By copy of this letter, this document has been provided to the parties on the attached service list.

Very truly yours,

Richard D. Melson

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## I. COLLOCATION

Rhythms supports the interim performance metrics for collocation as proposed in KPMG's draft with the following qualifications or clarifications:

(1) There are several regulatory requirements related to collocation that are under consideration by the Florida Public Service Commission (Commission) in Docket Nos. 981834-TP and 990321-TP. These include, for example, whether permitting time should be excluded from the calculation of provisioning intervals and the length of the provisioning interval that should be applied to cageless physical collocation. Following hearings in January 2000, the Commission is scheduled to vote on these and other collocation issues on March 28, 2000. The Commission's decision in these dockets may require some changes to the definitions, business rules and benchmarks included in the three collocation performance measurements. KPMG should ensure that the underlying performance data is collected at a level of detail that will support the calculation of metrics based on whatever decisions the Commission ultimately makes on these issues.

(2) The Commission has previously ruled that all collocation response times and provisioning intervals are to be measured in calendar days rather than business days. (See Order Nos. PSC-99-1744-PAA-TP and 99-2393-FOF-TP.) The interim metrics for collocation should be clarified to reflect the use of calendar days in the business rules and benchmarks.

## II. UNBUNDLED xDSL-CAPABLE LOOPS -- PRE-ORDERING

Rhythms' need to ensure timely access to loop make-up information has been partially addressed by the draft of the interim performance metric for Average OSS Response Time and Response Interval, in which KPMG suggests disaggregating the Average Response Time for xDSL loop qualifications. Rhythms is concerned, however, that the term "xDSL loop qualifications" may not be synonymous with "loop make-up information." xDSL loop qualification is ambiguous and could mean either: (a) access to the detailed loop make-up information which an ALEC requires in order to make a decision about a loop's ability to support a particular variety or varieties of xDSL service; or (b) a simple "yes" or "no" response based on BST's evaluation of the capability of the loop to support a specific form of xDSL service offered by BST.

Under the Third Report and Order, CC Docket No. 96-98 (FCC 99-328, Released November 5, 1999), the Federal Communications Commission ("FCC") clearly entitles ALECs to the former level of detail regarding loop make-up.

We clarify that pursuant to our existing rules, an incumbent LEC must provide the requesting carrier with nondiscriminatory access to the same detailed information about the loop that is available to the incumbent, *so that the requesting carrier can make an independent judgment about whether the loop is capable of supporting the advanced services equipment the requesting carrier intends to install.* Based on these existing obligations, we conclude that, at a minimum,

*incumbent LECs must provide requesting carriers the same underlying information that the incumbent LEC has in any of its own databases or other internal records. For example, the incumbent LEC must provide to requesting carriers the following: (1) the composition of the loop material, including, but not limited to, fiber optics, copper; (2) the existence, location and type of any electronic or other equipment on the loop, including but not limited to, digital loop carrier or other remote concentration devices, feeder/distribution interfaces, bridge taps, load coils, pair-gain devices, disturbers in the same or adjacent binder groups; (3) the loop length, including the length and location of each type of transmission media; (4) the wire gauge(s) of the loop; and (5) the electrical parameters of the loop, which may determine the suitability of the loop for various technologies. . . .*

Id., ¶427 (Emphasis added).

Under the FCC's order, simple "yes" or "no" qualification information does not suffice:

*We also agree with commenters that an incumbent must provide access to the underlying loop information and may not filter or digest such information to provide only that information that is useful in the provision of a particular type of xDSL that the incumbent chooses to offer.*

Id., ¶428 (Emphasis added).

Furthermore, the FCC has made it clear that the question is not whether such loop make-up information is routinely provided to the incumbent's retail arm, but whether the information exists anywhere within the incumbent's organization.

We also clarify that under our existing rules, the relevant inquiry is not whether

the retail arm of the incumbent has access to the underlying loop qualification information, but rather *whether such information exists anywhere within the incumbent's back office and can be accessed by any of the incumbent LEC's personnel.*

Id., ¶430 (Emphasis added).

. . .we conclude that access to loop qualification information must be provided to competitors within the same time intervals it is provided to the incumbent LEC's retail operations. *To the extent such information is not normally provided to the incumbent LEC's retail personnel, it must be provided to requesting carriers within the same time frame that any incumbent personnel are able to obtain such information.*

Id., ¶431 (Emphasis added).

Based on these FCC requirements, Rhythms requests that KPMG clarify the metric for average response time for xDSL loop qualifications as referring to access to the underlying loop make-up information.

### III. ORDERING AND PROVISIONING

Rhythms understands KPMG's stated reasons for not recommending further product disaggregation for purposes of calculating performance metrics for various ordering and provisioning functions. Nevertheless, because of the possibility that BST's overall performance with respect to unbundled loop transactions could mask problems with the relatively smaller number of xDSL-capable loop transactions included in the OSS tests, Rhythms urges KPMG to utilize, as diagnostic measures:

(1) an analysis of BST's performance on the subset of test transactions involving xDSL loops; and

(2) an analysis of BST's reported ordering and provisioning metrics for ALECs who specialize in offering xDSL service.

By performing these diagnostics, KPMG should be in a better position to provide a functional analysis of BST's performance with respect to xDSL-capable loops and to make recommendations to the Commission on the possible need for further product disaggregation when permanent performance metrics are considered.

#### IV. CONCLUSION

The accuracy of the third party testing of BellSouth's operations support systems essentially depends on the interim performance metrics to be used during third party testing. For this reason, Rhythms suggests that KPMG modify the interim performance metrics to reflect the subsequent Commission guidelines and standards on collocation, as well as to reflect the recent FCC UNE Remand Order on the pre-ordering, ordering and provisioning of xDSL-capable loops.

RESPECTFULLY SUBMITTED this 22nd day of December, 1999.

HOPPING GREEN SAMS & SMITH, P.A.

By:



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Richard D. Melson  
P.O. Box 6526  
Tallahassee, FL 32314  
850.222.7500  
850.224.8551  
<melsonr@hgss.com>

Jeremy Marcus  
Kristin Smith  
BLUMENFELD & COHEN  
1625 Massachusetts Avenue  
Suite 300  
Washington, D.C. 20036  
202.955.6300  
201.954.6460 FAX  
<jeremy@technologylaw.com>  
<kristin@technologylaw.com>

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following parties by U.S. Mail or Hand Delivery (\*) this 22RD day of December, 1999.

Beth Keating  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Lisa Harvey  
Division of Auditing and  
Financial Analysis  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Peter M. Dunbar, Esq.  
Barbara D. Auger, Esq.  
Pennington, Moore, Wilkinson &  
Dunbar, P.A.  
P.O. Box 10095  
Tallahassee, FL 32302

Carolyn Marek  
Vice President of Regulatory  
Affairs  
Southeast Region  
Time Warner Communications  
233 Bramerton Court  
Franklin, Tennessee 37069

Norman H. Horton, Jr.  
Floyd Self  
Messer, Caparello & Self, P.A.  
214 S. Monroe Street  
Suite 701  
Tallahassee, FL 32301

James C. Falvey, Esq.  
E.spire™ Communications, Inc.  
133 National Business Parkway  
Suite 200  
Annapolis Junction, MD 20701

David Dimlich, Legal Counsel  
Supra Telecommunications &  
Information Systems, Inc.  
2620 SW 27<sup>th</sup> Avenue  
Miami, FL 33133

Kimberly Caswell  
GTE Florida Incorporated  
P.O. Box 110 FLTC0007  
Tampa, FL 33601

Charlie Pellegrini/Patrick Wiggins  
Wiggins & Villacorta, P.A.  
2145 Delta Boulevard Suite 200  
Tallahassee, FL 32303

Michael A. Gross  
Vice President, Regulatory  
Affairs & Regulatory Counsel  
FCTA  
310 North Monroe Street  
Tallahassee, FL 32301

Laura L. Gallagher  
Laura L. Gallagher, P.A.  
101 E. College Ave.  
Suite 302  
Tallahassee, FL 32301

James P. Campbell  
MediaOne  
7800 Belfort Parkway  
Suite 250  
Jacksonville, FL 32356

Susan S. Masterton  
Charles J. Rehwinkel  
Sprint Communications Company  
Limited Partnership  
P.O. Box 2214  
MC: FLTLH00107  
Tallahassee, Fl 32316-2214

Christopher V. Goodpastor, Esq.  
Covad Communications Company  
9600 Great Hills Trail  
Suite 150W  
Austin, TX 78759

Nancy White  
c/o Nancy Sims  
BellSouth Telecommunications  
150 S. Monroe Street, Suite 400  
Tallahassee, FL 32301

Vicki Kaufman  
McWhirter, Reeves, McGlothlin  
Davidson, Rief & Bakas, P.A.  
117 S. Gadsden Street  
Tallahassee, FL 32301

Andrew O. Isar  
Telecommunications Resellers  
Association  
P.O. Box 2461  
Gig Harbor, WA 98335-4461

Marsha E. Rule  
Tracy Hatch  
AT&T  
101 N. Monroe St., Ste. 700  
Tallahassee, FL 32301

C. Everett Boyd, Jr.  
Ervin, Varn, Jacobs, Odom  
& Ervin  
P.O. Drawer 1170  
Tallahassee, FL 32302

Richard M. Rindler  
Swidler & Berlin, Chartered  
3000 K Street, N.W., Ste. 300  
Washington, DC 20007

Sue E. Weiske  
Time Warner Communications  
3rd Floor North  
160 Inverness Drive West  
Englewood, CO 80112

Kenneth A. Hoffman  
William B. Willingham  
Rutledge, Ecenia, Underwood  
Purnell & Hoffman  
P.O. Box 551  
Tallahassee, FL 32302

Paul Kouroupas  
TCG - Washington  
2 Lafayette Centre, Ste. 400  
1133 Twenty First Street, NW  
Washington, DC 20036

Susan Huther  
MGC Communications, Inc.  
3301 North Buffalo Drive  
Las Vegas, NV 89129

Jeffrey Wahlen  
Ausley Law Firm  
P.O. Box 391  
Tallahassee, FL 32302

Jeremy Marcus  
Kristen Smith  
Blumenfeld & Cohen  
1625 Massachusetts Ave. N.W.  
Suite 300  
Washington, DC 20036

Terry Monroe  
CompTel  
1900 M Street N.W., Ste. 800  
Washington, DC 20036

Scott Sapperstein  
Intermedia Communications, Inc.  
3625 Queen Palm Drive  
Tampa, FL 33619-1309

Donna McNulty  
MCI WorldCom, Inc.  
325 John Knox Road  
The Atrium, Suite 105  
Tallahassee, FL 32303

*Richard O. ...*  
\_\_\_\_\_  
Attorney