

AUSLEY & MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

ORIGINAL

April 7, 2000

BY HAND DELIVERY

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

Re: Docket No. 000121-TP

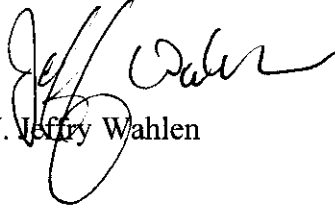
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Comments of ALLTEL Communications, Inc.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Sincerely,

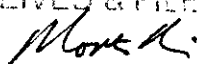

J. Jeffrey Wahlen

Enclosures

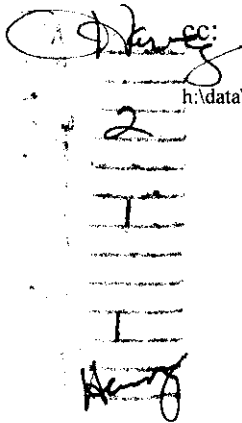
cc: All parties of record

h:\data\jjw\all\000121.byo.doc

RECEIVED & FILED


FPSC-BUREAU OF RECORDS

RECEIVED-FPSC
00 APR - 7 PM 4: 29
RECORDS AND REPORTING



Done 4/10/00

DOCUMENT NUMBER-DATE

04357 APR-78

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation into the Establishment)	DOCKET NO. 000121-TP
of Operations Support Systems Permanent)	
Performance Measures for Incumbent Local)	Filed: 4/7/00
Exchange Telecommunications Companies)	

COMMENTS OF ALLTEL COMMUNICATIONS, INC.

ALLTEL Communications, Inc. ("ALLTEL") hereby files the following Comments in response to the questions set forth in the Notice of Staff Workshop issued by the Florida Public Service Commission ("FPSC" or "Commission") in the above-referenced docket on March 9, 2000.

I. INTRODUCTION

ALLTEL is an alternative local exchange carrier ("ALEC") certificated by the Commission to provide services statewide. ALLTEL generally believes that the Commission has the authority to set performance standards as well as penalties for non-compliance. These standards should be established as soon as practicable through a task force, although a hearing may be necessary if participants are unable to reach a consensus. Once a competitive market develops, performance standards should be set for ILECs statewide in various functional areas. To monitor compliance, ILECs should file quarterly performance measure reports specific to the standards to measured. Finally, penalties should be imposed on those ILECs failing to comply with applicable standards.

II. AUTHORITY

Pursuant to the authority granted it under Chapter 364 and 120, Florida Statutes, the Commission has the authority to set performance standards on the level of service that incumbent local exchange carriers provide through operations support systems ("OSS"). Additionally, the Commission may require ILECs to report performance standard results on a regular basis and may

DOCUMENT NUMBER-DATE

04357 APR-78

FPSC-RECORDS/REPORTING

assess penalties for non-compliance with established standards. Ultimately, standards and penalties established and enforced via Commission rules should result from this proceeding. However, such rules must recognize the differences among ILECs operating throughout Florida and the fact that not all ILECs should be subject to the same performance standards.

Performance measures for smaller, rural ILECs should not be developed in this proceeding. Rather, standards for these smaller ILECs are more appropriately addressed through the negotiation process if and when applicable rural exemptions are waived or lifted and interconnection agreements are established. In contrast, large carriers such as BellSouth have a significant amount of experience with competitors in Florida. As a result, these large carriers have developed extensive systems to manage the necessary processes (including tracking activities and reporting needs), and additional systems are being revised to accommodate evolving needs. However, small, rural ILECs do not have this extensive experience and are not involved in these processes. Until they are, it is difficult, if not impossible, to effectively determine what performance measures are appropriate for them.

III. ADMINISTRATION

With regard to administrative concerns, performance measures should be established as soon as practicable to ensure a healthy competitive telecommunications market in the state of Florida. Currently, many ALECs like ALLTEL are already seeking interconnection with the larger ILECs, and setting performance measures is imperative to continuing these competitive endeavors. To accomplish these goals, ALLTEL believes that a task force should be put into place immediately, consisting of Commission staff and industry participants. However, a further Commission process may become necessary for these standards and penalties if participants are

unable to reach an agreement regarding standards and penalties for non-compliance within a reasonable time period.

IV. ESTABLISHMENT OF STANDARDS

ALLTEL believes that performance measure standards should be set for the following functions:

- a. electronic and manual OSS;
- b. ordering and provisioning;
- c. repair and maintenance;
- d. reporting; and
- e. enforcement and remedies.

As a general rule, the performance measures for OSS should be consistent with the service standards for retail customers, although differences may be appropriate in some circumstances.

V. MONITORING OF PERFORMANCE STANDARDS

During the early stages of competition, performance measure reporting should be established both specific to individual ALECs and on a statewide basis. As competition develops, the need for ALEC specific reporting may diminish, at which point performance measure reporting could be set according to an ILEC's aggregate level of performance statewide. To ensure compliance, the Commission should review ILEC performance on at least a quarterly basis. ILECs should be required to file periodic performance reports sufficient to ascertain compliance with standards set in the functional areas of OSS, ordering and provisioning, repair and maintenance, reporting, and enforcement and remedies. ILECs should be required to satisfy each individual standard to be considered in compliance.


VI. PENALTIES FOR NON-COMPLIANCE

Performance measure standards are necessary to ensure a healthy competitive telecommunications market. Therefore, penalties are appropriate for those ILECs impeding competition by failing to satisfy those standards. For example, an ILEC could be forced to waive non-recurring charges for any month for which it is found to not be in compliance with the applicable performance standards. By holding ILECs responsible for their actions, or inaction, ILECs will be more likely to comply with established standards which in turn secure the growth of healthy competition.

VII. CONCLUSION

The Commission has the authority to set performance standards and applicable penalties and should exercise that authority by immediately establishing a task force of Commission staff and industry participants to accomplish these goals. As a competitive market develops, performance standards should be set for large, non-rural ILECs statewide in various functional areas, and compliance should be monitored through quarterly periodic performance measure reports. In order to protect the continued growth of competition in Florida's telecommunications market, penalties should be imposed on those ILECs failing to comply with applicable standards.

DATED this 7th day of April, 2000.



J. Jeffrey Wahlen
Ausley & McMullen
Post Office Box 391
Tallahassee, Florida 32302
Telephone: (850) 425-5471
ATTORNEYS FOR ALLTEL
COMMUNICATIONS, INC.

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S.

Mail or hand delivery (*) this 7th day of April, 2000, to the following:

Division of Legal Services *
Florida Public Service Comm.
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Nancy B. White
c/o Nancy H. Sims
BellSouth Telecommunications, Inc.
150 S. Monroe St., Suite 400
Tallahassee, FL 32301-1556

Marsha Rule
AT& T Communications of the
Southern States, Inc.
101 North Monroe Street, Suite 700
Tallahassee, FL 32301-1549

Elise Kiely/Jeffry Blumenfeld
Blumenfeld & Cohen
1625 Massachusetts Avenue, NW, Suite 300
Washington, DC 20036

Christopher V. Goodpaster
Covad Communications Company
2330 Central Expressway
Santa Clara, CA 95050

James Falvey
e.spire Communications
133 National Business Parkway, Suite 200
Annapolis Junction, MD 20701

Michael A. Gross
Florida Cable Telecommunications Assoc., Inc.
310 N. Monroe Street
Tallahassee, FL 32301

Florida Competitive Carriers Assoc.
Post Office Box 10967
Tallahassee, FL 32302

Florida Digital Network, Inc.
390 North Orange Avenue, Suite 2000
Orlando, FL 32801

Angela Green
General Counsel
Florida Public Telecommunications Assoc.
125 S. Gadsden Street, #200
Tallahassee, FL 32301-1525

Kimberly Caswell
GTE Florida Incorporated
P. O. Box 110, FLTC0007
Tampa, FL 33601-0110

Bruce May
Holland Law Firm
P. O. Drawer 810
Tallahassee, FL 32302

Richard Melson/Gabriel E. Nieto
Hopping Law Firm
P. O. Box 6526
Tallahassee, FL 32314

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

John McLaughlin
KMC Telecom, Inc.
Suite 170, 3025 Breckinridge Blvd.
Duluth, GA 30096

Donna C. McNulty
MCI WorldCom
325 John Knox Road, Suite 105
Tallahassee, FL 32303-4131

Floyd Self
Messer Law Firm
P. O. Box 1876
Tallahassee, FL 32302

Stephen C. Reilly
Office of Public Counsel
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

Monica Barone
Sprint Communications Company
3100 Cumberland Circle
Mailstop GAATLN0802
Atlanta, GA 30339

David Dimlich
Supra Telecommunications and Information
2620 S.W. 27th Avenue
Miami, FL 33133-3001

Nanette Edwards
ITC^Deltacom
4092 South Memorial Parkway
Huntsville, AL 35802

Doris M. Franklin/Mark Buechele
Supra Telecom
1311 Executive Center Dr., Suite 200
Tallahassee, FL 32301

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

Brian Sulmonetti
MCI WorldCom, Inc.
Concourse Corporate Center Six
Six Concourse Parkway, Suite 3200
Atlanta, GA 30328

Glenn Harris
NorthPoint Communications, Inc.
222 Sutter Street, 7th Floor
San Francisco, CA 94108

Peter M. Dunbar/Karen Camechis
Pennington Law Firm
P. O. Box 10095
Tallahassee, FL 32302

Charles J. Rehwinkel
Sprint-Florida, Inc.
P. O. Box 2214
Tallahassee, FL 32316-2214

Eric J. Branfman/Morton Posner
Swidler & Berlin Law Firm
3000 K Street, NW #300
Washington, DC 20007-5116

Kenneth Hoffman/John Ellis
Rutledge Law Firm
P. O. Box 551
Tallahassee, FL 32302

Carolyn Marek
Time Warner Telecom of Florida
233 Bramerton Court
Franklin, TN 37069

Attorney

