

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the establishment)
of operations support systems permanent)
performance measures for incumbent local)
exchange telecommunications companies.)
_____)

Docket No. 000121-TP

Filed: April 28, 2000

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AT&T's Comments

AT&T Communications of the Southern States, Inc. ("AT&T") hereby files its comments concerning the Operations Support Systems Performance Assessment Plan, the Initial Proposal issued by the Staff of the Florida Public Service Commission ("Commission").

I. Introduction

AT&T welcomes the opportunity to discuss with Staff and the parties the development of Performance Assessment Plans for Florida incumbent local exchange carriers ("ILECs"). AT&T supports the Staff's proposal to first address establishing plans for BellSouth, GTE, and Sprint. It is appropriate to reserve for later the establishment of plans for other ILECs.

II. Definition of "Performance Monitoring Program" or "Performance Assessment Plan"

AT&T filed in earlier comments its position that an effective performance

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measures methodology includes eight elements: (1) an appropriate set of measures with detailed business rules, (2) disaggregation at a sufficient level to make possible "like-to-like" comparisons, (3) analogs or benchmarks for comparing results, (4) a statistical methodology, (5) reports in usable formats, (6) access to the raw data underlying

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BellSouth's reports, (7) an appropriate plan for auditing/validation of the plan, and (8) a definition of compliant performance and associated consequences assuring expected performance.

AT&T continues to urge that all these elements be addressed in this proceeding and looks forward to providing continuing input on the effective inclusion of these elements in the Performance Assessment Plan.

III. Conduct of Workshops and Possible Later Proceedings

AT&T supports the Staff's conclusion that these issues are best addressed in a workshop setting, culminating in ILEC-specific orders, with a formal hearing to be held if issues cannot be resolved through a collaborative process. AT&T recommends that an agenda be set which identifies the specific workshop(s) during which each of the eight elements will be addressed, with a specific time for closure on each element. AT&T believes that the Commission must offer the opportunity for a hearing, although a hearing will be unnecessary if parties are able to reach agreement. AT&T looks forward to providing suggestions and input during future workshops.

IV. Establishment of Performance Metrics and Standards

AT&T supports Staff's view that the interim metrics that have been adopted for the purposes of the third party test will be considered as a possible "starting point" in this proceeding to establish a permanent and comprehensive performance measures methodology. The interim metrics, along with the seventeen additional measures identified in the initial proposal, will provide a strong foundation upon which to begin

discussions about measures. AT&T is aware of the Staff's concern about having appropriate measures to monitor performance on orders with Local Number Portability and xDSL orders. Measures in these areas should be included in future discussions for adoption in the permanent plan.

V. Monitoring/Enforcement

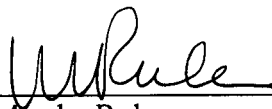
AT&T supports Staff's conclusion that the Commission has the authority to require remedies/enforcement provisions in interconnection agreements. Any remedies plan/enforcement mechanism that the Commission adopts should be structured so that the risk of violating the performance plan requirements is greater than the reward for allowing the violations to occur. An effective remedies/enforcement plan should have, at a minimum, the following characteristics:

1. The payment amounts must be significant enough to incent proper marketplace behavior.
2. The plan must be self-executing and must be "triggered" on a timely basis.
3. The payment amounts must be escalated with the severity and duration of the performance failure(s).
4. The plan should be simple to implement.
5. The appropriate set of measures must be in place.
6. A sufficient level of disaggregation must be in place.
7. The performance measures system should be audited.
8. The appropriate statistical methodology must be in place.

AT&T believes that the Commission's authority to require provisions on remedies/enforcement in interconnection agreements goes beyond Section 364.285 of the Florida Statutes. State commissions, when acting as the arbiter under the Telecommunications Act of 1996, have the authority to resolve each issue set forth in the petition and the response to the petition that comes before it in an arbitration. 47 U.S.C. Section 252(b)(4)(C). The Telecommunications Act of 1996 (the "Act") grants state commissions the authority to require the provisions that are necessary to implement the Act. 47 U.S.C. Section 252(b)(4)(C), referencing Section 251 of the Act. Incumbent local exchange carriers are required under the Act to provide nondiscriminatory access to facilities and network elements. 47 U.S.C. Section 251(c)(2)(3).

The issue of the Commission's authority to require a remedies plan in interconnection agreements should be reserved for comment by the parties at the end of the workshop cycle, if necessary.

Respectfully submitted this 28th day of April, 2000.



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DOCKET NO. 000121-TP

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