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July 24, 2002

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

Re: Docket No.: 960786B-TL and 981834-TP

Dear Ms. Bayo:

On behalf of Mpower Communications Corp., enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Mpower Communications Corp.'s Comments: KPMG Consulting's Draft Final Report, BellSouth OSS Evaluation.

Please acknowledge receipt of the above on the extra copy and return the stamped copy to me. Thank you for your assistance.

Sincerely,



Joseph A. McGlothlin

JAM/mls
Enclosure

DOCUMENTAL MPOWER-CASE
07744 JUL 24 2002
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Consideration of BellSouth
Telecommunications, Inc.'s entry into
interLATA services pursuant to Section 271
of the Federal Telecommunications Act of 1996
(Third Party OSS Testing)

Docket No. 960786B-TL

In re: Petition of Competitive Carriers for
Commission action to support local competition
In BellSouth Telecommunications, Inc.'s
Service territory

Docket No. 981834-TP

Filed: July 24, 2002

MPOWER COMMUNICATIONS CORP.'S POST-WORKSHOP COMMENTS

Pursuant to Order No. PSC-02-0975-PCO-TP, Mpower Communications Corp. ("Mpower"), by and through its undersigned counsel, hereby submits the following post-workshop comments:

At the outset of the July 12 workshop, KPMG representative Dave Wirsching described KPMG's approach to the third party testing of BellSouth's OSS systems as a "military" style of testing. A "military test," he explained, is one in which a subject that fails a test can attempt to improve and retest, without limitation, until the subject passes the test. (TR- p.11).

Based on an exchange between Mr. Wirsching and counsel for Mpower (TR- p. 36), it appears that if BellSouth passed a particular portion of the test, then KPMG did not test that portion again. (TR- pgs. 36-37). Therefore, underlying the KPMG "military" testing procedure is the assumption that, once BellSouth passes a test, the performance of BellSouth will remain as high as that which earned a passing grade. With respect to an important aspect of the ordering function, that assumption proved to be unwarranted. As a result, the KPMG "military" test perversely worked in reverse: It deemed BellSouth's initial performance in the area of ordering acceptable, then failed to capture and record a significant deterioration in that performance.

An integral part of the ordering process is the delivery by BellSouth, upon receipt of an order for a POTS UNE loop from an ALEC, of a “firm order commitment,” or FOC. A crucial piece of information that the FOC must contain is the “circuit ID” that is needed to enable the ALEC to cross-connect the requested loop with the ALEC’s network. *The FOC is incomplete until BellSouth has provided the circuit ID.* (TR- p. 37). Through the early part of 2002, BellSouth provided the circuit ID to Mpower at the time it responded to the order with a FOC. Typically, this occurred within only a few hours. However, in March 2002 BellSouth notified Mpower that it would no longer provide the circuit ID with the FOC.¹ Following the notification, it became necessary for Mpower to engage in a labor-intensive and time-consuming manual “workaround” to obtain *each* circuit ID. The workaround is currently in effect. It adds approximately *12 hours* to the time required for Mpower to obtain a complete FOC from BellSouth. Moreover, the BellSouth employees’ knowledge of the workaround process, and the efficiency with which they implement it, vary greatly. The inconsistent results indicate to Mpower that BellSouth has not provided a uniform level of training to persons involved in the workaround.

During the workshop, Mr. Wirsching explained that KPMG would have been unaware of the change in performance because it completed its test of the ordering protocol prior to the change instituted by BellSouth. (TR- p. 37). Mr. Wirsching agreed that a FOC that does not contain the circuit ID is incomplete. (TR- p. 37). He said that incomplete FOCs would affect BellSouth’s test score by lowering BellSouth’s grade on accuracy in this area (TR- p. 40). (100% of the FOCs that BellSouth presently provides to Mpower are devoid of the circuit ID information and therefore require the 12-hour workaround to complete). Mr. Wirsching also

¹ Mpower “escalated” the matter to BellSouth unsuccessfully. BellSouth notified the ALEC industry of the change. The March date is furnished here to correct the reference to the January 2002 timeframe that was mentioned during the workshop.

agreed that the timeliness of the FOC is significant to the ALEC (TR- p. 41). The delay occasioned by the workaround would affect BellSouth's score adversely, too, if it caused the time required to complete the FOC to fall outside the interval established as appropriate. (TR- p. 40). While Mr. Wirsching was unsure of the interval that would be applicable to this particular problem, an analogous criterion within the testing parameters that was shown to him during the workshop calls for BellSouth to provide 95% of FOCs within three hours. (TR- p. 38). Again, the increment of time added by the workaround requirement to all FOCs received by Mpower is approximately 12 hours.

The episode of the missing circuit ID information and the incomplete FOCs holds significant implications for the Commission's consideration of the results of the KPMG test. Clearly, the results overstate BellSouth's performance in the area of ordering. Clearly, the test results do not convey to the Commission an appreciation of the cost in resources that Mpower must devote to the "workaround" because BellSouth changed its FOC process. Certainly the test results do not communicate the competitive disadvantage that the 12-hour delay in receiving vital circuit information imposes on Mpower.

Finally, given the example of delayed and incomplete FOCs, this question occurs: In how many other areas did BellSouth's performance deteriorate after KPMG's test indicated it was satisfactory?

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing the Mpower Communications Corp 's Post Workshop Comments has been furnished by (*) hand delivery or by U. S. Mail on this 24th day of July 2002, to the following:

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