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December 18, 2002

**BY HAND DELIVERY**

Ms. Blanca Bayó, Director  
The Commission Clerk and Administrative Services  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Docket No. 000121C-TP

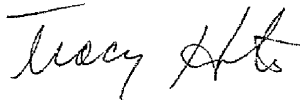
Dear Ms. Bayó:

Enclosed for filing on behalf of AT&T Communications of the Southern States, LLC and TCG South Florida, Inc., MCI WorldCom Communications, Inc., MCI WorldCom Network Services, Inc. and MCImetro Access Transmission Services, LLC and DIECA Communications, Inc. d/b/a Covad Communications Company ("Joint ALECs") are an original and fifteen copies of Supplemental Comments of Joint ALECs on Staff's Proposal in the above referenced docket.

Please acknowledge receipt of this letter by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,



Tracy W. Hatch

TWH/amb

Enclosure

cc: Virginia Tate, Esq.  
Parties of Record

DOCUMENT NUMBER-DATE

1377 | DEC 18 2002

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Investigation into the establishment of operations support systems permanent performance measures (Verizon Track) )  
Docket No. 000121C-TP )  
.. )  
Filed: December 18, 2002 )

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**SUPPLEMENTAL COMMENTS OF JOINT ALECS ON STAFF'S PROPOSAL**

COMES NOW AT&T Communications of the Southern States, LLC and TCG South Florida, Inc. ("AT&T"), MCI WORLDCOM Communications, Inc., MCI WORLDCOM Network Services, Inc. and MCI metro Access Transmission Services, LLC ("WorldCom"), and DIECA Communications, Inc. d/b/a Covad Communications Company (hereinafter "Joint ALECs") and pursuant to the procedural schedule in this proceeding file their supplemental comments in response to Verizon's Comments filed on December 4, 2002.

Service Quality Measures

In its proposal, Staff recommended that additional measures be added to the Measurement Plan endorsed by Verizon. In support for its arguments that Staff's proposed additional measures are not needed, Verizon states that "an unduly complex OSS plan is difficult for Verizon to administer and difficult for the Commission and the industry to monitor and understand." (See Verizon Comments, p. 2.)

Staff's proposal is a hybrid of Verizon's "FCC" plan and the plan Verizon has implemented in California. Because the additional measures proposed by Staff (as well as the other additional measures requested by the Joint ALECs in their December 4, 2002 filing) are already reported by Verizon in California and other states, it is difficult to understand why Verizon would find them unduly complex or difficult to administer in

Florida. Further, the Joint ALECs believe that Verizon's concern that the Commission and the industry would find these additional measures difficult to monitor and understand is equally unfounded because they monitor these same measures for other ILECs in Florida and for other ILECS, including Verizon, in other states. However, to address any concerns Verizon has about the complexity of implementing the Staff's proposal, the Joint ALECs recommend that the California Plan, which Verizon already has implemented in other states, be used in Florida. This duplication of another state's plan for initial reporting purposes should mitigate any administrative burden on Verizon in reporting its performance in Florida. After implementation of the California Plan in Florida, any changes could be taken up in the review process also established in the Staff's proposal.<sup>1</sup>

Verizon states at page 2 of its comments that Staff did not explain why it believes Verizon's proposed measures are insufficient to gauge OSS performance. But the Staff made clear in its proposal that it believed the measures proposed by Verizon did not contain adequate breadth to provide sufficient coverage of Verizon's OSS performance. Indeed the seven areas of Verizon's performance added by the Staff would go unmonitored under Verizon's plan.<sup>2</sup> Further, these same areas are currently being reported by BellSouth and have been recommended by Staff to be reported by Sprint.<sup>3</sup>

Verizon's specific criticisms of the proposed additional measures also fail to withstand scrutiny. For example, Verizon states that "Average Completed Interval"

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<sup>1</sup> WorldCom previously urged the Commission to adopt a plan that, at a minimum, was based on the California business rules. (See page 2 of WorldCom's June 28, 2002 comments.)

<sup>2</sup> The seven measurements are: Percentage of Orders Jeopardized, Average Completed Interval, NXX updates, Usage Timeliness, Invoice Accuracy, and E911/911 MS Database Updates.

<sup>3</sup> BellSouth has not requested that these measures be omitted in the performance measures review currently underway. Moreover, in its Comments on the Sprint Staff Proposal, Sprint stated that the content of the plan, which included these measures, "will benefit CLECs." (See Sprint November 15, 2002 filing in Track B of this docket)

proposed by Staff is just an extension of “Completed within 5 Days” measure and “Missed Due Dates” already in the Plan. But the “Completed within 5 Days” measure only includes POTS and UNE Loop non designed, while the “Average Completed Interval” proposed by Staff has twenty levels of disaggregation. Further, the “Missed Appointment Due Date” measure reveals nothing about the length of time it takes Verizon to complete an order from when they received it, but rather measures whether Verizon did or did not complete the order at the appointed time. Thus, the “Average Completed Interval” proposed by Staff is not an extension of “Completed within 5 Days” measure or the “Missed Due Dates” already in the Plan. It measures critical performance areas not covered by the other measures.

Verizon asserts that the “NXX Updates,” “Center Responsiveness,” and “E911/911 MS Database Updates” measures proposed by Staff and reported by Verizon in other states are “not useful for evaluating non-discriminatory access.” In support of this position Verizon states that these activities are performed, for the most part, in processes that do not differentiate the ALEC from Verizon, so the suggested measures would yield no additional, unique data about Verizon’s treatment of ALECs.”

Verizon’s contentions are incorrect. First, the Joint ALECs disagree strongly that these measures would not yield data about Verizon’s treatment of ALECs. For example, the NXX update measure evaluates the number of NXXs loaded by the LERG effective date to the number scheduled to be loaded by the LERG effective date. It compares performance for the individual *ALEC* and aggregate *ALEC* level to results to *ILEC* NXX codes. And, while the other two measures have a benchmark performance standard, the measure indicates that performance is reported at an *ALEC* level. Second, Verizon

provided no performance data in support of its position that performance does not differ between the service it provides itself and that provided to ALECs. The ALECs further note that they are unaware of any efforts by Verizon to eliminate or even have these measures classified as “parity by design” metrics because the processes “do not differentiate the ALEC from Verizon.”<sup>4</sup> (Verizon Comments, p. 3.) Given that this Commission and ALECs have sought performance reporting for key processes, whether or not the process was determined to be parity by design; that Verizon has provided no evidence that it cannot discriminate against ALECs with respect to these OSS processes, and that Verizon currently reports such data today in other states, these measures should be included in the Plan.

Verizon’s allegation that the “addition of the ‘Usage Timeliness’ measure will not provide significant additional data to the ‘Timeliness of Carrier Bill’ measure already included in Verizon’s plan is remarkable. While invoices and usage files contain some of the same information, usage files also contain different information, are used by ALECs for different purposes, are delivered by Verizon on different timelines (daily vs. monthly), and having differing standards of performance, both in other jurisdictions as well as in the Staff’s proposal. Receiving invoices in a timely manner is no assurance of receiving the usage files on time.

Verizon characterizes the “Invoice Accuracy” measure proposed by Staff as flawed. This is the same measure currently in place in California, however, and the Joint ALECs are unaware of efforts by Verizon to have this measure deleted or modified in

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<sup>4</sup> Parity by design means that the process by which the ILEC provides service to itself and ALECs precludes the ILEC from the ability to discriminate. As this Commission knows, even if processes have been determined to be parity by design for other ILECs, such as BellSouth, the Commission has elected to require the ILEC to report its performance.

that state. Further, Verizon did not assert to the North Carolina Commission that it was including a flawed measure in its Plan there.<sup>5</sup> If, however, Verizon believes it has a better method for measuring the accuracy of its invoices, the Joint ALECs are willing to participate in any review of Verizon's recommendation. In the meantime, the measure proposed by Staff and reported by Verizon in other states should be included in the Verizon's performance measures in Florida.

#### Implementation of Plan Changes

Verizon proposed that the Staff clarify that industry-agreed changes to the Plan may be flowed through automatically, upon 30 days advance notice to the Commission and all affected carriers.

The Joint ALECs oppose an automatic adoption of changes from other states, even though Verizon appears to specify that these changes would only include industry-agreed changes, and thus would not be applicable to Commission-ordered changes from other states. The Joint ALECs oppose this request because the make-up of industry participation varies from state-to-state, and ALECs participating in Florida may not have participated in the state in which the changes originated. Interested ALECs and Commission Staff should be allowed an opportunity to review such changes and a recommendation be brought before the Commission.

#### Conclusion

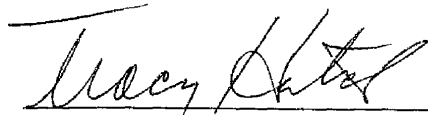
The Joint ALECs believe the simplest and most effective solution to address the complexity concerns raised by Verizon, while addressing the need for more comprehensive measures raised by Staff and the Joint ALECs, is to require Verizon to implement the same plan it currently has in place in California (as well as other states) as

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<sup>5</sup> See Attachment 1 to Joint ALEC Comments filed in this docket on December 4, 2002.

a starting point in Florida. Minimally, the Staff should recommend the inclusion of the additional measures proposed by it and the Joint ALECs. Finally, changes to the plan should not be automatic, but subject to review by Staff and interested ALECs.

Respectfully filed this 18<sup>th</sup> day of December, 2002.

  
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MCI WorldCom Network Services, Inc., and  
MCImetro Access Transmission Services, LLC,

DIECA Communications, Inc. d/b/a Covad  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via Hand Delivery (\*)

and/or U.S. Mail this 18<sup>th</sup> day of December, 2002.

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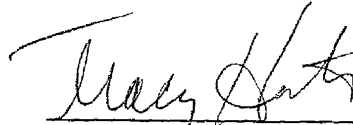
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