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December 18, 2002

Ms. Blanca S. Bayo, Director
Division of Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 000121C-TP
Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies (Verizon Florida track)

Dear Ms. Bayo:

Please find enclosed an original and 15 copies of Verizon Florida Inc.'s Response to Comments of Joint ALECs on Staff's Proposal for filing in the above matter. Service has been made as indicated on the Certificate of Service. If there are any questions regarding this matter, please contact me at (813) 483-2617.

Sincerely,

Kimberly Caswell | dm

Kimberly Caswell

KC:tas
Enclosures

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 (Verizon Florida track)	))))))	Docket No. 000121C-TP Filed: December 18, 2002

VERIZON FLORIDA INC.'S RESPONSE TO COMMENTS OF JOINT ALECS ON STAFF'S PROPOSAL

Verizon Florida Inc. (Verizon) files its response to the Comments of Joint ALECs on Staff's Proposal for an operations support system (OSS) performance assessment plan for Verizon. The Joint ALECs support most of Staff's Plan, but propose the addition of six new service quality measures and suggest revising the audit provision to compel Verizon to pay the entire cost of annual audits. Verizon opposes both proposed revisions.

The Joint ALECs' Proposed New Measures Are Unsupported and Unnecessary.

Consistent with the FCC's performance plan for Verizon, Verizon has proposed seventeen service quality measures for Florida. This comprehensive set of measures addresses all key transaction areas, including pre-ordering, ordering, provisioning, maintenance, network performance and billing.

Staff has proposed adding seven measures to Verizon's seventeen. In its comments on the Staff plan, Verizon explained that these measures were not necessary to evaluate Verizon's nondiscriminatory provision of OSS, and that Staff had not offered any justification for its proposed, additional measures. Verizon opposed Staff's suggested additions, as they would add complexity to Verizon's plan without any discernible benefit.

In addition to Verizon's seventeen and Staff's additional seven measures, the Joint ALECs propose six more measures. Verizon opposes addition of the Joint ALECs' suggested measures for the same reason it opposes the additional Staff measures. The Joint ALECs have not explained why Verizon's plan is incomplete or inadequate without their revisions and make no attempt to justify the specific suggested measures. Instead, they argue that since Verizon reports these measures in California and North Carolina (which follows the California performance plan), Verizon should report them in Florida, as well. The Joint ALECs also claim that the additional measures "will bring Verizon's reporting requirements close to those proposed by Sprint" and "will include more BellSouth-equivalent measures." (Joint ALEC Comments at 2.)

The Joint ALECs appear to have given little thought to the adequacy of the measures Verizon has proposed here. They seem to have simply compared the Florida proposed measures with those in the California plan and where the two sets did not exactly match, they have urged the addition of the California measure, without any analysis as to whether the Florida plan adequately addresses the same issues. Indeed, the Joint ALECs' suggested addition of the "Out of Service < 24 Hours" (Joint ALEC Comments at 2) is already in Verizon's plan, except that it is expressed in the converse (Out of Service > 24 Hours). If the Joint ALECs had carefully considered the merits of Verizon's proposed measures, they would have recognized the redundancy of these items.

Simply saying that a particular measure is reported in another plan or another state is not sufficient to justify inclusion of the measure here. As Verizon noted in its Comments on the Staff Plan, the Commission's objective is to devise a plan that addresses all key performance areas without unnecessary complexity. Verizon's plan meets that objective. The ALECs' proposed additional measures—*which expand to 53 submeasures*—would certainly undermine the Commission's goal of simplicity. The Commission should thus reject these additional measures in the absence of any convincing justification that they are necessary. Because the Joint ALECs have offered *no* substantive explanation whatsoever as to the merits of adding more measures, the Commission should not approve them.

Moreover, it is not clear that the Joint ALECs' measures would bring Verizon's plan "closer" to Sprint's or that they are more "BellSouth-equivalent," because the Joint ALECs do not explain why this is so. Even if these claims are true, the three plans would still remain distinct and the addition of the six proposed measures would not meaningfully enhance "consistency for ALECs monitoring ILEC performance in Florida." (Joint ALEC Comments at 2.)

Finally, the Joint ALECs fail to point out that several components of the California and North Carolina plans remain in dispute and have been explicitly recognized as such by those respective Commissions. For example, the "Average Jeopardy Notice Interval" measure the ALECs propose is subject to ongoing dispute about the appropriate level of disaggregation of the types of services ordered. There is also no agreed-to standard in effect today in any jurisdiction. It would be inappropriate to adopt measures here on the basis that they are reported elsewhere (which is the only basis the Joint ALECs have given the Commission), without an understanding of the ongoing process elsewhere. If the Commission is inclined to adopt the additional measures the Joint ALECs propose, it should also explicitly recognize that a number of them are subject to ongoing disputes and may be modified as a result of the continuing collaborative process in California.

The Commission Should Approve Staff's Proposal to Split Audit Costs Between ILECs and ALECs.

Staff has proposed annual, third-party audits of performance measurement plan data, with the ALECs and ILECs splitting the cost of such audits. The Joint ALECs dispute this proposal and urge the Commission to force Verizon to pay all annual audit costs. As asserted justification for this proposal, the Joint ALECs state that Verizon "has an obligation to demonstrate that its performance reports are accurate" and that it should be required "to provide independent validation that it is providing non-discriminatory access to its OSS through accurate reporting of its performance results." (Joint ALEC Comments at 3.)

This rationale provides no basis for the ALECs' proposal for Verizon to pay 100% of the annual audit costs. Verizon does not oppose independent verification of performance reporting; in fact, Verizon proposed audit provisions in its own plan. But the fact that Verizon may have "an obligation to demonstrate that its reports are accurate" does not, in itself, mean that Verizon should pay all audit costs. Indeed, this approach would be patently unfair. The ALECs are the cause and primary beneficiaries of audits, so they should pay their fair share of the costs. Aside from being equitable, sharing of costs helps ensure that the scope of the audit is no broader than necessary to satisfy ALECs' legitimate needs for verification of Verizon's reporting.

As Staff observes, the 50/50 audit expense split is a feature of the California plan—the same plan the Joint ALECs use as a basis to support their additional proposed measures. The Commission should not sanction the ALECs' strategy of choosing the most burdensome aspects of another state's plan while ignoring its more reasonable features.

For all these reasons, and for the reasons Verizon discussed in its Response to Staff's Proposal, Verizon renews its request for the Commission to adopt the FCC's performance assessment plan for Florida.

Respectfully submitted on December 18, 2002.

By: Kimberly Caswell /dm

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of Verizon Florida Inc.'s Response to Comments of Joint ALECs on Staff's Proposal in Docket No. 000121C-TP were sent via U.S. mail on December 18, 2002 to the parties on the attached list.

Kimberly Caswell /dm

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