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COMMISSION CLERK

DATE: MARCH 6, 2003

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES (BAYÓ)

FROM: DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (HARVEY, VINSON, HALLENSTEIN, DUFFEY) *HD* OFFICE OF GENERAL COUNSEL (KEATING, *PK* DODSON) *for AMD*

RE: DOCKET NO. 000121A-TP - INVESTIGATION INTO THE ESTABLISHMENT OF OPERATIONS SUPPORT SYSTEMS PERMANENT PERFORMANCE MEASURES FOR INCUMBENT LOCAL EXCHANGE TELECOMMUNICATIONS COMPANIES. (BELLSOUTH TRACK)

AGENDA: MARCH 18, 2003 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\000121A.RCM

ATTACHMENTS NAME AND LOCATION: S:\PSC\CMP\WP\ATTACH1&2.WPD
Attachment 3 (Hard Copy Provided)

CASE BACKGROUND

The Commission opened Docket No. 000121-TP to develop permanent performance metrics for the ongoing evaluation of operations support systems (OSS) provided for alternative local exchange carriers' (ALECs) use by incumbent local exchange carriers (ILECs). Associated with the performance metrics is a monitoring and enforcement program that is to ensure that ALECs receive nondiscriminatory access to the ILEC's OSS. Performance monitoring is necessary to ensure that ILECs are meeting their obligation to provide unbundled access, interconnection and resale to ALECs in a nondiscriminatory manner. Additionally, it establishes a standard against which ALECs and this Commission can measure performance

DOCKET NO. 000121A-TP
March 6, 2003

over time to detect and correct any degradation of service provided to ALECs.

Docket No. 000121-TP consists of three phases. Phase I began with workshops conducted by staff with members of the ALEC and ILEC communities. These workshops were held on March 30, 2000, August 8, 2000, and December 13, 2000. The purpose of Phase I was to determine and resolve any policy and legal issues in this matter. Phase II involved establishing permanent metrics for BellSouth Telecommunications, Inc. (BellSouth), including a specific monitoring and enforcement program. With the completion of Phase II, the Commission is currently in Phase III of this docket, which entails the establishment of performance metrics and a performance monitoring and evaluation program for the other Florida ILECs.

By Order No. PSC-01-1819-FOF-TP (Final Order), issued September 10, 2001, the Commission established permanent performance measures and benchmarks as well as a voluntary self-executing enforcement mechanism (Performance Assessment Plan) for BellSouth. As part of Order No. PSC-01-1819-FOF-TP, the parties stipulated that, within the first two years of implementation, BellSouth will participate in six-month review cycles to discuss any proposed changes to the Performance Assessment Plan. By Order No. PSC-02-0187-FOF-TP, issued February 12, 2002, as amended by Order No. PSC-01-0187A-FOF-TP, issued March 13, 2002, BellSouth's Performance Assessment Plan was approved.

By Order No. PSC-02-0503-PCO-TP, issued April 11, 2002, Docket No. 000121-TP was divided into three subdockets: (1) 000121A-TP, in which filings directed toward the BellSouth track would be placed; (2) 000121B-TP, in which filings directed toward the Sprint track would be placed; and (3) 000121C-TP, in which filings directed toward the Verizon track would be placed.

By Order No. PSC-02-0989-PAA-TP, issued July 22, 2002, BellSouth was required to file a specific action plan designed to improve flow-through and adjust the Self Effectuating Enforcement Mechanism (SEEM) for the flow-through metric by July 30, 2002, for the August 2002 results. Additionally, BellSouth was ordered to establish defect correction metrics to be effective August 1, 2002, as part of the Service Quality Measures in Docket 000121A-TP.

By Order No. PSC-02-1094-PAA-TP, issued August 9, 2002, BellSouth was required to implement three new Service Quality

March 6, 2003

Measures to address concerns over the timely and effective implementation of ALEC-initiated change requests for new features. Additionally, BellSouth was ordered to change the required due date for Tier 1 and Tier 2 SEEM payments.

On September 25-26, 2002 and October 17-18, 2002, staff conducted the first six-month review workshops to gauge the effectiveness of BellSouth's permanent performance measures and to determine whether the current remedy structure is effective in driving BellSouth's performance toward the required standards. The six-month review process consisted of a collaborative work group, which included BellSouth, interested ALECs, and the Commission. The group reviewed the Performance Assessment Plan for additions, deletions and other modifications.

By Order No. PSC-02-1736-PAA-TP, issued December 10, 2002, the Commission adopted the proposed changes to BellSouth's Performance Assessment Plan that were agreed upon by the parties participating in the six-month review process set forth in Order No. PSC-02-0187-FOF-TP in Docket 000121A-TP.

This recommendation addresses proposed changes to BellSouth's Performance Assessment Plan that were not agreed upon by the parties participating in the six-month review process.

JURISDICTION

The Commission is vested with jurisdiction over this matter pursuant to Sections 364.01(3) and (4)(g), Florida Statutes. Pursuant to Section 364.01 (3), Florida Statutes, the Florida legislature has found that regulatory oversight is necessary for the development of fair and effective competition in the telecommunications industry. To that end, Section 364.01 (4) (g), Florida Statutes, provides, in part, that the Commission shall exercise its exclusive jurisdiction in order to ensure that all providers of telecommunications service are treated fairly by preventing anticompetitive behavior. Furthermore, it is noted that the FCC has encouraged the states to implement performance metrics and oversight for purposes of evaluating the status of competition under the Telecommunications Act of 1996.

March 6, 2003

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission order BellSouth to implement staff's proposed revisions to the Performance Assessment Plan presented in Attachment 1?

RECOMMENDATION: Yes. Staff recommends that BellSouth be ordered to implement the proposed changes to the Performance Assessment Plan as reflected in Attachment 1 for implementation within 60 days of the Commission's Proposed Agency Action Order if the changes are not protested. Additionally, staff recommends that the Commission, on its own motion, require that an Industry Taskforce be established to address the problems encountered in calculating the Service Order Accuracy performance measurement. (HALLENSTEIN)

STAFF ANALYSIS: By Order No. PSC-01-1819-FOF-TP, issued September 10, 2001, in Docket No. 000121A-TP, the Commission adopted BellSouth's Performance Assessment Plan for purposes of monitoring nondiscrimination in Operation Support Systems provided to ALECs. The Performance Assessment Plan is comprised of a Service Quality Measurement Plan and a Self-Effectuating Enforcement Mechanism (SEEM) Administrative Plan.

As part of Order No. PSC-01-1819-FOF-TP, the parties stipulated that, within the first two years of implementation, BellSouth will participate in six-month review cycles to discuss any proposed changes to the Performance Assessment Plan. On September 25-26, 2002 and October 17-18, 2002, staff conducted the first six-month review workshop to gauge the effectiveness of BellSouth's permanent performance measures and to determine whether the current remedy structure is effective in driving BellSouth's performance toward the required standards. The proposed changes to the remedy structure of the SEEM plan will be addressed by staff in a future recommendation.

In response to the parties' workshop comments concerning the proposed changes to the permanent performance measures, staff developed two separate tables: 1) One that lists proposed changes to the performance measures that were agreed upon by the parties, and 2) One that lists proposed changes to the performance measures that were not agreed upon by the parties. Staff requested that the parties file respective comments in regards to both tables.

As noted in the case background, By Order No. PSC-02-1736-PAA-TP, issued December 10, 2002, the Commission adopted the proposed changes to the permanent performance measures that were agreed upon by the parties participating in the six-month review workshop. This recommendation addresses staff's proposed changes to BellSouth's Performance Assessment Plan that were not agreed upon by the parties.

Attachment 1 is a table summarizing staff's proposed changes to BellSouth's Performance Assessment Plan. The table lists 19 performance measurements and the proposed changes to each. The merits of each of the proposed changes are discussed below:

Pre-Ordering

1. *PO-2 Loop Makeup-Response Time-Electronic*

BellSouth proposes to clarify language in the Business Rules to this performance measurement. Specifically, BellSouth requests to delete the references to LENS because all ALEC preorder queries go through TAG to LFACS. In other words, if an ALEC query originates in LENS, it goes from LENS to TAG to LFACS. If an ALEC query originates in TAG, it goes directly to LFACS. Measuring the performance that relates to TAG effectively measures all preorder queries. The ALECs believe that LENS should not be deleted because it continues to be used to access Loop Makeup information. During the six-month review workshop, BellSouth proposed to clarify this by adding language to the business rules to state "LSRs submitted via LENS will be reflected in the results for the TAG interface." Staff believes that all ALEC preorder queries go through TAG to LFACS. Staff agrees that BellSouth should modify the reference to LENS in the Business Rules by adding the clarifying language.

Ordering

2. *O-2 Acknowledgment Message Timeliness*

BellSouth proposes to modify the EDI benchmark for this performance measurement from 100 percent to 99.5 percent. The ALECs argue that the acknowledgment is an electronic handshake that either is or is not transmitting and any variance from 100 percent is an indicator of major system problems that could slow ALEC placement of orders. Staff's examination of BellSouth's commercial data over the six-month period July through December 2002 shows EDI

acknowledgment performance averaged 99.98 percent. Staff proposes an EDI benchmark of 99.9 percent based on the commercial data performance results. Staff believes it is appropriate to require a high benchmark of BellSouth, but agrees that perfection may not be attainable.

3. O-3 *Percent Flow Through Services Requests (Summary)*
4. O-4 *Percent Flow Through Services Requests (Detail)*

The ALECs are proposing that BellSouth increase the benchmarks for UNE and LNP to 90 percent and, furthermore, show UNE-P as an additional level of disaggregation with a benchmark of 95 percent. The ALECs argue that the previously established levels for UNE and LNP are too low for a measurement that only includes what is designed to flow through in the first place. BellSouth contends that the ALECs' proposed benchmarks are inappropriately high. BellSouth noted that the FCC has found that BellSouth's OSS systems are currently capable of flowing through UNE orders in a manner that allows competitive carriers a meaningful opportunity to compete. Staff's examination of BellSouth's commercial data over the six-month period July through December 2002 shows UNE (other) averaged 85 percent, LNP averaged 87 percent, and UNE-P averaged 92 percent. Staff proposes the following benchmarks that it believes would facilitate competition: UNE (other) 85 percent, LNP 85 percent, and UNE-P 90 percent.

5. O-7 *Percent Rejected Services Request*
6. O-11 *FOC and Reject Response Completeness*

BellSouth proposes to exclude "LSRs identified as projects" from both of these measurements. BellSouth argues that projects cannot be accommodated within the normal LSR process. According to BellSouth, projects accounted for .085 percent and .075 percent of the total LSRs submitted in July and August 2002. The ALECs contend that projects are important orders (e.g., trunk and loop orders) and by excluding them from these measurements, a mechanism would not exist to ensure that rejects and confirmations are received in a timely manner.

Staff agrees that projects are important orders; however, as BellSouth stated, the intent of these measurements is to capture LSRs submitted within the normal process. Staff notes that this Commission has already excluded projects from other measures (i.e., Reject Interval and FOC Timeliness). This exclusion allows

consistency throughout the measurements. Additionally, BellSouth proposes to provide, upon request, other supporting data files (OSDF) which should satisfy the ALECs' request for information on projects. Staff agrees with BellSouth's position and proposes to exclude "LSRs identified as projects" from both of these measurements.

7. *O-12 Speed of Answer in Ordering Center*

BellSouth proposes a report structure change to this measurement. BellSouth requests that the answer time provided to the ALECs be compared to the answer time that BellSouth provides to its retail residential and business customers. The ALECs argue that many interconnection agreements require BellSouth to provide the ALEC service equal to the best service provided to any other BellSouth customer. The best service to which the ALECs are entitled to receive currently is the answer time that BellSouth provides to its business customers.

Staff agrees with the ALECs' position. An examination of BellSouth's historical commercial data performance results indicates that the answer time for the ALECs is comparable to BellSouth's business answer times. Staff proposes that BellSouth should not combine its Business Service Center and Residence Service Center calls to measure against ALEC performance. Staff believes the ALEC answer time should be compared to BellSouth's Business Service Center answer time.

Provisioning

8. *P-2A Jeopardy Notice Interval*

BellSouth proposes to exclude from this measurement "orders for which a jeopardy is identified on the due date." The measurement has always been structured so this type of jeopardy is excluded. The ALECs argue that this exclusion is too broad. The ALECs propose that BellSouth add additional language to the exclusion section of this measurement that states, "This exclusion only applies when the technician on premises has attempted to provide service but must refer to Engineer or Cable Repair for facility jeopardy." Staff believes the additional language proposed by the ALECs is necessary to prevent the misuse of jeopardies by BellSouth.

March 6, 2003

9. *P-3 Percent Missed Installation Appointments*
10. *P-3A Percent Missed Installation Appointments Including Subsequent Appointments*

BellSouth proposes to add measurement *P-3 Percent Missed Installation Appointments* to the Florida Service Quality Measurement (SQM) plan with the understanding that measurement *P-3A Percent Missed Installation Appointments Including Subsequent Appointments* will be removed from the plan.

Measurement *P-3A* differs from Measurement *P-3* in that it includes subsequent appointments. BellSouth noted that the volume of subsequent appointments is very low, the calculation is convoluted, and performance results are very similar to those in measurement *P-3*. The ALECs provided no factual data supporting its basis for BellSouth to continue capturing subsequent appointment data. Staff concurs with BellSouth's position and recommends removal of this measurement with the understanding that measurement *P-3 Percent Missed Installation Appointments* will be reinstated in BellSouth's Florida Service Quality Measurement (SQM) plan and added to SEEM Tiers 1 and 2.

Additionally, both BellSouth and the ALECs propose changes to levels of disaggregation and analogs for measurement *P-3*. The parties appear to be in agreement with the changes listed below. Staff recommends that BellSouth implement the following changes:

- The UDC product should be removed from the UNE ISDN. UNE ISDN should be compared to the retail analog ISDN-PRI.
- UNE UDC/IDSL should be compared to the retail analog retail ISDN-BRI.
- UNE Line Splitting should be compared to ADSL provided to retail.

The ALECs also propose to exclude from measurement *P-3 Orders Cancelled Prior to the Due Date*. BellSouth objects to the ALECs proposal noting that this is an issue of parity in treatment. In other words, BellSouth is only doing the same for ALECs as it does for itself. Furthermore, according to BellSouth, the ALECs proposal would also exclude orders cancelled that are to be provisioned on the same day they are placed (zero due date orders).

Currently, all cancelled orders are excluded from this measurement. Staff concurs with the ALECs that orders cancelled prior to the due date should be excluded. Excluding zero due date orders would be consistent with excluding orders prior to the due date. Since the cancellation of zero due date orders would, by definition, be cancelled prior to the due date, staff proposes that zero due date orders should also be excluded from this measure. The exclusion language to measurement P-3 should be revised to state "all orders cancelled prior to the due date including orders that are to be provisioned on the same day as they are placed (zero due date orders)." BellSouth's failure to meet the ALEC customer's due date may cause the customer to cancel the order or even to completely discontinue service with the ALEC.

11. *P-4 Average Order Completion Interval and Order Completion Interval Distribution*
12. *P-4A Average Order Completion and Completion Notice Interval*

BellSouth proposes to add measurement *P-4 Average Order Completion Interval and Order Completion Interval Distribution* to the Florida SQM plan with the understanding that measurement *P-4A Average Order Completion and Completion Notice Interval* will be removed from the plan.

Measurement P-4A is the combination of two separate intervals-- a provisioning interval (order completion) and an interval for order completion to notification back to the ALEC. BellSouth argues that measurement P-4A does not provide a true indication of how well BellSouth provides provisioning to the ALECs. Additionally, measurement P-4A involves inappropriate duplication in its SQM plan because the interval from order completion to notification back to the ALEC is captured separately in measurement *P-5 Average Completion Notice Interval*. BellSouth's proposal to add measurement *P-4 Average Order Completion Interval and Order Completion Interval Distribution* would capture the provisioning interval (order completion) by itself, thus now having two distinct measurements (i.e., P-4 and P-5) that capture performance of these intervals separately.

The ALECs believe that BellSouth's proposal would be counter to the ALECs' desire to have a calculation of a standard interval across all ILEC regions done in a similar manner. The ALECs are

March 6, 2003

willing to drop measurement *P-4A Average Order Completion and Completion Notice Interval* if the start time for measurement *P-4 Average Order Completion Interval and Order Completion Interval Distribution* was changed to "receipt of a valid local service request (LSR)" as captured in other jurisdictions. In other words, the proposed change in the start time to the P-4 measurement would combine two separate intervals—a firm order confirmation (FOC) interval and a provisioning (order completion) interval. The ALECs claim that this change would more accurately reflect customer experience and parity determination.

Staff disagrees with the ALECs' position. Staff believes changing the start time for measurement P-4, as requested by the ALECs, would not provide an accurate reflection of parity. Specifically, the FOC process is not captured on the retail side of the ordering process because BellSouth does not submit LSR's to fulfill orders. The FOC process is the time elapsed from the submission of an LSR to distribution of a confirmation receipt back to the ALEC. Furthermore, the ALECs' FOC performance is captured separately in measurement *O-9, FOC Timeliness*. Adding the FOC interval to measurement P-4 also involves inappropriate duplication in BellSouth's SQM plan and payment of penalties on two measurements that would contain the FOC interval.

Staff recommends that BellSouth be required to add measurement *P-4 Average Order Completion Interval and Order Completion Interval Distribution* and remove measurement *P-4A Average Order Completion and Completion Notice Interval* from its SQM. Additionally, staff proposes that measurement P-4 be added to SEEM Tiers 1 and 2 because P4A was originally part of the SEEM plan.

Staff also proposes changes to the levels of disaggregation for this measurement. Both BellSouth and the ALECs appear to be in agreement with the disaggregation changes listed below. Staff recommends that BellSouth implement these changes.

- The UDC product should be removed from the UNE ISDN. UNE ISDN should be compared to the retail analog ISDN-PRI.
- UNE UDC/IDSL should be compared to the retail analog Retail ISDN-BRI.
- UNE Line Splitting should be compared to ADSL provided to retail.

March 6, 2003

13. *P-7B Coordinated Customer Conversions-Average Recovery Time*

The parties agreed to review the existing diagnostic benchmarks for "Unbundled Loops with INP" and "Unbundled Loops with LNP" during the six-month review process. However, the parties could not agree on an acceptable benchmark.

Based on historical commercial data performance results, staff believes a benchmark of five hours would facilitate improved performance in recovery of coordinated customer conversions. Staff's examination of BellSouth's commercial data performance results over the six-month period July through December 2002 shows recovery of coordinated customer conversions averaged just over seven and one-half hours. Staff notes that the number of monthly coordinated customer conversions are low and the monthly average duration fluctuated widely—from a low of 4.73 hours to a high of 13.6 hours. Staff proposes a benchmark to be established at an average of ≤ 5 hours in order to encourage improvement by BellSouth in the recovery of coordinated customer conversions.

14. *P-7C Hot Cut Conversions-Percent Provisioning Troubles Received Within 7 Days of a Completed Service Order.*

The ALECs propose to modify the benchmark from five percent to three percent for UNE Loop Design and Non-Design. The ALECS noted the importance of hot cut troubles, pointing out that a customer would likely discontinue service with the ALEC if performance is bad. BellSouth claims that the ALECs' proposal is unjustified and that hot cut performance is also correlated with other provisioning and maintenance and repair performance measurements. Upon further examination of historical commercial data performance, staff believes hotcut performance is critical. Staff proposes the benchmark to be changed from five percent to three percent for UNE Loop Design and Non-Design.

15. *P-10 Total Service Order Cycle Time*

The ALECs propose to remove this measurement from BellSouth's Florida SQM plan if staff agrees to move the start time for measurement *P-4 Average Order Completion Interval and Order Completion Interval Distribution* to receipt of a valid local service request (LSR). As previously discussed, staff does not recommend the change in the start time to measurement *P-4*.

March 6, 2003

Staff proposes to delete measurement P-10 on the basis that it is not currently in the SEEM plan and involves inappropriate duplication of intervals that are captured separately in three different measures: 1) O-9 *FOC Timeliness*, which captures the interval for the receipt of a valid local service request; 2) P-4 *Average Order Completion Interval and Order Completion Interval Distribution*, which captures the interval for provisioning or order completion, and; 3) P-5 *Average Completion Notice Interval*, which captures the interval for order completion to notification back to the ALEC.

16. *P-11 Service Order Accuracy*

The ALECs propose to modify the definition of this measurement. Specifically, the ALECs request that BellSouth implement an automated process to examine the accuracy of all partially-mechanized orders rather than using a statistically valid sample. Additionally, the ALECs request that BellSouth continue sampling manual orders and that it remove fully-mechanized orders from the sampling process.

BellSouth objects to having to measure both partially-mechanized orders and manual orders. BellSouth argues that two entirely separate measurement processes would have to be set up to deal with both types of orders.

In its November 2002 comments filed with the Commission, BellSouth agreed to the development of automated programs to measure all partial-mechanized orders and to the removal of fully-mechanized orders from the sampling process. However, in this docket, on February 21, 2003, BellSouth filed a copy of the Emergency Motion it filed with the Georgia Public Service Commission. By this Emergency Motion, which was actually filed with the Georgia Commission on February 20, 2003, BellSouth has requested the establishment of an Industry Taskforce to address significant technical and practical problems in implementing the automated programs to measure all partial-mechanized orders. For example, if a BellSouth service representative encounters a minor problem with an ALEC submitted order, the representative is trained to fix the problem. Thus, the order submitted by the ALEC and the order generated by the service representative would be different. This results in a finding that the service order was inaccurate. In its Emergency Motion, BellSouth proposes that an Industry Taskforce

March 6, 2003

be established to address this problem and other technical problems encountered in calculating service order accuracy.

As agreed to by the parties, staff proposes that all partially-mechanized orders should be measured via an automated process and fully-mechanized orders should not be measured. Staff further concurs with BellSouth's Emergency Motion filed in Georgia, that an Industry Taskforce should be established promptly to decide how best to proceed with the implementation of measuring partially-mechanized orders. While BellSouth's Emergency Motion is not directly pending before the Florida Commission, staff believes that the relief requested therein has merit, and, as such, staff recommends that the Commission, on its own motion, require that an Industry Taskforce be established. During this time, BellSouth should continue to report service order accuracy performance and pay any associated remedies consistent with the current Service Order Accuracy performance measurement.

Staff proposes that manual orders not be included in this measurement because manual orders are typically a small percentage of the total ordering volume (less than 5 percent) and staff believes requiring BellSouth to set up two measuring processes would be unnecessarily burdensome.

The ALECs and BellSouth further disagree on the geographic scope (i.e., state versus region) of the *Service Order Accuracy* measurement. The ALECs contend that this measurement should be reported on a state-specific basis as accuracy issues may vary with state regulatory requirements. BellSouth notes that the orders are not treated differently according to the state in which they originate. Any difference from state to state is happenstance. BellSouth further found that the universe of certain types of orders in each state is so small that it would be very difficult to obtain a meaningful number of orders. Given BellSouth's position and staff's recommendation to change the measuring process, staff proposes that the *Service Order Accuracy* measurement continue on a regional basis.

As agreed to by the parties, the report structure for this measurement should be modified. Staff proposes that BellSouth be required to delete the reporting of separate categories based on the number of lines/circuits and whether the order is dispatched or nondispatched.

March 6, 2003

17. *M&R-4 Percent Repeat Troubles Within 30 Days*

This measurement examines customer trouble reports received on the same line within 30 days of the original customer trouble report. The parties disagree on the time-stamps used to determine the interval between the initial trouble and any subsequent trouble.

The Definition, Business Rules, and Calculation of this measurement provided in BellSouth's SQM is ambiguous. For example, the calculation is stated as "the count of closed customer troubles where more than one trouble report was logged for the same line within a continuous 30 days." The lack of clarity in defining how trouble reports are logged leads to misleading measurement results. BellSouth believes that the term "logged" refers to the activity of clearing a trouble ticket. According to BellSouth the calculation of the interval of repeat troubles should be from the date the first trouble is cleared to the date the second trouble is received.

The ALECs argue that the interval of repeat troubles should be calculated using the date the first trouble is received to the date the second trouble is received. Under the ALECs' interpretation, performance results would be captured regardless of whether there was actual trouble on the line. If a trouble ticket is received on Monday, but there is no actual trouble on the line, the receipt of a subsequent trouble ticket for the same line would result in a repeat trouble.

Staff believes that the calculation of the interval of repeat troubles should be from the date the first trouble is cleared to the date the second trouble is received. Under the ALECs' proposal of using only receipt dates as time-stamps, it is possible that a repeat trouble would be captured in the calculation of this measurement where there was never any trouble to begin with. Additionally, the intervals would be longer using only receipt dates as time-stamps. This, in turn, may result in fewer repeat troubles within 30 days.

Staff further proposes that BellSouth amend the wording to the Definition, Business Rules, and Calculation sections of measurement *M&R-4 Percent Repeat Troubles Within 30 Days* SQM to clarify the ambiguity in the time-stamps used to determine the percentage of repeat troubles.

March 6, 2003

18. *B-10 Percent Billing Errors Corrected in X Days*

This billing dispute metric was initially implemented in May 2002 as a diagnostic measure. The ALECs request that, based on BellSouth's poor performance during June through September 2002, this metric become a SEEM measure. The ALECs believe BellSouth's continuous poor performance is good reason to implement Tier I remedy payments. ALECS believe a remedy payment is necessary to motivate BellSouth toward compliant performance.

BellSouth contends that, to the extent there is a billing error, the amount of the billing error is captured in measure B-1 Invoice Accuracy, with a SEEM penalty already in place. BellSouth believes that the B-10 measure has no direct impact on either the ALEC or the end user. While the error is being disputed, the ALEC withholds payment of the amount in dispute and, therefore, no negative impact is placed on the ALEC or the end user. BellSouth states that delays in resolving billing disputes cause no adverse impact on the ALEC or end user, and the measure should not be associated with a penalty.

Staff agrees that the amount of billing errors is captured in the B-1 measure, which has a SEEM penalty associated with it. However, the B-10 measure is intended to measure timeliness related to handling bill disputes not bill accuracy. Therefore, there is no double penalty as BellSouth suggests. Staff believes that untimely dispute handling does impact ALECs and their end users. Staff believes that untimely dispute resolution impacts the ALEC financially through the time and resources ALECs must dedicate to research, track and validate disputes. Staff also believes untimely resolution of billing disputes may diminish the ALEC's image with their end users. The perception of reduced service quality can cause end users to go elsewhere for a provider.

Staff has recently completed a limited scope review of BellSouth's billing dispute process, in which it studied 2002 billing dispute performance. A sample of 2002 dispute transactions showed that BellSouth averaged nearly three months to process resale and UNE billing disputes during 2002. The sample showed that BellSouth consistently took more than 45 business days to process billing disputes. Furthermore, BellSouth performance for September and October 2002 showed no improvement in meeting the measure. BellSouth did show some improvement in the B-10 results during November and December 2002, but did not provide timely

handling of resale disputes in November or of resale and interconnection disputes in December. BellSouth's 2002 dispute handling performance indicates a long term inability to meet acceptable time frames for completing billing disputes.

Staff agrees with the ALECs that prompt billing dispute resolution is important, and that BellSouth's poor performance in resolving 2002 bill disputes within 45 days indicates a penalty should be implemented for the B-10 measure. Staff believes the measure should be state-specific, included in SEEM Tier I and Tier II, and with a benchmark of 90 percent of all billing disputes being completed within 45 business days.

19. *TGP-1 Trunk Group Performance-Aggregate*
20. *TGP-2 Trunk Group Performance-CLEC Specific*

BellSouth requested three modifications to its trunk blocking measurements. Two are for additions to the list of exclusions, and one is a benchmark clarification.

First, BellSouth proposes to exclude orders that are delayed or refused by the ALEC from its trunk blocking measurements. According to BellSouth, there are instances in which blocking occurs because the trunking facilities are not adequate, but the actions of the ALEC prevent BellSouth from installing facilities. The ALECs are concerned that BellSouth may claim that the ALECs are holding up the orders when the problem really is that BellSouth is failing to respond to an ALEC inbound trunk group resizing request. However, the ALECs did agree that if the Commission were to allow this exclusion, BellSouth should at least be required to notify the ALEC when such blocking meets this exclusion criteria (orders that are delayed or refused by the ALEC) and report the results, both with and without the exclusions.

Staff proposes to exclude "orders that are delayed or refused by the ALEC" from both of these measurements. BellSouth should not be held accountable for circumstances such as this that are beyond its control. Staff further recommends that BellSouth add clarifying language to this exclusion that states, "BellSouth should notify the ALEC when such blocking meets this exclusion criteria (orders that are delayed or refused by the ALEC) and report the results, both with and without the exclusions."

Second, BellSouth proposes to exclude the trunk groups blocked due to unanticipated significant increases in ALEC traffic from these measurements. The ALECs argued that this proposal is too vague. Specifically, an "unanticipated and significant increase" needs to be quantified. In its November 19, 2002 comments, BellSouth stated that an unanticipated significant increase in traffic is indicated by a 20 percent increase for small trunk groups or 1800 CCS for large groups over the previous month's traffic when the increase was not forecasted by the ALEC.

Staff proposes to exclude the phrase "trunk groups blocked due to unanticipated significant increases in ALEC traffic" from both of these measurements because this also is a circumstance beyond BellSouth's control. Additionally to address the ALECs' concern, staff further recommends that BellSouth add clarifying language to this exclusion that states, "an unanticipated significant increase in traffic is indicated by a 20% increase for small trunk groups or 1800 CCS for large groups over the previous months traffic when the increase was not forecasted by the ALEC."

Third, BellSouth proposes to clarify the benchmark for trunk blockage. Currently, the language stated for the benchmark is "any two hour period in 24 hours where CLEC blockage exceeds BellSouth blockage" BellSouth proposes to amend this benchmark to refer to trunk blockage as "any two consecutive hour periods in 24 hours." The debate is over whether the use of two consecutive hours is appropriate or the use of two single hours within a 24-hour period is appropriate. BellSouth currently uses the two consecutive hours as a standard. BellSouth advocates the continued use of two consecutive hour periods because the consecutive two hour interval is a very strict measure of parity that is not overly sensitive to normal ALEC traffic.

The ALECs believe that the requirement of two consecutive hours of blocking is a means by which BellSouth can ensure that it never pays remedies on this measure. For example, an ALEC could exceed BellSouth's blocking levels every other hour of the 24-hour period and pay no remedy.

Staff's examination of aggregate commercial data performance results for the six-month period of July through December 2002, shows no two single hours (i.e., non-consecutive hours) within a 24-hour period that trunk blockage occurred. However, the data does show an occurrence of trunk blockage for two consecutive hours in

March 6, 2003

the month of December. Given the historical performance and that this change is merely a clarification to an existing definition, staff proposes that BellSouth modify the benchmark to state "any two consecutive hour period in 24 hours."

SEEM Administrative Plan

21. Data Reconciliation

In the ALECs' comments filed on August 30, 2002, the ALECs proposed that BellSouth be required to respond to requests for data reconciliation in a timely manner. Data reconciliation involves comparing BellSouth's data to an ALEC's data and determining the source of any discrepancies. Specifically, the ALECs propose BellSouth that: 1) acknowledge receipt from an ALEC of a request for reconciliation within 24 hours; 2) provide a committed due date for a response within five business days of the request; 3) provide a response to the request within 15 business days of receipt; and, 4) post the data reconciliation policy to the PMAP website.

In its comments filed on November 1, 2002, BellSouth provided a copy of its data reconciliation policy. The policy does address several concerns proposed by the ALECs; however, staff is concerned with the level of specificity in the policy regarding BellSouth's committed due date for a response. BellSouth's existing policy states the following:

BellSouth will provide acknowledgment to the inquiring CLEC within 24 hours of issue receipt and will generally make a commitment to provide responses at that time. Generally, requests will be completed within 5 business days on routine issues. . . . Requests by CLECs requiring additional investigation or resources will be quoted a commitment date at the time of acknowledgment. . . . Generally, these requests can be met within 15 business days based on the request and the amount of data involved. Response times for more complex requests such as data reconciliation and root cause analysis will be determined on a case-by-case basis.

March 6, 2003

Staff believes that BellSouth should be responsive to requests for clarification from ALECs. Staff proposes that BellSouth amend its data reconciliation policy to reflect that BellSouth will provide a committed due date for a response within five business days of the request, regardless of the type of request (i.e., routine, those that require additional investigation, and complex). If BellSouth were to find in its analysis that the ALECs provided inadequate information for BellSouth to complete the request, BellSouth should provide the ALECs with a revised committed due date, if deemed necessary. Additionally, staff proposes that BellSouth post its data reconciliation policy to its PMAP website.

Other Proposed Changes In Dispute

There were a number of other proposed changes not agreed upon by the parties that were submitted to staff for consideration. Staff analyzed each of these proposals. At this time, staff believes the parties making the proposals provided insufficient evidence to convince staff that a change was necessary at this time. The proposals may be brought before the Commission in future six-month reviews if additional supportive evidence becomes available. The proposals, along with staff's analysis for each, are provided in Attachment 2.

CONCLUSION: Staff recommends that BellSouth be ordered to implement the proposed changes to the Performance Assessment Plan as reflected in Attachment 1 for implementation within 60 days of the Commission's Proposed Agency Action Order if the changes are not protested. Additionally, staff recommends that the Commission, on its own motion, require that an Industry Taskforce be established to address the problems encountered in calculating the Service Order Accuracy performance measurement.

March 6, 2003

ISSUE 2: Should Change Management metrics (CM-6 and CM-11) be modified to clarify Commission intent?

RECOMMENDATION: Yes. Staff recommends that BellSouth be ordered to implement the proposed changes to the Performance Assessment Plan. In addition, BellSouth should be ordered to include in CM-11, any "CLEC affecting" changes and August 2002 data as previously ordered. If the Commission approves staff's recommended changes, staff recommends that BellSouth be required to implement them within 60 days of the Commission's Proposed Agency Action Order, if the changes are not protested. (DUFFEY)

STAFF ANALYSIS:

CM-6 Percent of Software Errors Corrected in X (10, 30, 45) Business Days

By Order No. PSC-02-0989-PAA-TP, issued July 22, 2002, in Docket No. 000121A-TP, the Commission ordered the implementation of the metric entitled *Percent of Software Errors Corrected in X (10, 30, 45) Business Days*.

ALEC Coalition Comments

The ALEC coalition contends that the intent of CM-6 is to capture, for each month, the percentage of defects (software errors) repaired within the various prescribed correction intervals. According to the ALECs, the metric should reflect both the percentage of software errors that are due for correction in any month, and also those that are past due for correction. The ALECs state that if software defects are not fixed in the month in which the defect due date falls, then they should be reflected in each following month's report until they are fixed. ALECs argue that BellSouth has a "perverse incentive" to correct only those defects found after August 1, 2002, and that errors existing prior to that time should be also included in the metric.

BellSouth Comments

Presently, in CM-6, BellSouth is reporting the defect corrections episodically – only when the defect is corrected. If a defect is required to be fixed in 30 days and actually takes 8 months for correction, it would only be reported once as late according to BellSouth's current methodology. The conclusion of the correction event is when BellSouth believes it should be reflected in the metric.

Staff Comments

Staff believes the metric was intended to capture how many defects were corrected in compliance with their respective due dates no matter when the defect was found. Timeliness is staff's chief concern, not merely the duration of the correction event. The metric should show how many errors are actually fixed within any month. Staff believes the number of overdue defects should be shown every month in which they are overdue. Staff believes that penalties associated with overdue corrections of defects will deter problematic programming. Staff believes that BellSouth should report all outstanding uncorrected defects for CM-6 each month until they are fixed, including all uncorrected defects validated and existing prior to the issuance of Order No. PSC-02-0989-PAA-TP.

Staff recommends modification to the business rules and/or definition of the metric as follows:

- The CM-6 Definition should read, "Measures the percent of all outstanding software errors due and overdue to be corrected each month by BellSouth in X (10, 30, 45) business days within the monthly report period."
- The CM-6 Business Rules should read, "This metric is designed to measure BellSouth's performance each month in correcting identified Software Errors within the specified interval. The clock starts when a Software Error is validated per the Change Control Process, a copy of which can be found at www.interconnection.bellsouth.com/markets/lec/ccp_live/, and stops when the error is corrected and notice posted to the Change Control Website. The monthly report shall include all defects due and overdue to be corrected within the report period. Software defects are defined as Type 6 Change requests in the Change Control Process."

CM-11 Percent of Change Requests Implemented Within 60 weeks of Prioritization

ALEC Coalition Comments

The ALEC Coalition argues that the purpose of CM-11 is to determine the percent of CLEC-initiated feature changes implemented within 60 weeks of their prioritization. According to the ALECs, the metric should be calculated each month for three reasons. First, change requests may come to exceed 60 weeks from

prioritization before the implementation of a new software release. Second, features have been known to be implemented by BellSouth outside of a release. Third, ALECs must bear the detrimental effects of unimplemented software enhancements on their business plans and end-users every day until they are put into production. BellSouth's current calculation of CM-11 does not account for these factors. The ALEC Coalition argues that reprioritizations of pending change requests are often due to BellSouth's failure to schedule them in the first place. The ALEC Coalition further contends that BellSouth has, for the purposes of CM-11, reported no activity for the months of August and September 2002, despite its interpretation of the Commission's order to the contrary.

BellSouth Comments

BellSouth argues that the quarterly prioritization of change requests should drive the report cycle for the metric. BellSouth's response to the ALECs regarding the failure to report August and September 2000 activity is that the Commission's order for CM-11 was effective September 1, 2002. However, in the same set of comments on CM-11, BellSouth states to the contrary, ". . . the Commission's order required reporting for diagnostic purposes beginning 'with the next release' which occurred in August."

Staff Comments

Staff observes that the Commission's order was issued on August 9, 2002, as BellSouth and the ALEC Coalition both noted. On page 1 of its response to comments filed by AT&T, BellSouth states that, in the case of CM-11, the Commission's order required August data to be reported for diagnostic purposes. However, later, in the same filing, on page 5, BellSouth gives another interpretation that the Commission's order states "effective September 1, 2002, BellSouth shall implement the metric. . . ." The order, however, states, "BellSouth will begin reporting this measure with the next release for diagnostic purposes and will be measured for SEEM purposes 60 weeks from the first prioritization following Commission approval of measure." Staff believes BellSouth should follow its first interpretation of intent and report all release and change request implementation data for August 2002. The data, being only diagnostic, is not subject to financial penalties in SEEM.

DOCKET NO. 000121A-TP
March 6, 2003

The Commission issued its PAA Order on August 9, 2002. Therein, the Commission stated that it sought data from BellSouth's next release. Thereafter, BellSouth issued a large and significant software release before the end of August. BellSouth has not included this August data, however, because it contends that the Commission's PAA Order did not become final and effective until after the August release date. Staff does not, however, believe that this is an appropriate application of the Commission's decision. While BellSouth is correct in that the PAA Order did not become final and effective until expiration of the protest period and issuance of the Consummating Order, the Order being consummated was an Order issued August 9, 2002, and that Order clearly reflected that data reported should include any subsequent releases. Thus, once the Order became final and effective, staff believes BellSouth was bound to include the data as requested in Order No. PSC-02-1094-PAA-TP, which included any data on releases subsequent to that Order. The consummation of that Order did not alter the requirements of the Order; instead, it simply made them final and effective.

Further, staff believes that any "CLEC affecting" changes that are implemented outside a "release" by BellSouth fall within the requirements of the metric and should be reported. Staff further observes that significant activity did, in fact, take place in September 2002. That activity should have been reported for diagnostic purposes because it occurred after the order was issued. "Changes to Line Share" intervals was implemented in September 2002. It occurred after the effective date of the order. Staff does not agree with BellSouth that activity subsequent to September 1, 2002, need not be reported. Staff and interested parties need to review the diagnostic data in order to gauge the efficacy of the measures. BellSouth should report its performance for CM-11 for September 2002, including the supporting raw data.

Staff agrees with the ALEC Coalition that the 60 week clock should begin with a prioritization and does not restart with subsequent reprioritizations. Prioritizations occur quarterly. Pending change requests that are reprioritized at those junctures are due to BellSouth's failure to schedule them for releases. To restart the CM-11 60 week cycle each twelve weeks would render the cycle meaningless.

Staff recommends modification to the business rules and/or definition of the metric as follows:

- The CM-11 Business Rules should read, "This metric is designed to measure BellSouth's monthly performance in implementing prioritized change requests. The clock starts when a change request has first been prioritized as described in the Change Control Process. The clock stops when the change request has been implemented by BellSouth and made available to the CLECs. BellSouth will begin reporting this monthly measure with the next release for diagnostic purposes, and will be measured for SEEM purposes 60 weeks from the first prioritization meeting following Commission approval of this measure."
- The calculation of the Type 5 ALEC initiated change requests implemented on time should read, "a= Total number of prioritized Type 5 Change Requests implemented each month that are less than or equal to 60 weeks of age from the date of their first prioritization, plus all other prioritized change requests existing at the end of the month that are less than or equal to 60 weeks of age from prioritization. b= all entries in "a" above plus all Type 5 Change Requests prioritized more than 60 weeks before the end of the monthly reporting period."
- The calculation of the Type 4 BellSouth initiated Change Requests implemented on time should read, "a= Total number of prioritized Type 4 Change Requests that are less than or equal to 60 weeks of age from the date of the release prioritization list plus all other Type 4 prioritized change requests existing at the end of the month that are less than or equal to 60 weeks of age from prioritization. b= all entries in "a" above plus all Type 4 Change Requests prioritized more than 60 weeks before the end of the monthly reporting period."

DOCKET NO. 000121A-TP
March 6, 2003

CONCLUSION: Staff recommends that BellSouth implement the proposed changes to the Performance Assessment Plan. In addition, BellSouth should be ordered to include in CM-11, any "CLEC-affecting" changes and August 2002 data as previously ordered. If the Commission approves staff's recommended changes, staff recommends that BellSouth be required to implement them within 60 days of the Commission's Proposed Agency Action Order, unless the changes are protested.

ISSUE 3: Should the Commission adopt Performance Measures for special access services for BellSouth?

RECOMMENDATION: Yes. Staff recommends that the Commission approve the diagnostic special access measures and benchmarks included in Attachment 3, and that BellSouth be required to implement them within 60 days of the Commission's Proposed Agency Action Order, unless protested. (VINSON, DODSON)

STAFF ANALYSIS:

Overview

In its August 30, 2002 comments concerning proposed changes to BellSouth's Performance Assessment Program, the ALEC Coalition proposed the adoption of a set of 11 Special Access performance measures endorsed by the Joint Competitive Industry Group (JCIG).

The 11 proposed JCIG special access measures include three pertaining to the ordering function, five pertaining to provisioning, and three pertaining to maintenance and repair. The proposed performance measures are as follows:

Ordering

- FOC Receipt
- FOC Receipt Past Due
- Offered Versus Requested Due Date

Provisioning

- On-Time Performance to FOC Due Date
- Days Late
- Average Intervals-Requested/Offered/Installation
- Past Due Circuits
- New Installation Trouble Report Rate

Maintenance and Repair

- Failure Rate
- Mean Time to Restore
- Repeat Trouble Report Rate

BellSouth Comments

BellSouth argues that performance measures for special access should not be adopted. In support of its position, BellSouth argues: 1) the ALECs have not demonstrated a need to use special access as an alternative to UNEs or interconnection, 2) special access is not one of the market entry vehicles listed in Section 251 of the Act, 3) when the ALECs order special access from the federal tariff, the state commission has no jurisdiction, 4) special access is a competitive market-driven service, 5) BellSouth currently provides superior special access service, and 6) the metrics and standards proposed in this docket by the ALEC Coalition are unrealistic and unachievable.

BellSouth notes that the ALECs "have a choice as to the method of entering and serving the local market" stating that they can either purchase access services from BellSouth's interstate tariffs or purchase UNEs under their interconnection agreements. BellSouth takes exception to the ALECs' contention that special access and network elements are functionally identical.

BellSouth states that the methods of local market entry mentioned in the 1996 Telecommunications Act do not include special access, and notes that Section 251 sets forth the ILECs' duties to provide interconnection, unbundled network elements and resale, but not special access services.

BellSouth maintains that competitive carriers had captured between 28 and 39 percent of the special access market as of 2000, forcing BellSouth to improve its special access service in order to compete. BellSouth points to improvements in the "On Time Provisioning" and "Mean Time to Restore" measures during 2001 and the first half of 2002. In the area of customer service, BellSouth notes that it provides both standard and customized special access reports, and that it provides provisioning and maintenance guarantees under its FCC Special Access Tariff. The company states that special access Service Installation Guarantee credits during 2001 and through mid-2002 totaled \$4.6 million.

Finally, BellSouth also notes that the FCC is engaged in rulemaking that may lead to the adoption of federal performance measures and standards, including special access metrics.

March 6, 2003

ALEC Coalition Comments

The ALEC Coalition believes special access measures are necessary to protect the quality of service provided by ILEC special access circuits which link ALECs to the vast majority of large potential end-use customers.

In response to BellSouth's claim that special access is a competitive, market-driven service, the ALEC Coalition notes that though some customers may be reached through Competitive Access Providers, most often the ILEC's special access is "the only game in town" for reaching large business, government and institutional customers beyond their own networks. Without special access, even the larger facility-based ALECs such as WorldCom can only reach about 10 percent of the buildings both nationwide and in Florida that house large customers.

In rebuttal to BellSouth's claim that ALECs have not demonstrated a need to use special access as an alternative to UNEs and interconnection, the ALEC Coalition points to FCC rules that restrict the ordering of Enhanced Extended Loops (EELs). These restrictions require a "significant amount of local exchange usage" (i.e. voice traffic) to be carried on an EEL. However, the ALEC Coalition states that because many large telecom users will not "put all their eggs in one telecom provider's basket," UNEs often cannot be used to provide last-mile links between customers and their networks. They also note that ALECs are also restricted to ordering from BellSouth's interstate tariff by the FCC's "10 percent rule" if more than that proportion of interstate traffic is carried.

The ALEC Coalition points out that despite BellSouth's jurisdictional argument, no request is being made that the Florida Public Service Commission "regulate" special access services, but instead it is suggesting that the Commission merely monitor BellSouth's performance via diagnostic measures.

The ALEC Coalition also notes that its members have experienced persistent problems with BellSouth's special access service. In the post-271 approval environment, they state that the possibility of backsliding increases greatly.

ALECs point out that several state commissions have been prompted by concerns about poor special access performance to investigate the ILECs' provisioning of these services and how the ILECs' performance should be measured. WorldCom states that it has experienced "persistent special access provisioning problems with BellSouth" and that it has also "experienced continuing problems with BellSouth's maintenance and repair of special access circuits." Similarly, AT&T claims to have experienced problems.

The ALECs also point out that the FCC noted the importance of special access circuits, and acknowledged the complaints about how ILECs provision them in its November 19, 2001 Notice of Proposed Rulemaking (FCC 01-339) regarding the development of federal performance measures. The FCC stated that ILEC performance has been "characterized by delay, poor quality and discrimination." The ALECs note that the FCC also sought input on the potential role of state commissions. The ALECs state that the Commission should move forward with monitoring special access because FCC action may not be taken soon enough to prevent significant detriment to ALECs. They also note that such monitoring efforts will assist both the FCC and the FPSC in determining the need for special access performance measures.

In response to BellSouth's claims of providing superior service, WorldCom and AT&T state that they are prohibited from publicly disclosing BellSouth's results due to confidentiality requirements imposed by BellSouth. AT&T does compare BellSouth's performance to that of seven other access service providers that self-report to AT&T. Blocked by confidentiality from providing specific results, AT&T notes that BellSouth's performance falls within the lower half for seven of what it calls the ten "critical" direct measures of special access quality. WorldCom notes that it differs with BellSouth over the business rules and exclusions that it uses in calculating its special access performance results.

Finally, in response to BellSouth's point that the FCC is engaged in rulemaking that may lead to the adoption of federal special access metrics, the ALEC Coalition notes that there is no date or timetable for the FCC to act and that several states have chosen not to wait on the FCC in this matter.

Staff Comments

Staff agrees with BellSouth that, in some cases, special access is a competitive product, but notes that the ALEC Coalition's numbers show it is far more common that BellSouth is the dominant or sole provider available to ALECs. Staff notes that to BellSouth, special access service paradoxically represents both a revenue source and a means of assisting with the loss of valuable customers. Therefore, staff believes an incentive could exist for BellSouth to provide sub-par special access service and provisioning.

Regarding the ALEC Coalition's contention that BellSouth's special access performance has been poor and BellSouth's contention that it provides superior service, staff believes it would be wise to implement diagnostic measures as a means of gathering data to study this issue. Staff notes that ALEC and BellSouth claims paint conflicting pictures of the quality of BellSouth's special access service. In defense of its performance, BellSouth cites \$4.6 million in special access customer credits or penalties, which would seem, in fact, to support the ALECs' position.

In the matter of state versus federal jurisdiction, staff agrees with the ALEC Coalition that if the Commission adopts diagnostic performance measures, it will not be exercising regulatory authority over BellSouth's interstate special access services; it will merely be monitoring BellSouth's performance in this area. Staff believes the Commission has both a right and a substantial obligation to determine whether BellSouth's performance in this area could be harming ALECs. At a minimum, the Commission is authorized by Section 364.27, Florida Statutes, to investigate interstate matters that arise in this state and to report any unlawful or discriminatory practices related thereto to the FCC.

Because the ALEC Coalition's proposed diagnostic measures would not trigger remedy payments, there is no real adverse impact to BellSouth even if the JCIG measures were eventually proven to be unrealistic or unachievable. In fact, adopting diagnostic measures and collecting data for a period of time will aid the Commission in determining what level of performance is achievable in the next six-month performance measures review.

DOCKET NO. 000121A-TP
March 6, 2003

BellSouth has previously been directed by the Georgia Public Service Commission and the Tennessee Regulatory Authority to implement these diagnostic special access measures. Therefore, staff believes that capturing Florida results for these measures should not be burdensome to the company.

CONCLUSION: Staff recommends that the Commission approve the diagnostic special access measures and benchmarks included in Attachment 3 and that BellSouth be required to implement them within 60 days of the Commission's Proposed Agency Action Order, unless protested.

ISSUE 4: Should the Commission approve the BellSouth policy on reposting of performance data and recalculation of SEEM payments?

RECOMMENDATION: No. Staff recommends that BellSouth be ordered to revise its reposting policy to include all SQM measurements and to eliminate the 100-transaction threshold. Additionally, BellSouth should be required to provide the reason for any reposting. If the Commission approves staff's recommended changes, staff recommends that BellSouth be required to implement them within 60 days of the Commission's Proposed Agency Action Order unless protested.
(HARVEY)

STAFF ANALYSIS: By Order No. PSC-01-1819-FOF-TP, issued September 10, 2001, the Commission ordered BellSouth to produce complete and accurate performance measurement reports. A \$400 per day penalty was required if **any** of the required data was not calculated as specified in the SQM.

During the six-month review, staff became aware of a reposting policy that BellSouth had unilaterally implemented. Staff obtained a copy of that reposting policy upon request on November 1, 2002. The policy BellSouth has implemented is as follows:

**BellSouth's Policy On
Reposting Of Performance Data and Recalculation of SEEM Payments**

BellSouth will make available reposted performance data as reflected in the Service Quality Measurement ("SQM") reports and the Monthly State Summary ("MSS") report and recalculate Self-Effectuating Enforcement ("SEEM") payments using the Parity Analysis and Remedy Information System (PARIS), to the extent technically feasible, under the following circumstances:

- (1) Only those measures included in a state's specific SEEM plan with corresponding sub-metrics are subject to reposting. The measures subject to reposting will be adjusted to reflect any changes in the measures included in the SEEM plans.

- (2) Performance sub-metric calculations for SEEM Measures as reflected in the MSS that result in a shift in the performance in the aggregate from an "in parity" condition to an "out of parity" condition will be available for reposting.
- (3) Performance sub-metric calculations for SEEM Measures with benchmarks that are in an "out of parity" condition will be available for reposting whenever there is a greater than 2% deviation in performance at the sub-metric level, provided that there are at least 100 CLEC transactions in the sub-metric.¹
- (4) Performance sub-metric calculations for SEEM Measures with retail analogues that are in an "out of parity" condition will be available for reposting whenever there is a .5 change in the z-score at the sub-metric level, provided that there are at least 100 CLEC transactions in the sub-metric.²
- (5) Performance data will be available with the updated data for a maximum of three months in arrears. Performance data charts (MSS Charts) that incorporate updated data will only be generated as part of the normal monthly production cycle. A notice will be placed on the PMAP website advising CLECs when reposted data is available.

¹This 100 CLEC transaction threshold does not apply to those sub-metrics associated with Local Interconnection Trunks and those performance measures involving BellSouth's collocation and change management performance.

²This 100 CLEC transaction threshold does not apply to those sub-metrics associated with Local Interconnection Trunks and those performance measures involving BellSouth's collocation and change management performance.

- (6) When updated performance data has been made available for reposting or when a payment error in PARIS has been discovered, BellSouth will recalculate applicable SEEM payments. Where technically feasible, SEEMS payments will be subject to recalculation for a maximum of three months in arrears from the date updated performance data was made available or the date when the payment error was discovered.
- (7) Any adjustments for underpayment of Tier 1 and Tier 2 calculated remedies will be made consistent with the terms of the state-specific SEEM plan, including the payment of interest. Any adjustments for overpayment of Tier 1 and Tier 2 remedies will be made at BellSouth's discretion.
- (8) Any adjustments for underpayments will be made in the next month's payment cycle after the recalculation is made. The final current month PARIS reports will reflect the transmitted dollars, including adjustments for prior months where applicable. Questions regarding the adjustments should be made in accordance with the normal process used to address CLEC questions related to SEEM payments.

ALEC Coalition Comments

On November 19, 2002, the ALEC Coalition filed comments in the six-month review, which included comments on the BellSouth reposting policy described above. The Coalition, comprised of AT&T, Worldcom, Covad, Deltacom and Mpower, identified three major concerns with the reposting policy. The first is that BellSouth's policy is inappropriate because it allows BellSouth to report incorrect data. The second is that it does not require BellSouth to adequately calculate SEEM remedies, and the third is that the policy violates the Commission's Performance Measure Order (PSC-01-1819-FOF-TP).

More specifically, the Coalition stated that only 37 of the 74 measures ordered by the Commission are subject to correction if errors are detected. Additionally, the exclusion for less than 100 transactions shields a significant number of sub-metrics from error correction. The Coalition explains that in the September 2002 MSS report for Florida, there were 183 sub-metrics with noncompliant performance at the aggregate level. Of the 183, 82 had less than 100 transactions. Therefore, 45 percent of the sub-measures would not be corrected if found to be in error.

The Coalition was also concerned with the less than two percent threshold for benchmark measures and the .5 percent z-score change threshold for parity measures. The Coalition believes that this exclusion can hide a large quantity of errors in the original data. Additionally, the policy does not appear to require correction of ALEC-specific SQM reports when aggregate reposting occurs.

FCC and DOJ Comments

In the recent 271 evaluation conducted by the Department of Justice and the FCC, both identified concerns with this policy which was provided to them during the 271 application process. The October 25, 2002 Department of Justice (DOJ) evaluation noted several concerns regarding BellSouth's reposting policy. The DOJ stated that it was concerned about the potential effect of this policy on the accuracy of BellSouth's reported performance data. The DOJ stated that it believes that carriers and regulators alike have an interest in the reliability of data. The DOJ requested that the FCC carefully examine the policy to ensure that it does not conceal inaccuracies in BellSouth's performance reporting.

Paragraph 16 of the FCC 271 Memorandum Opinion and Order for WC Docket No. 02-307 encourages the state Commissions to continue their review of BellSouth's reposting policy, particularly the impact of the 100 transactions reposting trigger, the omission of some performance measures from the reposting policy, and the potential impact of the reposting policy on penalty payments.

BellSouth Comments

BellSouth filed an affidavit with the FCC discussing its rationale for its reposting policy. BellSouth, through the affidavit of Alphonso J. Varner, stated that it believes that

BellSouth's reposting policy reflects a careful and necessary balance between retroactively restating data where corrections would produce meaningful changes, keeping the data stable enough to be useful to CLECs and regulators alike, and producing enormous amounts of data.

Varner stated that the parameters set forth in the policy are designed to ensure that any data that changes in a potentially meaningful way are reposted retroactively; data that changes in minor ways, conversely, should not be reposted retroactively. Reposting every data point, without regard to the significance of the change, would cause confusion among the data users and could jeopardize the production of the current month's data without adding any value to the overall assessment of BellSouth's performance vis-à-vis its wholesale customers.

Paragraph nine of Varner's affidavit stated that state commission approval of this policy is not necessary given BellSouth's obligation to implement policies necessary to effectuate its obligation to post accurate performance data. Varner does state, however, that state commissions can amend the reposting policy in their six-month review process.

Varner stated that it is necessary to understand the cost and effort in reposting performance data. He stated that the rerun (the loading of the data, the reprocessing of the data, and the reformatting and publication of the reports) typically will take three to four days to complete on the servers for each month reposted. Upon completion, another two to three days are spent validating the results.

BellSouth's justification for the 100-transaction minimum arises out of its assessment that a two percentage point change constitutes a potentially meaningful change in the data. With less than 100 transactions, a change in one record would constitute a "meaningful" change at the 2 percent level, a fact that does not appear reasonable on its face. With a 100-transaction minimum, BellSouth stated that at least two records must change to necessitate reposting the data. To illustrate the impact, there are about 2100 sub-metrics for the Resale and UNE modes of entry in the MSS. For the months of May through August, the maximum number of those sub-metrics in the Florida MSS that could have been

affected by the 100-transaction criterion is minimal as shown below.

Month	Sub-metrics < 100 Transactions
May	68
June	69
July	74
August	76

BellSouth concludes that reposting data without regard to the significance of a potential change could cause confusion among data users, add unnecessary cost to the process, and jeopardize the production of the next month's data without adding any value to the overall assessment of BellSouth's performance.

Staff Comments

This Commission ordered BellSouth to provide complete and accurate reports and instituted a \$400 per day penalty **if any** (emphasis added) of the required data is not calculated as specified in the SQM plan. Instead, BellSouth unilaterally developed and implemented its own policy regarding when it will and when it will not repost inaccurate data. By implementing this reposting policy, BellSouth has avoided the imposition of penalties and has admitted that the PMAP results it publishes are not totally accurate. While staff is willing to compromise on the development of a reposting policy, staff disagrees with several provisions of the policy that BellSouth has implemented.

First, staff disagrees that only SEEM measures should be reposted. Staff believes that all of the measures in the SQM are important for ongoing monitoring; otherwise, they would not have been ordered by this Commission. BellSouth's assumption that only the SEEM measures are important is not valid in staff's opinion. Each of the measures ordered by this Commission is essential in developing a complete picture of competitive entry. Non-SEEM

measures were ordered for diagnostic purposes, it is hard to use them as such if the data being reported is not reliable. Staff believes that if there is a significant shift in performance on **any** measure, the data should be reposted. Additionally, staff believes that BellSouth should be required to provide the Commission and ALEC's with the reason for any restatements.

Secondly, staff does not agree with the 100-transaction threshold for reporting errors. In the December 2002, MSS report, there were 204 missed sub-measures. Of those measures missed, 101 had under 100 transactions, which means these results would not be subject to revision. For purposes of ALEC and regulatory oversight, staff believes the data needs to be as accurate as possible. Staff believes that there should not be a transaction limitation. Staff believes that any reposting policy, if necessary, should be based on the relative significance of change of the results, rather than on the number of transactions affected. Staff can agree with BellSouth's proposed significance level of two percent for benchmark measures and the .5 change in z scores for analog measures if the 100 transaction requirement is eliminated.

CONCLUSION: Staff recommends that BellSouth be ordered to revise its reposting policy to include all SQM measurements and to eliminate the 100-transaction threshold. Additionally, BellSouth should be required to provide the reasons for any repostings to the Commission and to ALECs. If the Commission approves staff's recommended changes, staff recommends that BellSouth be required to implement them within 60 days of the Commission's Proposed Agency Action Order, unless protested.

DOCKET NO. 000121A-TP
March 6, 2003

ISSUE 5: Should the Commission provide an implementation date for the revisions to the Performance Assessment Plan required by Order No. PSC-02-1736-PAA-TP, issued December 10, 2002?

RECOMMENDATION: Yes. Staff recommends that the changes required in Order No. PSC-02-1736-PAA-TP should also be implemented within 60 days of the Commission's Proposed Agency Action Order relating to Issues 1 through 4 above. (DODSON, KEATING)

STAFF ANALYSIS: By Order No. PSC-02-1736-PAA-TP, issued December 10, 2002, the Commission adopted the proposed changes to BellSouth's Performance Assessment Plan that were agreed upon by the parties participating in the six-month review process in Docket 000121A-TP. The Order failed, however, to specify an implementation date for these changes. Staff recommends, therefore, that the changes required in Order No. PSC-02-1736-PAA-TP should also be implemented within 60 days of the Commission's Proposed Agency Action Order relating to Issues 1-4 above. Staff notes that Order PSC-02-1736-PAA-TP was not protested, and as such the changes approved therein are already final and effective.

CONCLUSION: Staff recommends that the changes required in Order No. PSC-02-1736-PAA-TP should also be implemented within 60 days of the Commission's Proposed Agency Action Order relating to Issues 1 through 4 above.

DOCKET NO. 000121A-TP
March 6, 2003

ISSUE 6: Should this docket be closed?

RECOMMENDATION: No, if no person whose substantial interests are affected files a protest within 21 days of the issuance date of the Order, the Order will become final upon the issuance of a Consummating Order. If no timely protest of the Commission's Proposed Agency Action Order is filed, the approved changes should be implemented within 60 days of the Proposed Agency Action Order. Thereafter, this Docket should remain open to conduct the periodic six month reviews of the performance assessment plan outlined in Order No. PSC-01-1819-FOF-TP. Any protest of the Commission's decision in this matter should identify with specificity the item or measure being protested, and any such protest should not prevent the remainder of the Order from becoming final and effective.
(DODSON, KEATING)

STAFF ANALYSIS: If no person whose substantial interests are affected files a protest within 21 days of the issuance date of the Order, the Order will become final upon the issuance of a Consummating Order. The docket should remain open to conduct the periodic six month review cycles of the performance assessment plan outlined in Order No. PSC-01-1819-FOF-TP.

Proposed Changes Recommended by Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measure and Recommended Changes
Pre-Ordering	
1.	PO-2 Loop Makeup-Response Time-Electronic Delete reference to LENS in business rules and add clarifying language to state "LRS submitted via LENS will be reflected in the results for the TAG interface".
Ordering	
2.	O-2 Acknowledgment Message Timeliness Benchmark for EDI should be changed to "99.9%".
3.	O-3 Percent Flow Through Service Requests (Summary) O-4 Percent Flow Through Service Requests (Detail) The following modifications should be made to the benchmarks: UNE 85% UNE-P 90% LNP 85%
4.	O-7 Percent Rejected Services Request Add "LSRs identified as projects" to Exclusions.
5.	O-11 FOC and Reject Response Completeness Add "LSRs identified as projects" to Exclusions.
6.	O-12 Speed of Answer in Ordering Center BellSouth should not combine its Business Service Center and Residence Service Center calls to measure against CLEC performance. CLEC answer time should be compared to BellSouth's Business Service Center answer time.

Proposed Changes Recommended by Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measure and Recommended Changes
Provisioning	
7.	<p>P-2A Jeopardy Notice Interval</p> <p>Add "Orders for which a jeopardy is identified on the due date" Exclusions. BellSouth should further note in the exclusion language that "This exclusion only applies when the technician on premise has attempted to provide service but must refer to Engineer or Cable Repair for facility jeopardy".</p>
8.	<p>P-3 Percent Missed Installation Appointments</p> <p>a. Add this measurement to the Florida SQM</p> <p>b. The UDC product should be removed from the UNE ISDN category in the disaggregation of this measure. UNE ISDN should be compared to the retail analog ISDN-BRI.</p> <p>c. UNE UDC/IDSL should be compared to the retail analog retail ISDN-BRI in the disaggregation of this measure.</p> <p>d. UNE Line Splitting should be compared to ADSL provided to Retail in the disaggregation of this measure.</p> <p>e. Add "all orders cancelled prior to the due date and orders that are to be provisioned on the same day as they are placed (zero due date orders)" to the list of Exclusions.</p>
9.	<p>P-3A Percent Missed Installation Appointments Including Subsequent Appointments</p> <p>Eliminate this measurement.</p>

Proposed Changes Recommended by Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measure and Recommended Changes
10.	<p>P-4 Average Order Completion Interval and Order Completion Interval Distribution</p> <p>a. Add this measurement to the Florida SQM.</p> <p>b. Add a benchmark of "5 days" to the UNE UCL level of disaggregation.</p> <p>c. UNE UDC/IDSL should be compared to the retail analog ISDN-BRI in the disaggregation of this measure.</p> <p>d. Add this measurement to SEEM Tier 1 and Tier 2.</p>
11.	<p>P-4A Average Order Completion and Completion Notice Interval Distribution</p> <p>Eliminate this measurement.</p>
12.	<p>P-7B Coordinated Customer Conversions-Average Recovery Time</p> <p>a. Modify the benchmark for Unbundled Loops with INP. Replace "Diagnostic" with "≤ 5 hours".</p> <p>b. Modify the benchmark for Unbundled Loops with LNP. Replace "Diagnostic" with "≤ 5 hours".</p>
13.	<p>P-7C Hot Cut Conversions-% Provisioning Troubles Received Within 7 Days of a Completed Service Order</p> <p>Modify the benchmark for UNE Loop Design and UNE Loop Non-Design. The benchmark for both should be "$\leq 3\%$"</p>
14.	<p>P-10 Total Service Order Cycle Time</p> <p>Eliminate this measurement.</p>

**Proposed Changes Recommended by Staff
 Florida BellSouth Performance Assessment Plan
 Six Month Review**

Item	Performance Measure and Recommended Changes
15.	<p>P-11 Service Order Accuracy</p> <ul style="list-style-type: none"> a. Modify the Definition of measurement: BellSouth should measure all partially mechanized orders via a mechanized process. Fully-mechanized and non-mechanized orders would not be sampled. b. Establish an Industry Taskforce to address practical and technical problems encountered in calculating service order accuracy performance based on an automated review of partial-mechanized orders. During this time, BellSouth should continue to report service order accuracy performance and pay any associated remedies consistent with the current Service Order Accuracy performance measurement. c. Modify the Report Structure: Delete "Reported in categories of < 10 line/circuits:≥10 line/circuits" and "Dispatch/Non Dispatch". Replace these with "Regional".
Maintenance and Repair	
16.	<p>M&R-4 Percent Repeat Troubles Within 30 Days</p> <ul style="list-style-type: none"> a. The calculation of the interval of repeat troubles should be from the date the first trouble is cleared to the date the second trouble is received. b. Amend the wording to the Definition, Business Rules, and Calculation sections of measurement M&R-4 Percent Repeat Troubles Within 30 Days SQM to clarify the ambiguity in the time-stamps used to determine the percentage of repeat troubles.

Proposed Changes Recommended by Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measure and Recommended Changes
Billing	
17.	B-10 Percent Billing Errors Corrected in X Days <ul style="list-style-type: none">a. The geographic scope of the measurement should be regional and state specific.b. Add to SEEM Tier I and Tier II.c. Benchmark should be 90 percent of all billing disputes being completed within 45 business days.
Trunk Group Performance	
18.	TGP-1 Trunk Group Performance-Aggregate TGP-2 Trunk Group Performance-CLEC Specific <ul style="list-style-type: none">a. Add "orders that are delayed or refused by the ALEC" to the list of "Exclusions".b. BellSouth should be required to notify the ALEC when such blocking meets this exclusion criteria (orders that are delayed or refused by the ALEC) and report the results, both with and without the exclusions.c. Add "trunk groups blocked due to unanticipated significant increases in ALEC traffic" to list of "Exclusions".

Proposed Changes Recommended by Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measure and Recommended Changes
	<p>TGP-1 Trunk Group Performance-Aggregate (continued) TGP-2 Trunk Group Performance-CLEC Specific (continued)</p> <p>d. BellSouth should note in its SQM that an unanticipated significant increase in traffic is indicated by a 20% increase for small trunk groups ro 1800 CCS for large groups over the previous months traffic when the increase was not forecast by the ALEC.</p> <p>e. Modify benchmark for trunk blockage to "any two consecutive hour period in 24 hours".</p>
SEEM Administrative Plan	
19.	<p>Data Reconciliation</p> <p>a. In response to CLEC requests for data reconciliation, BellSouth should make an initial acknowledgment of receipt of the request.</p> <p>b. In response to CLEC requests for data reconciliation, BellSouth should provide a committed due date for a response within five business days of the request.</p> <p>c. BellSouth's Data Reconciliation policy should be posted to BellSouth's PMAP website.</p>

Proposed Changes Not Recommended By Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measurement and Proposed Changes
Pre-Ordering	
1.	<p>OSS-2 OSS Availability (Pre-Ordering/Ordering) OSS-3 OSS Availability (M&R)</p> <p>The ALECs propose to modify business rules regarding downtime.</p> <p>ALECs propose to add language clarifying that if any one component of the route to its backend systems is down, all the other components on that route will be counted down as well. Based on staff's current understanding, staff believes only a component that is actually down should be measured as being down. Many of these systems are transparent to the ALEC and do not effect the service provide to them. Capturing down time for systems that do not affect the ALECs is unfair to BellSouth. At this time, staff also agrees with BellSouth that it is not proper to include in the denominator for this measure the scheduled hours of operability in the month where the whole route to the backend system is up.</p>
Ordering	
2.	<p>O-3 Percent Flow-Through Service Requests (Summary) O-4 Percent Flow-Through Service Requests (Detail)</p> <p>The ALECS propose for BellSouth to measure "achieved/total" flow-through.</p> <p>The ALECS did not provide enough factual data to support a change to this measurement. Staff contends that an "achieved/total" flow-through measurement is not necessary, noting that not <u>every</u> order is designed to flow-through without manual intervention. The current method of measuring flow-through appears to be appropriate at this time.</p>

**Proposed Changes Not Recommended By Staff
Florida BellSouth Performance Assessment Plan
Six Month Review**

Item	Performance Measurement and Proposed Changes
3.	<p data-bbox="289 478 677 510">0-8 Reject Interval</p> <p data-bbox="388 532 1404 606">a. The ALECS propose to delete in the Exclusion of the SQM --"LSRs identified as projects."</p> <p data-bbox="479 638 1453 861">Staff believes the intent of this measurement is to capture LSR rejects within the normal process. This Commission has already excluded projects from other measures. Additionally, BellSouth's Other Supporting Data Files (OSDF) should satisfy the ALECs' request for information on projects.</p> <p data-bbox="388 893 1445 968">b. ALECs propose to modify Exclusions of SQM---Change "LCSC" to "center(s)".</p> <p data-bbox="479 1000 1453 1223">The ALECs have not provided sufficient rebuttal to BellSouth's position that the Complex Resale Services Group (CRSG) only handles complex orders and is a manual process all together. Additionally, the CRSG handles a small volume of orders.</p> <p data-bbox="388 1255 1453 1361">c. ALECs propose to modify the benchmark for partially mechanized to < 5 hrs and non-mechanized to < 10 hrs.</p> <p data-bbox="479 1393 1412 1585">The ALECs did not provide enough factual data to support their position. Staff's examination of commercial data proved to be inconclusive. Only have four months of data where these benchmarks were recently changed.</p>

**Proposed Changes Not Recommended By Staff
Florida BellSouth Performance Assessment Plan
Six Month Review**

Item	Performance Measurement and Proposed Changes
4.	<p data-bbox="272 464 641 491">O-9 FOC Timeliness</p> <p data-bbox="370 527 1352 659">a. BellSouth proposes to modify the benchmark to reduce the benchmark for fully mechanized FOCs from 95 percent within 3 hours to 94 percent within 3 hours.</p> <p data-bbox="462 705 1427 1346">In BellSouth's comments filed in November 2002, BellSouth requested for additional time conduct further analysis of its FOC data to determine if certain product groups or ordering types are consistently affected by the requirement for an electronic facility check. In it's January 2003 Response to Action Items BellSouth stated that one percent of its total LSRs submitted in October and November 2002 required an electronic facilities check. The incremental time to perform the facilities check consumed half (or more) of the allotted 3 hour interval to return a fully mechanized FOC. Consequently, to account for the additional time required to perform the electronic facility check, BellSouth proposes to reduce the benchmark for fully mechanized FOCs from 95 percent within 3 hours to 94 percent within 3 hours.</p> <p data-bbox="462 1392 1406 1675">In response to BellSouth's position, The ALECs stated that BellSouth produced no data in support of its request that the FOC standard should be lessened for all sub-measures. The ALECs further contend that BellSouth's reported data indicates that it is performing far better than the current 95 percent within 3 hour standard for many sub-measures.</p>

**Proposed Changes Not Recommended By Staff
Florida BellSouth Performance Assessment Plan
Six Month Review**

Item	Performance Measurement and Proposed Changes
	<p>O-9 FOC Timeliness (continued)</p> <p>Staff's examination of the FOC commercial data confirms the ALECs' analysis. Additionally, although BellSouth claims that a facilities check requires an hour and half to perform, BellSouth provided no information as to the additional time beyond the hour and half it took to return the FOC. Staff concurs with the ALECs contention that BellSouth provide additional supporting data to assist staff in assigning a change to this benchmark. Staff believes the benchmark should not be modified at this time based on the arguments presented.</p> <p>b. The ALECs propose to modify disaggregation to include projects (diagnostic).</p> <p>Staff believes the intent of this measurement is to capture LSRs submitted within the normal process. This Commission has already excluded projects from other measures. According to BellSouth, for July and August 2002, projects accounted for .085 percent and .075 percent of the total LSRs submitted. Additionally, BellSouth's Other Supporting Data Files (OSDF) should satisfy the ALECs' request for information on projects.</p> <p>c. The ALECs propose to modify the benchmark for partially mechanized to < 5 hrs and non-mechanized to < 10 hrs.</p> <p>The ALECs did not provide enough factual data to support their position. Staff's examination of commercial data proved to be inconclusive. Only have four months of data where these benchmarks were recently changed.</p>

Proposed Changes Not Recommended By Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measurement and Proposed Changes
5.	<p>O-11 FOC and Reject Response Completeness</p> <p>The ALECs propose to modify benchmark from 95 percent to 97 percent.</p> <p>The ALECs did not provide enough factual data to support their position. While staff is aware that BearingPoint recommended a benchmark of 99 percent, staff believes this is unreasonable given the considerable change in magnitude. According to BellSouth, at a 95 percent benchmark, BellSouth would be allowed to miss 1 in 20 opportunities and still achieve acceptable performance. A 97 percent benchmark would allow BellSouth to miss only 1 in 33 opportunities. This represents a 40 percent increase in the required level of performance. Staff's examination of recent commercial data reveals that with a benchmark of 95 percent for UNE, BellSouth is not consistently passing for all product categories.</p>
6.	<p>O-12 Speed of Answer in Ordering Center</p> <ul style="list-style-type: none">a. The ALECs propose to delete in the business rules: "service" & "LCSC."b. The ALECs propose to add to the SQM: Report Structure-CRSG and EC Support Desk.c. ALECs propose to delete: Data retained "LCSC".d. ALECs propose to add to disaggregation: CRSG - Parity with Retail.

**Proposed Changes Not Recommended By Staff
Florida BellSouth Performance Assessment Plan
Six Month Review**

Item	Performance Measurement and Proposed Changes O-12 Speed of Answer in Ordering Center (continued) The ALECs did not provide enough factual data to support their position. Staff concurs with BellSouth's position that the effect on these changes is that BellSouth would "add the Complex Resale Services Group (CRSG) and Electronic Commerce-Single Point of Contact support desks to the order centers measured." In other words, the ALECs propose to take the speed of answer in the order center (LCSC) and add it to the speed of answer in two centers that are functionally very different from the LCSC, combining the LCSC with the CRSG or EC-SPOC would no longer provide for a like-to-like comparison with the retail analog.
Provisioning	
7.	P-1 Mean Held Order Interval & Distribution Intervals The ALECS propose to add this measurement to SEEM. Staff contends that this measurement is correlated with Missed Installation Appointments which is already in SEEM. ALECs provided no new information in support of their position. According to BellSouth, the activity that has been measured to date has been of an extremely low volume (less than 2 percent of orders held past the due date). Staff confirmed the low volume based on examination of commercial data (Sep-Nov 2002).

Proposed Changes Not Recommended By Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measurement and Proposed Changes
8.	<p>P-2A Jeopardy Notice Interval P-2B Percentage of Orders Given Jeopardy Notices</p> <p>The ALECS propose to add these measurements to SEEM.</p> <p>Staff agrees with BellSouth's position at that this time that there should be no additional penalty levied for measurements that involve simply informing the ALEC that a missed commitment is a possibility. BellSouth's SEEM already has penalties associated with missed commitments. The effect on the customer comes from a missed appointment, not a jeopardy that might result in a miss. Service not delivered on schedule date is captured in Missed Installation Appointment Measurement. Staff believes that BellSouth should work to improve performance in this area, but does not believe penalties are warranted at this time.</p>
9.	<p>P-3 Percent Missed Installation Appointments</p> <p>a. The ALECs propose to delete: exclusion for "Disconnect (D) & From (F) orders".</p> <p>The ALECs did not provide enough factual data to support their position. Staff agrees with BellSouth's position that D and F orders should be excluded, because missed appointments for these orders do not have the sort of impact on customers that missing other types of installation appointments would undeniably have. Although a D and F order is designated as an appointment, there is no actual "appointment" with a customer. Impact of missing a D or F appointment would not be on the customer, but rather on the ALEC. Although the ALECs allege that a billing problem could occur, they describe no scenario under which this could actually happen.</p>

Proposed Changes Not Recommended By Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measurement and Proposed Changes
	<p>P-3 Percent Missed Installation Appointments (continued)</p> <p>b. The ALECS propose to add to SQM disaggregation-ALEC disconnect requests-dispatch - Benchmark of 95 percent on time.</p> <p>c. ALECs propose to add to SQM Disaggregation-ALEC disconnect requests-central office - Benchmark of 95 percent on time.</p> <p>d. ALECs propose to add to SQM Disaggregation-BST disconnects due to migrations-dispatch - Benchmark of 95 percent on time.</p> <p>e. ALECs propose to add to SQM Disagg-BST disconnect due to migrations-central office - Benchmark of 95 percent on time.</p> <p>The ALECs did not provide enough factual data to support their position in b through e above. ALECs have provided no rationale as to why the disaggregation is needed or why the benchmark should be at 95 percent.</p>
10.	<p>P-5 Average Completion Notice Interval</p> <p>The ALECs propose to add this measurement to SEEM.</p> <p>At this time, staff agrees with BellSouth's position that the ACNI measurement has little to no affect on the customer. As noted by BellSouth, if the ALECs believe that they need to have notice of order completion almost immediately, they always have the option of obtaining it themselves. Order status is listed on CSOTS which appears both on the BellSouth website and as part of TAG and LENS interface.</p>

**Proposed Changes Not Recommended By Staff
Florida BellSouth Performance Assessment Plan
Six Month Review**

Item	Performance Measurement and Proposed Changes
11.	<p data-bbox="272 453 792 485">P-11 Service Order Accuracy</p> <p data-bbox="370 516 1425 579">a. ALECs propose to add this measurement to SEEM Tier 1, once BellSouth has mechanized this measure.</p> <p data-bbox="461 621 1425 978">The ALECs did not provide enough factual data to show that this measurement needs to be added to SEEM Tier 1. Additionally, the calculation of this measurement is being changed. At the request of BellSouth, staff agrees to the establishment of an Industry Taskforce to determine how to best proceed with implementation of measuring Service Order Accuracy. Staff contends that adding this measurement to SEEM Tier 1 during this six-month review would be premature.</p> <p data-bbox="370 1020 1425 1188">b. ALECs propose to add to definition of SQM: definition-"orders that require manual handling" and also "For manually submitted orders where CLECs have no alternative, BST will use a sampling process of non-mechanized/manually submitted LSR".</p> <p data-bbox="461 1230 1328 1377">Staff is proposing that BellSouth measure all partially mechanized orders via a mechanized process. Fully-mechanized and non-mechanized orders would not be sampled.</p> <p data-bbox="370 1419 1393 1482">c. ALECS propose to delete:: Exclusion for "Listing Orders".</p> <p data-bbox="461 1524 1409 1881">At this time, staff agrees with BellSouth's position. BellSouth argues that it is not practical to provide information on listings as part of this measurement. The directory listings information is not captured in the measurement, Missed Installation Appointments, and the data compiled for that measurement is the source from which samples are pulled for the SOA measurement. Additionally, directory listing information is part of measurement D-2.</p>

Proposed Changes Not Recommended By Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measurement and Proposed Changes
Maintenance and Repair	
12.	<p> M&R-1 Missed Repair Appointments M&R-2 Customer Trouble Report Rate M&R-3 Maintenance Average Duration M&R-4 Percent Repeat Trouble within 30 Days M&R-5 Out of Service > 24 Hours </p> <p> ALECs propose to add verbiage to exclusion section to each of these measurements: Add verbiage "The number of trouble tickets excluded will be reported for this measure" </p> <p> BellSouth's proposal of providing Other Supporting Data File (OSDF) information should satisfy the ALECs' request of including "excluded" raw data. </p>
13.	<p> M&R-4 Percent Repeat Trouble within 30 Days </p> <p> ALECs propose to add to the business rules: Include "Troubles closed to a non-excluded code will be counted as repeats even if the prior trouble closure was an excluded code." </p> <p> The ALECs did not provide enough factual data to support their position. Additionally, staff agrees with BellSouth's position at this time that the ALECs' proposal is inappropriate because there is no "repeat trouble", instead, there are two separate troubles—one attributable to the customer and a second (which is the first) attributable to BellSouth. The ALECs propose the counting of a second trouble as a "repeat", even if the first trouble was not the fault of BellSouth, but is rather something properly attributable to the customer. </p>

Proposed Changes Not Recommended By Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measurement and Proposed Changes
Billing	
14.	<p>B-5 Usage Data Delivery Timeliness</p> <p>The ALECs propose to add this measurement to SEEM.</p> <p>The ALECs did not provide enough factual data to show that this measurement needs to be added to SEEM. Staff agrees with BellSouth's position at this time that daily usage data is only necessary for billing if customers are billed on a usage basis. The overwhelming majority of ALECs bill their customers a flat fee for local service. Recent commercial data results show no indication of discrimination in performance for this measurement.</p>
Trunk Group Performance	
15.	<p>TGP-1 Trunk Group Performance Aggregate TGP-2 Trunk Group Performance CLEC Specific</p> <p>a. ALECs propose to add to Business Rules: "Any trunk group blocking for more than an hour four times during the month is counted even if those times vary from the time-of-day analysis."</p> <p>The ALECs did not provide enough factual data to support their position. According to BellSouth, the ALECs propose to deal with the "time consistent busy hour." ALECs contend that the use of time consistent busy hour is not a proper way to measure trunk blockage in the current environment. BellSouth agrees, and BellSouth does not use a single time consistent busy hour for this reason. Thus, BellSouth is already doing what the ALECs appear to request through this change in the measurements.</p>

Proposed Changes Not Recommended By Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measurement and Proposed Changes
	<p>TGP-1 Trunk Group Performance Aggregate (continued) TGP-2 Trunk Group Performance CLEC Specific (continued)</p> <p>b. ALECs propose to delete to benchmark: "by more than .5 percent"</p> <p>The ALECs did not provide enough factual data to support their position. According to BellSouth, BellSouth uses .5 percent as a materiality threshold because, from a practical as well as a statistical standpoint, parity does not mean that trunk blockage for ALECs and for BellSouth is exactly the same for each hour period. BellSouth uses the .5 percent materiality threshold to account for the variability that exists because ALEC trunk groups are generally smaller and subject to more significant growth, on a percentage basis, than BellSouth's trunk groups.</p>
Change Management	
16.	<p>CM-2 Change Management Notice Average Delay Days</p> <p>The ALECs propose to add this measurement to SEEM.</p> <p>Staff has seen no evidence to support inclusion of CM-2 into SEEM. No data has been reported indicating that BellSouth is failing to meet the benchmark. At this time, staff believes CM-1 is indicative of overall Change Management Notice Performance.</p>

Proposed Changes Not Recommended By Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measurement and Proposed Changes
17.	<p>CM-4 Change Management Average Documentation Average Delay Days.</p> <p>The ALECs propose to add this measurement to SEEM.</p> <p>Staff has seen no evidence to support inclusion of CM-4 into SEEM. No data has been reported indicating that BellSouth is failing to meet the benchmark. At this time, staff believes CM-2 is indicative of overall Change Management Documentation Performance.</p>
18.	<p>CM-6 Percent of Software Errors Corrected in X (10, 30, 45 Business Days)</p> <p>ALEC's propose a more significant remedy payment (\$35,000 for Tier I and \$35,000 for Tier II).</p> <p>Measurement is relatively new (implemented in August 2002). Staff's examination of commercial data results indicates that not enough data was captured to determine if remedy payments should be increased.</p>
19.	<p>CM-7 Percent of Change Requests Accepted or Rejected Within 10 Days</p> <p>ALECs propose a more significant remedy payment.</p> <p>Staff disagrees with the ALECs' proposal.</p> <p>Measurement is relatively new (implemented in August 2002). Staff's examination of commercial data results indicates that not enough data was captured to determine if remedy payments should be increased.</p>

Proposed Changes Not Recommended By Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measurement and Proposed Changes
20.	<p>CM-9 Change Management Number of Defects in Production Releases</p> <p>ALECs propose to add this measurement to SEEM Tier 1 and Tier II.</p> <p>Measurement is new (implemented in August 2002). Not enough data captured to determine if this measurement should be added to SEEM.</p>
21.	<p>CM-10 Software Validation</p> <p>a. The ALECs propose that weighting the testing of preorder and order scenarios be changed to mimic actual distribution of transactions.</p> <p>Based on staff's current understanding, staff believes weighting tables should be reasonably consistent with the distribution of transactions placed by ALECs to BellSouth's pre-ordering and ordering systems. Staff notes that, according to BellSouth Flow Through Reports for October, November and December 2002, the actual distribution of resale and UNEs was reasonably close to the distribution of ALEC orders in the same period. Staff believes that BellSouth needs to remain flexible so it can modify the weighting tables as needed to adapt to potential changes in transaction distributions in the near future. Placing the tables in the SQM would inappropriately limit BellSouth in that respect.</p>

**Proposed Changes Not Recommended By Staff
Florida BellSouth Performance Assessment Plan
Six Month Review**

Item	Performance Measurement and Proposed Changes
	<p>CM-10 Software Validation (continued)</p> <p>Staff recognizes BellSouth's obligation to have order and pre-order transaction samples that are representative of all ALECs it serves, no matter their business model, including those not operating in Florida. Staff believes that not all ALECs would necessarily agree on the testing distribution. For example, some are facilities based, others are re-sellers. Staff encourages BellSouth and ALECs to collaborate using existing testing forums to openly discuss issues surrounding appropriate weighting of transactions. In the future, the parties could consider collaboration to include the design of testing scenarios and their weighting on a release basis to incorporate ALEC input on factors such as changes being made, current volumes, and other issues.</p> <p>b. The ALECs propose that CM-10 be conducted in the production environment rather than the CLEC Application Verification Environment (CAVE)</p>

Proposed Changes Not Recommended By Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measurement and Proposed Changes
	<p>CM-10 Software Validation (continued)</p> <p>Staff notes that BellSouth executes test cases for the CM-10 measure in a non-production environment, CAVE. BellSouth explains that to test those cases in production would require manual intervention to prevent the test orders from moving to provisioning personnel as valid orders that need to be filled. Another alternative would be a costly modification to current production systems to prevent test orders from reaching the Service order Completion System (SOCS). Staff agrees with BellSouth at this time that the point of testing is primarily to check functionality of new software. In the recently completed Third Party Test of BellSouth Operating and Support Systems, CAVE was examined to verify that it mirrored production systems. It was found to be effectively the same based on varying volumes and test case scenarios. BellSouth further said that it loads the same new software into CAVE that it places into production.</p> <p>Absent evidence that CAVE does not mirror production, Staff cannot concur with the ALECs that testing should necessarily be done in the production environment.</p>
22.	<p>CM-11 Percent of Change Requests Implemented within 60 weeks of Prioritization</p> <p>ALECS propose a more significant remedy payment (\$100,000 for Tier I and \$100,000 for Tier II).</p> <p>Measurement is relatively new (implemented in August 2002). Staff is currently recommending changes to the existing measurement. See Issue 3.</p>

Proposed Changes Not Recommended By Staff Florida BellSouth Performance Assessment Plan Six Month Review	
Item	Performance Measurement and Proposed Changes
Add New Performance Measurement	
<p>23.</p>	<p>Ordering Trouble Ticket Responses in 48 Hours</p> <p>ALECs propose to add this new measurement to BellSouth's SQM.</p> <p>The ALECs did not provide enough factual data to support their position. Staff believes that this measurement would not be objective. Some ordering trouble tickets can be resolved in 48 hours, others cannot. Additionally, staff agrees with BellSouth's position at this time that the ALECs' proposal would be overly burdensome. The ALECs' proposal requires BellSouth to measure the response time for essentially any question the ALECs may have, and would pose to BellSouth employees at any one of five different locations/work groups within BellSouth (LCSC, CRSG, LISC, EC Support)</p>
<p>24.</p>	<p>Percent Line Loss Notifications Returned within 24 Hours of Disconnect Order Completion and Average Delay for Line Loss Notifications.</p> <p>ALECs propose to add this new measurement to BellSouth's SQM.</p> <p>The ALECs contend that changes in software often bring new problems for ALECs in receiving the line loss reports that they need to stop their own billing of customers lost to BST or other ALECs. It is staffs understanding that billing is not triggered by line-loss, but by change-orders. Additionally, staff agrees with BellSouth that since the customer in question is served by the ALEC, the ALEC should have contact with the customer and keep track of the status of the customer's service rather than expecting BellSouth to do so.</p>

BellSouth Performance Measurements and Standards

ORDERING

Measurement: SA-1 FOC Receipt

Description

The Firm Order Confirmation (FOC) is the BellSouth response to an Access Service Request (ASR), whether an initial or supplement ASR, that provides the CLEC or IXC Carrier with the specific Due Date on which the requested circuit or circuits will be installed. BellSouth will conduct a minimum of an electronic facilities check to ensure due dates delivered in FOCs can be relied upon. The performance standard for FOCs received within the standard interval is expressed as a percentage of the total FOCs received during the reporting period. A diagnostic distribution is required along with a count of ASRs withdrawn at BellSouth's request due to a lack of BellSouth facilities or otherwise.

Calculation Methodology

Percent Meeting Performance Standard:

$$\frac{[\text{Count FOCs received where (FOC Receipt Date - ASR Received Date) } \leq \text{Performance Standard}]}{\text{Total FOCs received during reporting period}} \times 100$$

FOC Receipt - Distribution:

(FOC Receipt Date - ASR Received Date), for each FOC received during reporting period, distributed by:
0 days, >0 - <=1 day, >0 day - <=2 days, >0 day - <= 5 days, > 2 days - <= 10 days, > 10 days

ASRs Withdrawn at BellSouth Request due to a lack of BellSouth Facilities or Otherwise

Count of ASRs, which have not yet received a FOC, Withdrawn at BellSouth's Request, during the current reporting period, due to a lack of BellSouth facilities or otherwise

Business Rules

1. Counts are based on each instance of a FOC received from BellSouth. If one or more Supplement ASRs are issued to correct or change a request, each corresponding FOC, which is received during the reporting period, is counted and measured.
2. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
3. Projects are included.

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3 (Non Optical)
- DS3 (Optical OCn)

BellSouth Performance Measurements and Standards

Performance Standard

Percent FOCs Received within Standard - DS0 => 98.0% within 2 business days
- DS1 => 98.0% within 2 business days
- DS3 => 98.0% within 5 business days
- OCn - ICB (Individual Case Basis)

FOC Receipt Distribution - Diagnostic

ASRs Withdrawn at BellSouth's Request Due to a Lack of BellSouth Facilities or Otherwise - Diagnostic

BellSouth Performance Measurements and Standards

ORDERING

Measurement: SA-2 FOC Receipt Past Due

Description

The FOC Receipt Past Due measure tracks all ASR requests that have not received an FOC from BellSouth within the expected FOC receipt interval, as of the last day of the reporting period and do not have an open, or outstanding, Query/Reject. This measure gauges the magnitude of late FOCs. A distribution of these late FOCs, along with a report of those late FOCs that do have an open Query/Reject, is required for diagnostic purposes.

Calculation Methodology

Percent FOC Receipt Past Due - Without Open Query/Reject:

Sum of ASRs without a FOC Received, and a Query/Reject is not open, where (End of Reporting Period – ASR Received Date > Expected FOC Receipt Interval) / Total number of ASRs received during reporting period x 100

FOC Receipt Past Due - Without Open Query/Reject - Distribution:

[(End of Reporting Period – ASR Received date) – (Expected FOC Receipt Interval)] for ASRs without a FOC received and a Query/Reject is not open with the CLEC or IXC Carrier, distributed by;
0 days, >0 - <= 5 days, >5 days - <= 10 days, > 10 days - <= 20 days, > 20 days - <= 30 days, > 30 days - <= 40 days, > 40 days

Percent FOC Receipt Past Due - With Open Query/Reject:

Sum of ASRs without a FOC Received, and a Query/Reject is open, where (End of Reporting Period – ASR Sent Date > Expected FOC Receipt Interval) / Total number of ASRs received during reporting period x 100

Business Rules

1. All counts are based on the latest ASR request sent to BellSouth. Where one or more subsequent ASRs have been sent, only the latest ASR would be recorded as Past Due if no FOC had yet been returned.
2. The Expected FOC Receipt Interval, used in the calculations, will be the interval identified in the Performance Standards for the FOC Receipt measure.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included.

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3 (Non Optical)
- DS3 (Optical OCn)

Performance Standard

Percent FOC Receipt Past Due - Without Open Query/Reject	< 2.0 % FOC Receipt Past Due
FOC Receipt Past Due – Without Open Query/Reject - Distribution	- Diagnostic
Percent FOC Receipt Past Due - With Open Query/Reject	- Diagnostic

BellSouth Performance Measurements and Standards

ORDERING

Measurement: SA-3 Offered Versus Requested Due Date

Description

The Offered Versus Desired Due Date measure reflects the degree to which BellSouth is committing to install service on the CLEC or IXC Carrier Desired Due Date (CDDD), when a Due Date desired is equal to or greater than the BellSouth stated interval. A distribution of the delta, the difference between the CDDD and the Offered Date, for these FOCs is required for diagnostic purposes.

Calculation Methodology

Percent Offered with CLEC or IXC Carrier Requested Due Date:

$$\frac{[\text{Count of ASRs where (FOC Due Date = CDDD)}]}{[\text{Total number of ASRs where (CDDD - ASR Received Date) = > BellSouth Stated Interval}]} \times 100$$

Offered versus Requested Interval Delta – Distribution:

$$[(\text{Offered Due Date} - \text{CDDD}) \text{ where } (\text{CDDD} - \text{ASR Received Date}) = > \text{BellSouth Stated Interval}] \text{ for each FOC received during the reporting period, distributed by: } 0 - \leq 5 \text{ days, } > 5 \text{ days} - \leq 10 \text{ days, } > 10 \text{ days} - \leq 20 \text{ days, } > 20 \text{ days} - \leq 30 \text{ days, } > 30 \text{ days} - \leq 40 \text{ days, } > 40 \text{ days}$$

Business Rules

1. Counts are based on each instance of a FOC received from BellSouth. If one or more Supplement ASRs are issued to correct or change a request, each corresponding FOC, which is received during the reporting period, is counted and measured.
2. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
3. Projects are included.

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3 (Non Optical)
- DS3 (Optical OCn)

Performance Standard

Percent Offered with CDDD (where CDDD = > BellSouth Stated Interval) = 100%

Offered versus Requested Interval Delta – Distribution.....- Diagnostic

BellSouth Stated Intervals: To be determined by BellSouth

BellSouth Performance Measurements and Standards

PROVISIONING

Measurement: SA-4 On Time Performance To FOC Due Date

Description

On Time Performance To FOC Due Date measures the percentage of circuits that are completed on the FOC Due Date, as recorded from the FOC received in response to the last ASR received. Customer Not Ready (CNR) situations are defined as Customer Not Ready (SR), No Access (SA), Customer Requests a Later Date (SL), and Customer Other (SO) which may result in an installation delay. The On Time Performance To FOC Due Date is calculated both with CNR consideration, i.e. measuring the percentage of time the service is installed on the FOC due date while counting CNR coded orders as an appointment met, and without CNR consideration.

Calculation Methodology

Percent On Time Performance to FOC Due Date – With CNR Consideration:

$$\frac{[(\text{Count of Circuits Completed on or before BellSouth Committed Due Date} + \text{Count of Circuits Completed after FOC Due Date with a verifiable CNR code}) / (\text{Count of Circuits Completed in Reporting Period})] \times 100}{100}$$

Percent On Time Performance to FOC Due Date – Without CNR Consideration:

$$\frac{[(\text{Count of Circuits Completed on or before BellSouth Committed Due Date}) / (\text{Count of Circuits Completed in Reporting Period})] \times 100}{100}$$

Note: The denominator for both calculations is the total count of circuits completed during the reporting period, including all circuits, with and without a CNR code.

Business Rules

1. Measures are based on the last ASR received and the associated FOC Due Date received from BellSouth.
2. Selection is based on circuits completed by BellSouth during the reporting period. An ASR may provision more than one circuit and BellSouth may break the ASR into separate internal orders, however, the service order is not considered completed for measurement purposes until all circuits are completed.
3. BellSouth Completion Date is the date upon which BellSouth completes installation of the circuit, as noted on a completion notice to the CLEC or IXC Carrier.
4. Projects are included..
5. A Customer Not Ready (CNR) is defined as a verifiable situation beyond the control of BellSouth that prevents BellSouth from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready. BellSouth must ensure that established procedures are followed to notify the CLEC or IXC Carrier of a CNR situation and allow a reasonable period of time for the CLEC or IXC Carrier to correct the situation.

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3 (Non Optical)
- DS3 (Optical OCn)

BellSouth Performance Measurements and Standards

- **Performance Standard**

Percent On Time to FOC Due Date - With CNR Consideration => 98.0 % On Time

Percent On Time to FOC Due Date - Without CNR Consideration - Diagnostic

BellSouth Performance Measurements and Standards

PROVISIONING

Measurement: SA-5 Days Late

Description

Days Late captures the magnitude of the delay, both in average and distribution, for those circuits not completed on the FOC Due Date, and the delay was not a result of a verifiable CNR situation. A breakdown of delay days caused by a lack of BellSouth facilities is required for diagnostic purposes.

Calculation Methodology

Average Days Late:

$$\frac{\sum [\text{Circuit Completion Date} - \text{BellSouth Committed Due Date (for all Circuits Completed Beyond BellSouth Committed Due Date without a CNR code)}]}{\text{Count of Circuits Completed Beyond BellSouth Committed Due Date without a CNR code}}$$

Days Late Distribution:

Circuit Completion Date - BellSouth Committed Due Date (for all Circuits Completed Beyond BellSouth Committed Due Date without a CNR code) distributed by: <= 1 day, 0 - < 3 days, >1 - <=5 days, >5 - <=10 days, >10 - <=20 days, >20 - <=30 days, >30 - <=40 days, >40 days

Average Days Late Due to a Lack of BellSouth Facilities:

$$\frac{\sum [\text{Circuit Completion Date} - \text{BellSouth Committed Due Date (for all Circuits Completed Beyond BellSouth Committed Due Date without a CNR code and due to a Lack of BellSouth Facilities)}]}{\text{Count of Circuits Completed Beyond BellSouth Committed Due Date without a CNR code and due to a Lack of BellSouth Facilities}}$$

Business Rules

1. Measures are based on the latest valid ASR received and the associated FOC Due Date received from the BellSouth.
2. Selection is based on circuits completed by BellSouth during the reporting period. An ASR may provision more than one circuit and BellSouth may break the ASR into separate internal orders, however, the service order is not considered completed for measurement purposes until all circuits are completed.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included.
5. A Customer Not Ready (CNR) is defined as a verifiable situation beyond the control of BellSouth that prevents BellSouth from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready. BellSouth must ensure that established procedures are followed to notify the CLEC or IXC Carrier of a CNR situation and allow a reasonable period of time for the CLEC or IXC Carrier to correct the situation

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3 (Non Optical)
- DS3 (Optical OCn)

BellSouth Performance Measurements and Standards

<u>Performance Standard</u>	
Average Days Late	< 3.0 Days
Days Late Distribution	- Diagnostic
Average Days Late Due to a Lack of BellSouth Facilities	- Diagnostic

BellSouth Performance Measurements and Standards

PROVISIONING

Measurement: SA-6 Average Intervals - Requested/Offered/Installation

Description

This measure captures three important aspects of the provisioning process and displays them in relation to each other. The Average CLEC or IXC Carrier Requested Interval, the Average BellSouth Offered Interval, and the Average Installation Interval, provide a comprehensive view of provisioning, with the ultimate goal of having these three intervals equivalent.

Calculation Methodology

Average CLEC or IXC Carrier Requested Interval:

$\text{Sum (CDDD - ASR Received Date)} / \text{Total Circuits Completed during reporting period}$

Average BellSouth Offered Interval:

$\text{Sum (FOC Due Date - ASR Received Date)} / \text{Total Circuits Completed during reporting period}$

Average Installation Interval:

$\text{Sum (BellSouth Completion Date - ASR Received Date)} / \text{Total Circuits Completed during reporting period}$

Business Rules

1. Measures are based on the last ASR received and the associated FOC Due Date received from BellSouth.
2. Selection is based on circuits completed by BellSouth during the reporting period. An ASR may provision more than one circuit and BellSouth may break the ASR into separate internal orders, however, the ASR is not considered completed for measurement purposes until all circuits are completed.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included.
5. The Average Installation Interval includes all completions.

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3 (Non Optical)
- DS3 (Optical OCn)

Performance Standard

Average Requested Interval - Diagnostic
Average Offered Interval - Diagnostic
Average Installation Interval - Diagnostic

Bellsouth Performance Measurements and Standards

PROVISIONING

Measurement: SA-7 Past Due Circuits

Description

The Past Due Circuits measure provides a snapshot view of circuits not completed as of the end of the reporting period. The count is taken from those circuits that have received a FOC Due Date but the date has passed. Results are separated into those held for Bellsouth reasons and those held for CLEC or IXC Carrier reasons (CNRs), with a breakdown, for diagnostic purposes, of Past Due Circuits due to a lack of Bellsouth facilities. A diagnostic measure, Percent Cancellations After FOC Due Date, is included to show a percent of all cancellations processed during the reporting period where the cancellation took place after the FOC Due Date had passed

Calculation Methodology
Percent Past Due Circuits:
[(Count of all circuits not completed at the end of the reporting period > 5 days beyond the FOC Due Date, grouped separately for Total Bellsouth Reasons, Lack of Bellsouth Facility Reasons, and Total CLEC/Carrier Reasons) / (Total uncompleted circuits past FOC Due Date, for all missed reasons, at the end of the reporting period)] x 100
Past Due Circuits Distribution:
Count of all circuits past the FOC Due Date that have not been reported as completed (Calculated as last day of reporting period - FOC Due Date) Distributed by: < = 1 day, > 1 - < = 5 days, 0 days - < = 5 days, > 5 - < = 10 days, > 10 - < = 20 days, > 20 - < = 30 days, > 30 - < = 40 days, > 40 days
Percent Cancellations After FOC Due Date:
[Count (All circuits cancelled during reporting period, that were Past Due at the end of the previous reporting period, where (Date Cancelled > FOC Due Date) / (Total circuits Past Due at the end of the previous reporting period)] x 100

Business Rules

1. Calculation of Past Due Circuits is based on the most recent ASR and associated FOC Due Date.
2. An ASR may provision more than one circuit and Bellsouth may break the ASR into separate internal orders, however, the service order is not considered completed for measurement purposes until all segments are completed.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included.
5. A Customer Not Ready (CNR) is defined as a verifiable situation beyond the control of Bellsouth that prevents Bellsouth from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready; Bellsouth must ensure that established procedures are followed to notify the CLEC or IXC Carrier of a CNR situation and allow a reasonable period of time for the CLEC or IXC Carrier to correct the situation

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Record ASRs

Levels of Disaggregation

- DSO / DSI / DS3 (Non Optical) / DS3 (Optical OCn)

BellSouth Performance Measurements and Standards

Performance Standard

Percent Past Due Circuits - Total BellSouth Reasons	< 3.0 % > 5 days beyond FOC Due Date
Percent Past Due Circuits - Due to Lack of BellSouth Facilities	- Diagnostic
Percent Past Due Circuits - Total CLEC Reasons	- Diagnostic
Past Due Circuits Distribution	- Diagnostic
Percent Cancellation After FOC Due Date	- Diagnostic

BellSouth Performance Measurements and Standards

PROVISIONING

Measurement: SA-8 New Installation Trouble Report Rate

Description

New Installation Trouble Report Rate measures the quality of the installation work by capturing the rate of trouble reports on new circuits within 30 calendar days of the installation.

Calculation Methodology

Trouble Report Rate Within 30 Calendar Days of Installation:

$$\frac{[\text{Count (trouble reports within 30 Calendar Days of Installation)}]}{(\text{Total Number of Circuits Installed in the Report Period})} \times 100$$

Business Rules

1. BellSouth Completion Date is the date upon which BellSouth completes installation of the circuit, as noted on a completion advice to the CLEC or IXC Carrier.
2. The calculation for the following 30 calendar days is based on the creation date of the trouble ticket.

Exclusions

- Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
- CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
- BellSouth trouble reports associated with administrative service
- Tickets used to track referrals of misdirected calls
- CLEC or IXC Carrier requests for informational tickets

Levels of Disaggregation

- DS0
- DS1
- DS3 (Non Optical)
- DS3 (Optical OCn)
- Below DS3 (DS0 + DS1)
- DS3 and Above (DS3 + OCn)

Performance Standard

New Installation Trouble Report Rate ≤ 1.0 trouble reports per 100 circuits installed

BellSouth Performance Measurements and Standards

MAINTENANCE & REPAIR

Measurement: SA-9 Failure Rate

Description

Failure Rate measures the overall quality of the circuits being provided by the BellSouth and is calculated by dividing the number of troubles resolved during the reporting period by the total number of "in service" circuits, at the end of the reporting period, and is then annualized.

Calculation Methodology

Failure Rate – Annualized:

$$\text{Failure Rate} = (a / b) * 100$$

- a = Count of trouble reports resolved during a report period
- b = Number of circuits in service at the end of the report period

$$\text{Failure Rate Annualized} = (c / d) * 100$$

- c = Average count of trouble reports closed per month during the past 12 months
- d = Average number of circuits in service per month for the past 12 months

Business Rules

1. A trouble report/ticket is any record (whether paper or electronic) used by BellSouth for the purposes of tracking related action and disposition of a service repair or maintenance situation.
2. A trouble is resolved when BellSouth issues notice to the CLEC or IXC Carrier that the circuit has been restored to operating parameters.
3. Where more than one trouble is resolved on a specific circuit during the reporting period, each trouble is counted in the Trouble Report Rate.

Exclusions:

- Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
- CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
- BellSouth trouble reports associated with administrative service
- CLEC or IXC Carrier requests for informational tickets
- Tickets used to track referrals of misdirected calls

Levels of Disaggregation

- Below DS3 (DS0 + DS1)
- DS3 and Above (DS3 + OCn)
- DS0
- DS1
- DS3 (Non Optical)
- DS3 (Optical Ocn)

Performance Standard

Failure Rate Annualized	- Below DS3	<= 10.0%
	- DS3 and Above	<= 10.0%

BellSouth Performance Measurements and Standards

MAINTENANCE & REPAIR

Measurement: SA-10 Mean Time to Restore

Description

The Mean Time To Restore interval measures the promptness in restoring circuits to operating levels when a problem or trouble is received by BellSouth. Calculation is the elapsed time from the CLEC or IXC Carrier submission of a trouble report to BellSouth to the time BellSouth closes the trouble, less any Customer Hold Time or Delayed Maintenance Time due to valid customer, CLEC, or IXC Carrier caused delays. A breakdown of the percent of troubles outstanding greater than 24 hours, and the Mean Time to Restore of those troubles recorded as NTF / Test OK, is required for diagnostic purposes.

Calculation Methodology

Mean Time To Restore:

$$\Sigma [(Date and Time of Trouble Ticket Resolution Closed to the CLEC or IXC Carrier - Date and Time of Trouble Ticket Received by BellSouth) - (Customer Hold Times)] / (Count of Trouble Tickets Resolved in Reporting Period)$$

% Out of Service Greater than 24 hrs:

$$[Count of Troubles where (Date and Time of Trouble Ticket Resolution Closed to the CLEC or IXC Carrier - Date and Time of Trouble Ticket Received by BellSouth) - (Customer Hold Times) is > 24 hrs / (Count of Trouble Tickets Resolved in Reporting Period)] \times 100$$

Mean Time To Restore - NTF / Test OK:

$$\Sigma [(Date and Time of Trouble Ticket Resolution Closed to the CLEC or IXC Carrier as NTF / Test OK - Date and Time of Trouble Ticket Referred to BellSouth) - (Customer Hold Times)] / (Count of Trouble Tickets Resolved in Reporting Period as NTF / Test OK)$$

Business Rules

1. A trouble report or trouble ticket is any record (whether paper or electronic) used by BellSouth for the purposes of tracking related action and disposition of a service repair or maintenance situation.
2. Elapsed time is measured on a 24-hour, seven-day per-week basis, without consideration of weekends or holidays.
3. Multiple reports in a given period are included, unless the multiple reports for the same customer is categorized as "subsequent" (an additional report on an already open ticket).
4. "Restore" means to return to the expected operating parameters for the service regardless of whether or not the service, at the time of trouble ticket creation, was operating in a degraded mode or was completely unusable. A trouble is "resolved" when BellSouth issues notice to the CLEC or IXC Carrier that the customer's service is restored to operating parameters.
5. Customer Hold Time or Delayed Maintenance Time resulting from verifiable situations of no access to the end user's premises, or other CLEC or IXC Carrier caused delays, such as holding the ticket open for monitoring, is deducted from the total resolution interval.

Exclusions:

- Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
- CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
- BellSouth trouble reports associated with administrative service
- CLEC or IXC Carrier requests for informational tickets
- Trouble tickets created for tracking and/or monitoring circuits
- Tickets used to track referrals of misdirected calls

Levels of Disaggregation

- Below DS3 (DS0 + DS1)
- DS3 and Above (DS3 + OCn)
- DS0
- DS1
- DS3 (Non Optical)
- DS3 (Optical OCn)

BellSouth Performance Measurements and Standards

Performance Standard

Mean Time to Restore	- Below DS3	<= 2.0 Hours
	- DS3 and Above	<= 1.0 Hour
% Out of Service > 24 Hrs		- Diagnostic
Mean Time to Restore -NTF/ Test OK		- Diagnostic

BellSouth Performance Measurements and Standards

MAINTENANCE & REPAIR

Measurement: SA-11 Repeat Trouble Report Rate

Description

The Repeat Trouble Report Rate measures the percent of maintenance troubles resolved during the current reporting period that had at least one prior trouble ticket any time in the preceding 30 calendar days from the creation date of the current trouble report.

Calculation Methodology

Repeat Trouble Report Rate:

$$\frac{[(\text{Count of Current Trouble Reports with a previous trouble, reported on the same circuit, in the preceding 30 calendar days}) / (\text{Number of Reports in the Report Period})] \times 100}{}$$

Business Rules

1. A trouble report or trouble ticket is any record (whether paper or electronic) used by BellSouth for the purposes of tracking related action and disposition of a service repair or maintenance situation.
2. A trouble is resolved when BellSouth issues notice to the CLEC or IXC Carrier that the circuit has been restored to operating parameters.
3. If a trouble ticket was closed out previously with the disposition code classifying it as NTF/TOK, then the second trouble must be counted as a repeat trouble report if it is resolved to BellSouth reasons.
4. The trouble resolution need not be identical between the repeated reports for the incident to be counted as a repeated trouble.

Exclusions:

- Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
- CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
- BellSouth trouble reports associated with administrative service
- Subsequent trouble reports – defined as those cases where a customer called to check on the status of an existing open trouble ticket

Levels of Disaggregation

- Below DS3 (DS0 + DS1)
- DS3 and Above (DS3 + OCn)
- DS0
- DS1
- DS3 (Non Optical)
- DS3 (Optical OCn)

Performance Standards

Repeat Trouble Report Rate

- Below DS3 <= 6.0%
- DS3 and Above <= 3.0%

BellSouth Performance Measurements and Standards

GLOSSARY

Term	Definition
Access Service Request (ASR)	A request to BellSouth to order new service, or request a change to existing service, which provides access to the local exchange company's network, under terms specified in the local exchange company's special or switched access tariffs.
Business Days	Monday through Friday excluding holidays
CDDD	Customer Desired Due Date
Customer Not Ready (CNR)	A verifiable situation beyond the normal control of BellSouth that prevents BellSouth from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready.
(SA)	No access to subscriber premises
(SR)	Customer Not Ready
(SL)	Customer Requests Later Date
(SO)	Customer Other
Facility Check	A pre-provisioning check performed by BellSouth, in response to an access service request, to determine the availability of facilities and assign the installation date.
Firm Order Confirmation (FOC)	The notice returned from BellSouth, in response to an Access Service Request from a CLEC or IXC Carrier that confirms receipt of the request, that a facility has been made, and that a service request has been created with an assigned due date.
NTF	No Trouble Found
Unsolicited FOC	An Unsolicited FOC is a supplemental FOC issued by BellSouth to change the due date or for other reasons, although no change to the ASR was requested by the CLEC or IXC Carrier.
Project	Service requests that exceed the line size and/or level of complexity that would allow the use of standard ordering and provisioning processes.
Query/Reject	BellSouth response to an ASR requesting clarification or correction to one or more fields on the ASR before an FOC can be issued.
Repeat Trouble	Trouble that reoccurs on the same telephone number/circuit ID within 30 calendar days
Supplement ASR	A revised ASR that is sent to change due dates or alter the original ASR request. A "Version" indicator related to the original ASR number tracks each Supplement ASR.
TOK	Test OK

BellSouth Performance Measurements and Standards

Symbols Used In Calculations

A mathematical symbol representing the sum of a series of values following the symbol.

-

A mathematical operator representing subtraction.

+

A mathematical operator representing addition.

/

A mathematical operator representing division.

<

A mathematical symbol that indicates the metric on the left of the symbol is less than the metric on the right.

≤

A mathematical symbol that indicates the metric on the left of the symbol is less than or equal to the metric on the right.

>

A mathematical symbol that indicates the metric on the left of the symbol is greater than the metric on the right.

≥

A mathematical symbol that indicates the metric on the left of the symbol is greater than or equal to the metric on the right.

()

Parentheses, used to group mathematical operations which are completed before operations outside the parentheses.