



Public Service Commission

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-M-E-M-O-R-A-N-D-U-M-

DATE: January 28, 2009
TO: All Parties of Record
FROM: Adam J. Teitzman, Attorney Supervisor, Office of the General Counsel
RE: 000121A-TP—Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. (BellSouth Track)

Notice Seeking Comment

Staff is seeking comments regarding a proposal which resulted from the audit of AT&T's April 2008 OSS release. In a conference call with parties on December 5, 2008, staff proposed that AT&T double the Florida Self-Effectuating Enforcement Mechanism (SEEM) remedies beginning with implementation of the next 22-state release, currently scheduled for July 2009. This increase in SEEM payments would be in lieu of the petitioners' request for the Commission to issue a show cause proceeding to require AT&T to explain why it should not be penalized for its failure to appropriately implement the April Release.

The proposal specifies:

- The remedies would be calculated using the current process. The monthly remedy amount actually transmitted to a CLECs or to the state of Florida would be doubled.
- The doubling shall begin with implementation of the next 22-state release and be for a period of six months.
- The doubling applies to all Tier 1 and Tier 2 SEEM performance measurements.
- The doubling applies to all Florida CLECs eligible to receive Tier 1 remedies.

The April Release audit revealed that AT&T made numerous statements in its key learnings and commitments which promise future compliance with policies or procedures, or improved future performance. With only such statements or promises, commission staff cannot fully opine as to whether appropriate and adequate measures have actually been undertaken to prevent CLEC-impacting issues with future releases. Staff believes the doubling of SEEM payments serves as an incentive to ensure that AT&T's future releases are without major defect.

Comments regarding staff's proposal and rationale to support your position are to be filed by February 6, 2009, with the Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399. Any comments should reference and shall be filed in Docket 000121A-TP.

DOCUMENT NUMBER-DATE

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