

Ruth Nettles

000121A-TP

From: nicki.garcia@akerman.com
Sent: Wednesday, January 20, 2010 4:22 PM
To: Filings@psc.state.fl.us
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Subject: Electronic Filing - Docket No. 000121A
Attachments: 20100120171740101.pdf

Attached is an electronic filing for the docket referenced below. If you have any questions, please contact either Matt Feil or Nicki Garcia at the numbers below. Thank you.

Person Responsible for Filing:

Matthew Feil
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Docket No. and Name: Docket No. 000121A - Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. (AT&T Florida Track)

Filed on behalf of: CompSouth

Total Number of Pages: 5

Description of Documents: CompSouth's follow up items from the December 16th and 17th workshop.

Nicki Garcia

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DOCUMENT NUMBER-DATE

00497 JAN 20 0

FPSC-COMMISSION CLERK

1/20/2010



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January 20, 2010

VIA ELECTRONIC FILING

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shurnard Oak Boulevard
Tallahassee, FL 32399

Re: Docket 000121A -- Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. (AT&T FLORIDA TRACK)

Dear Ms. Cole:

Please find attached for filing CompSouth's follow up items from the December 16th and 17th workshop for the above-referenced docket.

Your assistance in this matter is greatly appreciated. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Matthew Feil".

Matthew Feil

Attachments
cc: Parties

DOCUMENT NUMBER-DATE

00497 JAN 20 09

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ITEM No. 45-A

REQUEST: Based on workshop discussions December 16 & 17, propose revisions to Audit Policy and Dispute Resolution language.

RESPONSE: CompSouth was asked to make requested changes to proposals/concerns of AT&T regarding Audit Policy and Dispute Resolution.

On the audit issue, CompSouth believes that the staff/commission input is important to establishing the circumstances under which AT&T will have to pay for the type of audit contemplated in the plans. However, CompSouth suggests it is better for AT&T to be committed to paying for one audit per normal review cycle rather than, as AT&T suggests, one audit per plan version. The normal review cycles are fairly well-established. Plan versions may change more or less frequently than the normal review periods; but there is no way of knowing in advance when Plans will change from one version to the next.

Also, to address AT&T's concerns with redundant audits, CompSouth proposes the following language:

Within a normal plan review cycle, redundant audits of one or more of the same AT&T system(s) or of Plan results and data for the same months are discouraged, absent a showing of error or changed circumstances.

The following is the CLEC's proposal for dispute resolution language in the SQM Plan. This reflects one change to AT&T's last proposal on the subject.

This SQM Plan is not intended to limit any provision or provisions in an Interconnection Agreement between AT&T and a CLEC. If a dispute arises regarding AT&T's performance as measured by this Plan or obligations pursuant to this Plan, the Parties in dispute shall negotiate in good faith for a period of thirty (30) days to resolve the dispute. If at the conclusion of the 30 day period the Parties are unable to reach a resolution, then the dispute shall be resolved by the Commission.

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Parallel language in the SEEM plan would be as follows:

This SEEM Plan is not intended to limit any provision or provisions in an Interconnection Agreement between AT&T and a CLEC. If a dispute arises regarding AT&T's payments under this Plan or obligations pursuant to this Plan, the Parties in dispute shall negotiate in good faith for a period of thirty (30) days to resolve the dispute. If at the conclusion of the 30 day period the Parties are unable to reach a resolution, then the dispute shall be resolved by the Commission.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by E-mail this 20th day of January, 2010:

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