

## Eric Fryson

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**From:** Maro, Corrine <CMaro@gunster.com>  
**Sent:** Wednesday, March 20, 2013 4:30 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** 'soniadaniels@att.com'; 'greg.follensbee@att.com'; 'susan.masterton@centurylink.com'; 'gdiamond@covad.com'; Kelley Corbari; 'dkonuch@fcta.com'; 'carolyn.ridley@twtelecom.com'  
**Subject:** Docket No. 000121B-TL  
**Attachments:** CompSouth Comments.pdf

Attached for electronic filing, please find the Comments of the Competitive Carriers of the South, Inc., regarding CenturyLink's February 1, 2013, proposed changes to its Florida Performance Measurements Plan.

a. Person responsible for this electronic filing:

Kellie Scott  
**Gunster, Yoakley & Stewart, P.A.**  
215 S. Monroe St., Suite 601  
Tallahassee, FL 32301  
[kscott@gunster.com](mailto:kscott@gunster.com)  
Direct Line: (850) 521-1700

b. Docket No. 000121B-TL - **Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. (CENTURYLINK FLORIDA TRACK)**

c. On behalf of: Competitive Carriers of the South, Inc. ("CompSouth")

d. There are a total of pages: 11

e. Description: Comments of CompSouth

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March 20, 2013

**ELECTRONIC FILING**

Ms. Ann Cole, Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 000121B-TL - **Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. (CENTURYLINK FLORIDA TRACK)**

Dear Ms. Cole:

Attached for electronic filing, please find a copy of the Comments of the Competitive Carriers of the South, Inc. ("CompSouth") regarding CenturyLink's changes proposed to its Performance Measures Plan ("PMP") on February 1, 2013.

Thank you for your kind assistance with this filing.

Sincerely,

*s/ Kellie Scott*

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Kellie Scott  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe St., Suite 601  
Tallahassee, FL 32301  
(850) 521-1700

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the establishment of operations ) Docket No. 000121B-TL  
support systems permanent performance measures for )  
incumbent local exchange telecommunications companies. )  
(CenturyLink Florida Track) ) Filed: March 20, 2013

**Comments of the Competitive Carriers of the South, Inc.  
On CenturyLink’s Request to Revise Its Performance Measurement Plan**

Consistent with the Notice issued February 21, 2013, and as follow up from the meeting conducted on March 12, 2013, the Competitive Carriers of the South, Inc., (“CompSouth”)<sup>1</sup> hereby files its comments to CenturyLink’s proposed changes to the service quality measure (“PMP”) plan filed on February 1, 2013.

**I. Introduction**

As the Florida Public Service Commission (“Commission”) acknowledged when it first adopted a wholesale PMP plan for CenturyLink (formerly Embarq), the plan is designed to be a “monitoring device” that will enable the Commission to “measure performance over time to detect and correct any degradation of service provided to CLECs.”<sup>2</sup> Contrary, however, to the stated purpose of the PMP plan, some of the changes CenturyLink proposes for this most recent revision will dilute the monitoring function originally contemplated by the Commission, while other changes will reduce the standard to which CenturyLink is held to something less than parity with the other ILECs, AT&T and Verizon.

CompSouth therefore asks that the Commission reject specific proposed changes to CenturyLink’s Plan and to also carefully consider whether CenturyLink has provided sufficient information to support changes to other measures. It is critical that the Commission stay true to

<sup>1</sup> CompSouth is made up of the following CLEC members: Access Point, Inc.; Birch Communications, Cbeyond; Earthlink Business, Level 3 Communications; MegaPath, Windstream; and XO Communications.

<sup>2</sup> Order No. PSC-07-0123-PAA-TP, at p. 1, referencing Order No. PSC-03-0067-PAA-TP, issued January 9, 2003.

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the underlying purpose of these Plans, which is to ensure that competitive choice for Floridians remains available – and viable. Moreover, the Commission must be wary of changes that could result in reductions in service quality and service options to certain areas (and customers) in the State. CLEC customers in one area of the State should not suffer from degraded or delayed service simply based on their location within the service area of a particular ILEC. Thus, CompSouth asks the Commission to reject certain changes proposed by CenturyLink as more specifically outlined herein.

## **II. Specific Revisions**

### **A. Diagnostic Metrics**

CenturyLink is proposing that numerous metrics be converted to “diagnostic,” with reasons ranging from the function in question “has no impact on the CLEC end user customer” to CenturyLink has not had trouble with the measure or the last few years to the measure is already being tracked under a different measure. CenturyLink does not, however, explain why these measures should be changed, nor identify any harm that arises from maintaining the status quo. Nonetheless, CompSouth can agree to the change in designation for most of the metrics CenturyLink has identified, as long as CenturyLink is still required to post the information for these measures on its website, and, for those metrics that are missed, to include information on the website that reflects the Root Cause Analysis (“RCA”) explaining why the metric was missed. Those measures for which CompSouth opposes the change in designation to “diagnostic” are specifically addressed below.

### **B. Maintenance Measures**

Significant changes are also proposed to the Maintenance Measures in the PMP to exclude reporting of LNP trouble under other service group types. CompSouth does believe that,

if these changes are to be made, it is critical that additional data be captured to ensure that an accurate performance picture is presented, particularly as it relates to LNP. Thus, CompSouth proposes that any approved revisions to CenturyLink's PMP include an additional measure to capture and report on LNP Simple and Non-Simple intervals. CompSouth's proposed measure for this function is included on Attachment A to these Comments.

C. General Exclusions – Service Group Types

In Section II of the PMP, CenturyLink proposes to generally exclude from the reporting process all products subject to TRRO relief for all non-impaired wire centers. At the March 12, 2013 meeting, however, CenturyLink was unable to identify a list or location where the excluded products could be found. Of particular concern to CompSouth is the fact that CLECs still have the right to purchase a limited number of products even in non-impaired wire centers, which this general exclusion appears to overlook. CenturyLink's proposal would result in data no longer being captured for any products ordered in non-impaired wire centers. As such, CompSouth strongly opposes this modification. Failure to report data for these products will greatly reduce the efficacy of the reporting process and thus the Commission's ability to address competitive issues in key areas.

D. Excludable Code – “Inclement Weather”

A particularly problematic change proposed by CenturyLink relates to the new “Inclement Weather” code that is included as part of the transition to EASE. The new code will be designated “excludable,” because, according to CenturyLink, it “. . . should not be responsible for missed due dates because inclement weather delayed any installation.” PMP, Attachment 4, p. 3. “Inclement Weather,” as it is generally understood, is by no means an uncommon event in Florida. More importantly, CenturyLink has failed to explain what actually constitutes

“Inclement Weather” for purposes of the PMP and how that is to be distinguished from “Force Majeure” events. As it stands, Force Majeure would seem to fully address any situations in which weather would (or should) constitute an order impacting event. If CenturyLink considers “Inclement Weather” to be some lesser weather event that does not rise to the level of Force Majeure, CompSouth questions why such events would be expected to impact ordering at all. At a minimum, the distinction, if any, between “Force Majeure” weather events and “Inclement Weather” needs to be clearly identified.

In addition to the lack of clarity as to what constitutes “Inclement Weather,” another key difficulty associated with this code is that CLECs will have no notification that an “Inclement Weather” event is in effect, and thus, will be unaware that their orders are not being processed. Notification of these types of situations is a critical tool to help CLECs manage their end use customers’ expectations so that customers better understand the nature of any delays and when they can expect an installation to be completed. In addition, notification of such events will also help avoid later audit issues associated with this code. Thus, CenturyLink should be required to provide CLECs with notice of an “Inclement Weather” event in much the same way that notice is provided for a Force Majeure event. In that regard, CompSouth believes that the most beneficial notification process for “Force Majeure” events is the process implemented by AT&T. Under that process, AT&T notifies CLECs of which wire centers are impacted, posts a report on its website showing the ILEC troubles waiting to be cleared and CLEC troubles in the same cell waiting for closure, and sends notice to the CLECs via an Accessible Letter that the event has concluded and normal business has resumed. This process ensures that CLECs are aware a condition is in effect that could result in excludable data and ensures greater clarity in the subsequent review of information after the condition has terminated. Thus, if the “Inclement

Weather” code is to be retained, CompSouth asks that a notification process comparable to that implemented by AT&T for Force Majeure events also be required for inclusion in CenturyLink’s PMP. This will ensure CLECs have information regarding these situations in a timely manner and will also provide a more uniform notification process throughout the Florida market.

E. Measure 1 – Pre-Order Queries

CenturyLink has proposed that this measure be changed to “diagnostic” and that the benchmark be removed. They contend that the turn-around time on these queries is only a matter of seconds, and thus, there is “minimal” impact on CLECs. CenturyLink has not, however, offered any explanation as to why the benchmark should be removed, other than its assumption that there will be no impact on CLECs. Pre-ordering is, needless to say, a critical step in the ordering process and any delays in the early stages of an order will impact the total time necessary to complete an order. As such, CompSouth opposes this change, as it does not believe that CenturyLink has provided a sufficient basis to delete this benchmark.

F. Measure 2 – Average FOC Notice Interval

CenturyLink has proposed changes in the intervals to reflect its transition to the EASE program. While the filed document does not specify, CenturyLink indicated at the March 12, 2013, meeting with Commission Staff, that the time frames reflected for this Measure are business hours. Use of business hours for a measure can, however, be problematic and cause confusion, particularly depending upon the time of day the FOC query was sent. As such, CompSouth requests that the interval times for Electronic/Manual Mix FOCs be changed to 24 *clock* hours.

G. Measure 7 – UNE Loops xDSL

CenturyLink has proposed an interval of 3.5 days for “Retail UNE Loop –xDSL Provisioned – No Field Work”. In making this proposal, CenturyLink contends that there is no “like for like” or retail comparison; thus, they contend that using “parity” as the benchmark is not viable. CompSouth objects to this proposed interval, which, from CenturyLink’s explanation, appears to be little more than a number drawn out of hat. CompSouth urges the Commission to require that “parity” remain the benchmark and that the measure be compared to the interval in which CenturyLink would provision an xDSL loop to one of its own customers.

H. Measure 9 – Coordinated Customer Conversions

CenturyLink is proposing to delete this metric, contending that it is burdensome for CenturyLink to report it considering the few requests it receives for it. CompSouth opposes this proposal. While CenturyLink contends that it receives few such requests, coordinated customer conversions can, nonetheless, prove to be a critical component of the CLECs relationship with a new customer. A transition that is not seamless can impair customer confidence in his or her chosen provider. Therefore, CompSouth asks that this proposed change be rejected.

I. Measure 17a – Percentage Troubles in 5-days

While CompSouth does not oppose the changes presented for this Measure, additional clarifying language is needed to specify that a trouble ticket will be captured in the month that it was closed, as opposed to the month in which it was opened. This will lend greater clarity not only to the measure itself, but to the reporting process.

J. Measure 19 – Customer Trouble Report Rate

In proposing to change this metric to “diagnostic,” CenturyLink contends that the performance of this function is essentially “parity by design” in that CenturyLink ostensibly uses



the exact same systems, processes and procedures to perform this function for CLEC customers that it uses for its own customers. However, CenturyLink has offered no support for this contention, nor made any demonstration that this is, in fact, the case. CLECs need greater assurance that CenturyLink does not, or cannot, give preferential treatment to its own retail customers. Therefore, unless and until CenturyLink demonstrates that its systems require that it provide parity as between its own retail customers and CLEC customers, CompSouth opposes changing the designation of this metric to “diagnostic.”

K. Measure 22 – POTS Out of Service Less than 24 Hours

CenturyLink is proposing removing the UNE Loops Non-designed from the “Measurable Standard” for this benchmark due to its designation as a “POTS” standard. While CompSouth does not necessarily oppose this change, it does believe that a new measure must be implemented to address UNE Loop Out of Service trouble reports. To that end, CompSouth proposes that the proposed benchmark, attached and incorporated as Attachment B, be included in CenturyLink’s PMP on a going forward basis.

**III. Conclusion**

CompSouth appreciates the opportunity to offer these comments with regard to CenturyLink’s proposed changes to its PMP and respectfully asks that the Commission address the changes proposed by CenturyLink as recommended herein.

RESPECTFULLY SUBMITTED, this 20<sup>th</sup> day of March, 2013.

*sl Kellie Scott*

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Kellie Scott  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe St., Suite 601  
Tallahassee, FL 32301  
(850) 521-1700

ATTACHMENT A

<b>Provisioning:</b>	<b><u>LNP Timeliness –Measure X</u></b>
<b>Description</b>	Measures if the FCC interval for Simple Port is met. Simple ports are those ports that : 1) do not involve unbundled network elements; 2)involve an account only for a single line; 3)do not include complex switch translations; and 4) do not include a reseller. The FCC states the porting interval for simple port requests are not to exceed one business day. The LSR must be received by current/old service provider between 8 AM and 1 PM local time to be eligible for activation at midnight on the same day.
<b>Method of Calculation</b>	Receipt of clean order to completion in clock hours.
<b>Report Period</b>	Monthly
<b>Report Structure</b>	Individual CLEC, CLEC's in aggregate, ILEC
<b>Reported by</b>	LNP-Simple  LNP Non-Simple
<b>Geographic Level</b>	Statewide
<b>Measurable Standard</b>	LNP-Simple Order
<b>Business Rules</b>	LNP Simple port order as defined by FCC: 1) do not involve unbundled network elements; 2) involve an account only for a single line; 3) do not include complex switch translations; and 4) do not include a reseller. The FCC states the porting interval for simple port requests are not to exceed one business day. The LSR must be received by current/old service provider between 8 AM and 1 PM local time to be eligible for activation at midnight on the same day.  LNP Non-Simple those orders not meeting Simple definition.
<b>Notes</b>	None

ATTACHMENT B

<b>Maintenance:</b>	<b><u>UNE Out of Service Less Than 24 Hours –Measure X</u></b>
<b>Description</b>	Captures 251 services that are out of service less than 24 hours and are not considered Plain Old Telephone Service (POTS) found in Measure 22.
<b>Method of Calculation</b>	Report time to clear time less than 24 clock hours
<b>Report Period</b>	Monthly
<b>Report Structure</b>	Individual CLEC, CLEC's in aggregate, ILEC by rate center
<b>Reported by</b>	Products:  UNE Analog Loop-Design, UNE Analog Loop Non-Design, UNE Digital Loop , UNE xDSL loop, UNE Digital Loop > than DS1, UNE Other Design, and UNE Other Non-Design
<b>Exclusions</b>	POTS, No Trouble Found, cancel tickets, informational tickets, Force Majeure tickets, tickets exceeding 24 hours
<b>Measurable Standard</b>	Parity to retail equivalent product
<b>Business Rules</b>	The clock starts when the ticket is entered and stops when the ticket is closed.
<b>Notes</b>	None

**CERTIFICATE OF SERVICE**

I HEREBY ATTEST that a true and correct copy of the foregoing Comments have been served upon the following by Electronic Mail this 20th Day of March, 2013:

<p>Sonia Daniels 1200 Peachtree Street, #400 Atlanta, GA 30309 Phone: 404-810-8488 FAX: 281-664-9791 Email: <a href="mailto:soniadaniels@att.com">soniadaniels@att.com</a></p>	<p>E. Edenfield/T. Hatch c/o Mr. Gregory Follensbee 150 South Monroe Street, Suite 400 Tallahassee, FL 32301-1561 Phone: 850-577-5555 FAX: (850) 222-8640 Email: <a href="mailto:greg.follensbee@att.com">greg.follensbee@att.com</a></p>
<p>Sandy Khazraee/Susan Masterton 315 S. Calhoun St., Suite 500 Tallahassee, FL 32301 Phone: 850-599-1560 FAX: (850) 224-0794 Email: <a href="mailto:susan.masterton@centurylink.com">susan.masterton@centurylink.com</a></p>	<p>David A. Konuch 246 E. 6th Avenue, Suite 100 Tallahassee, FL 32303 Phone: 850-681-1990 FAX: (850) 681-9676 Email: <a href="mailto:dkonuch@fcta.com">dkonuch@fcta.com</a></p>
<p>Mr. Gregory T. Diamond 7901 Lowry Blvd. Denver, CO 80230-6906 Phone: (720) 670-1069 FAX: (720) 670-3350 Email: <a href="mailto:gdiamond@covad.com">gdiamond@covad.com</a></p>	<p>Ms. Carolyn Ridley 2078 Quail Run Drive Bowling Green, KY 42104 Phone: (615) 584-7372 Email: <a href="mailto:Carolyn.Ridley@twtelecom.com">Carolyn.Ridley@twtelecom.com</a></p>
<p>Kelley Corbari Office of General Counsel 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 <a href="mailto:kcorbari@psc.state.fl.us">kcorbari@psc.state.fl.us</a></p>	

*s/ Kellie Scott*

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Kellie Scott  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe St., Suite 601  
Tallahassee, FL 32301  
(850) 521-1700