

State of Florida



## Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

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**DATE:** March 15, 2007

**TO:** Commission Clerk (Cole)

**FROM:** Division of Competitive Markets & Enforcement (Harvey, Hallenstein, Hunter, Simmons)  
Office of the General Counsel (Teitzman)

**RE:** Docket No. 000121A-TP – Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. (BELLSOUTH FLORIDA TRACK)

**AGENDA:** 03/27/07 – Regular Agenda – Proposed Agency Action – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Carter

**CRITICAL DATES:** None

**SPECIAL INSTRUCTIONS:** None

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

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### Case Background

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 performance levels of Operations Support Systems provided to CLECs in Florida. The Performance Assessment Plan is comprised of a Service Quality Measurement Plan (SQM) and a Self-Effectuating Enforcement Mechanism (SEEM) Administrative Plan. The SQM is a comprehensive and detailed description of BellSouth's wholesale performance measurements. The SEEM Plan requires BellSouth to pay remedies to CLECs when BellSouth fails to provide CLECs with a level of service that is comparable to the level of service provided to BellSouth's

retail customers (retail analogs) or a level of service that meets an established benchmark, in the absence of a retail analog.

As part of Order No. PSC-01-1819-FOF-TP, BellSouth is required to participate in review cycles to discuss any proposed changes to the Performance Assessment Plan. The purpose of the reviews is to gauge the effectiveness of BellSouth's performance measures and to determine whether the current remedy structure is effective in driving BellSouth's performance toward the required standards. Each review cycle consists of collaborative workshops and weekly conference calls to give parties an opportunity to raise specific issues and to propose changes that constitute reasonable solutions. To date, the periodic review process has resulted in three Commission Orders that modified BellSouth's original Performance Assessment Plan implemented in September 2001.

The first review cycle was initiated in September 2002. The parties reviewed the Performance Assessment Plan for ways to streamline the original Plan. This included additions, deletions and modifications to the performance measures. The specific changes were delineated in Order Nos. PSC-02-1736-PAA-TP and PSC-03-0529-PAA-TP, issued December 10, 2002 and April 22, 2003, respectively.

The second review cycle was initiated in July 2004. In January 2005, BellSouth and the CLECs began negotiating some of the more contested aspects of the proposed changes to BellSouth's Performance Assessment Plan. In April 2005, the parties reached agreement and stipulated to a revised Plan. The agreement resulted in widespread changes to the Performance Assessment Plan, including the reduction in the total number of performance measures from 90 to 50, and the addition of a significance component to the SEEM remedy calculation. The Commission acknowledged and approved the agreement per Order No. PSC-05-0488-PAA-TP, issued May 5, 2005, with an implementation date of October 1, 2005. The Settlement Agreement also specified continued annual reviews of the Performance Assessment Plan and one six-month review to serve as an interim checkpoint to ensure that the new stipulated plan would be workable and effective.

In March 2006, per Commission Order No. PSC-06-0172-FOF-TP in Docket No. 041269-TP (generic change of law), BellSouth's Performance Assessment Plan was further revised to remove de-listed unbundled network elements (UNEs). BellSouth's current plan, excluding de-listed UNEs, became effective on May 1, 2006.

In June 2006, staff initiated the six-month review of the Performance Assessment Plan. Staff solicited comments from the parties to determine if any problems resulted from implementation of the current Plan and to identify any necessary changes. This recommendation addresses proposed changes to the Performance Assessment Plan that were presented by the parties participating in the 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.

## **Discussion of Issues**

**Issue 1:** Should the Commission approve staff's proposed revisions to the BellSouth 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 within 90 days of the Commission's Proposed Agency Action Order if the changes are not protested. **(Hallenstein, Harvey, Hunter, Teitzman)**

### **Staff Analysis:**

BellSouth's current Performance Assessment Plan, effective May 1, 2006, is the result of an extensive review conducted by BellSouth, the CLECs, and staff. The current Plan (Version 4.01) consists of 50 measurements with each related to a specific portion of BellSouth's Operations Support Systems.

To ensure nondiscriminatory treatment, BellSouth pays penalties for failure to meet the performance standards (retail analogs and benchmarks) for key performance measures as agreed by the parties and approved by the Commission. Of the 50 performance measurements in the current plan, BellSouth's SEEM Plan includes 35 measures to which remedy payments are applied. Tier 1 penalties are paid directly to each CLEC when BellSouth delivers noncompliant performance. Tier 2 penalties are paid to the state of Florida and are triggered by a performance measure failing at the CLEC aggregate level for three consecutive months. Tier 1 and Tier 2 SEEM payments have decreased by 84% and 36%, respectively, since implementation of the revision to the SEEM remedy calculation in October 2005. On average, Tier 1 monthly payments were \$1.6 million under BellSouth's previous Performance Assessment Plan, versus a

monthly average of \$264,640 under the current Plan. Similarly, Tier 2 monthly payments averaged \$162,004 under the previous Plan, versus \$103,007 under the current Plan.

As noted in the Case Background, the parties to this docket agreed on a six-month review of the BellSouth Performance Assessment Plan to determine if any unanticipated problems resulted from implementation of the current Plan. The six-month review was initiated by staff in June 2006, when comments were solicited from parties. Numerous workshops and conference calls were conducted by staff from July 2006 through January 2007 to discuss the various issues filed by the parties.

BellSouth's primary concerns related to the appropriateness of certain retail analogs or benchmarks, disaggregation levels allegedly more extensive than necessary, statistical issues relating to materiality and small sample sizes, certain SEEM fee schedule multipliers, transactions that are subject to multiple remedies, relative performance for benchmark measures, and the lack of a zone of reasonableness for retail analog measures that do not use the truncated-z methodology in evaluating compliance with parity measures. Additionally, BellSouth proposed certain changes to clarify language and correct errors.

The CLECs' proposed changes primarily focused on modifying BellSouth's SQM Plan and maintaining the current structure of the SEEM plan with few refinements. The CLECs requested changes focused on improving benchmarks, subjecting additional performance measures to Tier 1 SEEM remedies, creating new performance measures for commingled products, modifying the SEEM Force Majeure Provision to pay remedies for SEEM performance measures with retail analogs, adding Special Access measures to the SEEM Plan, and making changes necessary due to the AT&T and BellSouth merger.

Staff's recommended modifications to the current Performance Assessment Plan are presented in Attachment 1. The attachment includes issues which both parties agreed to, as well as issues where staff is recommending a position based on the evidence presented by the parties during the review period. The majority of the changes are clarifications and correction of errors. The more contentious issues include refining performance standards and revising the Force Majeure provision.

With regards to the Force Majeure provision, in June 2006, staff recommended to the Commission for BellSouth to pay penalties on parity measures during a Force Majeure Event. The Commission denied the recommendation. However, the subject of Force Majeure was raised again during the six-month review, and staff held numerous calls to discuss the issue. The parties were unable to reach a fair compromise. The two major issues being addressed were limiting the timeframe for a claim of Force Majeure and making remedy payments on parity measures. Staff's recommendation in Attachment 1, page 18, addresses the timeframe issue, but not the issue of payment on parity measures. Staff encourages the parties to continue negotiations on this issue.

Staff notes that within Attachment 1 staff is recommending the formation of task forces and staff workshops to address some CLECs' concerns that were beyond the scope of the six-month review. Staff recommends the parties continue to exchange information regarding the level of flow-through for electronic ordering, the number of rejected service requests, and the

timeframe associated with implementation of CLEC software change requests. The parties agree that a collaborative effort is necessary in these areas and note that some meetings have already been held.

Attachment 2 contains proposals filed by parties but not recommended by staff. In each case, staff believes that BellSouth and the CLECs were unable to provide sufficient and persuasive justification to support the proposed changes. The attachment is being provided to allow for a comprehensive listing of all the proposed changes submitted by the parties.

It is staff's understanding that BellSouth nor the CLECs oppose this recommendation. Although the CLECs have expressed concern regarding the Force Majeure provision discussed above, this issue can be resolved through continued negotiations.

### **Conclusion**

Staff recommends that BellSouth be ordered to implement the proposed changes to the Performance Assessment Plan as reflected in Attachment 1 within 90 days of the Commission's Proposed Agency Action Order if the changes are not protested.

**Issue 2:** Should this docket be closed?

**Recommendation:** No. If the Commission approves staff's recommendation in Issue 1, the resulting Order will be issued as Proposed Agency Action. The Order will become final upon issuance of a Consummating Order if no person whose substantial interests are affected timely files a protest within 21 days of the issuance of the Order. This Docket should remain open thereafter to continue the review process as adopted in the BellSouth Performance Assessment Plan. **(Hallenstein, Harvey, Hunter, Teitzman)**

**Staff Analysis:** If the Commission approves staff's recommendation in Issue 1, the resulting Order will be issued as Proposed Agency Action. The Order will become final upon issuance of a Consummating Order if no person whose substantial interests are affected timely files a protest within 21 days of the issuance of the Order. Staff recommends that this Docket should remain open thereafter to continue annual reviews as specified in the Settlement Agreement between the parties.

## Staff Proposed Florida Modifications BellSouth Performance Assessment Plan

Measure	Measure Title	Category	Staff Recommended Modification
<b>SQM</b>			
Intro <sup>1</sup>		Introduction	<p><b>Modify as follows:</b></p> <p>This plan results from the many divergent forces evolving from the 96 Act. <u>This specific SQM is based on Order No. PSC-06-0172-FOF-TP TBD regarding non-vacated change of law issues ordered- issued by the Florida Public Service Commission (FPSC) on March 2, 2006 TBD and the FPSC's April 4, 2006 vote on its staff recommendation in Docket No. 041269-TP 000121A-TP.</u></p>
OSS-1 [ARI] <sup>1</sup>	<u>OSS Response Interval (Pre-Ordering/Ordering/Maintenance and Repair)</u>	Definition	<p><b>Modify as follows:</b></p> <p><u>The response interval is the average/percentage of time to retrieve pre-order/order/maintenance and repair information from a given legacy system.</u></p>
OSS-1 [ARI] <sup>1</sup>	<u>OSS Response Interval (Pre-Ordering/Ordering/Maintenance and Repair)</u>	Exclusions	<p><b>Add language:</b></p> <p><u>BellSouth may exclude transactions submitted by an individual CLEC that are an unanticipated significant increase in the monthly volume of transactions submitted by that individual CLEC. This exclusion will only be applied when the individual CLEC's transactions are directly attributable to a failure of the SQM measure. An unanticipated, significant increase in CLEC volume as indicated by either a 100% increase over the individual CLEC's forecasted volumes or over the average of the normalized volumes for the most recent prior six months. BellSouth will notify the individual CLEC whose transactions caused this exclusion to be invoked, and will provide general notification to CLECs that such transactions were excluded.</u></p>
OSS-1 [ARI]	<u>OSS Response Interval (Pre-Ordering/Ordering/Maintenance and Repair)</u>	Business Rules	<p><b>Modify as follows:</b></p> <p><u>The average response interval for retrieving Pre-Ordering/Ordering/Maintenance &amp; Repair information from a given legacy system is determined by summing the response times for all requests submitted to the legacy systems during the reporting period and dividing by the total number of legacy system requests for that month.</u></p> <p style="text-align: center;"><u>The following systems are observed in the Pre-Ordering/Ordering OSS Response Interval measurement:</u></p>

<sup>1</sup> Represents changes where parties are in agreement.

Measure	Measure Title	Category	Staff Recommended Modification
			<p>RSAG-Address, RSAG-TN, ATLAS, COFFI, DSAP, and CRIS. The following systems are observed in the Maintenance and Repair OSS Response Interval measurement: CRIS, DLETH, DLR, LMOS, LMOSupd, LNP Gateway, MARCH, OSPCM, Predictor, SOCS, and NIW.</p> <p>The percent response interval for retrieving Maintenance and Repair information from a given legacy system is determined by dividing the number of responses returned within 10 seconds by the total number of queries submitted in the reporting period and multiplying by 100</p>
OSS-1 [ARI] <sup>1</sup>	<u>OSS Response Interval (Pre-Ordering/Ordering/Maintenance and Repair)</u>	Calculation	<p><b>Modify as follows:</b></p> <p><b>Calculation</b></p> <p><b><u>Pre-Ordering/Ordering/Maintenance &amp; Repair OSS Response Interval = (a - b)</u></b></p> <ul style="list-style-type: none"> <li>• <u>a = Date and time of legacy response</u></li> <li>• <u>b = Date and time of legacy request</u></li> </ul> <p><b><u>Pre-Ordering/Ordering/Maintenance &amp; Repair Average Response Interval = (c / d)</u></b></p> <ul style="list-style-type: none"> <li>• <u>c = Sum of response intervals</u></li> <li>• <u>d = Number of legacy requests during the reporting period</u></li> </ul> <p><u>Maintenance &amp; Repair OSS Response Interval = (a - b)</u></p> <ul style="list-style-type: none"> <li>• <u>a = Query Response date and time</u></li> <li>• <u>b = Query Request date and time</u></li> </ul> <p><b><u>Maintenance &amp; Repair Percent Response Interval (per category) = (c / d) X 100</u></b></p> <ul style="list-style-type: none"> <li>• <u>c = Number of responses returned within 10 seconds</u></li> <li>• <u>d = Number of queries submitted in the reporting period</u></li> </ul>
OSS-1 [ARI] <sup>1</sup>	<u>OSS Response Interval (Pre-Ordering/Ordering/Maintenance and Repair)</u>	Report Structure	<p><b>Modify as follows:</b></p> <ul style="list-style-type: none"> <li>• <u>Pre-Ordering/Ordering/Maintenance &amp; Repair OSS Average Response Interval</u></li> <li>• <u>Maintenance &amp; Repair OSS Percent Response Interval</u></li> <li>• <u>Legacy System/Interface Specific</u></li> <li>• <u>Geographic Scope</u></li> <li>• <u>Region</u></li> </ul>
OSS-1 [ARI]	<u>OSS Response Interval (Pre-Ordering/Ordering/Maintenance and</u>	SQM Disaggregation Analog/Benchmark	<p><b>Modify as follows:</b></p> <ul style="list-style-type: none"> <li>• <u>Maintenance &amp; Repair OSS Response Percent within 10 Seconds Average Interval - Regional Level, Per OSS Interface Parity with Retail +1 second.</u></li> </ul>

<sup>1</sup> Represents changes where parties are in agreement.



Measure	Measure Title	Category	Staff Recommended Modification
	Repair)		
OSS-2 [IA] <sup>1</sup>	<u>Interface Availability (Pre-Ordering/Ordering/Maintenance and Repair)</u>	Calculation	<p><b>Modify as follows:</b></p> <p><b>OSS <u>Interface</u> Availability (Pre-Ordering/Ordering/Maintenance &amp; Repair) = (a / b) X 100</b></p> <ul style="list-style-type: none"> <li>• a = Functional Availability <u>in Minutes</u></li> <li>• b = Scheduled Availability <u>in Minutes</u></li> </ul>
PO-2 [LMT] <sup>1</sup>	<u>Loop Makeup-Response Time - Electronic</u>	Exclusion	<p><b>Modify as follows:</b></p> <p><u>BellSouth may exclude transactions submitted by an individual CLEC that are an unanticipated significant increase in the monthly volume of transactions submitted by that individual CLEC. This exclusion will only be applied when the individual CLEC's transactions are directly attributable to a failure of the SQM measure. An unanticipated, significant increase in CLEC volume as indicated by either a 100% increase over the individual CLEC's forecasted volumes or the average of the normalized volumes for the most recent prior six months. BellSouth will notify the individual CLEC whose transactions caused this exclusion to be invoked, and will provide general notification to CLECs that such transactions were excluded.</u></p>
PO-3 [BMA]	<u>UNE Bulk Migration Batch Scheduler Availability (Pre-Ordering)</u>	SQM Disaggregation Analog/Benchmark	<p><b>Staff recommends deleting this measure.</b></p>
O-3 [FT] <sup>1</sup>	<u>Percent Flow-Through Service Requests</u>	Notes	<p><b>Modify as follows:</b></p> <ul style="list-style-type: none"> <li>• <u>The Flow-Through Error Analysis will be posted with the Flow-Through report is available on the PMAP website. The Flow-Through Error Analysis provides an analysis of each error type (by error code) that was experienced by the LSRs that did not flow through or reached a status for a FOC to be issued.</u></li> <li>• <u>CLEC LSR Information, (a.k.a. LSR Detail Report) is available by subscription. A CLEC wishing to receive a copy of their report should submit a feedback form (see link located in the "Resources" section on left side of PMAP website). Enter the name of the report in the Comments section. The CLEC LSR information is available for any CLEC on the PMAP website</u></li> </ul> <p><b>Staff believes that further discussion is needed on status of electronic ordering and recommends a separate workshop/review for this issue.</b></p>
O-8 [RI]	<u>Reject Interval</u>	Report Structure	<p><b>Modify as follows:</b></p> <p><u>One report with the following four Disaggregation Levels and their associated interval buckets:</u></p> <p>Fully Mechanized:</p>

<sup>1</sup> Represents changes where parties are in agreement.

10

Measure	Measure Title	Category	Staff Recommended Modification
			0 - <= 1 hour Partially Mechanized: 0 - <= 10 <u>business</u> hours Non-Mechanized: 0 - <= <b>24 18</b> <u>business</u> hours <u>Local Interconnection Trunks</u> : 0 - <= 4 <u>business</u> days CLEC Specific CLEC Aggregate Geographic Scope State
O-8 [RI]	<u>Reject Interval</u>	SQM Disaggregation Analog/Benchmark	<b>Modify as follows:</b>  <u>Fully Mechanized</u> ..... 97% <= 1 Hour <u>Partially Mech</u> .....95% <=10 <u>business</u> Hours <u>Non-Mech</u> ..... 95% <= <b>24 18</b> <u>business</u> Hours Local Int..Trunks <u>90%</u> ....<= <u>4 business</u> Days
O-9 [FOCT] <sup>1</sup>	<u>Firm Order Confirmation Timeliness</u>	Business Rules	<b>Modify as follows:</b>  <u>Partially Mechanized</u> : The elapsed time from receipt of a valid electronically submitted LSR (date and time stamp in ordering interface gateways) which falls out for manual handling until appropriate service orders are issued by a BellSouth service representative via <u>Direct Order Entry (DOE) or Service Order Negotiation Generation system (SONGS) to SOCS</u>
O-9 [FOCT]	<u>Firm Order Confirmation Timeliness</u>	Report Structure	<b>Modify as follows:</b>  <u>One report with the following four Disaggregation Levels and their associated interval buckets:</u>  Fully Mechanized: 0 - <= 3 <b>business</b> hours Partially Mechanized: 0 - <= 10 <b>business</b> hours Non-Mechanized: 0 - <= 24 <b>business</b> hours <u>Local Interconnection Trunks</u> : 0 - <= 5 business days CLEC Specific CLEC Aggregate Geographic Scope

<sup>1</sup> Represents changes where parties are in agreement.

Measure	Measure Title	Category	Staff Recommended Modification
			State
O-11 [FOCC]	<u>Firm Order Confirmation and Reject Response Completeness</u>	SQM Disaggregation Analog/Benchmark	<b>Modify as follows:</b> Fully Mechanized..... 98% Returned Partially Mechanized.....95% Returned Non-Mechanized ..... 95% Returned Local Inter. Trunks.....95% Returned
O-12 [OATT] <sup>1</sup>	<u>Average Answer Time – Ordering Centers</u>	Business Rules	<b>Modify as follows:</b> <del>Twenty percent of these calls stem from ordering related activity and are reported in this measurement.</del>
P-2A [PJ48] <sup>1</sup>	<u>Percentage of Orders Given Jeopardy Notices &gt;=48 Hours</u>	Calculation	<b>Modify as follows:</b> Percentage of Orders Given Jeopardy Notice >= 48 Hours = (a / b) X 100  a = Number of orders given jeopardy notice >= 48 <u>consecutive</u> hours in the reporting period b = Number of orders given jeopardy notices in the reporting period
P-2B[PJ] <sup>1</sup>	<u>Percentage of Orders Given Jeopardy Notices</u>	Calculation	<b>Modify as follows:</b> Percent of Orders Given Jeopardy Notice = (a / b) X 100  a = Number of orders given jeopardy notices in the reporting period b = Number of orders <u>with a due date confirmed (due)</u> in the reporting period
P-4 [OCI]	<u>Order Completion Interval</u>	SQM Disaggregation Analog/Benchmark	<b>Modify as follows:</b> <ul style="list-style-type: none"> <li>• UNE Digital Loop &gt;= DS1..... Retail Digital Loop &gt;= DS1 (<u>Dispatch</u>)</li> <li>• <u>UNE EEL</u>..... Retail DS1/DS3 (<u>Dispatch</u>)</li> <li>• UNE xDSL (HDSL, ADSL and UCL)</li> <li>• UNE xDSL (HDSL, ADSL and UCL) <ul style="list-style-type: none"> <li>without conditioning &lt;= 5 <u>Business Days</u></li> <li>with conditioning &lt;= <del>12</del> <u>11 Business Days</u></li> </ul> </li> <li>• UNE Line Splitting without Conditioning.....ADSL Provided to Retail with Conditioning &lt;= <del>12</del> <u>11 Business Days</u></li> </ul>
P-7[CCI] <sup>1</sup>	<u>Coordinated Customer Conversions – Hot</u>	Business Rules	<b>Add language:</b> <u>When the cut interval for a conversion is greater than zero, yet less than one minute, that conversion will reflect a one minute cut interval.</u>

11

<sup>1</sup> Represents changes where parties are in agreement.

Measure	Measure Title	Category	Staff Recommended Modification
	<u>Cut Duration</u>		
P-12A	<u>Percent Orders Clarified Multiple Times (NEW)</u>		<b>Staff disagrees with CLECs proposal to add new measure P-12A; however, staff believes that further discussion is needed on multiple clarifications and recommends a separate workshop/review for this issue.</b>
P-12B	<u>Percent Service Requests Clarified Multiple Times (NEW)</u>		<b>Staff disagrees with CLECs proposal to add new measure P-12B; however, staff believes that further discussion is needed on multiple clarifications and recommends a separate workshop/review for this issue.</b>
M&R-1 [MRA] <sup>1</sup>	<u>Percent Missed Repair Appointments</u>	Definition	<b>Modify as follows:</b>  This report measures the percentage of customer trouble reports <u>closed in current reporting and</u> not cleared by the committed date and time.
M&R-2 [CTRR] <sup>1</sup>	<u>Customer Trouble Report Rate</u>	Business Rules	<b>Modify as follows:</b>  Customer Trouble Report Rate contains all closed customer <u>and or CLEC</u> direct reports, including repeat reports, divided by the total “number of service” lines.
M&R-3 [MAD] <sup>1</sup>	<u>Maintenance Average Duration</u>	Definition	<b>Modify as follows:</b>  This report measures the average duration of customer troubles <u>closed during the reporting period.</u>
M&R-4 [PRT] <sup>1</sup>	<u>Percent Repeat Customer Troubles within 30 Days</u>	Title	<b>Modify as follows:</b>  M&R-4 [PRT]: Percent Repeat <u>Customer Troubles</u> within 30 <u>Calendar</u> Days
M&R-4 [PRT] <sup>1</sup>	<u>Percent Repeat Customer Troubles within 30 Days</u>	Definition	<b>Modify as follows:</b>  This report measures the percentage of customer trouble reports received within <u>calendar</u> 30 days of a previous trouble report.
M&R-4 [PRT] <sup>1</sup>	<u>Percent Repeat Customer Troubles within 30 Days</u>	Business Rules	<b>Modify as follows:</b>  Customer trouble reports considered for this measure are those on the same line/circuit, received within <u>calendar</u> 30 days of an original customer trouble report
M&R-4 [PRT] <sup>1</sup>	<u>Percent Repeat Customer Troubles within 30 Days</u>	Calculation	<b>Modify as follows:</b>  a = Count of repeat customer trouble reports, within a continuous 30 <u>calendar</u> day period
M&R-5 [OOS] <sup>1</sup>	<u>Out of Service (OOS)</u>	Title	<b>Modify as follows:</b>

<sup>1</sup> Represents changes where parties are in agreement.

Measure	Measure Title	Category	Staff Recommended Modification
	<u>&gt;24 Hours</u>		M&R-5 [OOS]: Out of Service (OOS) > 24 <u>Clock</u> Hours
<b>M&amp;R-5 [OOS]<sup>1</sup></b>	<u>Out of Service (OOS) &gt;24 Hours</u>	Definition	<b>Modify as follows:</b>  This report measures the amount of Out of Service Customer Troubles (no dial tone, cannot be called, or cannot call out) and is represented as a percentage of Total OOS Customer Troubles cleared in excess of 24 <u>clock</u> hours.
<b>M&amp;R-5 [OOS]<sup>1</sup></b>	<u>Out of Service (OOS) &gt;24 Hours</u>	Business Rules	<b>Modify as follows:</b>  Customer trouble reports that are out of service and cleared in excess of 24 <u>clock</u> hours.
<b>M&amp;R-5 [OOS]<sup>1</sup></b>	<u>Out of Service (OOS) &gt;24 Hours</u>	Calculation	<b>Modify as follows:</b>  Out of Service (OOS) > 24 <u>clock</u> Hours = (a / b) X 100 a = Total Cleared Customer Troubles OOS > 24 <u>clock</u> hours
<b>B-1[BIA]<sup>1</sup></b>	<u>Invoice Accuracy</u>	Calculation	<b>Modify as follows:</b>  b = Absolute value of total billing error related adjustments <u>entered</u> during data month
<b>B-5 [BUDT]<sup>1</sup></b>	<u>Usage Data Delivery Timeliness</u>	Calculation	<b>Modify as follows:</b>  b = Total number of usage records sent <u>during the reporting period.</u>
<b>B-10 [BEC]</b>	<u>Percent Billing Adjustment Requests (BAR) Responded to within 45 Business Days</u>	Title	<b>Modify as follows:</b>  <u>Percent Billing Adjustment Requests (BAR) Responded to within 45 40 Business Days</u>
<b>B-10 [BEC]</b>	<u>Percent Billing Adjustment Requests (BAR) Responded to within 45 Business Days</u>	Calculation	<b>Modify as follows:</b>  A=Total number of BAR requests received in the data month that were responded to in <u>40</u> business days.
<b>B-10 [BEC]</b>	<u>Percent Billing Adjustment Requests (BAR) Responded to within 45 Business Days</u>	Title Business Rules / Disaggregation	<b>Modify as follows:</b>  Percent Billing Adjustment Requests responded to ..... <del>90%</del> <u>95%</u> <= <del>45</del> <u>40</u> business days
<b>TGP-1 [TGP]<sup>1</sup></b>	<u>Trunk Group Performance</u>	Exclusions	<b>Modify as follows:</b>  Trunk groups for which valid data is not available for an entire <u>study reporting</u> period

<sup>1</sup> Represents changes where parties are in agreement.

Measure	Measure Title	Category	Staff Recommended Modification
CM-7 [CRA] <sup>1</sup>	<u>Percentage of Change Requests Accepted or Rejected within 10 Days</u>	Title	<b>Modify as follows:</b>  CM-7 [CRA]: Percentage of Change Requests Accepted or Rejected within 10 <u>Business Days</u>
CM-8 [CRR] <sup>1</sup>	<u>Percent Change Requests Rejected</u>	Disaggregation	<b>Modify as follows:</b>  SQM Level of Disaggregation      SQM Analog/Benchmark Reason – Cost                              Diagnostic Reason – Technical Feasibility      Diagnostic Reason – Industry Direction ..      Diagnostic <u>Reason – Out of Scope (OOS)</u> Diagnostic
CM-11 [SCRI]	<u>Percent of Software Change Requests Implemented within 60 Weeks of Prioritization</u>		<b>Staff believes that a collaborative effort is necessary to develop a release plan model that can shorten the overall time from prioritization to implementation. Staff believes that the CCP forum is appropriate and recommends that a task force be formed with a targeted completion date. The purpose of the task force would be to establish timeframes and processes which vary by magnitude or complexity of the change request.</b>
Appendix A <sup>1</sup>	<u>Glossary of Acronyms and Terms</u>		<b>Add language:</b>  <u>IBS</u> <u>Integrated Billing Solution- Processes and rates UNE data as it flows from CRIS to CABS for billing</u>
Appendix G <sup>1</sup>	<u>SQM Equity Determination</u>		<b>Modify as follows:</b>  Exception <u>1</u> : A Z-Score value cannot be determined if a Standard Error value is 0. In that case, Equity is determined using the “Direct Comparison” criteria shown in the table below.  <u>Exception 2: Measures OSS-1 [ARI], O-12 [OAAT], B-1 [BIA], B-2 [BIT], and M &amp; R-6 [MAAT] also use the “Direct Comparison” criteria.</u>

<sup>1</sup> Represents changes where parties are in agreement.

Provision	Provision Title	Category	Staff Recommended Modification
<b>SEEM</b>			
<b>General</b> <sup>1</sup>		General	<b>Modify as follows:</b> Staff agrees with BellSouth's position of changing the word "penalties" to "remedies" for all occurrences where penalties refer to SEEM liabilities. For all occurrences where "penalties" refer to failures to pay, file, or post in a timely manner, the word "fines" should be used instead of "penalties".
<b>1.1</b> <sup>1</sup>		Scope	<b>Modify as follows:</b> This Administrative Plan (Plan) includes Service Quality Measurements with corresponding Self Effectuating Enforcement Mechanisms to be implemented by BellSouth pursuant to Order No. <del>PSC-05-0488 PAA-TP</del> <u>TBD</u> issued on <del>May 5, 2005</del> <u>TBD</u> by the Florida Public Service Commission (the "Commission") in Docket No. 000121A-TP
<b>1.2</b> <sup>1</sup>		Scope	<b>Modify as follows:</b> Upon the Effective Date of this Plan, all appendices referred to in this Plan will be located on the BellSouth Performance Measurements and Analysis Platform <del>Reports</del> website at: <a href="https://pmap.bellsouth.com">https://pmap.bellsouth.com</a> .
<b>2.2</b> <sup>1</sup>		Reporting	<b>Modify as follows:</b> BellSouth will make performance reports available to each CLEC on a monthly basis. The reports will contain information collected in each performance category and will be available to each CLEC via the Performance Measurements and Analysis Platform website. BellSouth will also provide electronic access to the raw data underlying the SQMs.
<b>2.4</b> <sup>1</sup>		Reporting	<b>Modify as follows:</b> Final validated SEEM reports will be posted on the Performance Measurements and Analysis Platform website on the 15th of the month, following the posting of final validated SQM reports for that data month or the first business day thereafter.
<b>2.5</b> <sup>1</sup>		Reporting	<b>Modify as follows:</b> BellSouth shall pay <del>penalties</del> <u>fines</u> to the Commission in the aggregate in the amount of \$2000 per day. Such payment shall be made to the Commission for deposit into the state General Revenue Fund within fifteen (15) calendar days of the end of the reporting month in which the late publication of the report occurs.
<b>2.6</b> <sup>1</sup>		Reporting	<b>Modify as follows:</b> BellSouth shall pay <del>penalties</del> <u>fines</u> to the Commission, in the aggregate, for all reposted SQM <del>and SEEM</del> reports

<sup>1</sup> Represents changes where parties are in agreement.

15

Provision	Provision Title	Category	Staff Recommended Modification
			in the amount of \$400 per day. <u>If such reposting is associated with any Data Notification, a maximum of ninety (90) days may be deducted from the penalty. The circumstances which may necessitate a reposting of SOM reports are detailed in Appendix F, Reposting of Performance Data and Recalculation of SEEM Payments.</u> Such payments shall be made to the Commission for deposit into the state General Revenue Fund within fifteen (15) calendar days of the final publication date of the report or the report revision date.
4.3.2 <sup>1</sup>	Methodology	Enforcement Mechanisms	<b>Modify as follows:</b>  The method of calculation is set forth in Appendices C, <del>and D,</del> and E of this Plan.
4.4.1 <sup>1</sup>	Payment of Tier 1 & Tier 2 Amounts	Enforcement Mechanisms	<b>Modify as follows:</b>  If BellSouth performance triggers an obligation to pay Tier-1 Enforcement Mechanisms to a CLEC or an obligation to remit Tier-2 Enforcement Mechanisms to the Commission or its designee, BellSouth shall make payment in the required amount on the day upon which the final validated SEEM reports are posted on the Performance Measurements and Analysis Platform website as set forth in Section 2.4 above.
4.4.2 <sup>1</sup>	Payment of Tier 1 & Tier 2 Amounts	Enforcement Mechanisms	<b>Modify as follows:</b>  For each day after the due date that BellSouth pays a CLEC less than the required <u>Tier 1 remedy amount</u> , BellSouth will pay the CLEC 6% simple interest per annum <u>on the difference between the required amount and the amount previously paid.</u> The underpayment and interest will be paid to the CLEC in the next month's payment cycle.
4.4.3	Payment of Tier 1 & Tier 2 Amounts	Enforcement Mechanisms	<b>Modify as follows:</b>  For each day after the due date that BellSouth fails to pay <u>the required</u> Tier-2 Enforcement Mechanisms, BellSouth will pay <del>to</del> the Commission an additional \$1,000 per day. <u>If BellSouth pays less than the required amount, BellSouth will pay the Commission 12% simple interest per annum on the difference between the required amount and the amount previously paid.</u> The underpayment and interest will be paid to the Commission in the next month's payment cycle.
4.4.5	Payment of Tier 1 & Tier 2 Amounts	Enforcement Mechanisms	<b>Modify as follows:</b>  For Tier-2 Enforcement Mechanisms, if the Commission requests clarification of an amount paid, a written claim shall be submitted to BellSouth within sixty (60) days after the payment date. BellSouth shall investigate all claims and provide the Commission written findings within thirty (30) days after receipt of the claim. If BellSouth determines the Commission is owed additional amounts, BellSouth shall pay such additional amounts within thirty (30) days after its findings along with <del>6%</del> <u>12%</u> simple interest per annum.
4.4.7.2 <sup>1</sup>	Payment of Tier 1 & Tier 2 Amounts	Enforcement Mechanisms	<b>Add language:</b>  <u>If a SEEM overpayment is made to a CLEC, and BellSouth's SEEM liability calculated and payable to that CLEC in the next month's payment cycle is insufficient to offset the amount of overpayment, then within 30 days of BellSouth's request, the CLEC shall repay the amount necessary to satisfy the remaining SEEM overpayment</u>

<sup>1</sup> Represents changes where parties are in agreement.



Provision	Provision Title	Category	Staff Recommended Modification
			<u>balance. If the CLEC is unable to repay the overpayment at that time, the CLEC may contact BellSouth for payment arrangements.</u>
4.6.1 <sup>1</sup>	Change of Law	Enforcement Mechanisms	<p><b>Modify as follows:</b></p> <p>Upon a particular Commission’s issuance of an Order pertaining to Performance Measurements or Remedy Plans in a proceeding expressly applicable to all CLECs, BellSouth shall implement such performance measures and remedy plans covering its performance for the CLECs, as well as any changes to those plans ordered by the Commission, on the date specified by the Commission. <u>If a change of law occurs which may change BellSouth’s obligations, parties may petition the Commission within 30 days to seek changes to the SOM and SEEM plans in accordance with such change of law.</u> Should there be any difference between the performance measure and remedy plans on BellSouth’s website and the plans the Commission has approved as filed in compliance with its orders, the Commission-approved compliance plan will supersede as of its effective date.</p>
4.11 <sup>1</sup>	Regional & State Coefficients	Enforcement Mechanisms	<p><b>Modify as follows:</b></p> <p>Some metrics are calculated for the entire BellSouth region, rather than by state. Where these metrics are a Tier 1 SEEM submetric, a regional coefficient is calculated to determine the amount of the <u>penalty remedy</u> for the CLEC in each state. For example, the Acknowledgement Completeness Measurement can be measured for an individual CLEC, but only at the regional level. In several states it is also a Tier 1 SEEM submetric. Thus, if there is a failure in this measurement for a CLEC, it is necessary to determine the amount of <u>penalty remedy</u> for the CLEC in each state. A Regional Coefficient is used to do this. (Appendix E, Section E.6 describes the method of calculating the Regional Coefficients.) The amount of Tier 1 <u>penalty remedy</u> for the CLEC in a state is determined by multiplying the regional affected volume by the Coefficient for the state and by the state fee.</p>
Table 1 <sup>1</sup> (Tier 1 Sub-metrics)	Appendix A	Fee Schedule	<p><b>Modify as follows:</b></p> <p>For the following measures/products:</p> <ul style="list-style-type: none"> <li>• IC Trunks - Change Product name from “IC Trunks” to “IC Trunks (<u>Trunk Group Performance</u>)”</li> </ul>
Table 2 <sup>1</sup> (Tier 2 Sub-metrics)	Appendix A	Fee Schedule	<p><b>Modify as follows:</b></p> <p>Wording change to clarify name of IC Trunks to IC Trunks (<u>Trunk Group performance</u>)</p>
E.6.2 <sup>1</sup> Regional & State Coefficient	Appendix E	BST SEEM Remedy Calculation Procedures	<p><b>Modify as follows:</b></p> <p><del>Percent Flow Through CLEC Aggregate – UNE Other (PFT UOTH)</del> <u>Percent Flow Through CLEC Aggregate – UNE-L ( includes UNE-L with LNP)</u></p>
E.6.4 <sup>1</sup> Regional & State Coefficient	Appendix E	BST SEEM Remedy Calculation Procedures	<p><b>Modify as follows:</b></p> <p><b><u>IA, OAAT</u></b></p>

<sup>1</sup>Represents changes where parties are in agreement.

Provision	Provision Title	Category	Staff Recommended Modification
			<ul style="list-style-type: none"> <li>Interface Availability (IA)</li> </ul> <u>Average Answer Time - Ordering Centers (OAAT)</u>
Appendix F <sup>1</sup>	Appendix F	BellSouth's Policy on Reposting of Performance Data and Recalculation of SEEM Payments	<p><b>Modify as follows:</b></p> <p><u>Assume that service orders with an activity code of F were erroneously being included in a particular product disaggregation for Percent Missed Installation Appointments. They should have been in another product disaggregation. Further, assume that the number of records erroneously included is 110 records out of a total of 86,000. In this example, the numerator and denominator would both be reduced by 110 records and the z-score would be recalculated. If the amount of the change was sufficient to meet criteria 2, 4 or 5 above, the Reposting policy will be invoked.</u></p>
4.5.2 Force Majure	Limitations of Liability	Enforcement Mechanisms	<p><b>Modify as follows:</b></p> <p>BellSouth shall not be obligated to pay Tier-1 or Tier-2 Enforcement Mechanisms (<u>SEEM payments</u>) for non-compliance with a performance measurement if such non-compliance was the result of any <u>Force Majeure Event</u> that <del>performance under this SQM/SEEM Plan is</del> either directly or indirectly prevented, restricted, or interfered with performance as measured by the SQM/SEEM Plan. <u>Such Force Majeure Events include non-compliance caused by reason of fire, flood, earthquake or like acts of God, wars, revolution, civil commotion, explosion, acts of public enemy, embargo, acts of the government in its sovereign capacity, labor difficulties, including without limitation, strikes, slowdowns, picketing, or boycotts, or any other circumstances beyond the reasonable control and without the fault or negligence of BellSouth. BellSouth, upon giving prompt notice to the Commission and CLECs as provided below, shall be excused from such performance on a day-to-day basis to the extent of such prevention, restriction, or interference; provided, however, that BellSouth shall use diligent efforts to avoid or remove such causes of non-performance.</u></p> <p>4.5.2.1 To invoke the application of Section 4.5.2 (Force Majeure Event), BellSouth will provide written notice to the Commission <u>and post notification of such filing on BellSouth's website</u> wherein BellSouth will identify the Force Majeure Event, the affected measures, and the impacted <del>areas</del> <u>wire centers</u>, including affected NPAs and NXXs.</p> <p>4.5.2.2 No later than ten (10) business days after BellSouth provides written notice in accordance with Section 4.5.2.1 affected <del>parties</del> <u>CLECs</u> must file written comments with the Commission to the extent <del>they</del> <u>such CLECs</u> have objections or concerns regarding the application of Section 4.5.2. <u>CLECs will be required to show that the relief period is not reasonable under the circumstances.</u></p> <p>4.5.2.3 BellSouth's written notice of the applicability of Section 4.5.2 <del>would</del> <u>shall</u> be presumptively valid and deemed approved by the Commission effective thirty (30) calendar days after BellSouth provides notice in accordance with Section 4.5.2.1. The Commission may require BellSouth to provide a true-up of SEEM fees to affected <del>carriers</del> <u>CLECs</u> if a Force Majeure <u>Event</u> declaration (<u>or some portion thereof</u>) is found to be invalid by the Commission after it has</p>

<sup>1</sup> Represents changes where parties are in agreement.

Provision	Provision Title	Category	Staff Recommended Modification
			<p>taken effect</p> <p>4.5.2.4 During the pendency of a Force Majeure Event, BellSouth shall <del>provide file with</del> the Commission <del>with</del> periodic updates of its restoration/recovery progress and efforts as agreed upon between the Commission Staff and BellSouth. <u>The Commissions Staff will consider reasonable requests from affected carriers on such updates' contents and frequency, including the need for weekly progress update reports. Additionally, BellSouth will post to the Emergency Preparedness and Restoration website periodic updates of its restoration/recovery progress and efforts. BellSouth will post at a minimum for the area where Force Majeure has been declared: the identity of each wire center and associated NPA/NXXs; the color status of wire centers based on the Emergency Preparedness and Restoration guidelines; the total number of BellSouth pending service orders; the total number of CLEC pending service orders; the total number of BellSouth pending trouble reports; and the total number of CLEC pending trouble reports.</u></p> <p><del>4.5.2.5</del> <u>The Force Majeure claim will be presumptively valid for a period of sixty (60) calendar days. After sixty (60) calendar days have elapsed, BellSouth shall resume compliance with the Enforcement Mechanisms or file for an extension of the relief period. To the extent CLECs have objections or concerns regarding the extension, CLECs must file written comments with the Commission within ten (10) business days from the request of the extension. CLECs will be required to show that the extended period was not reasonable under the circumstances. BellSouth's request for extension shall be presumptively valid and deemed approved by the Commission effective thirty (30) calendar days after BellSouth provides notice in accordance with Section 4.5.2.1. The Commission may require BellSouth to provide a true-up of SEEM payments to affected CLECs if a Force Majeure Event (or some portion thereof) is found to be invalid by the Commission after it has taken effect.</u></p> <p>4.5.3 In addition to these specific limitations of liability, BellSouth may petition the Commission to consider <u>relief</u> based upon other circumstances.</p>

<sup>1</sup> Represents changes where parties are in agreement.

**Parties Request for Changes  
Not Recommended by Staff  
BellSouth Performance Assessment Plan**

Measure	Measure Title	Category	Changes Staff does not Recommend
<b>SQM</b>			
OSS-1 [ARI]	<u>OSS Response Interval (Pre-Ordering/Ordering /Maintenance and Repair)</u>	Exclusion	BellSouth suggested excluding timeouts.
OSS-1 [ARI]	<u>OSS Response Interval (Pre-Ordering/Ordering /Maintenance and Repair)</u>	Business Rules	CLECs suggested a modification to add interfaces.
OSS-1 [ARI]	<u>OSS Response Interval (Pre-Ordering/Ordering /Maintenance and Repair)</u>	SEEM Measure	CLECs suggested adding this measure to Tier 1.
O-8 [RI]	<u>Reject Interval</u>	Business Rules	CLECs suggested modification to specify static business hours.
O-8 [RI]	<u>Reject Interval</u>	Report Structure	CLECs suggested modifying the benchmark for partially mechanized orders.
O-8 [RI]	<u>Reject Interval</u>	SQM Disaggregation Analog/Benchmark	CLECs suggested modifying the benchmark for partially mechanized orders.
O-9 [FOCT]	<u>Firm Order Confirmation Timeliness</u>	Business Rules	CLECs suggested modification to specify static business hours.
O-9 [FOCT]	<u>Firm Order Confirmation Timeliness</u>	Report Structure	CLECs suggested modifying the benchmark for non-mechanized orders.
O-9 [FOCT]	<u>Firm Order Confirmation Timeliness</u>	SQM Disaggregation Analog/Benchmark	CLECs suggested modifying the benchmark for non-mech orders and specifying “business” hours.
O-12 [OATT]	<u>Average Answer Time – Ordering Centers</u>	SEEM Measure	CLECs suggested adding this measure to Tier 1.
P-2A [PJ48]	<u>Percentage of Orders Given Jeopardy Notices &gt;=48 Hours</u>	Business Rules	CLECs suggested modification to add non-dispatch orders.
P-3A [MIA] NEW	<u>Percent Missed Installation Appointments – Unbundled Dedicated Transport (Commingling)</u>	All	CLECs suggested adding a new measure on Commingling
P-4 [OCI]	<u>Order Completion Interval</u>	Business Rules	CLECs suggested modifying the definition of valid business days.

Measure	Measure Title	Category	Changes Staff does not Recommend
P-4 [OCI]	<u>Order Completion Interval</u>	SQM Disaggregation Analog/Benchmark	BellSouth suggested modifications to refer to the Interval Guide rather than stated benchmarks.
P-7C [CPT]	<u>Hot Cut Conversions – Percent Provisioning Troubles Received within 5 Days of a Completed Service Order</u>	Definition Calculation	CLECs suggested modifications to specify “business” days.
P-9 [PPT]	<u>Percent Provisioning Troubles within “X” Days of Service Order Completion</u>	Definition Business Rules	CLECs suggested modifications to specify “business” days.
P-11 [SOA]	<u>Service Order Accuracy</u>	Definition	CLECs suggested a modification to add non-mechanized orders.
P-12A [POC]  NEW	<u>Percent Orders Clarified Multiple Times</u>	All	CLECs suggested adding a new measure on multiple clarifications.
P-12B [POC]  NEW	<u>Percent Service Requests Clarified Multiple Times</u>	All	CLECs suggested adding a new measure on requests clarified multiple times.
M&R-2 [CTRR]	<u>Customer Trouble Report Rate</u>	Exclusions	BellSouth suggested modifications to exclude troubles captured in the measures P-9 [PPT] and M&R-4 [PRT].
M&R-2 [CTRR]	<u>Customer Trouble Report Rate</u>	SEEM Measure	BellSouth suggested modifications to remove this measure from SEEM.
B-1 [BIA]	<u>Invoice Accuracy</u>	Exclusions	CLECs suggested modifications clarifying adjustments not related to billing errors.
B-10 [BEC]	<u>Percent Billing Adjustment Requests (BAR) Responded to within 45 Business Days</u>	Title/Business Rules/Disaggregation	CLECs suggested modifications to reduce 45 Business days to 22 Business days.
CM-5 [ION]	<u>Notification of CLEC Interface Outages</u>	Disaggregation	CLECs suggested modifications to add CAFÉ & CPSS.
CM-11 [SCRI]	<u>Percentage of Software Change Requests Implemented within 60 Weeks of Prioritization</u>	Title/Exclusions/ Calculation	CLECs suggested modifications to reduce 60 weeks to 48 weeks.
Appendix A	<u>Glossary of Acronyms and Terms</u>		CLECS suggested modifications to define CAFÉ & CPSS.
Appendix C	<u>OSS Interface Tables</u>		CLECs suggested a modification to add interfaces to the Appendix.

Provision	Provision Title	Category	Changes Staff does not Recommend
<b>SEEM</b>			
2.5	Reporting	Reporting	BellSouth suggested modifications to specify “any” reports.
2.9	Monthly PMAP Changes	Reporting	CLECs suggested modifications to the monthly notification process.
4.1.6	Definitions	Enforcement Mechanisms	BellSouth suggested modifications to delta for volume greater than or less than 1,000.
4.3.1.2	Methodology	Enforcement Mechanisms	BellSouth suggested modifications requiring remedies only on cells containing five or more transactions.
4.3.1.4	Methodology	Enforcement Mechanisms	BellSouth suggested modifications to reduce the fee schedule for transactions below the BCV.
4.3.1.5	Methodology	Enforcement Mechanisms	BellSouth suggested modifications to assess fees differently based on BellSouth’s performance relative to the benchmark (>5% or <=5%).
4.4.7.1 NEW	Payment of Tier 1 & Tier 2 Amounts	Enforcement Mechanisms	BellSouth suggested modifications regarding the application of SEEM overpayments in prior months.
4.4.9 NEW	Payment of Tier 1 & Tier 2 Amounts	Enforcement Mechanisms	BellSouth suggested additional language regarding the recovery of SEEM overpayments for CLECs operating in more than one state.
4.4.10 NEW	Payment of Tier 1 & Tier 2 Amounts	Enforcement Mechanisms	BellSouth suggested modifications specifying SEEM remedies will not be made if total remedies due for an individual CLEC or the Commission total less than \$100 in a given month.
B.1/B.2	Appendix B Tier 1 & 2 Submetrics	SEEM Submetrics	BellSouth suggested modifications deleting CTRR sub-metrics from Tier 1 & Tier 2.
C.2	Appendix C Testing Methodology – The Truncated Z (Retail analog measures not using the truncated z statistic)	Statistical Properties and Definitions	BellSouth suggested modifications to add a variability factor to selected measures. (OSS Response Interval, Billing Invoice Accuracy, Billing Mean Time to Deliver Invoices, Average Answer Time, and Trunk Group Performance)
C.2	Appendix C Testing Methodology – The Truncated Z (Invoice Accuracy Example)	Statistical Properties and Definitions	BellSouth suggested modifications as applicable to other provisions not adopted.
E.3 (E.3.1)	Appendix E Tier -1 Calculation for Benchmark	BST SEEM Remedy Calculation Procedures	BellSouth suggested modifications as applicable to other provisions not adopted.
E.4 (E.4.1)	Appendix E Tier -1 Calculation for Benchmark (Target)	BST SEEM Remedy Calculation Procedures	BellSouth suggested modifications as applicable to other provisions not adopted.
E.5	Appendix E Tier 2 Calculation for Benchmark	BST SEEM Remedy Calculation Procedures	BellSouth suggested modifications as applicable to other provisions not adopted.
Commingling NEW			CLECs suggested an additional measure on Commingling.
Special Access Measures NEW			CLECs suggested adding Special Access measure to the SEEM plan.
AT&T/ BST Merger NEW			CLECs suggested changes to SEEM plan based on possible impact of the BST/AT&T merger.
Monthly PMAP Changes			CLECs suggested changing the monthly notification and implementation of changes to a six month or annual process.