

State of Florida



# Public Service Commission

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

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**DATE:** July 9, 2010  
**TO:** Ann Cole, Commission Clerk, Office of Commission Clerk  
**FROM:** Jerry M. Hallenstein, Government Analyst II, Office of Auditing and Performance Analysis  
**RE:** Docket 000121A-TP---Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies (AT&T Florida Track)

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Please file the attached correspondence in Docket No. 000121A-TP.

DOCUMENT NUMBER-DATE  
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June 28, 2010

Law Offices of Alan C. Gold, P.A.  
Alan Gold  
1501 Sunset Drive Second Floor  
Coral Gables, FL 33143

**RE: Docket Number 000121A-TP**

Dear Alan:

Per our discussions the parties agree as follows:

Items 1 and 3: AT&T acknowledges that for Ordering SQMs, no SEEM remedy payments were made to STS on any orders for commingled arrangements placed through the Bulk Migration Work Around Process. It is AT&T's position that no SEEM remedy payments are due for any commingled arrangement orders submitted by STS through the Bulk Migration Work Around Process. STS disagrees and contends that SEEM Remedy payments were due. Further, in consideration of AT&T's acknowledgement, STS waives any rights STS contends it may have to pursue collection of any SEEM remedy payments for commingled arrangement orders submitted pursuant to the Bulk Migration Work Around Process.

Item 2: AT&T acknowledges that until the implementation of the Migrations to Commingled UVL-SL2 Loop with Number Portability CLEC Information Package April 14, 2010 Version 1 (Apr. 14, 2010) in the Southeast, AT&T did not provide a process for submission of Local Service Requests (LSRs) for CLECs (other than the Bulk Migration Work Around Process for STS) to order a REQTYP B with number portability for a SL2 UNE Loop commingled with special access transport and multiplexing. Therefore, there was no applicability for the purpose of SQM performance reports and associated SEEM remedies for mechanized, partial-mechanized, or manual submission of LSRs for a REQTYP B with number portability for a SL2 UNE Loop commingled with special access transport and multiplexing.

Item 4: AT&T cannot agree in the context of this, or any, state regulatory proceeding to create and pay SEEM remedies for special access circuits, whether stand-alone or associated with commingled arrangements. However, in an effort to resolve this matter, AT&T would be willing to apply Tier 1 SEEM remedies for the UNE portion of commingled circuits under the SQM Level of Disaggregation for UNE EELs to the following SQMs:

- P-3 [MIA]: Percent Missed Installation Appointments
- M&R-1 [MRA]: Percent Missed Repair Appointments

- M&R-3 [MAD]: Maintenance Average Duration

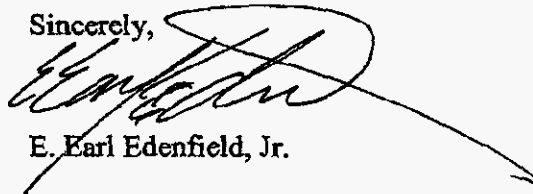
The above SQMs are in addition to the P-4, Order Completion Interval (OCI), metric that is currently remedied under the existing SQM and SEEM Plan.

The Settlement Agreement between AT&T and the CompSouth CLECs will be amended to reflect SEEM remedies being applicable to the above SQMs for the UNE portion of commingled arrangements.

In consideration of the above concessions by AT&T, STS agrees to the following:

1. STS will not oppose PSC approval of the Settlement Agreement between AT&T and the CompSouth CLECs in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
2. STS will not oppose AT&T Petitions to abolish the payment of Tier 2 SEEM remedies in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
3. If STS and AT&T are able to consummate a settlement agreement as outlined above, STS will advise the Florida PSC Staff within 2 business days of such consummation of STS' intention to no longer oppose the Settlement Agreement and abolishment of Tier 2 SEEM remedies as discussed in 1 and 2 above.

Sincerely,



E. Earl Edenfield, Jr.

Accepted by: \_\_\_\_\_



Alan Gold