

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Amended petition for verified emergency injunctive relief and request to restrict or prohibit AT&T from implementing its CLEC OSS-related releases, by Saturn Telecommunication Services, Inc. d/b/a Earthlink Business.

DOCKET NO. 090430-TP
ORDER NO. PSC-12-0088-PAA-TP
ISSUED: March 1, 2012

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISE, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

NOTICE OF PROPOSED AGENCY ACTION ORDER DENYING SATURN TELECOMMUNICATION SERVICES, INC., D/B/A/ EARTHLINK BUSINESS' REQUEST FOR RELIEF AGAINST BELL SOUTH TELECOMMUNICATIONS, INC. D/B/A AT&T FLORIDA

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Case Background

The Telecommunications Act of 1996 requires BellSouth Telecommunications, Inc. d/b/a AT&T Florida (AT&T Florida) to provide Competitive Local Exchange Companies (CLECs) with non-discriminatory access to its Operations Support Systems (OSS) on appropriate terms and conditions. Operations Support Systems are the computer systems used by AT&T Florida that support the ordering, provisioning, maintenance, and billing of services for CLECs. As part of the BellSouth and AT&T Florida merger in 2006, AT&T Florida began migrating and consolidating the former BellSouth nine-state southeast Operations Support Systems platform into a single pre-ordering and ordering OSS platform for use across AT&T Florida's new 22-state region.

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Pursuant to Order No. PSC-10-0253-PAA-TP, issued on April 26, 2010, this Commission allowed AT&T Florida, under certain conditions, to move forward and retire the Local Exchange Navigation System (LENS) ordering interface and to replace it with the Local Service Request Exchange System (LEX) ordering interface. The LENS interface was used by CLECs in AT&T Florida's pre-merger nine-state region (the former BellSouth region). AT&T Florida replaced LENS with LEX for use across the post-merger 22-state region.

AT&T Florida, in replacing the LENS ordering interface, was required to collaborate with Commission staff and Saturn Telecommunication Services, Inc. ("STS") to resolve specific LEX ordering issues raised by STS during the course of an audit conducted by our staff.¹ STS provided a detailed matrix documenting 61 specific issues concerning service requests that STS will be ordering through the new LEX interface. The matrix identified concerns with the applicable AT&T Florida ordering requirement guides or business rules that STS must follow to correctly place orders. The issue of organization and presentation of instructional information for LEX users attempting to provide service to their end-users in an expeditious manner is the only remaining unresolved issue.

Prior to the consolidation of AT&T Florida and BellSouth's business operations, BellSouth had maintained a set of tables, known as the Required/Conditional/Optional ("R/C/O") tables, within a set of business rules, known as the *Local Ordering Handbook*. The tables provided a "snapshot" view of the necessary steps CLECs must take to accurately populate information fields when placing orders. In November 2009, AT&T Florida began integrating the *Local Ordering Handbook* into another set of business rules known as the *Local Service Order Requirement* guide. The new *Local Service Order Requirements* is available for use by all CLECs that operate within AT&T Florida's 22-state region. In doing so, the R/C/O tables were replaced with "Product Activity tables." STS contended that the organization and use of the Product Activity tables were inefficient, time consuming, and placed STS at a competitive disadvantage.

DeltaCom, Inc., XO Communications, Cbeyond, LLC, and TW Telecom submitted letters of support regarding STS's concerns in this docket on June 1, 2011.

On July 28, 2011, a recommendation was filed for the August 9, 2011 Commission Agenda Conference. However, on August 5, 2011, prior to the scheduled Commission Agenda Conference, STS filed an Unopposed Emergency Request to defer the recommendation. In its request, STS stated that both STS and AT&T Florida would confer in good faith on the matter to attempt an amicable resolution, and therefore, this Commission's action would be limited to administratively closing the docket.

In November 2011, STS advised that STS and AT&T Florida were unable to reach a settlement in good faith, and STS requested that this Commission proceed with the docket and assist the parties in reaching a favorable resolution.

¹ In March 2010, Commission staff completed an audit entitled *Evaluation of AT&T Florida's Local Service Request Exchange (LEX) and Local Exchange Navigation Systems (LENS) OSS Interfaces*. On May 5, 2010, a copy of the audit report was filed in this docket as Document No. 02479-10.

On December 13, 2011, an informal conference call was held with the parties to discuss the status of this issue and current processes used by STS to accurately populate information fields when placing orders.

We have jurisdiction over this matter pursuant to Section 364.16, F.S. (2011).

Discussion

In our continuing oversight role of AT&T Florida's operations support systems (OSS), we are authorized to prevent anticompetitive behavior among telecommunications providers. Pursuant to Order No. PSC-10-0253-PAA-TP, issued April 26, 2010,² this Commission allowed AT&T Florida to move forward with the implementation of a new 22-state LEX OSS interface with several requirements as detailed in an audit filed in this docket on May 5, 2010. The requirements in the audit report were satisfied, with the exception of one.

The one remaining condition pertains to AT&T Florida, STS, and our staff's collaborative efforts to resolve 61 specific LEX ordering issues raised by STS in a matrix provided on March 1, 2010. Given the complexity and quantity of issues provided by STS in the matrix, AT&T Florida, STS, and our staff initiated a series of weekly calls to discuss the specific LEX ordering issues raised. By November 2010, 60 of the 61 issues within the matrix were resolved with the exception of the following:

- The R/C/O tables contained within AT&T Florida's *Local Ordering Handbook* will not be retained in the same format when converted to AT&T Florida's *Local Service Order Requirements* (LSOR).

AT&T Florida's Business Rules

When ordering products and services from AT&T Florida through the LEX interface, STS and other CLECs that operated in the pre-merger nine-state region relied on an electronic set of instruction manuals or business rules to guide them through the ordering process. These business rules were known as the *Local Ordering Handbook*. The handbook was divided into three sections and the specific instructions STS used to place orders was contained within section three. Section three alone is approximately 600 pages. The ordering handbook was arranged and navigated through a series of links based on the product the CLEC was ordering. For example, if a CLEC was ordering a non-designed loop for a new customer through the LEX ordering interface, the CLEC user was able to click on a "non-designed loop" link and be directed to a set of ordering instructions. The CLEC user was then able to determine the specific forms (e.g., Local Service Request form, Directory Listing form) and information fields that were required to be completed based on the product being ordered.

² See Order No. PSC-10-0326-CO-TP, issued May 21, 2010, in Docket No. 090430-TP, In re: Amended petition for verified emergency injunctive relief and request to restrict or prohibit AT&T from implementing its CLEC OSS-related releases, by Saturn Telecommunication Services, Inc. d/b/a Earthlink Business (making Order No. PSC-10-0253-PAA-TP final and effective).

Once the CLEC service representative determined the product being ordered and the required forms to be used, the CLEC service representative then accessed a series of R/C/O tables also contained within the *Local Ordering Handbook*. The R/C/O tables are a “snap-shot” view of the necessary data inputs for the information fields that have to be populated depending on the product and activity type being ordered.³ There are hundreds of R/C/O table permutations contained within the *Local Ordering Handbook* and each table varies in accordance with the product being ordered.

As part of AT&T Florida’s post-merger consolidation process, STS and other CLECs were informed of AT&T Florida’s plans to phase-out the *Local Ordering Handbook* at the July 8, 2009 Change Management/Change Control meeting. The Change Management/Change Control meeting is held monthly and allows for all participating CLECs and AT&T Florida to discuss any interface or documentation changes to the Operation Support Systems. During the July 2009 meeting, AT&T Florida informed the CLECs of AT&T Florida’s intent to move section three of the *Local Ordering Handbook* into the *Local Service Order Requirements*.⁴

The structure of the *Local Service Order Requirements* is different when compared to the now retired *Local Ordering Handbook*. The *Local Service Order Requirements* is arranged and navigated based on the forms used by CLECs to place an order. If a CLEC is ordering a non-designed loop for a new customer through the LEX ordering interface, the CLEC user must first determine which forms need to be completed, such as a Local Service Request form. Next, the CLEC user is directed to a series of links for each information field to be completed within the ordering form. Each link provided the CLEC user with a “Product Activity table” showing the various products that can be ordered and the necessary data entry for an information field.

STS Position

Since the retirement of LENS and implementation of the LEX ordering interface in July 2010, STS argued that it is critical for AT&T Florida to maintain and update the R/C/O tables to assist in the placement of orders using the LEX interface. The R/C/O tables were implicitly built-in to the retired LENS ordering interface, whereas LENS provided “real-time” up-front edit-checking capability. The LEX system does not contain the up-front edit-checking capability and, in effect, may cause orders to be rejected or returned for clarification by AT&T Florida after the order is submitted. The LEX system allows a CLEC order to be submitted to AT&T Florida with errors, rejected by AT&T Florida, reworked by the CLEC, resubmitted by the CLEC, and possibly rejected by AT&T Florida again.

³ (1) **Required** – The field must be populated. (2) **Conditional** – The field is dependent upon the presence, absence or combination of other data entries. (3) **Optional** - The field may or may not be populated (e.g., request to expedite an order). (4) **Not Supported** – The field is not used by AT&T Southeast and when populated will be ignored by AT&T Florida’s Southeast Region. (5) **Prohibited** – The field must not be populated and is not supported by AT&T Florida’s OSS.

⁴ AT&T Florida’s *Local Service Order Requirements* was the ordering handbook used by CLECs that operated in AT&T Florida’s 13-state region prior to AT&T Florida’s merger with BellSouth.

STS stated that it relied on the R/C/O tables as a valuable tool to support the creation of error free orders before submitting to AT&T Florida. According to STS, using the new Product Activity tables contained within the *Local Service Order Requirements* is time consuming, delays implementation of a customer's service, and may ultimately result in the loss of the customer if the delay is too long.

When using the *Local Service Order Requirements* as a guide to placing orders, STS stated that it must click on every information field link to determine the necessary data to be entered into each information field.⁵ STS typically complete four separate forms when submitting an order to AT&T Florida through LEX: the Local Service Request form, End User form, Directory Listing form, and Loop Service Form. When completing a Local Service Request form, STS stated that an STS service representative must click on 142 separate information field links in the *Local Service Order Requirements* as opposed to observing a "snap-shot" view of all the information fields as provided in the R/C/O tables within the now retired *Local Ordering Handbook*.

During the July 8, 2009 Change Management/Change Control meeting when AT&T Florida informed the CLECs that section three of the *Local Ordering Handbook*, including the R/C/O tables, would be moved into the *Local Service Order Requirements*, STS specifically inquired as to whether the formatting of the documents within the *Local Ordering Handbook* would change. AT&T Florida stated that the change would not affect formatting.⁶ Despite AT&T Florida's response, the format changed.

After learning that the R/C/O tables were replaced with Product Activity tables in the *Local Service Order Requirements*, STS submitted a Change Request to AT&T Florida's Change Management/Change Control team on March 26, 2010. STS requested that AT&T Florida's *Local Service Order Requirements* contain the R/C/O tables originally within the *Local Ordering Handbook*. AT&T Florida denied STS' request and emailed the following response to STS on April 12, 2010:

The attached change request is shown as not approved due to cost. The LSOR [*Local Service Order Requirements*] is developed by an external software application. This application would require modification to create the R/C/O tables, which only duplicates information that is already included within a field's Notes, Conditions, and Data Entry Conditions. The R/C/O tables do not

⁵ (1) **Required** – The field must be populated. (2) **Conditional** – The field is dependent upon the presence, absence, or combination of other data entries. (3) **Optional** - The field may or may not be populated (e.g., request to expedite an order). (4) **Not Supported** – The field is not used by AT&T Florida's Southeast and when populated will be ignored by AT&T Florida's Southeast Region. (5) **Prohibited** – The field must not be populated and is not supported by AT&T Florida's OSS.

⁶ AT&T Florida's July 8, 2009 Change Management/Control Process Meeting Minutes state, "AT&T also asked the CLECS if they would agree to move section 3 in the LOH into the LSOR document as a stand alone volume linked to the other volumes. These changes can be implemented in the November release or prior to the release. An Accessible Letter will be released when this move is completed. STS Telecom inquired if the formatting of these documents would change. AT&T stated this change would not affect formatting."

eliminate the need to view the individual fields because the rules are within the aforementioned Notes, Conditions, and Data Entry Conditions.

CLECs (DeltaCom, Inc., XO Communications, Cbeyond, LLC, and TW Telecom) filed letters of support in this docket on June 1, 2011. DeltaCom and XO Communications, who jointly filed a letter, specifically stated, “. . . navigating through the AT&T Florida documentation is cumbersome and inefficient and represents a significant step backwards by AT&T Florida compared to what was available to CLECs before AT&T Florida decided to abolish the R/C/O tables.” Furthermore, “[t]he lack of current R/C/O tables impacts Joint CLECs production centers by adding time and expense to locate ordering information to submit clear, error-free orders and places an undue burden on CLECs.” DeltaCom, which filed this letter of support in this docket is, like STS, a subsidiary of Earthlink Business (Earthlink).

AT&T Florida's position

AT&T Florida agreed that the format and use of the *Local Service Order Requirements*, including the Product Activity tables, differed substantially from the R/C/O tables within the *Local Ordering Handbook*. AT&T Florida stated that the design of the *Local Service Order Requirements* complied with the Ordering and Billing Forum industry standards that dictate the composition of the information fields. According to AT&T Florida, the format of the *Local Service Order Requirements* is particularly useful for CLECs that have built their own front-end ordering interface, as opposed to CLECs that use LEX. AT&T Florida agreed that first-time users of LEX would find the *Local Ordering Handbook* more useful; however, as CLEC users become experienced, AT&T Florida theorized that the Product Activity tables within the *Local Service Order Requirements* would sufficiently serve as a replacement for the R/C/O tables. AT&T Florida also stated that CLECs could create their own tables and guides to facilitate their data entry issues with LEX.

AT&T Florida denied STS' request to maintain the R/C/O tables in response to STS Change Request submitted to AT&T Florida's Change Management/Change Control team on March 26, 2010; however, in response to STS' concerns, AT&T Florida offered to give STS and other CLECs a copy of the existing R/C/O tables in a Microsoft Word format. AT&T Florida stated that STS could update the tables themselves as changes are introduced to the *Local Service Order Requirements*. Updates to the Word document would be communicated by AT&T Florida's Accessible Letters available at AT&T Florida's on-line website for CLECs and documented in AT&T Florida's Local Service Revision History. The updates are typically tri-annual and coincide with new OSS releases.

Analysis

On July 28, 2011, for the August 9, 2011 Commission Agenda Conference, our staff recommended that AT&T Florida update the R/C/O tables for a one year period to permit STS adequate time to consider transitioning to another ordering interface or contract with a third-party to place orders for them. Prior to the Agenda Conference, STS requested, and AT&T

Florida agreed, to defer the recommendation so the parties may attempt to resolve the issue. The parties failed to reach a resolution.

The *Local Ordering Handbook* was retired two years ago. However, this issue is still important because ordering wholesale services from an ILEC is extremely complex. For example, to order a Digital Data Design Loop, a CLEC LEX user must potentially complete three different forms with 35 required fields, 59 conditional fields, and 14 optional fields. Not populating a field, or not populating it correctly will cause a CLEC order to be rejected, which results in a delay to an end-user getting service initiated. The instructional manuals are the key to what forms and fields are required for each product. Therefore, it is imperative that the instructional material provided by AT&T Florida to CLECs be clear, concise, user-friendly, and accurate.

AT&T Florida did not provide updates to the R/C/O tables since its November 2009 OSS release. In response to AT&T Florida's offer to give STS a one-time copy of the existing R/C/O tables in Word format, STS contend that it would be overly burdensome and that it did not have the available resources to keep the Word file up-to-date. However, STS have since developed some templates as a work-around substitute for the R/C/O table updates. The templates are used to assist STS service representatives in placing orders with AT&T Florida. STS created the templates by attempting to update R/C/O tables for specific various products and services STS orders. According to STS, creating the templates is resource intensive and does not resolve this issue because the templates are only applicable to some of the combinations of products and services STS orders with AT&T Florida.

Despite STS' efforts to improve its ordering process, STS ordering rejection rate continues to be high. For example, from January through November 2011, STS placed 2,758 orders with AT&T Florida via the LEX interface for service in Florida. STS experienced 1,277 rejections on these orders, with some orders receiving multiple rejections. STS' ratio of rejects to orders placed is 46 percent. When compared to the analogous data for the top three LEX users in Florida, the ratio of rejects to orders placed experienced by these CLECs averaged 36 percent.

Two of the most common rejection error codes experienced by STS from January through November 2011 were "field information invalid/incomplete" and "required field not populated". STS asserted that historically its rejection rate under LENS was lower than it is now because of the availability of the R/C/O tables and the up-front edit checking capability inherent in LENS. AT&T Florida could not provide historical data on LENS rejection rates, which would indicate whether this is true. In light of the fact that even the top three users of LEX are experiencing an average 36 percent rejection rate, upfront edit checking in LEX is a priority for the CLECs.

STS did not explain the reason for its LEX rejection rate being higher than other CLECs. It stated, however, that other CLECs may contract with third-party vendors to create and submit orders on their behalf, or other CLECs have created their own front-end ordering interface that includes edit-checking capabilities. In light of the recent acquisition of STS by Earthlink in

March 2011, STS is encouraged to pursue these options to reduce its rejection rates. DeltaCom, a subsidiary of Earthlink, may also be able to assist STS in reducing its rate of rejections.

Decision

It is important that the LEX ordering interface and its documentation continue to provide non-discriminatory access to AT&T Florida's OSS. AT&T Florida stated that the *Local Service Order Requirements* comply with the Ordering and Billing Forum industry standards; however, the Ordering and Billing Forum does not dictate the organization and presentation of the instructional manuals.

Another aspect of the ILEC/CLEC relationship is that AT&T Florida makes changes to the Operations Support Systems through the Change Management/Change Control process, and CLECs who request changes to the Operation Support Systems must submit a Change Request to AT&T Florida. In 2002, AT&T Florida was requested to implement a "50/50 Capacity Plan" to allow CLECs to have a voice in the changes to the Operation Support Systems. Release capacity is the total number of hours required to implement a Change Request. Per the Plan, AT&T Florida's release capacity would be equally split (50/50) between AT&T Florida and CLECs.⁷

However, we do not find that updating the R/C/O tables at this time will provide a long-term solution to STS' rejection rates, since there are typically tri-annual OSS releases. Therefore, an update to the R/C/O tables at this time would become outdated at the next scheduled OSS release.

Therefore, we find it appropriate to deny the request that AT&T Florida update the R/C/O tables once, at this time. However, the parties should continue to engage in dialogue to resolve the rejection rates and determine an efficient means of expediting the ordering process given the retirement of the *Local Ordering Handbook*. We also order our staff to continue to monitor STS' rejection rates in Docket No. 000121A-TP and to continue to collaborate with the parties to determine a long-term solution in reducing the number of rejections experienced by STS.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request that BellSouth Telecommunications, LLC d/b/a AT&T Florida update the R/C/O tables once is denied. It is further

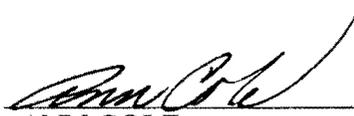
ORDERED that Commission staff shall monitor the rejection rates for Saturn Telecommunication Services, Inc. d/b/a Earthlink Business through Docket No. 000121A-TP. It is further

⁷ Pursuant to Order No. PSC-02-1034-FOF-TP, issued July 30, 2002 in Docket No. 960786B-TL, this Commission required implementation of End-to-End Process Flow to satisfy Exception 88 of the Third-Party Testing of BellSouth Operations Support Systems. The testing was used to determine if BellSouth met requirements of the 1996 Telecommunications Act.

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 1st day of March, 2012.



ANN COLE
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

PER

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on March 22, 2012.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.