

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

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

**DATE:** May 2, 2013

**TO:** Office of Commission Clerk (Cole)

**FROM:** Office of Telecommunications (Fogleman) *AF*  
Office of the General Counsel (Teitzman, Corbari) *KC AF*

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

**AGENDA:** 05/14/13 – Regular Agenda – Interested Persons May Participate – Proposed Agency Action

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Brisé

**CRITICAL DATES:** CenturyLink requests implementation by June 30 consistent with its timetable in Nevada

**SPECIAL INSTRUCTIONS:** None

**FILE NAME AND LOCATION:** S:\PSC\TEL\WP\000121B.RCM.DOC

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CLERK

## Case Background

By Order No. PSC-03-0067-PAA-TP, issued January 9, 2003, the Commission adopted wholesale permanent performance measures for the CenturyLink Track, Docket Number 000121B-TP. CenturyLink's Performance Measurement Plan (PMP) is a monitoring device that measures the level of wholesale service performance that CenturyLink provides to CLECs. It also establishes a standard against which CLECs and the Florida Public Service Commission (FPSC or Commission) can measure performance over time to detect and correct any degradation of service provided to CLECs.

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CenturyLink's Florida PMP included the adoption of the August 2002 CenturyLink Nevada PMP as well as administrative provisions and an associated compliance methodology. CenturyLink complied with the Order and implemented the Florida PMP on February 1, 2003. Also, this Order required all changes to CenturyLink's Performance Measurement Plan that were approved in other states to be brought before the Commission for review, approval, and implementation in Florida.

By Order No. PSC-03-1438-PAA-TP, issued December 22, 2003, the Commission approved revisions to CenturyLink's Florida Performance Measurement Plan to coincide with revisions to CenturyLink's Nevada PMP. The revisions were effective beginning with February 2004 data. Further revisions to Embarq's Florida PMP were approved by the Commission by Order No. PSC-07-0123-PAA-TP, issued February 12, 2007. These revisions were approved by the Public Utilities Commission of Nevada on August 2, 2006.

This recommendation addresses whether the Commission should approve additional proposed revisions to CenturyLink's Florida PMP that were approved by the Public Utilities Commission of Nevada on December 5, 2012. The proposed revisions are scheduled to go into effect in Nevada by June 30, 2013. CenturyLink filed a request to make changes to its plan consistent with the changes in Nevada with this Commission on February 1, 2013. CenturyLink amended its filing on March 15, 2013. On March 20, 2013, the Commission received comments from the Competitive Carriers of the South, Inc. ("CompSouth") objecting to certain aspects of CenturyLink's proposed changes. On April 4, 2013, CenturyLink submitted its reply to CompSouth's comments. On April 30, 2013, CompSouth notified the Commission that it had reached an impasse with CenturyLink and further discussions would not be productive.

### **Jurisdiction**

Section 364.16(2), Florida Statutes (F.S.), 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 CenturyLink's proposed revisions to its Florida wholesale Performance Measurement Plan as summarized in Attachment 1 and detailed in CenturyLink's proposal filed on February 1, 2013, and amended on March 15, 2013?

**Recommendation:** Yes. Staff recommends that the Commission approve CenturyLink's proposed revisions to its Florida wholesale Performance Measurement Plan as summarized in Attachment 1 and detailed in CenturyLink's proposal filed on February 1, 2013, and amended on March 15, 2013. Staff also recommends that clarifying language be added to Measure 17a specifying that a trouble ticket will be captured in the month that it is closed. Staff further recommends that implementation of the revisions to CenturyLink's Florida Performance Measurement Plan become effective beginning with the July 2013 data month to enable simultaneous implementation of the changes with CenturyLink's Nevada Performance Measurement Plan. (FOGELMAN)

**Staff Analysis:** On February 1, 2013, Embarq Florida, Inc. d/b/a CenturyLink (CenturyLink) filed with the Florida Public Service Commission a request to approve revisions to its wholesale Performance Measurement Plan. The proposed revisions address the majority of the categories covered in the plan. These categories include: Pre-Ordering, Ordering, Provisioning, Maintenance, Network Performance, Billing and Database Updates. CenturyLink is proposing to remove two Provisioning measures (Coordinated Customer Conversion as a Percentage On Time and Hold Order Interval) and one Billing measure (Usage Timeliness). Additionally, CenturyLink is proposing to clarify and update business rules within sections of its Performance Measurement Plan.

The proposed revisions are the same as those provided in CenturyLink's Performance Measurement Plan for the Public Utilities Commission of Nevada and are the result of a stipulation entered into by parties to the Nevada docket.<sup>1</sup> The Nevada docket was opened at CenturyLink's request to amend its performance measures and standards. The Nevada Commission concluded that it was in the public interest to accept the stipulation. The revisions were approved by the Nevada Commission on December 11, 2012, and scheduled to be implemented with the July, 2013, data.

By Order No. PSC-03-0067-PAA-TP, any changes to CenturyLink's performance measurements approved by other states are to be brought before the Florida Commission to allow staff and CLECs an opportunity to review and comment on such revisions before being implemented in Florida. On February 21, 2013, staff solicited comments from the CLECs for review of CenturyLink's Florida Performance Measurement Plan revisions. Requested comments were to be filed by March 20, 2013.

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<sup>1</sup> The parties entering the stipulation in Nevada were: Central Telephone Company d/b/a CenturyLink (Nevada), Cox Nevada Telecom, LLC, U.S. Telepacific Corp. (Nevada), Mpower Communications Corp., tw telecom of Nevada LLC, and the Public Utilities Commission of Nevada's Regulatory Operations Staff.

CompSouth filed comments identifying objections and concerns regarding certain elements of the plan.<sup>2</sup> On April 4, 2013, CenturyLink filed reply comments addressing CompSouth's issues. Staff has also held three informal teleconferences on March 12, April 15, and April 24, 2013 to discuss the filed comments and attempt to eliminate any misunderstandings between the parties. As a result of staff's first call, CenturyLink refiled two corrected pages of its PMP plan on March 15, 2013. This correction removed references to discontinuance of CenturyLink's root cause analysis reporting that it provides to the FPSC on a monthly basis.<sup>3</sup>

On April 30, 2013, CompSouth filed a letter notifying the Commission that it had reached an impasse with CenturyLink and that further discussions of its issues would not be productive. CompSouth also stated in its letter that it "would like to suggest that a staff management audit or other third party audit of CenturyLink's performance measures, as originally contemplated by [Order] Nos. PSC-03-0067-PAA-TP and PSC-03-1438-PAA-TP, may be warranted." Staff notes that Order No. PSC-03-0067-PAA-TP states, in part, "(a)fter the first five years, a comprehensive third-party audit shall only be performed when sufficient evidence has been provided to us to order such an audit." As a result of the analysis below, staff does not believe that sufficient evidence has been submitted to warrant a staff management audit or third party audit at this time.

Below is a summary of the areas of contention that remain between the parties and staff's analysis of them. Additionally, Attachment 1 is a summary table (content provided by CenturyLink) of CenturyLink's proposed changes, with areas contested by CompSouth in bold type.

### *Diagnostic Metrics*

In the settled negotiations approved by the Nevada Commission, CenturyLink and CLECs in Nevada agreed to classify several measurements as "diagnostic." This means that performance results will continue to be reported for monitoring and trending purposes, but they will not be compared to a benchmark to decide whether CenturyLink is in "compliance" or "non-compliance." These changes affect more than a dozen measurements within the PMP.

CompSouth has indicated that it 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. For those metrics that are missed, CompSouth wants CenturyLink to include information on the website that reflects the Root Cause Analysis explaining why the metric was missed. Those measures for which CompSouth opposes the change in designation to "diagnostic" are specifically addressed below.

CenturyLink has committed to continue to post monthly data on all diagnostic measures on its website for CLEC review. Performance levels for "diagnostic" measures do not have a

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<sup>2</sup> CompSouth is a coalition of CLECs in the Southeast. Its current members include: Access Point, Inc.; Birch Communications, Inc.; Cbeyond Communications, LLC; DeltaCom, LLC d/b/a EarthLink Business; Level 3 Communications, LLC; MegaPath Corporation; Windstream; and XO Communications Services, LLC.

<sup>3</sup> Unlike Nevada, CenturyLink's Florida plan does not include a Performance Incentive Plan containing payment penalties associated with failing to meet established parity or benchmark standards.

benchmark, so CenturyLink would not be either in “compliance” or “non-compliance” for a particular measure. Further, only three CLECs have utilized their existing online access to view these performance results in the twelve months prior to CenturyLink’s recent filing of the revised PMP. According to CenturyLink, these three carriers accessed the reports 23 times during that period.

Staff agrees with CenturyLink’s position that requiring CenturyLink to provide a Root Cause Analysis for measures converted to “diagnostic” is not possible without an accompanying benchmark. Carriers will still be able to track the “diagnostic” measures and compare them to prior levels. To the extent a CLEC believes that a particular diagnostic measure is indicative of a problem, it would still be able to file a complaint with the Commission.

***Maintenance Measures and Local Number Portability (LNP)***

One of the changes in CenturyLink’s PMP is to add a business rule that states, “An LNP trouble is excluded from duplicate reporting in another service group type.” According to CenturyLink, this clarification is intended to report trouble tickets once and would affect four measures (19 – Customer Trouble Report Rate; 20 – Percentage of Customer Trouble Not Resolved Within Estimated Time; 21 – Average Time to Restore; and 23 – Frequency of Repeat Troubles in 30-Day Period).

CompSouth believes that if these changes are made, additional data should be captured to ensure that an accurate performance picture is presented, particularly as it relates to LNP. Thus, CompSouth proposes that any approved revisions include an additional measure to capture and report on LNP Simple and Non-Simple intervals.<sup>4</sup>

In its reply comments, CenturyLink reiterates that its proposed change is not to remove LNP trouble tickets from its report. Instead, the proposed change is a clarification to prevent a trouble ticket from being reported twice – once as LNP and again as the product with which the LNP function is used. Under CenturyLink’s proposal, if a trouble ticket addresses an LNP trouble, it will only be included in the LNP Service Group Type. CenturyLink opposes CompSouth’s proposed change and states that CompSouth’s proposed new metric has nothing to do with the maintenance measurements, as addressed in CenturyLink’s proposal addressing LNP. Instead, its proposed change is an ordering and provisioning metric. CenturyLink notes that it already has both an ordering measure relating to LNP and a provisioning measure for LNP.

Staff agrees with CenturyLink that its proposed business rule to eliminate duplicative LNP reporting is desirable and provides a more accurate representation of how well CenturyLink is provisioning services to CLECs. Staff does not support CompSouth’s proposal to add an additional LNP measure given the existing LNP measures for Ordering and Provisioning.

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<sup>4</sup> CompSouth filed details of this measure as Attachment A to its March 20, 2013 comments.

***General Exclusions from the Triennial Review Remand Order (TRRO)***

CenturyLink proposes to eliminate products subject to TRRO relief for all non-impaired wire centers approved or accepted as such by the Commission.<sup>5</sup> CompSouth interprets CenturyLink's proposal that it would not provide data for any products ordered in non-impaired wire centers. According to CompSouth, failure to report data for those products that are still required in non-impaired wire centers will greatly reduce the efficacy of the reporting process and the Commission's ability to address competitive issues.

CenturyLink clarified its position that its proposal would continue to capture data for all products except those "non-impaired" products specifically identified by the FCC's TRRO order. Based on staff's most recent call with the parties on April 24, 2013, staff believes that there is no substantive disagreement concerning this issue.

***Excludable Code – "Inclement Weather"***

CenturyLink proposes to modify its missed appointment reason codes to allow technicians to exclude delays related to inclement weather. CenturyLink argues that it should not be responsible for missed appointment dates due to inclement weather delaying the installation. CompSouth argues that 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.<sup>6</sup>

According to CenturyLink, its policy is for technicians to contact each customer prior to arriving on site to confirm that the technicians will be working on the customer's order or ticket that day. If the technician is running behind for any reason, the expectation is that the technician will call to inform the customer of any such delay. This policy applies to both CenturyLink's retail and wholesale customers.

In the case of the wholesale customer, the technician contacts the CLEC and not the CLEC's end user customer. If the technician is unable to reach the customer (retail or wholesale) directly and there is an ability to leave a voice mail or message on an answering machine, the technician will do so. If no one answers the technician's call or the technician continues to encounter a busy signal, then the technician would be unable to make contact with the customer to let them know the status of the work on the order or ticket.

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<sup>5</sup> After several proceedings and lawsuits from 2000-2004, resulting with the D.C. Circuit vacating and remanding two FCC interconnection orders, the FCC issued its Triennial Review Remand Order (TRRO) on February 4, 2005. In its TRRO, the FCC found that incumbent local exchange carriers (ILECs) were not obligated to continue to provide certain unbundled network elements (UNEs) to competitors. These items included unbundled access to dark fiber loops and transport, unbundled access to local switching for DS0 end user loops, and unbundled access to DS1 and DS3 loops, and dedicated transport in wire centers that meet certain competitive entry thresholds (e.g., number of competitive loops provisioned and number of competitive fiber-based collocators), subject to caps. *See* Order on Remand, 20 FCC Rcd 2533 (2005). *See also*, 47 C.F.R. § 51.319(a)(4-6), 47 C.F.R. § 51.319(d)(2), 47 C.F.R. § 51.319(e)(2)(ii-iv).

<sup>6</sup> A "Force Majeure" is defined within the PMP as "Acts of God, Natural Disasters, etc." In other places within the PMP, CenturyLink provides examples of "Force Majeure" as "fire or other hazardous conditions." The PMP specifies a Natural Disaster as a "Hurricane, Earthquake, Tornado, Volcano, or Typhoon."

CenturyLink argues that it does not have a system that is designed to track inclement weather as proposed by CompSouth. Inclement weather is generally smaller in size and magnitude than a Force Majeure event. Also, according to CenturyLink, the Inclement Weather code is an after-the-fact reconciliation detail a technician uses to explain a missed appointment when closing out an order ticket, while Force Majeure is more often associated with an event that may interrupt service or installation for an extended period of time. CenturyLink has, however, agreed to provide raw data associated with the application of such codes upon request. This "missed appointment reason code" would be applied only to two measures (measurement 7 - *Average Completed Interval* and measurement 11 - *Percent Due Dates Missed*). Within the last year, CenturyLink has not used this code in Florida. Because data will be made available to monitor the use of this exclusion code and CenturyLink's stated policy regarding contacting customers (both retail and wholesale), staff believes CenturyLink's proposed change is appropriate.

***Measure 1 - Average Response Time to Pre-Order Queries***

CenturyLink proposes to change the measures to "diagnostic" and remove the benchmarks to this measure. It argues that pre-order queries are measured in a matter of seconds, and the timeframe to return such data has minimal, if any, impact on the CLEC customer. CenturyLink believes it is sufficient to report performance levels via regular reporting. CompSouth opposes this change as it does not believe that CenturyLink has provided sufficient basis to delete this benchmark. CompSouth argues that pre-ordering is a critical step in the ordering process and any delays will impact the total time necessary to complete an order.

Staff notes that the vast majority of these queries are done electronically as opposed to manual queries. As noted by CenturyLink, electronic transactions occur in seconds. CompSouth has not demonstrated that the adoption of this measure will cause its members any harm. Staff concurs that continued monitoring should be sufficient. To the extent that a reported diagnostic reveals that there is an issue, CLECs still have the ability to use this information to file a complaint with the Commission.

***Measure 2 - Average Firm Order Commitment Notice Interval***

CenturyLink notes that the submeasures related to this measure were previously measured from the IRES ordering system.<sup>7</sup> CenturyLink has updated its ordering system to the EASE system.<sup>8</sup> The new EASE system is integrated with back office systems. The transition from one system to another was intended to improve the overall process of ordering wholesale services from CenturyLink. As a result of this change in the ordering process, CenturyLink has updated the benchmarks.

CompSouth does not dispute the proposed change by CenturyLink, but rather, proposes that the benchmark hours used be listed as "clock hours," as opposed to "business hours."

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<sup>7</sup> IRES (Integrated Request Entry System) is an older wholesale ordering system that CenturyLink replaced with the EASE system.

<sup>8</sup> EASE (Embarq Administration & Service Ordering Exchange) is used for order initiation, submission, and tracking, replacing the IRES wholesale ordering system.

CenturyLink maintains that all of the documentation relating to this measure is consistent in its reference to “business hours” and that this is only a further clarification of its long-standing business practice. Staff agrees with CenturyLink that continued use of business hours is reasonable.

***Measure 7 - Average Completed Interval for UNE loops xDSL Provisioned—No Field Work***

CenturyLink proposes a benchmark of 3.5 days instead of parity as the standard for this measure. It asserts that there is no reasonable proxy for retail comparison because CenturyLink does not offer unbundled network elements (in this case, xDSL loops) to retail customers. CompSouth objects to this proposed interval as arbitrary and recommends that “parity” remain the benchmark. Specifically, the measure CompSouth believes it should be compared with is the interval in which CenturyLink would provision an xDSL loop to one of its own customers.

While CenturyLink offers high-speed Internet services that use xDSL, it does not offer them in the form of a separate UNE that could be compared to a UNE xDSL loop provisioned to a CLEC’s customers. The proposed 3.5 day interval was a negotiated length of time agreed to and adopted in Nevada in a proceeding that included CLECs. Given that there is no “like-for-like” service to establish parity and CompSouth has proposed no alternative, staff recommends CenturyLink’s proposal. Further, based on the data filed by CenturyLink, this particular service has not been requested frequently within the last twelve months.

***Measure 9 - Coordinated Customer Conversions***

CenturyLink asserts that it receives very few requests from CLECs for timed, coordinated customer conversions for residential POTS, business POTS, and LNP and thus, proposes to eliminate the measure.<sup>9</sup> CenturyLink notes that any service orders that are received for conversions are also reported in Measure 7 as an average completion interval, which it contends is a better representation of the timeliness.

CompSouth opposes the elimination of this measure because coordinated customer conversions can prove to be a critical component of the CLEC’s relationship with a new customer. CompSouth notes that a transition that is not seamless can impair customer confidence in his or her chosen provider. During discussions with staff, CompSouth also speculated that the demand for this type of conversion may increase in the future as end users transition from TDM to IP networks.

According to reports filed with the Commission, CenturyLink has not failed to reach its benchmark for this measure in the past three years. Within the past two years, there have only been three months where coordinated customer conversions for LNP have been requested. Also, within the past two years there have been only three months where requests for coordinated customer conversions for residential POTS occurred. This measure most frequently reflects coordinated customer conversions for business POTS. Last year, CenturyLink received some

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<sup>9</sup> Plain Old Telephone Service – this term was originally coined in the 1970s by John deButts, then-CEO of AT&T. It equates to traditional narrow-band, voice-grade, dial-tone service.

requests for business POTS coordinated customer conversions each month. However, the data submitted supports CenturyLink's assertion that the volumes for this measurement are very low. Based on the low volume of use by carriers and CenturyLink's past compliance with this measure, staff supports CenturyLink's proposal to remove it. Should these types of conversions become more common in the future as suggested by CompSouth, staff believes the FPSC could reconsider their inclusion in CenturyLink's PMP.

***Measure 17a - Percentage Troubles in 5-days***

This element measures the percentage of network customers' trouble reports received within five calendar days of service order completion. While CompSouth does not oppose the changes presented by CenturyLink for this measure, it argues that 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. CenturyLink argues that CompSouth proposes a clarification that the PMP has operated successfully without since its beginning.

During discussions with staff, CenturyLink agreed to provide additional language for this measurement. CenturyLink has since provided the following clarifying language that would be placed in the "Business Rules" section and inserted as the first bullet: "Includes all trouble reports, closed during the reporting period, for the specified service group types and subject to exclusions specified below." Staff believes the inclusion of the proposed language should address CompSouth's concerns with this measure.

***Measure 19 - Customer Trouble Report Rate***

CenturyLink proposes removing the benchmark for this measure and changing it to "diagnostic." It asserts that performance of this metric is essentially "parity by design." CenturyLink has noted that its dispatch system for installation and repair for all tickets – retail and wholesale – are entered into the same dispatch system. CenturyLink notes that this is an automated system that determines each technician's workload for the day based on receipt of an order or ticket, geographic location, and work required.

According to CenturyLink, these systems are not designed to differentiate between a retail ticket/order and a wholesale ticket/order. The technician's workload order is determined by the dispatch system. If the technician were to decide to take tickets out of order to favor one customer over another, then the technician would miss an internal measurement of commitments met. That discrepancy would count against the technician and alert the technician's manager.

CompSouth objects to this change and argues that CenturyLink has offered no support for its contention that its network is incapable of discriminating against CLECs. CLECs need greater assurances, according to CompSouth, that CenturyLink does not, or cannot, give preferential treatment to its own retail customers.

No one has countered CenturyLink's claim that it uses the same network, processes, systems and technicians for itself as it does for CLECs. Furthermore, no evidence of discrimination or explanation of how discrimination could occur has been presented. As a result,

staff supports CenturyLink's position. At such time that either new information or evidence supporting discrimination is presented, it would be considered by the Commission.

***Measure 22 - UNE POTS Out of Service Less than 24 Hours***

Measure 22, POTS Out of Service Less than 24 Hours, is comprised of three submeasures: Residential POTS, Business POTS, and UNE Loops Non-Designed. The last submeasure is the issue of contention between CenturyLink and CompSouth. CenturyLink proposes removing UNE Loops Non-Designed from the "Measurable Standard." The description of Measure 22 in the PMP specifies its focus as being on "POTS out of service trouble reports," but UNE Loops are not POTS products. While CompSouth does not necessarily oppose removing UNE Loops Non-Designed from the "Measurable Standard," 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 a new benchmark (UNE Loops Out of Service Less than 24 Hours) be included in CenturyLink's PMP going forward. CompSouth filed details of this measure as Attachment B to its March 20, 2013, comments. CenturyLink argues that this proposed new metric is not necessary because that data is already available for the product in Measure 21 in the Average Time to Restore. Furthermore, UNE Loops are included in the Trouble Rate Metric (Measure 19), and the Percentage of Customer Trouble Not Resolved Within Estimated Time (Measure 20). These metrics provide sufficient data to track UNE Loops out of service without the creation of an additional metric.

Staff agrees with CenturyLink that UNE Loops are not POTS, and as such should not be measured as part of this benchmark. Based on CenturyLink's explanation that such errors will continue to be reflected by Measures 19 (Customer Trouble Report Rate), 20 (Percentage of Customer Trouble Not Resolved Within Estimated Time), and 21 (Average Time to Restore), staff does not believe that CompSouth's new proposed measure is necessary at this time.

**Conclusion**

Staff recommends that the Commission approve CenturyLink's revisions to its Florida Performance Measurement Plan as summarized in Attachment 1 and detailed in CenturyLink's proposal filed February 1, 2013, as modified on March 15, 2013, and with clarifying language added to Measure 17a specifying that a trouble ticket will be captured in the month that it is closed. Staff further recommends that implementation of the revisions to CenturyLink's Florida Performance Measurement Plan become effective beginning with the July 2013 data month to enable simultaneous implementation of changes with CenturyLink's Nevada Performance Measurement Plan.

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

**Recommendation:** No. If no person whose substantial interests are affected files a protest within 21 days of the issuance date of the Order, the Order will become final upon the issuance of a Consummating Order. Any protest of the Commission's decision in this matter should identify with specificity the item or measure being protested, and any such protest should not prevent the remainder of the Order from becoming final and effective. Thereafter, this docket should remain open for the Commission to conduct periodic reviews of CenturyLink's Performance Measurement Plan and to complete any third-party audits as outlined in Order No. PSC-03-0067-PAA-TP. **(CORBARI, TEITZMAN)**

**Staff Analysis:** If no person whose substantial interests are affected files a protest within 21 days of the issuance date of the Order, the Order will become final upon the issuance of a Consummating Order. Any protest of the Commission's decision in this matter should identify with specificity the item or measure being protested, and any such protest should not prevent the remainder of the Order from becoming final and effective. Thereafter, this docket should remain open for the Commission to conduct periodic reviews of CenturyLink's Performance Measurement Plan and to complete any third-party audits as outlined in Order No. PSC-03-0067-PAA-TP.

**Proposed Changes to the Florida PMP\***

System	Metric	CenturyLink Proposed Change Feb 2013
Pre-Ordering	<b>PM-1 Average Response Time to Pre-Order Queries-</b> Measures the elapsed time from CenturyLink's receipt of the query from the CLEC, whether or not it is in correct syntax, to the time CenturyLink returns the requested data to the CLEC.	Change Measure 1 to diagnostic – Pre-order queries are measured in only a matter of seconds and the timeframe to return such data has minimal, if any, impact on the CLEC customer.  Update business rules regarding Simple/Complex; removed note; update/eliminate sub-measures consistent with the move from the IRES ordering system to the EASE ordering system.
Ordering	<b>PM-2 – Average Firm Order Confirmation (FOC) Notice Interval –</b> Measures the average time from receipt of a valid service request to returning a Firm Order Confirmation (FOC)	Adopt proposed benchmark standards – The products and sub-measures in this measure were previously measured from the IRES ordering system. CenturyLink has updated its ordering system to the EASE system. Additionally, EASE is now integrated with new back office systems. Since orders are handled differently in the new systems, CenturyLink has updated the benchmarks accordingly. Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.
Ordering	<b>PM-3 – Average Reject Notice Interval –</b> Reject interval is the elapsed time between CenturyLink's receipt of an order from the CLEC to CenturyLink's return of a notice of a rejection to the CLEC.	Adopt proposed benchmark standards; remove syntax and content errors – The sub-measures were previously measured from the IRES ordering system and are now measured through the EASE ordering system. EASE is now integrated with new back office systems. Since orders are handled differently in the new systems, CenturyLink has updated the benchmarks accordingly.
Ordering	<b>PM-4 – Percent of Flow-Through Orders –</b> Measures the percentage of mechanized service orders processed on a flow through basis, i.e., orders that can get to the FOC status without manual intervention.	Remove UNE Sub Loops Voice Grade and UNE Sub Loops Data and make changes needed to accommodate the change from IRES to EASE. Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.
Provisioning	<b>PM-5 – Percentage of Orders Jeopardized –</b> Percentage of total orders processed for which CenturyLink notifies the CLEC that the work will not be completed by the due	Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE

System	Metric	CenturyLink Proposed Change Feb 2013
	date committed on the FOC.	sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.
Provisioning	PM-6- Average Jeopardy Notice Interval – Measures the remaining time between the pre-existing committed order completion date communicated via the FOC and the date CenturyLink issues a notice to the CLEC indicating an order is in jeopardy of missing the due date (or the due date has been missed).	Change to diagnostic – Measuring due dates is a better indication of installation timeliness than simply measuring how early notices are sent for orders in jeopardy of missing their associated due dates; which is all this measure is doing. CenturyLink proposes to continue to track the average jeopardy notice interval. Stop reporting by Jeopardy type and change method of calculation – These changes are necessary to align with the retail comparative. Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.
Provisioning	PM-7 – Average Completed Interval – Average business days from receipt of valid, error-free service request to completion date in service order system for new, move and change orders.	<b>Establish benchmark for UNE Loops-xDSL Provisioned-No Field Work at 3.5 days. Clarify the existing benchmark for UNE Loops – Designed No Field Work.</b> Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.
Provisioning	PM-8 – Percent Completed within Standard Interval – Measures orders completed within the standard interval of receipt of valid, error-free service request.	Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.
Provisioning	PM-9 – Coordinated Customer Conversion as a Percentage On Time – Measures the percentage of coordinated cutovers started on time where CLEC has requested timed coordination.	Eliminate Measure 9 – CenturyLink receives very few requests from CLECs for timed, coordinated Customer Conversions. Therefore, reporting results is burdensome and statistically insignificant. Any service orders received for conversion are also reported in Measure 7 as an Average Completion Interval which is a better representation of the timeliness of CenturyLink provisioning.
Provisioning	PM-11 – Percent of Due Dates Missed –	Clarify existing benchmark for 'UNE Loops – Designed

System	Metric	CenturyLink Proposed Change Feb 2013
	Measures the percent of new, move and change orders where installation was not completed by the due date.	No Field Work' Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.
Provisioning	PM-12 – Percent of Due Dates Missed Due to Lack of Facilities – Measures the percent of new, move and change orders missed due to lack of facilities	Change to diagnostic. The performance dimension addressed in this measure is already being captured as part of Measure 11 (Percent of Due Dates Missed). Thus Measure 12 is double counting in the few cases where due dates are missed because of the lack of facilities. Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.
Provisioning	PM-13 – Delay Order Interval to Completion Date (For Lack of Facilities) - Measures the average calendar days from due date to completion date on company missed orders, due to lack of ILEC facilities.	Remove limitation regarding orders delayed due to lack of facilities. By removing this limitation, CenturyLink will capture all orders that are delayed due to CenturyLink reasons past the committed due date and not just those delayed due to lack of facilities. Since the TRRO was issued in 2004, the need to track orders delayed due to facilities has become less important. The TRRO specifies that ILECs are not required to provide cable facilities where none exist in order to provision an unbundled network element. Remove disaggregations by calendar days. Add a diagnostic sub-measure of the duration, from missed due date to completion, for all orders delayed for facilities reasons. It is for information only and therefore considered diagnostic. Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.
Provisioning	PM-14 – Held Order Interval – Measures the time period that service orders are not completed by the original due dates for all ILEC reasons (including lack of facilities).	Eliminate Measure 14. With the proposed adjustment to Measure 13 removing the limitation due to lack of facilities, Measure 14 will be redundant. The only difference is that Measure 13 tracks the delay at completion and Measure 14 tracks the delay at the end of each month. Measure 13 is preferable because it is

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		more important to know how long orders are delayed before the service is delivered than how many average delayed days exist at the end of any given month.
Provisioning	PM-15 – Provisioning Trouble Reports Prior to Service Order Completion – Measures the percent of troubles that are reported (via end user customer or indirectly by CLEC) that occur during the provisioning process.	Change to diagnostic. For the last 3 years, CenturyLink has had a record of 99.9% for successful orders without provisioning troubles and therefore proposes to measure this as diagnostic only.  Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.
Provisioning	PM-17a – Percentage Troubles in 5 Days for New Orders – Measures the percent of network customer trouble reports received within 5 calendar days of service order completion.	<b>Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.</b> <b>Excludes cancelled tickets.</b>
Provisioning	PM-18 – Average Completion Notice Interval – Measures the average time per order to issue notification to CLEC of a completed order.	Change to diagnostic and remove benchmarks. The completion notice interval has no impact on the CLEC end user customer. The timeframe to provide this notice is also not an indication of the level of service provided by CenturyLink in actually completing the order.
Maintenance	PM-19 – Customer Trouble Report Rate – Measures the total number of network customer trouble reports received within a calendar month per 100 circuits/UNEs (unbundled network elements).	<b>Change to diagnostic. Performance of this metric is essentially "parity by design" as CenturyLink serves both retail customers and CLECs with the same network, processes, systems and technicians and cannot systematically discriminate against CLECs.</b> <b>Update business rules to count LNP troubles once, if also associated with a product trouble report captured in this measure.</b> <b>Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.</b> <b>Pursuant to the TRRO, ILECs are no longer required to offer Line Sharing as a UNE</b>
Maintenance	PM-20 – Percentage of Customer Trouble Not Resolved Within Estimated Time –	Change to diagnostic. Measure 20 is correlated with Measure 21 and when a customer issue is not resolved

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	Measures the percent of trouble reports not cleared by the commitment time.	<p>within the estimated time, Measure 21 (Average Time To Restore) could also be missed. Therefore, CenturyLink proposes to provide this measure as diagnostic only.</p> <p>Count LNP troubles once, if also associated with a product trouble report counted in this measure.</p> <p>Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.</p> <p>Pursuant to the TRRO, ILECs are no longer required to offer Line Sharing as a UNE</p>
Maintenance	<p>PM-21 – Average Time To Restore – Measures the average duration of customer trouble reports from the receipt of the customer trouble report to the time the trouble is cleared.</p>	<p>Count LNP troubles once, if also associated with a product trouble report counted in this measure.</p> <p>Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.</p> <p>Pursuant to the TRRO, ILECs are no longer required to offer Line Sharing as a UNE</p>
Maintenance	<p>PM-22 – POTS Out of Service Less Than 24 Hours – Measures the percent of POTS out-of-service trouble reports cleared in less than 24 hours.</p>	<p><b>Change to diagnostic. This measure only includes POTS products and therefore Measure 21 (Average Time To Restore) is a better indication of performance. Thus, CenturyLink proposes that this measure be reported on a diagnostic basis.</b></p> <p><b>Remove UNE Loops Non-Designed from the “Measurable Standard” as the description of Measure 22 in the PMP specifies its focus as being on POTS out of service and UNE Loops are not POTS products. Therefore, CenturyLink proposes elimination of the UNE Loops Non-Designed measurable standard from reporting for Measure 22.</b></p> <p>Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.</p>
Maintenance	<p>PM-23 – Frequency of Repeat Troubles in 30 Day Period – Measures the percent of</p>	<p>Count LNP troubles once, if also associated with a product trouble report counted in this measure.</p>

System	Metric	CenturyLink Proposed Change Feb 2013
	customer network trouble reports received within 30 calendar days of a previous report.	Eliminate UNE Sub-Loops and UNE Ports from measurable standards. Pursuant to the TRRO, ILECs are no longer required to offer UNE Ports as a UNE. CenturyLink hasn't received orders or tickets for UNE sub-loops in the previous 3 years of reporting. There is no demand for this product and as such, CenturyLink is requesting it be eliminated from reporting.  Pursuant to the TRRO, ILECs are no longer required to offer Line Sharing as a UNE
Network Performance	PM-24 – Percent Blocking on Common Trunks – Measures the total percentage of blockage across all common and shared transport trunk groups exceeding 1% blockage.	Change to diagnostic. – Performance in this measure is “parity by design” as evident in its definition in the PMP, where only one number is reported and that number represents the experience of both CenturyLink and any other party that uses the Common Trunks.
Network Performance	PM-25 – Percent Blocking on Interconnection Trunks – Measures the total percent of blockage on final dedicated interconnection trunk groups exceeding 1% blockage.	Change to diagnostic. – Interconnection is a unique category in comparison to most other measures or products, because it involves reciprocal implementation obligations on the part of both CenturyLink and CLECs, and it has mutual resulting impacts, that by themselves create more-than-sufficient incentives to appropriately manage trunk blocking. Accordingly, CenturyLink proposes that Measure 25 be considered diagnostic only.
Network Performance	PM-26 – NXX Loaded by LERG Effective Date – Measures the number of NXXs loaded and tested by the LERG (Local Exchange Routing Guide) effective date.	Change to diagnostic. – CLEC networks are now essentially established, and therefore relatively few code openings are occurring. Moreover CenturyLink and CLECs have an inherent, mutual interest in managing NXX activations, because customers of both may be affected.
	PM-28 – Usage Timeliness – This measure captures the elapsed time between the recording of usage data generated either by CLEC retail customers or access usage associated with CLEC customers and the time when the data set, in a compliant format, is available for transmission to the CLEC.	Eliminate Measure 28. – This measure has proven to be unnecessary for regulatory focus and attention. Usage timeliness is not end-user customer affecting, and CLECs do not depend on a strict time interval (e.g., the 5 days addressed in this measure) for receiving usage feeds. Instead, many CLECs only access their usage records once a week or once a month, because they do not bill their end users daily for usage but rather on a monthly basis. Additionally, CLECs that operate on a flat-rate basis with their customers do not need to access these records at all. Therefore, CenturyLink proposes to eliminate this measure.
Billing	PM-30 – Wholesale Bill Timeliness – This measure captures the elapsed number of calendar days between the scheduled close of a Bill Cycle and CenturyLink's transmission of availability of the associated invoice to the CLEC.	CenturyLink has proposed no changes to this measure.
Billing	PM-31 – Usage Completeness – Measures the percentage of usage charges appearing	Modify the business rules to exclude all long-duration calls. Currently only resale long-duration calls are excluded but the effect of such calls is the same for all

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	on the correct bill, i.e., next available bill.	measurable standards and thus all should be excluded. (Long duration calls are defined as calls that remain connected through two successive midnights.)
Billing	PM-32 – Recurring Charge Completeness – Measures the percentage of fractional recurring charges appearing on the correct bill, i.e. the next available bill.	Add a business rule to exclude zero dollar billing charges. There is no adverse impact to CLEC customers when zero-dollar charges appear on the bill in a later billing period. Accordingly, CenturyLink proposes excluding “zero dollar billing charges” from this measure.
Billing	PM-33 – Non-Recurring Charge Completeness – Measures the percentage of non-recurring charges appearing on the correct bill, i.e., the next available bill.	Add a business rule to exclude zero dollar billing charges. There is no adverse impact to CLEC customers when zero-dollar charges appear on the bill in a later billing period. Accordingly, CenturyLink proposes excluding “zero dollar billing charges” from this measure.
Billing	PM-34 – Bill Accuracy – Measures the percentage of the total bill amount that is not adjusted by correcting service orders or adjustments on a rolling six month average.	This measure is currently diagnostic only and therefore CenturyLink proposes removing references to benchmarks.
Database Updates	PM-38 – Percent Database Accuracy – The percentage of E911 records that was updated by CenturyLink in error. The data required to calculate this measurement will be provided by the CLEC. The CLEC will provide the number of records transmitted and the errors found.	Change to diagnostic. – From January 2010 through November 2012, CenturyLink has had a record of 100% and therefore proposes this measure be diagnostic only.
Database Updates	PM-39 – E911 MS Database Update – Measures the percentage of E911 database updates completed within 48 24 hours.	Update the description and calculation from 48 hours to 24 hours and change to diagnostic. – From January 2010 through November 2012, CenturyLink has had a record of 99.99% and therefore proposes this measure be diagnostic only.
Collocation	PM-40 – Time to Respond to a Collocation Request – Measures the percentage of time CenturyLink responds to a CLEC complete collocation request, within the allotted time.	CLECs are now well established in collocation arrangements. Further, collocation activity is not CLEC customer impacting, and its volume has dropped significantly since originally included in the plan. CenturyLink proposes to continue to track this measure on a diagnostic only basis.
Collocation	PM-41 – Time to Provide a Collocation Arrangement – Measures the percentage of time CenturyLink responds to the CLEC approved collocations request, within the allotted time. Approved means CenturyLink approves the application and has received from the CLEC either financial payment or a bond.	CLECs are now well established in collocation arrangements. Further, collocation activity is not CLEC customer impacting, and its volume has dropped significantly since originally included in the plan. CenturyLink proposes to continue to track this measure on a diagnostic only basis.
Interface	PM-42 – Percentage of Time Interface is Available – Measures percent of time OSS interface is available compared to	CenturyLink replaces the reference to the IRES ordering system with the EASE ordering system.

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	scheduled availability.	
Interface	PM-44 – Center Responsiveness – Measures the average time it takes CenturyLink’s work center to answer a call.	Update the method of calculation consistent with existing benchmark. That is, clarify the calculation for Ordering Center reflects the benchmark of 80% within 20 seconds.
Provisioning	<b>Missed Appointment Reason Codes within various Provisioning Measures</b>	<b>In the list of codes which are outside of CenturyLink’s control, include Inclement Weather Delayed Installation as an excludable code because CenturyLink should not be responsible for missed due dates because inclement weather delayed an installation.</b>
Multiple	<b>TRRO – FCC rules dictate that DS-1 and DS-3 loops and transport are no longer unbundled network elements in non-impaired wire centers</b>	<b>CenturyLink proposes that the products subject to TRRO relief shall be excluded from measurement and/or reporting in the non-impaired wire centers approved or accepted as such by the Florida Commission.</b>

\* Content provided by CenturyLink; items on which CenturyLink and CompSouth disagree are in bold type.