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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In Re: Consideration of BellSouth  
Telecommunications, Inc.'s entry  
into interLATA services pursuant to  
Section 271 of the Federal Telecommunications  
Act of 1996.**

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**Docket No. 960786-TL**

**Filed: July 17, 1997**

**DIRECT TESTIMONY**

**OF**

**DOUGLAS W. KINKOPH**

**ON BEHALF OF**

**FLORIDA COMPETITIVE CARRIERS ASSOCIATION**

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2  
3                                   **TESTIMONY**

4  
5                                   **OF**

6  
7                                   **DOUGLAS W. KINKOPH**

8  
9                                   **Qualifications**

10  
11                                  **Q.     Please state your name and business address.**

12  
13                                  A.     My name is Douglas W. Kinkoph. My business address is LCI  
14    International Telecom Corp. ("LCI"), 8180 Greensboro Drive, McLean  
15    Virginia 22102.

16  
17                                  **Q.     What is your educational background?**

18  
19                                  A.     I have a Bachelors of Arts degree in Communications Management from  
20    Ohio University and a Masters of Administration from Central Michigan  
21    University.

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**Q. What is your job title at LCI and what are your responsibilities in that job?**

A. My title is Director, Regulatory and Legislative Affairs. I am responsible for LCI regulatory policy at the state and federal level as well as LCI's legislative policy before state and federal legislative bodies. In addition, I have responsibility for LCI's tariffs and all reporting requirements as established by various state and federal regulatory bodies.

**Q. For whom do you appear in this proceeding?**

A. My testimony is being sponsored by the Florida Competitive Carriers Association, of which LCI is a member.

**Purpose of Testimony**

**Q. What is the purpose of your testimony?**

A. Issue 3 of the Order on Procedure addresses whether BellSouth is

1 providing nondiscriminatory access to unbundled network elements as  
2 required by the Act and rules of the FCC. Issue 15 poses a similar  
3 question regarding whether BellSouth has made available services for  
4 resale in compliance with the Act and FCC rules. Each of these issues has  
5 a subissue that poses this question:

6 Has BellSouth developed performance standards and  
7 measurements? If so, are they being met?  
8

9 I am informed that, during proceedings before the Prehearing Officer,  
10 BellSouth questioned whether it is even appropriate to consider the subject  
11 of performance standards and measurements when gauging whether it has  
12 complied with Issues 3 and 15. In my testimony, I will show that  
13 performance standards and measurements are not only appropriate: they are  
14 essential to the ability to gauge whether BellSouth is complying with these  
15 checklist items. In the absence of such measurements and standards, it is  
16 impossible for BellSouth to prove -- and the Commission to verify -- that  
17 BellSouth has provided the degree of parity that the law requires. I will  
18 also illustrate the scope and nature of performance standards that the  
19 Commission must require in order to test BellSouth's claim that it is  
20 providing "nondiscriminatory access."

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22 **Q. Please elaborate on why it is important to establish adequate**

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**performance standards.**

A. In its First Report and Order, dated August 8, 1996, the FCC determined that parity in the use of operations support systems ("OSS"), which are the mechanisms BellSouth employs in pre-ordering, ordering, provisioning, maintenance, and billing routines, is crucial to the development of competition:

. . . Finally, if competing carriers are unable to perform the functions of pre-ordering, ordering, provisioning, maintenance and repair, and billing for network elements and resale services in substantially the same time and manner that an incumbent can for itself, competing carriers will be disadvantaged, if not precluded altogether, from fairly competing. Thus providing nondiscriminatory access to these support systems functions, which would include access to the information such systems contain, is vital to creating opportunities for meaningful competition. [FCC Order, No. 96-325, p. 253; footnote omitted]

Implicit in the concepts of "Non-discriminatory access" and "parity" is the idea that the nature of the access provided to the competitor is to be compared to BellSouth's own access. The Commission can't begin to make the comparison if there is neither an appropriate standard nor an adequate benchmark of BellSouth's own performance. Performance standards and measurements are critical, because they provide the only means of gauging whether CLECs are receiving treatment equal to that

1 provided to the ILEC and its affiliates, as well as to other CLECs.  
2 Benchmarks and performance standards adopted by the Florida Public  
3 Service Commission or Federal Communications Commission will help  
4 ensure that new entrants to the local markets are receiving parity in access  
5 and non-discriminatory treatment with respect to Bell South's Operation  
6 Support Systems ("OSS"), and thus move the local market one step closer  
7 to an environment that will sustain local competition.  
8  
9

10 **Q. Have other states recognized the importance of performance**  
11 **standards?**

12  
13 **A.** Yes. The Michigan Public Service Commission (MPSC) recently  
14 addressed the issue in its comments to the Federal Communications  
15 Commission relative to Ameritech Michigan's request to provide In-region  
16 long distance market. The MPSC stated, "The primary problem in  
17 assessing Ameritech's compliance with the nondiscrimination standards of  
18 the Act and specifically the OSS functions is that, for the most part,  
19 sufficient performance standards do not exist by which Ameritech's  
20 performance can be judged." I have attached a copy of the Michigan  
21 Commission's consultation as Exhibit \_\_\_\_\_ (DWK-1).

1                   Significantly, in the same case, the Department of Justice (DOJ)  
2 addressed the issue of performance standards in its evaluation of Ameritech  
3 Michigan's application. In its evaluation, the DOJ stated: "proper  
4 performance disclosures with which to compare BOC retain and wholesale  
5 performance, and to measure exclusively wholesale performance, are a  
6 necessary prerequisite to demonstrating compliance with the Commission's  
7 'non-discrimination' and 'meaningful opportunity to compete' Standards."  
8  
9

10           **Q. Has LCI done anything to attempt to ensure that CLECs receive non-**  
11           **discriminatory treatment?**

12  
13           **A. Yes.** On May 30, 1997, LCI and the Competitive Telecommunications  
14 Association (CompTel) filed a Petition for Expedited Rulemaking with the  
15 Federal Communications Commission. In that Petition, LCI and CompTel  
16 asked the FCC to enter an expedited order requiring that:

- 17                   \* each ILEC disclose: (a) each OSS function for which it has  
18 established performance standards for itself and (b) each  
19 OSS function for which it has not established performance  
20 standards for itself, and  
21  
22                   \* where the ILEC has established performance standards for  
23 itself, that the ILEC further disclose precisely what those  
24 performance standards are, together with appropriate  
25 historical data and measurement criteria.



1 Further, LCI asked the FCC to establish the appropriate minimum  
2 performance standards for each OSS function, including those functions for  
3 which the incumbent LEC has not established performance standards for  
4 itself. On June 10, 1997, the FCC issued a Public Notice requesting  
5 comments on LCI's Petition.

6 In addition, LCI is a member of the Local Competition Users  
7 Group (LCUG). The current membership of LCUG consists of LCI,  
8 AT&T, MCI, WorldCom and established performance standards for itself  
9 and (b) each OSS function for which it has not established performance  
10 standards for itself, and Sprint. I am LCI's representative on the LCUG  
11 Policy Board. The Charter of LCUG is to create and sustain a forum to  
12 determine system interfaces operational support systems that are required  
13 from Incumbent Local Exchange Carriers (ILECs) to support competitive  
14 local market entry via interconnection, resale, and the combining of  
15 network elements. Early in its existence, LCUG recognized that it was  
16 essential that a plan be developed to measure ILECs' performance for all  
17 the essential operational support system functions (e.g., pre-ordering,  
18 ordering and provisioning, maintenance and repair, network performance,  
19 unbundled elements, operator services and directory assistance, system  
20 performance, service center availability and billing). To establish these  
21 performance standards, a sub-committee, including representatives from

1 each of the LCUG companies, was formed.

2  
3 **Q. Has the LCUG sub-committee completed its work in establishing these**  
4 **performance standards?**

5  
6 A. Yes. Attached as my Exhibit \_\_\_\_\_ (DWK-2) are the Service Quality  
7 Measurements established by the sub-committee and adopted by the  
8 LCUG's Policy Board.

9  
10 **Q. Could you please explain how the measurements and metrics identified**  
11 **in Exhibit \_\_\_\_\_ (DWK-2) were developed?**

12  
13 A. Each of the ICUG sub-committee members was assigned a section or  
14 category to investigate. Each provided recommendations to the sub-  
15 committee. The sub-committee reviewed and discussed each measurement  
16 and established the final measurements, metrics, and categories to be  
17 measured based upon regulatory requirements or good business practices.  
18 It is important to understand that the intent of the metrics set forth in  
19 Exhibit A is not to establish a level of service above that which BellSouth  
20 provides to itself (although I would expect that, if the Commission finds  
21 that BellSouth's service is below an acceptable level, it would regard

1 providing parity with poor service to be equally unacceptable). Rather,  
2 because the sub-committee lacked historical trended data from the ILECs,  
3 and the ILECs (including BellSouth) have been unwilling or unable to  
4 share their current performance information, the metrics found in Exhibit  
5 A are based upon the best of class or good business practices.

6  
7  
8 **Q. Do you believe it is possible to achieve parity without the appropriate**  
9 **performance standards, such as those advocated by LCUG?**

10  
11  
12 **A.** No. The requirement that ILECs provide nondiscriminatory access to the  
13 ILECs' OSS functions, such that the ILECs provide CLECs with at least  
14 the same quality of access and the same functionality that they provide to  
15 themselves, is a cornerstone of Section 251 of the Act and of the FCC's  
16 First Report and Order in CC Docket No. 96-98. That requirement is fully  
17 incorporated in the checklist of Section 271 of the Act, and in Issues 3 and  
18 15 of this Section 271 proceeding. Parity is the only basis upon which  
19 local competition can develop. Conversely, an absence of parity would be  
20 devastating to the development of local competition. Whether BellSouth  
21 has provided parity can be determined only after BellSouth has measured

1 and compared the manner in which essential OSS service is provided to  
2 CLECs with the manner in which it supplies OSS to itself. To proceed  
3 with the required evaluation before the standards and the performance data  
4 are in place is, by definition, an impossibility. Accordingly, in this case  
5 the Commission must, as a threshold measure, determine whether  
6 BellSouth has even provided the tools and the information needed to  
7 enable the Commission to determine whether BellSouth has complied with  
8 the standard of parity.

9  
10 **Q. Does this conclude your testimony?**

11  
12 **A. Yes.**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing **Direct Testimony of Douglas W. Kinkoph on Behalf of Florida Competitive Carriers Association** has been furnished by U.S. Mail, by hand delivery(\*), or by overnight delivery(\*\*) on this **17th** day of **July, 1997**, to the following:

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Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In the Matter of the Application )  
of Ameritech Michigan Pursuant to )  
Section 271 of the Communications )  
Act of 1934, as amended, to Provide )  
In-Region InterLATA Services in )  
Michigan )  
\_\_\_\_\_ )

CC Docket No. 97-137

CONSULTATION OF THE MICHIGAN PUBLIC SERVICE COMMISSION

JUNE 9, 1997

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Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In the Matter of the Application of )  
Ameritech Michigan Pursuant to )  
Section 271 of the Communications )  
Act of 1934, as amended, to )  
Provide In-Region InterLATA )  
Services in Michigan )

CC Docket No. 97-137

CONSULTATION OF THE MICHIGAN PUBLIC SERVICE COMMISSION

I. Introduction

On January 2, 1997, Ameritech Michigan (Ameritech) filed with the Federal Communications Commission (FCC) its initial application to provide in-region interLATA services in Michigan (initial Section 271 Application) pursuant to Section 271(d) of the Telecommunications Act of 1996 (the Act).<sup>1</sup> A supplemental filing was submitted by Ameritech on January 17, 1997. In response to a February 11, 1997 letter from Ameritech, the FCC dismissed this initial application without prejudice.<sup>2</sup>

On May 21, 1997, Ameritech filed with the FCC its second application to provide in-region interLATA services in Michigan (Application) which is the subject of this proceeding.

Section 271(d)(2)(B) of the Act provides the following:

<sup>1</sup>This application was docketed by the FCC as CC Docket No. 97-1.

<sup>2</sup>February 12, 1997 FCC Order in CC Docket No. 97-1.

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CONSULTATION WITH STATE COMMISSIONS. - Before making any determination under this subsection, the Commission shall consult with the State commission of any State that is the subject of the application in order to verify the compliance of the Bell operating company with the requirements of subsection (c).

The Michigan Public Service Commission (MPSC) submitted comments on Ameritech's initial Section 271 Application on February 5, 1997 (February 5, 1997 Comments). Those comments are attached hereto as Attachment 1 and constituted the conclusions of the Commission based on Ameritech's initial Section 271 Application and the record established in Michigan Case No. U-11104<sup>3</sup> as of the date the comments were filed.

Additional and updated information has now been included in Ameritech's Application and further filings have also been made in Michigan Case No. U-11104.<sup>4</sup> Therefore, as requested by the FCC's May 21, 1997 Public Notice, the MPSC herein submits its comments on Ameritech's Application. Its comments on the Application will update comments filed as Attachment 1 and, where appropriate, elaborate on or amend conclusions reached in early February to reflect information that has now become available.

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<sup>3</sup>This docket was established by the MPSC on June 5, 1996 to receive information relative to Ameritech's compliance with Section 271(c) of the Act. Copies of all information filed in that docket as of May 21, 1997 are contained in Volume 4 of Ameritech's Application.

<sup>4</sup>Submissions filed in Michigan Case No. U-11104 between May 21, 1997 and June 5, 1997 are included herein as Attachment 2 ( Docket #s 134-162).

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II. Interconnection Requirements Under Track A of the Act

Ameritech asserts that it has met all of the requirements of Section 271(c)(1)(A) of the Act. This is the so-called Track A alternative.<sup>5</sup> It relies upon its interconnection agreements with Brooks Fiber Communications of Michigan, Inc. (Brooks), MFS Intelenet of Michigan, Inc. (MFS), and TCG Detroit (TCG) for satisfaction of these requirements of the Act. The conditions set forth in Section 271(c)(1)(A) are discussed separately below.

A. Interconnection Agreements.

Section 271(c)(1)(A) requires Ameritech to have entered into one or more binding agreements that have been approved under Section 252. Ameritech is a party to eighteen interconnection agreements filed with the MPSC. Thirteen involved negotiated agreements and five included issues to be arbitrated. Of the thirteen negotiated agreements, six have been approved by order of a majority of the MPSC. Ameritech submitted five of these six approved agreements with its Application, including agreements with MFS, Brooks, USN Communications (USN), WinStar Wireless (WinStar), and AirTouch Cellular (AirTouch).<sup>6</sup>

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<sup>5</sup>On June 5, 1997, the MPSC rejected Ameritech's statement of generally available terms and conditions for interconnection, which could be utilized in a so-called Track B application for interLATA relief under Section 271(c)(1)(B) of the Act. The MPSC found that if competitive providers have requested interconnection with the Bell operating company in a timely manner (the Track A alternative), the Track B option is not available. As noted in the MPSC Order, this is a conclusion which is shared by the United States Department of Justice. See Attachment 2 for a copy of this Order issued in Case No. U-11104 (Docket #161).

<sup>6</sup>These five interconnection agreements along with the MPSC Orders approving the agreements are contained in Volume 1 of Ameritech's Application. On June 5, 1997 in Case No. U-11326, the MPSC also approved the negotiated interconnection agreement between

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The remaining seven negotiated agreements have been submitted to the MPSC and are awaiting review and approval.<sup>7</sup>

Of the five agreements which contained issues to be arbitrated, three have now resulted in signed and MPSC-approved interconnection agreements which Ameritech submitted with its Application. These agreements are with TCG, AT&T Communications of Michigan, Inc. (AT&T), and Sprint Communications, L.P. (Sprint).<sup>8</sup> An arbitration decision has been rendered by the MPSC in a fourth case between Ameritech and MCI Telecommunications Corporation (MCI). However, an executed agreement has not yet been submitted for approval of the MPSC. In the final case, between Ameritech and Climax Telephone Company, the Decision of the Arbitration Panel was rendered on May 21, 1997 and a MPSC Order is expected before July 1, 1997.

---

Ameritech and BRE Communications, L.L.C. However, Ameritech has not relied on this agreement in its Application. A copy of the MPSC's order is included herein as Attachment 3.

<sup>7</sup>The pending negotiated interconnection agreements include those between Ameritech and 360 Communications Company (Case No. U-11356, submitted April 2, 1997), Coast to Coast Telecommunications, Inc. (Case No. U-11375, submitted April 30, 1997), Century Cellnet (Case No. U-11403, submitted May 9, 1997), Ameritech Mobile Communications, Inc. (Case No. U-11399, submitted May 7, 1997), Trillium Cellular (Case No. U-11400, submitted May 9, 1997), Brooks Fiber Communications of Michigan, Inc. (Case No. U-11354, submitted April 23, 1997 as an amendment to the already existing interconnection agreement between these parties), and Nextel West Corp. (Case No. U-11416, submitted May 30, 1997).

<sup>8</sup>These three signed agreements as well as the MPSC arbitration decisions and the MPSC Orders approving the agreements are also included in Volume 1 of Ameritech's Application.

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In summary, Ameritech relies upon two negotiated interconnection agreements (with Brooks and MFS) and one arbitrated interconnection agreement (with TCG) for satisfaction of its Section 271(c)(1)(A) requirements under the Act. In addition to these three, Ameritech has included five other interconnection agreements with its Application. All eight have been signed by the parties and approved by the MPSC. Five of the eight were negotiated and therefore the interconnection requirements of Section 251 of the Act, the pricing requirements of Section 252 of the Act, and the FCC Rules interpreting those sections were not applied to them. The remaining three agreements were subject to arbitration. The requirements of Sections 251 and 252 of the Act as well as the FCC Rules interpreting those sections were utilized to arbitrate disputes in those cases.

**B. Ameritech's Provision of Service Under the Terms of Interconnection Agreements**

Section 271(c)(1)(A) of the Act provides that the approved interconnection agreements must specify the terms and conditions under which Ameritech is providing access and interconnection to its network facilities. In its February 5, 1997 Comments, the MPSC noted that despite the existence of approved and executed interconnection agreements, Ameritech had indicated that it provided interconnection with competitors pursuant to tariffs rather than to the interconnection agreements.<sup>9</sup> Ameritech has clarified that subsequent to the execution of interconnection agreements with Brooks, MFS, and TCG, these providers now

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<sup>9</sup>Attachment 1, p. 7.

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interconnect pursuant to their agreements rather than tariff.<sup>10</sup>

The rates, terms, and conditions of the Brooks, MFS, and TCG interconnection agreements were arrived at almost completely through negotiation rather than arbitration.<sup>11</sup> However, Ameritech asserts that Brooks, MFS, and TCG also have available to them, pursuant to the "most favored nation" (MFN) clauses in their respective agreements, checklist items contained in the AT&T and Sprint interconnection agreements, many of which were arbitrated by the MPSC and determined to comply with the requirements of Sections 251 and 252(d) of the Act.<sup>12</sup> In its February 5, 1997 Comments, the MPSC noted that the application of the MFN clauses in the Brooks, MFS, and TCG interconnection agreements appeared to be problematic in that it appeared to permit providers to adopt provisions in other providers contracts only as a whole. That is, if the rates, terms and conditions of one unbundled network element were to be adopted from another provider's agreement, all must be adopted.<sup>13</sup>

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<sup>10</sup>Ameritech's March 27, 1997 Submission of Additional Information in MPSC Case No. U-11104, pp. 14-15.

<sup>11</sup>Although the MFS and Brooks agreements were totally negotiated, three disputed items in the TCG agreement were arbitrated by the MPSC.

<sup>12</sup>Ameritech's Brief in Support of Application, p. 16.

<sup>13</sup>Attachment 1, pp. 9-10.

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In letters to each provider, Ameritech has attempted to clarify (but did not modify) the contract language contained in those agreements.<sup>14</sup> However, in a May 8, 1997 filing with the MPSC, TCG delineated difficulties encountered in invoking the MFN clause of its contract.<sup>15</sup> Ameritech further clarified its position on the use of the MFN clause in a May 14, 1997 filing with the MPSC.<sup>16</sup> Ameritech now represents that providers may opt to adopt the rates, terms and conditions of a single contract element rather than adoption of only contract sections as a whole. In addition Ameritech has indicated that MPSC approval will not be sought each time a provider invokes its MFN clause as Ameritech had originally proposed. However, it will require that both parties sign an amendment to the existing interconnection agreement to reflect the rates, terms and conditions which will be adopted. The effective date of the change will be upon execution by both parties of the amendment to the interconnection agreement. TCG has not raised any remaining dispute on this issue with the MPSC since Ameritech's May 14, 1997 filing. Since Ameritech relies upon use of the MFN clauses of its interconnection agreements for satisfaction of checklist requirements, however, application of these clauses will continue to be closely monitored, consistent with the Act and the Michigan Telecommunications Act (MTA).<sup>17</sup>

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<sup>14</sup>Ameritech's Application, Affidavit of Theodore A. Edwards, Schedule 3.

<sup>15</sup>TCG's May 8, 1997 Submittal of Supplemental Information in MPSC Case No. U-11104.

<sup>16</sup>Ameritech's May 14, 1997 Response to TCG Detroit in MPSC Case No. U-11104.

<sup>17</sup>MCL 484.2101 et seq.; MSA 22.1469 (101) et seq.



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In its February 5, 1997 Comments, the MPSC discussed procedures utilized to determine prices incorporated in Ameritech's interconnection agreements.<sup>18</sup> Prices included in interconnection agreements are basically of three types. First, interim prices were established by the MPSC for certain services in compliance with the requirements of Section 252(d) of the Act and the MTA during arbitration proceedings. Services included in this category are, for example, basic loop and basic port rates established in AT&T's arbitration proceeding. In many cases, these interim prices will be replaced by those determined appropriate in a costing and pricing proceeding ongoing at the MPSC at this time.<sup>19</sup> A second set of prices specified in some interconnection agreements were negotiated rather than arbitrated but will also be replaced by prices established in the MPSC's ongoing costing and pricing proceeding. Therefore, although the pricing requirements of the Act and the MTA were not originally applied to these services, they are now being applied in the MPSC's ongoing proceeding. Services included in this category are, for example, non-basic loops and ports. Finally, prices for some other services included in Ameritech's interconnection agreements were not arbitrated (including the application of Section 252(d) pricing criteria from the Act) and are not at issue in the MPSC's ongoing pricing proceeding. Prices for these services were merely negotiated by the parties or will be determined at some future date. Services included in this category are, for example, 9-1-1 prices and pole, duct and

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<sup>18</sup>Attachment 1, pp. 10-13.

<sup>19</sup>This proceeding has been docketed as Case No. U-11280 and was initiated by the MPSC on December 12, 1996.

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right-of-way access prices. The proceedings in the MPSC cost and pricing docket have concluded and the record is before the MPSC for final decision.

C. Interconnection Agreements Are with Competing, Unaffiliated Providers.

Pursuant to the MTA the MPSC has now authorized twenty-four applicants to provide basic local exchange service in some or all of Ameritech's licensed service territory. Four other applications are now pending. Of the twenty-four licensed providers, nine have filed tariffs with the MPSC further indicating readiness to provide service. Five of the nine<sup>20</sup> also have approved interconnection agreements in place.<sup>21</sup> The interconnection agreement with a sixth, MCI, has been arbitrated but, as indicated earlier, a signed agreement has not as yet been filed with the MPSC for approval. MCI has begun operations in Michigan apparently pursuant to Ameritech's tariffs rather than an approved interconnection agreement. This is also the case for LCI International Telecom, Inc. (LCI), a licensed and tariffed provider of local service in Michigan that resells services pursuant to Ameritech's resale tariff. No interconnection agreement between these parties has been filed with the MPSC.

Ameritech has relied upon its interconnection agreements with Brooks, MFS, and TCG for satisfaction of this part of the Section 271(c)(1)(A) requirements of the Act. These

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<sup>20</sup>AT&T, Brooks, MFS, TCG and USN.

<sup>21</sup>Interconnection agreements have also been approved for Sprint and WinStar Wireless but these providers have not as yet filed local tariffs. The eighth interconnection agreement filed by Ameritech with its Application is with AirTouch Cellular. Cellular providers are not required to be licensed by the MPSC to provide cellular service.

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three providers are unaffiliated with Ameritech, have been licensed by the MPSC pursuant to the MTA to provide basic local exchange service in some or all parts of Ameritech's licensed service area, have filed local tariffs with the MPSC and are providing local service to customers in Michigan.

**D. Competitor(s) Serve Residential and Business Subscribers.**

Of the three providers on which Ameritech relies to satisfy the requirements of Section 271(c)(1)(A), Brooks provides service to both residential and business subscribers. According to Ameritech, at the end of the first quarter of 1997, Brooks served 14,492 business lines and 5,805 residential lines in the Grand Rapids area of Michigan.<sup>22</sup> MFS and TCG apparently serve only business customers in Michigan at this time.

**E. Provision of Local Service over Competitors' Facilities.**

Considerable controversy continues to exist over this requirement of the Act.<sup>23</sup> In particular Brooks disputes any reference to use of unbundled network elements as fulfillment of the facilities-based requirements of Section 271(c)(1)(A) of the Act. Brooks indicates that 75% of its customers are served through unbundled loops. The MPSC is not convinced that

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<sup>22</sup>Ameritech's Application, Joint Affidavit of Robert G. Harris and David J. Teece, p. 50.

<sup>23</sup>Brooks' March 7, 1997 Motion for Reconsideration, pp. 6-10; Brooks' April 15, 1997 Submission of Additional Information, p. 2; Ameritech's March 28, 1997 Answer to Brooks' Motion, pp. 4-11 in MPSC Case No. U-11104.

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its position on this issue as delineated in its February 5, 1997 Comments<sup>24</sup> should be amended. The MPSC continues to believe that a reasonable interpretation of the Act is that use of unbundled loops or ports would not constitute resale within the meaning of Section 271(c)(1)(A) and therefore constitutes facilities-based services. In addition, although MFS and TCG serve only business customers, all or the vast majority of those customers are served exclusively through the facilities of those providers.

In summary, the MPSC believes that Ameritech complies with the requirements of Section 271(c)(1)(A) of the Act.

### III. Checklist Requirements

Under Section 271(c)(2), access and interconnection provided by Ameritech under Track A must comply with each of the fourteen checklist requirements delineated in the Act. Each checklist item will be discussed separately below, with any updates, amendments or additional information to the MPSC's February 5, 1997 Comments delineated.

- A. **Checklist Item (i)**  
**Interconnection in accordance with the requirements of sections 251(c)(2) and 252(d)(1).**

As discussed in its February 5, 1997 Comments, the MPSC believes that Ameritech

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<sup>24</sup>Attachment 1, pp. 14-18.

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appears to comply with this checklist element.<sup>25</sup> It provides interconnection and collocation to Brooks, MFS, and TCG. As discussed earlier,<sup>26</sup> Ameritech has clarified that subsequent to the execution of interconnection agreements with Brooks, MFS, and TCG, these providers now interconnect pursuant to their agreements rather than to tariff.

Brooks believes that Ameritech does not comply with this item of the checklist because Brooks has experienced network blockage "due to Ameritech's inadequate monitoring of its trunks to Brooks."<sup>27</sup> In its response, Ameritech indicates that part of the blame for the blockage was due to cable cuts, equipment failures, and the inability to obtain accurate forecasts from Brooks.<sup>28</sup> This issue underscores the importance of the development of adequate benchmarks on which performance can be judged as well as a clear definition of the recourse to pursue if performance is deficient. A detailed discussion of this issue is contained below in the following section.

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<sup>25</sup>Attachment 1, pp. 18-21.

<sup>26</sup>See Section II., B. of these Comments.

<sup>27</sup>Brooks April 15, 1997 Response to Ameritech Michigan's Submission of Additional Information in MPSC Case No. U-11104, p. 3.

<sup>28</sup>Ameritech's May 9, 1997 Submission of Information in Response to Brooks Fiber in MPSC Case No. U-11104, pp. 8-10.

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B. Checklist Item (ii)

Nondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1).

As discussed in the MPSC's February 5, 1997 Comments, five of the seven unbundled network elements which Ameritech must provide to comply with this checklist item are discussed separately under other checklist requirements. The availability of a sixth unbundled network element, the network interface device (NID), has not been disputed and the MPSC continues to believe that Ameritech offers this element in compliance with the requirements of the Act and FCC orders.

Nondiscriminatory access to network elements including Operations Support Systems.

Much more controversial, however, has been the issue of nondiscriminatory access to required network elements and in particular the provision by Ameritech of required Operations Support Systems (OSS). The FCC has required Ameritech and all other incumbent Local Exchange Carriers (LECs) to "provide nondiscriminatory access to their operations support systems functions for pre-ordering, ordering, provisioning, maintenance and repair, and billing available to the LEC itself."<sup>29</sup> The FCC required compliance with electronic OSS requirements no later than January 1, 1997.<sup>30</sup> At the time of its original Section 271 filing on January 2, 1997, Ameritech contended that it had complied with the

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<sup>29</sup>FCC's August 8, 1996 First Report and Order in CC Docket 96-98, ¶523.

<sup>30</sup>47 C.F.R. 51.319(f)(2).

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FCC's requirement that access to OSS systems be provided by January 1. Little experience had been garnered with much of Ameritech's OSS at the time of Ameritech's original application. Many providers have now had an opportunity to utilize Ameritech's OSS, and this activity now provides considerable information on this issue. In addition, the MPSC conducted a one day informational hearing on May 28, 1997 at which time Ameritech and users of its OSS systems were invited to present the most current experience with these systems.<sup>31</sup> Representatives from Ameritech, AT&T, MCI, USN, LCI and Brooks made presentations at this hearing. Although invited, MFS and TCG declined to participate.

Based on this additional information, the MPSC now offers this assessment on the issues of nondiscriminatory access to network elements including OSS.

Availability of OSS.

The FCC requires that "an incumbent LEC must, at a minimum, establish and make known to requesting carriers the interface design specifications that the incumbent LEC will use to provide access to OSS functions."<sup>32</sup> Ameritech represents that user specifications were originally published for the first of the five required electronic interfaces in February 1995 (the interface utilized in the ordering and provisioning of certain unbundled network elements) and the last in October 1996 (the pre-ordering interface). After internal testing,

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<sup>31</sup>A transcript of this hearing is contained with the recent filings in MPSC Case No. U-11104 in Attachment 2, Docket #154.

<sup>32</sup>FCC's December 13, 1996 Second Order on Reconsideration in CC Docket 96-98, ¶8.

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the last of the interfaces became available for use in December 1996.<sup>33</sup> Some subfunctions of the five interfaces continue to be available only in non-electronic formats.<sup>34</sup> However, the FCC has required electronic formats only where the equivalent access for use with Ameritech's retail customers is also in electronic format.<sup>35</sup> Bellcore has confirmed that, for the most part, Ameritech's specifications accurately reflect industry guidelines for service ordering, provisioning, repair and maintenance, resale usage, and billing.<sup>36</sup> In the case of the ordering and provisioning interface utilized for the purchase of unbundled loops and certain other unbundled elements, Bellcore has noted that the Access Service Request (ASR) specifications utilized by Ameritech were developed prior to the December 1996 publication of current industry guidelines for this set of interfaces. Bellcore recommends that Ameritech review its specifications against these guidelines "to establish a migration path."<sup>37</sup> Ameritech has committed to migrate to an Electronic Data Interchange (EDI) interface for ordering

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<sup>33</sup>Ameritech's May 28, 1997 Response to the Commission's Questions Regarding OSS in MPSC Case No. U-11104, p. 3. Attachment 2, Docket #151. See also Ameritech's Application, Affidavit of Joseph A. Rogers, Schedule 1.

<sup>34</sup>E.g., the feature availability and address validation subfunctions of the pre-ordering interface are provided via periodic file transfer.

<sup>35</sup>FCC's August 8, 1996 First Report and Order in CC Docket 96-98, ¶523.

<sup>36</sup>Ameritech's Application, Affidavit of Joseph A. Rogers, Schedule 2.

<sup>37</sup>Ameritech's Application, April 3, 1997 Bellcore letter included in Schedule 3 of the Affidavit of Joseph A. Rogers.



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unbundled loops no later than January 1, 1998.<sup>38</sup> This appears to be reasonable in light of the FCC's determination that it would not condition the requirements to provide access to OSS functions on creation of national standards.<sup>39</sup> Ameritech therefore began the development and use of this ASR interface prior to the issuance of industry guidelines.

Ameritech has also indicated that in addition to technical specifications, it "provides requesting carriers with comprehensive ordering guides for unbundled network elements ('UNEs') and resale services."<sup>40</sup> Several parties have indicated that the availability of this eight volume ordering guide has been problematic.<sup>41</sup> Ameritech represents these manuals are available on Ameritech's Internet website to carriers that have signed a confidentiality agreement.<sup>42</sup> Although Ameritech has indicated that these user guides go beyond the required provisioning of the interface specifications themselves, it has also indicated that this is the only place where all the required specifications are pulled together at one reference

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<sup>38</sup>Ameritech Application, Affidavit of Joseph A. Rogers, p. 7.

<sup>39</sup>FCC's December 13, 1996 Second Order on Reconsideration in CC Docket 96-98, ¶8.

<sup>40</sup>Ameritech's Application, Affidavit of Joseph A. Rogers, p. 8.

<sup>41</sup>MCI indicated it only received copies of the ordering guide manuals in April 1997 and then only because it was party to an Illinois Commerce Commission proceeding. Brooks indicated that it had not received copies of these manuals at all. May 28, 1997 transcript of Michigan OSS hearing in Case No. U-11104, p. 140, 177. Attachment 2, Docket #154.

<sup>42</sup>Ameritech's Application, Affidavit of Joseph A. Rogers, p. 8.

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point.<sup>43</sup> According to the FCC, the obligation to provide access to Ameritech's OSS, including the means to provide access, arises upon the request for OSS pursuant to Section 251(c)(3) of the Act.<sup>44</sup> Given such requests, however, provisioning of the user guides appears to be a reasonable interpretation of the requirements under the Act.

Use of Ameritech's OSS in Michigan.

As discussed above, in some cases the interfaces utilized by resellers differ from those utilized to order and provision certain unbundled network elements. Far more of the functions and subfunctions of Ameritech's interfaces are currently being utilized by resellers than by purchasers of unbundled loops. Even resellers, however, have only begun to utilize many portions of Ameritech's OSS in Michigan.

Of the three subfunctions of the electronic pre-ordering interface, only one is in use in Michigan today: the customer service record retrieval capability. This subfunction has been utilized by USN, a reseller, since March 1997. The telephone number selection and the due date negotiation subfunctions of this interface are not currently in use either in Michigan or anywhere in Ameritech's region by any provider. The remaining two subfunctions of the pre-ordering interface, determination of feature availability and address validation, are not provided electronically but rather through periodic file transfers and are utilized by a number of carriers today in Michigan.

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<sup>43</sup>Ameritech's response in May 28, 1997 transcript of Michigan OSS hearing in Case No. U-11104, p. 200. Attachment 2, Docket #154.

<sup>44</sup>FCC's December 13, 1996 Second Order on Reconsideration in CC Docket 96-98, ¶8.

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The EDI ordering interface and the firm order commitment and order completion subfunctions of the provisioning interface have been utilized by both AT&T and USN for their resale operations in Michigan since March 1997. The order jeopardy subfunction of the provisioning interface has been utilized by USN in Michigan since late April 1997. Although the EDI interface can also be utilized to purchase and provision interim number portability as well as resold services, it is not utilized by any provider in Michigan for this purpose as yet.

The ASR interface is utilized for the ordering and provisioning of unbundled loops, end office integration trunks, unbundled interoffice transmission facilities and other transport-based network elements. However, the order completion and order jeopardy subfunctions of the provisioning interface are not available with the ASR interface. Only the firm order commitment subfunction of provisioning is available with this interface. It has been utilized in Michigan by Brooks and MFS since 1995.

The maintenance and repair electronic interface, T1M1, is not utilized by any provider in Michigan at this time nor by any provider in the Ameritech region. Providers are utilizing a manual interface for repair and maintenance functions.

In regard to billing, resellers in Michigan are utilizing the electronic Exchange Message Record (EMR), a daily usage interface. Specifically, AT&T, Brooks, MCI, USN and MFS have utilized this Ameritech interface but may not all be using it in Michigan. The Ameritech Electronic Billing System (AEBS) is the interface utilized for monthly resale billing and is utilized by AT&T, MCI, MFS and USN. The Carrier Access Billing System

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(CABS) interface for billing relative to unbundled network elements has been used since May 1995 in the Ameritech region by Brooks and MFS.

Michigan volumes for the pre-ordering, ordering and provisioning interfaces since the beginning of 1997 were submitted by Ameritech during the May 28, 1997 MPSC hearing on OSS.<sup>45</sup> Of the electronic interfaces offered by Ameritech, all but the maintenance and repair interface are utilized by resellers in Michigan today. In regard to electronic interfaces utilized by purchasers of unbundled loops only the ordering interface, the customer record subfunction of the provisioning interface and the CABS billing interface are utilized.

There has been much discussion regarding why certain interfaces have not as yet been utilized by providers. First, some interfaces are very costly given low volumes of usage. Ameritech has committed to the development of a less costly maintenance and repair interface to make an electronic interface more economically viable for a low volume provider.<sup>46</sup> Second, not all functions are available through some interfaces as compared with others. Until the migration of the ordering and provisioning interface to an EDI standard, purchasers of unbundled loops are required to utilize an ASR interface for the purchase of loops and an EDI interface for pre-ordering functions and the ordering and provisioning of interim number portability if electronic interfaces are desired. Third, some subfunctions of some interfaces are just not needed in some business operations. For example, the telephone

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<sup>45</sup>Ameritech's May 28, 1997 Response to the Commission's Questions Regarding OSS in MPSC Case No. U-11104, Schedule 1. Attachment 2, Docket #151.

<sup>46</sup>Ameritech's Application, Affidavit of Joseph A. Rogers, p. 43.

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number selection subfunction is not needed by a purchaser of unbundled loops because such a provider is either continuing to use the customer's existing telephone number through interim number portability or is providing a new telephone number of its own. Ameritech believes lack of use of certain interfaces is "due solely to the fact that other carriers have yet to request them."<sup>47</sup>

As stated above, the FCC has determined that the requirement to provision electronic interfaces is subject to a request to use such interfaces pursuant to Section 251(c)(3) of the Act. This will be based fundamentally on when a provider decides to go into business and when it determines that a particular electronic interface is an economic alternative given volumes of business and other considerations.<sup>48</sup> The MPSC also agrees, however, that the need for unbundled loop purchasers to utilize both an ASR and EDI interface for access to certain of the electronic interface functions and subfunctions is problematic. However, the fact that industry guidelines were not complete on this matter to ensure availability by the January 1, 1997 FCC's imposed deadline appears to allow Ameritech the alternative it has chosen. Ameritech has committed to migration to the industry standard no later than the end of this calendar year. Thus, problems inherent in the ASR interface will diminish.

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<sup>47</sup>Ameritech's May 28, 1997 Response to the Commission's Questions Regarding OSS in MPSC Case No. U-11104, p. 8. Attachment 2, Docket #154.

<sup>48</sup>This economic decision, however, may be greatly affected by Ameritech's filed intent to withdraw its manual interfaces altogether from providers placing more than 1,250 orders per day and to withdraw the manual ordering alternative as an option following 12 months of billing for each carrier, requiring the use of electronic interfaces instead. See Ameritech's Tariff included herein as Attachment 4.

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Industry experience with OSS.

Much information has been presented in Michigan by Ameritech and users of Ameritech's OSS. For example, users have cited problems in the area of timeliness of order completion notices, which have resulted in billing errors. Competitive Local Exchange Carriers (CLECs) believe the amount of manual processing of orders once they have been received electronically has been very problematic and has caused delays in the processing of orders. AT&T represents that average days to complete orders has grown as volume grows, that delays are occurring in notification of orders completed, that 20% of orders are completed after the requested due date, that order due dates are changed by Ameritech, and that backlogs of orders are increasing as volume grows.<sup>49</sup> Brooks is not satisfied with the low portion of OSS functions available electronically through the ASR interface. It believes orders have been lost and that Ameritech has only met order due dates between 55% and 63% of the time during the months of February, March and April 1997.<sup>50</sup> LCI and MCI indicated at the MPSC's May 28, 1997 hearing that they too had experienced some of the same problems. Many providers have also indicated that certain services cannot be ordered electronically at all, that ordering specifications, either in an electronic or manual format, simply do not yet exist, or that the ordering specifications are problematic. For example,

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<sup>49</sup>CLEC exhibits presented at May 28, 1997 hearing in MPSC Case No. U-11104, Exhibit 3-14. Attachment 2, Docket #152.

<sup>50</sup>Brooks May 22, 1997 letter to the Department of Justice included with a May 28, 1997 Ameritech submission in Case No. U-11104. Attachment 2, Docket #144.

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Brooks has indicated that it has attempted to develop electronic ordering formats for directory assistance and 9-1-1 functions since October 1996 but has been unable to do so.<sup>51</sup> Similarly, AT&T has indicated problems with manual processes utilized to populate directory assistance and listing services.<sup>52</sup> LCI indicates that it interconnects with Ameritech's OSS for ordering and provisioning totally on a manual basis and totally pursuant to Ameritech's resale tariff (since there is no approved interconnection agreement between the two providers). LCI indicates that since reselling grandfathered services involves a different internal billing system than resale of other services, billing delays and errors have occurred.<sup>53</sup> MCI indicates that instead of the EMR billing format that it desires and used to receive, it is now receiving resale usage data in an EMI format without explanation for the change.<sup>54</sup> Finally, many CLECs believe that the ordering procedures for UNE combinations, or platforms, as well as for the resale of nonbasic telephone services (such as Centrex, ISDN, PBX, DID, etc.) simply do not exist.

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<sup>51</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, pp. 168-169. Attachment 2, Docket #154.

<sup>52</sup>AT&T's May 7, 1997 Submission of Additional Information in Case No. U-11104, Affidavit of Judith D. Evans, pp. 7-11.

<sup>53</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, pp. 146-148. Attachment 2, Docket #154.

<sup>54</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, p. 139. Attachment 2, Docket #154.

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USN, on the other hand, indicated at the MPSC hearing that although it had experienced some problems related to volume and system acknowledgments, in general Ameritech's interfaces performed well since USN began business in Michigan.<sup>55</sup> Ameritech believes that many problems are declining greatly as both Ameritech and CLECs gain experience with OSS. According to Ameritech its order rejection rate has declined from 56% in January 1997 to 9% in May.<sup>56</sup> Manual review of orders has dropped from 35% to 28% in spite of huge growth in volumes.<sup>57</sup> According to Ameritech 69% of its resale orders were faxed in January 1997; now only 16% of those orders continue to be submitted in that manner.<sup>58</sup> Ameritech acknowledges that problems have arisen as usage of its OSS ramps up. However, Ameritech also indicates considerable effort and much success in addressing problems as they have developed.

Adequate performance standards do not exist.

The primary problem in assessing Ameritech's compliance with the nondiscrimination standards of the Act and specifically the OSS functions is that, for the most part, sufficient

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<sup>55</sup>USN's May 28, 1997 submission of information in Case No. U-11104. Attachment 2, Docket #148.

<sup>56</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, p. 51. Attachment 2, Docket #154.

<sup>57</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, p. 54. Attachment 2, Docket #154.

<sup>58</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, p. 43. Attachment 2, Docket #154.



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performance standards do not exist by which Ameritech's performance can be judged. There are many examples of the inadequacy of these standards.

First of all, there is not even agreement on what should be judged in regard to OSS functions. Ameritech believes, for example, that its OSS systems can only be judged by the timeliness, reliability and availability of the interfaces themselves.<sup>59</sup> It believes that such measures as order completion intervals, average restoral intervals and speed of answer measurements do not relate to OSS.<sup>60</sup> According to Ameritech the requirements of the Act generally mean that "CLECs must be able to interface with Ameritech electronically.... The checklist and the Commission's pronouncements do not address how Ameritech processes transactions internally after the transaction over the interface with the CLEC is complete."<sup>61</sup> CLECs strongly disagree. In support of their position, they refer to the comments of the Department of Justice (DOJ) in response to SBC's recent Section 271 application with the FCC. DOJ indicates in that filing that "the interface between carriers is only the first of two areas of needed automation to render resale services and unbundled elements meaningfully available. SBC must also automate the interaction of this interface and its own OSSs to provide appropriate access, allowing the electronic processing of transactions received via the

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<sup>59</sup>Ameritech's Application, Affidavit of Warren Mickens, p. 19.

<sup>60</sup>May 9, 1997 Ameritech Submission of Information in Response to Brooks Fiber in MPSC Case No. U-11104, Supplemental Reply Testimony of Warren Mickens on Behalf of Ameritech Illinois, p. 7.

<sup>61</sup>Ameritech's Application, Affidavit of Joseph A. Rogers, p. 23.

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interface."<sup>62</sup>

Secondly, there is no clear indication of how some of Ameritech's OSS-related goals were developed. When asked during the recent hearing before the MPSC how it was determined that 80% of OSS orders should be processed without manual review, Ameritech indicated that "it's been judgment, really."<sup>63</sup> Similarly, in regard to the 10% target for rejection of resale orders, Ameritech indicated again, "it's a judgment, and if we can keep it in single digits, I'm comfortable that the CLECs are learning how to use the system."<sup>64</sup> Although some interconnection agreements contain standards of performance related to interconnection, resale and some unbundled network elements, Ameritech represents that the standards it utilizes to judge the operation of its OSS are not generally included in executed interconnection agreements but were developed according to Ameritech's judgment of what an appropriate standard should be.<sup>65</sup> The CLECs, on the other hand, believe that rates of manual processing, order rejection rates and average time to process orders are excessive. But once again there is no measure against which to determine whether the CLECs are correct in their position.

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<sup>62</sup>May 16, 1997 "Evaluation of the United States Department of Justice", 79.

<sup>63</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, p. 59. Attachment 2, Docket #154.

<sup>64</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, p. 60. Attachment 2, Docket #154.

<sup>65</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, p. 58-59. Attachment 2, Docket #154.

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Third, measures utilized by Ameritech do not, in many cases, provide measures of Ameritech's own operations on which parity judgments can be made. When asked what a goal of 10 seconds for access to customer service records, telephone number selection and due date selection tells us about parity, Ameritech indicated that since Ameritech retail did not use the actual interfaces that CLECs use to access OSS, the operation of the interfaces could not be compared to Ameritech's own experience.<sup>66</sup>

Fourth, some measures do not distinguish things over which Ameritech has control so deviations from the goal can be explained away. For example, Ameritech indicates that if its interconnection standard for call blockage is exceeded, "the differences arise in large measure from situations like those described above, where a CLEC does not notify Ameritech that it has obtained a large terminating customer."<sup>67</sup>

Finally, it has not been determined how some proposed standards will be measured. The primary example of this is the huge difference between the data provided by Brooks and the data provided by Ameritech in regard to assessing whether unbundled loops have been installed on time. In submissions to DOJ, Ameritech represents its average on time completion rate was between 94.3% and 98.1% during the months of February through April 1997. During the same time period Brooks reports instead that the completion rate was

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<sup>66</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, p. 64-66. Attachment 2, Docket #154.

<sup>67</sup>Ameritech's Application, Affidavit of John B. Mayer, p. 20.

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between 55% and 63%.<sup>68</sup> Brooks utilizes standard installation intervals included in its interconnection agreement to make its determinations as to whether on-time installations occur. Ameritech believes the measure must be made relative to firm order commitment dates given when Ameritech's work force, number of pending orders and available facilities are considered. In addition, Ameritech believes factors such as time of day when order is placed must be considered. Ameritech believes that if Brooks utilized the electronic pre-ordering interface rather than the manual interface it presently uses, better estimates for installation dates could be made.<sup>69</sup> According to Ameritech, standard intervals should merely be utilized for planning purposes and need to be altered with regard to such things as time of year and geography.<sup>70</sup> It is standard intervals, however, which are contained in Brooks interconnection agreement as performance measures. The factors now raised by Ameritech which in its opinion would cause deviations from the standard interval, are not discussed in the contract in any methodology to be utilized to compute performance.

Standards of nondiscrimination.

The FCC has determined that the just, reasonable and nondiscriminatory obligations of Section 251(c)(3) require that incumbent LECs "provide unbundled elements under terms

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<sup>68</sup>Ameritech May 27, 1997 and Brooks May 22, 1997 letters to DOJ included with a May 28, 1997 Ameritech submission in Case No. U-11104. Attachment 2, Docket #144.

<sup>69</sup>Ameritech's June 2, 1997 Submission of Additional Information in Case No. U-11104, pp. 7-13. Attachment 2, Docket #155.

<sup>70</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, p. 70. Attachment 2, Docket #154.

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and conditions that would provide an efficient competitor with a meaningful opportunity to compete."<sup>71</sup> Further, the FCC requires that incumbent LECs "must offer network elements on terms and conditions equally to all requesting carriers, and, where applicable, those terms and conditions must be equal to the terms and conditions on which an incumbent LEC provisions such elements to itself or its customers."<sup>72</sup>

Without properly developed performance standards it is not possible to tell whether Ameritech has met this requirement of the Act or not. DOJ made the following observation regarding performance standards in its recent review of the Section 271 application of SBC Communications:

At bottom, a "performance benchmark" is a level of performance to which regulators and competitors will be able to hold a BOC after it receives in-region interLATA authority. The most effective benchmarks are those based on a "track record" of reliable service established by the BOC. Such benchmarks may reflect either the BOC's performance of a wholesale support function for a competitor, or, in areas where the BOC performs the same function for its competitors as it does for its own retail operations, a benchmark may also be established by the BOC's service to its own retail operations. In instances where neither type of benchmark is available, the Department will consider other alternatives that would ensure a consistent level of performance, such as, for example, a commitment to adhere to certain industry performance standards and/or an audit of the BOC's systems by a neutral third party. Such benchmarks are significant because they demonstrate the ability of the BOC to perform a critical function -- for example, the provisioning of an unbundled loop within a measurable period of time. Thus, benchmarks serve, as explained in our evaluation, the important purpose of foreclosing post-entry BOC claims that the delay or withholding of services needed by its competitors should be excused on the ground that the services or

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<sup>71</sup>FCC's August 8, 1996 First Report and Order in CC Docket 96-98, ¶315.

<sup>72</sup>FCC's December 13, 1997 Second Order on Reconsideration, ¶9.

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performance levels demanded by competitors are technically infeasible. See SBC Evaluation at 45-48.

To make "performance benchmarks" a useful tool for post-entry oversight, we also expect the BOC to adopt the specific means and mechanisms necessary to measure its performance -- i.e., "performance measures." That is, if there are no such systems in place, it will be considerably more difficult to ensure that the BOC continues to meet its established performance benchmarks. Finally, we acknowledge that there may be areas in which the present industry standards will be updated, requiring new levels of performance. Accordingly, the Department will also focus on the importance of commitments by BOCs to adhere to "performance standards," even when they will be imposed upon it post-entry.<sup>73</sup>

As MPSC Staff observed at the recent OSS hearing, the numbers that are being utilized by the opposing parties on this issue are often the same. However, some parties believe that a given level of failure rates, dropouts and manual processing, for example, is acceptable; others feel that the same level is not.<sup>74</sup> Again, as DOJ has observed,

The ability to detect discrimination in the performance of these functions is dependent on the establishment of performance measures, allowing competitors and regulators to measure the BOC's performance. The development of appropriate measures is critical to establishing that the local market is open. On an ongoing basis, the measures must be able to assure that the local market remains open and that any BOC backsliding will be detected.<sup>75</sup>

Standards of performance must be established to assure nondiscriminatory access.

Ameritech has expended considerable effort in the development of its OSS and in

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<sup>73</sup>May 21, 1997 "Addendum to the Evaluation of the United States Department of Justice", pp. 4-6.

<sup>74</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, p. 162. Attachment 2, Docket #154.

<sup>75</sup>May 16, 1997 "Evaluation of the United States Department of Justice", Affidavit of Michael J. Friduss, ¶19.

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attempting to promptly address the several problems which have developed. Resale experience with Ameritech's OSS has been brief, beginning for the most part in Michigan only in March of this year. Use of interfaces by purchasers of unbundled loops has occurred for a much longer period of time. However, most of this experience has been with manual rather than electronic interfaces, which has caused problems of its own. Ameritech has proposed a number of performance standards on which its interconnection, resale, UNE and OSS experience may be judged. Some of these standards are included in interconnection agreements; others are simply Ameritech's judgment. These standards are delineated in the Affidavit of Warren Mickens, which is attached to Ameritech's Application. In May 1997 Ameritech also provided to the Staff of the MPSC, under confidential seal, a report of its performance on many of these standards it proposes for the first four months of 1997. Although a comprehensive assessment of this report has not been completed, it is evident from the discussion above that considerable controversy continues to exist over the adequacy of Ameritech's performance and the measurements which should be utilized to judge that performance. The CLECs have described measures that they believe are relevant to assessments of OSS.<sup>76</sup> DOJ, in its review of SBC's Section 271 Application, has likewise delineated a number of measures that should be assessed.<sup>77</sup> Ameritech, in fact, has already proposed to measure a number of these factors, which SBC had not as yet proposed. DOJ

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<sup>76</sup> Attachment 5 submitted at the MPSC's May 28, 1997 hearing on OSS.

<sup>77</sup> May 16, 1997 "Evaluation of the United States Department of Justice," Affidavit of Michael J. Friduss.

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made note of these Ameritech proposals. Based on information provided to the MPSC,

development of standards should take account of the following:

- a. Both the interface and performance of the operations support systems must be assessed.
- b. Performance must measure what is in Ameritech's control in order to help prevent attempts to waive the relevance of particular performance measurements. If an order completion date can be determined either by Ameritech or by the desires of the customer, the latter should not be included in Ameritech's performance measure.
- c. Measurements must permit determinations of parity to be made with Ameritech's own retail operations. Measuring rates of completion within a target period of time rather than determining actual average time to complete a task does not permit direct comparisons to Ameritech's retail performance.
- d. Although exact parity of operations may not exist on the retail and wholesale operations, instances which are substantially analogous should be utilized for purposes of comparison. For example, as was suggested by DOJ, "the provisioning of an end-to-end combination of loop, switching, and transport elements is, in some cases, analogous to a BOC's retail POTS line. In such cases, the Department would normally expect a BOC to process an order in the same automated fashion that it processes retail POTS lines."<sup>78</sup>
- e. Performance comparisons between CLECs and between CLECs and Ameritech retail operations must recognize the fact that small and large CLECs may find it economically advantageous to utilize different interfaces.
- f. Again in reference to parity measurements, the functions which Ameritech performs manually for its own retail customers must be clearly identified so it can be determined, for example, whether manual or electronic processing for Centrex orders is the standard against which the processing of resale Centrex orders should be compared.
- g. Measurements must be refined enough to permit meaningful parity comparisons to be made. That is, if business orders are more complex and handled

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<sup>78</sup>May 16, 1997 Evaluation of the United States Department of Justice, p. 71.



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differently by Ameritech's retail operations than are residential orders, performance measures should distinguish these operations. Separate measurements for different customer classes, geographic areas or service products may be required.

h. A specific determination of how measurements should be made must be delineated. If orders received late in the day are treated as next day orders, this should be specified and performance of Ameritech's retail operations should be similarly measured.

i. OSS performance relative to directory assistance, white pages listings, number portability, operator services and 9-1-1 should be determined. Although Ameritech made limited proposals on these issues (in some cases only on speed of answer),<sup>79</sup> no actual reports have yet been provided to the MPSC on which performance can begin to be assessed.

j. Reporting schedules and formats must be specified. In addition, a review must be made of the degree to which reports can or should be made on a proprietary basis. If the Act requires that network elements be provided on a nondiscriminatory basis, comparing both one provider to another and Ameritech retail operations to its wholesale operations, protection of all information may discourage or totally prevent available information from being utilized.<sup>80</sup>

k. The period of time must be specified during which performance measures can be assessed and judged. For example, if the first month of a new CLEC's OSS operations is not meaningful because of learning activity occurring on both sides, perhaps the measures of performance for this new provider should be excluded for that month from overall performance measurements for the Company.

l. Finally, remedies and/or penalties for noncompliance with established performance standards must be clearly specified.

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<sup>79</sup>Ameritech Application, Affidavit of Warren Mickens, Schedules 11 - 15.

<sup>80</sup>AT&T noted in the MPSC's May 28, 1997 OSS hearing that protection of these reports is problematic. Transcript of hearing in Case No. U-11104, p. 118. Attachment 2, Docket #154.

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Conclusion.

To determine whether Ameritech complies with the OSS and nondiscrimination requirements of this checklist item, the MPSC believes Ameritech must satisfy a two-pronged test. First, Ameritech must permit the technical or physical ability to access the systems necessary to order services and elements required by competitors.

Second, Ameritech must show that the access to services or elements it provides to competitors "must be the same for all telecommunications carriers requesting access" and "at least equal in quality to that which the incumbent LEC provides to itself."<sup>61</sup>

The MPSC believes Ameritech has met the first test, technical or physical access to the processes which permit competitors to obtain elements or services necessary to provide CLEC service.

In order to satisfy the second aspect of compliance, the access provided must be equal to all providers and must be provided in a manner that is equivalent to what Ameritech provides itself. Only then can it be determined whether the interconnection has provided for the "efficient competitor a meaningful opportunity to compete."<sup>62</sup> In order to make that judgment a method or system of gauging the performance should be used. However, complete and appropriate performance standards have not as yet been adopted which would permit determinations to be made regarding nondiscriminatory access to OSS and other

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<sup>61</sup>47 C.F.R. § 51.311 (a) and (b).

<sup>62</sup>August 8, 1996 FCC Order in CC Docket No. 96-98, ¶315.

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unbundled network elements. Such measures must be in place before a positive determination can be made by the FCC regarding Ameritech's compliance with this checklist item.

C. Checklist Item (iii)

Nondiscriminatory access to the poles, ducts, conduits, and rights-of-way owned or controlled by the Bell operating company at just and reasonable rates in accordance with the requirements of section 224.

The situation related to access to poles, ducts, conduits and rights-of-way and the related prices is consistent with the MPSC's previous review.<sup>43</sup>

AT&T provides information related to this checklist item based on AT&T's experience in Illinois and Ohio. The Ohio discussion appears to concern Ameritech's non-compliance with Ohio utility law. Among other claims related to Illinois, AT&T states it was "denied copies of detailed maps and related graphic materials which would show the location . . . ." <sup>44</sup>

AT&T's interconnection agreement with Ameritech in Michigan states:

"16.13 **Maps and Records.** Ameritech will provide AT&T at AT&T's request and expense, with access to and copies of maps, records and additional information related to its structure." (Emphasis added.)<sup>45</sup>

While the inability to obtain copies of maps appeared to be troublesome in Illinois, the

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<sup>43</sup>Attachment 1, pp. 25-27.

<sup>44</sup>AT&T Supplemental information filing of May 7, 1997, Lester Affidavit in Case No. U-11104 and Hearing Examiners Proposed Order in Illinois Commerce Commission Case No. 96-0404 p. 29-32.

<sup>45</sup>AT&T Interconnection Agreement with Ameritech.

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Michigan agreement clearly provides for copies. The Illinois Hearing Examiner Proposed Order (HEPO) found that Ameritech did not meet the checklist requirements because, "other than providing poles to CCT, Ameritech has not furnished poles, ducts, conduits or rights-of-way to any competing carrier."<sup>66</sup> This conclusion was based on Illinois experience.

Ameritech, in turn, bases its compliance with this checklist requirement on furnishing Brooks, AT&T, MCI, Climax Telephone Company and Access Transmission access to poles and conduit.<sup>67</sup> In more detail, as of December 31, 1997, Ameritech furnished attachments to 99 poles and 71,684 feet of conduit to competing local exchange providers. Specifically:

	Poles	Feet of Conduit
Brooks	68	6,390
AT&T	---	43,464
MCI	---	6,349
Climax Telephone Co.	31	---
Access Transmission	---	15,481
	<u>99</u>	<u>71,864<sup>68</sup></u>

This information on its face is misleading. At this time, AT&T is providing local exchange service on a resale basis, which should require no poles, ducts or rights-of-way. MCI has only entered the local exchange service business on a trial basis in Michigan. While Climax Telephone Company is a competing local exchange carrier by virtue of its Metro

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<sup>66</sup>AT&T Supplemental information filing of May 7, 1997, Lester Affidavit in Case No. U-11104 and Hearing Examiners Proposed Order in Illinois Commerce Commission Case No. 96-0404 p. 31.

<sup>67</sup>Ameritech's Brief in Support of Application pp. 41-42.

<sup>68</sup>Ameritech's Application, Affidavit of Theodore A. Edwards, p. 40.

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exchange, its interconnection agreement is currently in arbitration before the MPSC. Climax Telephone Company is also an incumbent local exchange service provider not yet in competition with Ameritech. The poles noted must relate to the existing operation.

Access Transmission provides competitive access services as a part of MCI. Of all the poles, ducts and rights-of-way Ameritech believes should be considered to satisfy this checklist requirement, only the provision to Brooks provides the utilization of poles, ducts, and rights-of-way that can satisfy this checklist item. It, therefore, appears Ameritech satisfies this checklist item.

**D. Checklist Item (iv)**

**Local loop transmission from the central office to the customer's premises, unbundled from local switching or other services.**

Ameritech represents that it is furnishing unbundled local loops to Brooks and MFS and that, as of April 30, 1997, 22,510 unbundled loops had been ordered or were in service in Michigan.<sup>69</sup> Prices for various types of loops contained in the Brooks, MFS, and TCG interconnection agreements were negotiated. Prices for basic loops contained in the AT&T interconnection agreement were arbitrated by the MPSC and established pursuant to Section 252(d)(1) of the Act and the MTA and are available to other providers pursuant to the MFN clauses of their interconnection agreements. Prices for non-basic types of loops (including various varieties of 2-wire analog loops, a 4-wire analog loop and varieties of digital loops)

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<sup>69</sup>Ameritech's Brief in Support of Application, pp. 43-44.

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are included in the AT&T or Sprint interconnection agreements. Prices for many of these types of non-basic loops are also at issue in the ongoing costing and pricing proceeding before the MPSC, Case No. U-11280. Issues related to performance benchmarks for unbundled loops are discussed above in Section III., B.

Ameritech appears to comply with this item of the checklist.

**E. Checklist Item (v)**

Local transport from the trunk side of a wireline local exchange carrier switch unbundled from switching or other services.

**F. Checklist Item (vi)**

Local switching unbundled from transport, local loop transmission, or other services.

Since there are similar issues relating both to checklist item (v) and checklist item (vi), these two items will be considered together.

In its February 5, 1997 Comments, the MPSC stated in regard to the local transport checklist item:

It appears that Ameritech Michigan generally complies with the requirements of this item of the checklist. Resolution of the common versus shared transport issues, however, must occur.<sup>90</sup>

It appears resolution of the shared transport issue remains to be achieved.

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<sup>90</sup>Attachment 1, p. 30.

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On November 26, 1996, the MPSC issued an arbitration decision regarding the Ameritech/AT&T interconnection agreement.<sup>91</sup> The MPSC also required that an interconnection agreement incorporating the arbitration rulings be filed within ten days. Five interconnection agreements were filed. Each agreement contained either contested issues or alternative language for unresolved issues.

On February 18, 1997, the MPSC Staff convened a meeting at which representatives of Ameritech and AT&T were present. Each company presented its position on the unresolved issues. The Staff then issued a recommendation, on which both parties submitted comments. Based on the Staff recommendation and comments from Ameritech and AT&T, the MPSC resolved the disputed issues.<sup>92</sup> In its order resolving the disputes, the MPSC determined there was no functional difference between the port as defined by the MTA and the local switching unbundled network element as defined in 47 C.F.R. 51.319. The MPSC also determined on the issue of shared versus common transport that AT&T's proposal was appropriate and the prices resulting therefrom should apply. A signed interconnection agreement was filed pursuant to the procedures prescribed by the FCC and approved by a majority of the MPSC.

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<sup>91</sup>November 26, 1997 MPSC Order in Cases Nos. U-11151 and 11152.

<sup>92</sup>February 28, 1997 MPSC Order in Cases Nos. U-11151 and 11152.

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On April 25, 1997, AT&T filed a Motion for an Order Compelling Compliance with the Commission's February 28, 1997 Order on Shared Transmission Facilities.<sup>93</sup> In spite of a MPSC order adopting the AT&T position on this matter, Ameritech has claimed that order was unclear. At this time, the matter remains unresolved. Attachment 7 contains nineteen pieces of correspondence or filings with the MPSC. While there is no guarantee that these nineteen documents represent every correspondence between AT&T and Ameritech on shared transport, it does present very clearly that the issue is far from resolved. This remains so in spite of a signed and approved interconnection agreement.

There is, however, a light at the end of the proverbial tunnel. In fact there are several "lights." One is currently before the FCC in the form of a Petition for Clarification of Worldcom in CC Docket No. 96-98.<sup>94</sup> The FCC could clarify the shared transport issue and the parties could then move toward implementing or appealing that aspect of the interconnection agreement. An FCC resolution to this issue appears to be possible within the 90 day time period it has to address the Application.

Another possible path to resolution of this issue is the proposed Ameritech/AT&T Unbundled Network Elements Trial.<sup>95</sup> Ameritech and AT&T are to "test" whether the AT&T "platform" is feasible. Ameritech commits to implementing the AT&T platform upon

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<sup>93</sup>This Motion is included with these comments as Attachment 6.

<sup>94</sup>Petition filed with the FCC on September 30, 1996.

<sup>95</sup>Ameritech Application, Affidavit of Daniel J. Kocher, Schedule 7.



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completion of the test and exhaustion of all legal remedies and will execute its responsibilities related to shared transport in order to comply with the principles set forth in its interconnection agreement in this area.<sup>66</sup>

At this time, the MPSC understands the proposed trial to have two phases. The first was to last approximately 14-21 days. A second phase would follow and last for approximately 31 days. It was understood, based on remarks at the MPSC's May 28, 1997 hearing on OSS, that the first phase was to begin May 28, 1997, but there appears to have been some delay.<sup>67</sup> The trial will not be completed within a time frame that will permit the MPSC to determine if this requirements of the checklist can be satisfied.

In summary, the MPSC's previous comments in regard to unbundled local switching still apply. The disputes related to the definition of a port and local switching have been resolved in the A&T interconnection agreement, but to date no ports have been ordered (outside of what may or may not be included in the AT&T platform concept).

The issue of shared transport remains unresolved, but possibilities exist that clearer direction will come from the FCC based on the results of the "platform" trial which now should be underway.

If that issue is resolved, it appears Ameritech will comply with these checklist items.

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<sup>66</sup>Ameritech Application, Affidavit of Daniel J. Kocher.

<sup>67</sup>May 28, 1997 Transcript of hearing in Case No. U-11104, pp. 195-196. Attachment 2, Docket #154.

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G. Checklist Item (vii)

Nondiscriminatory access to--

- (I) 9-1-1 and E9-1-1 services;
- (II) directory assistance services to allow the other carrier's customers to obtain telephone numbers; and
- (III) operator call completion services.

Ameritech claims to be providing access to 9-1-1 service and databases to Brooks, MFS, and TCG. In addition, Ameritech claims these services are also available at the same rates, terms and conditions as those specified in the AT&T and Sprint interconnection agreements.<sup>98</sup> There appears to be some inconsistency in Ameritech's brief related to this matter. While initially omitting MCI as a competitor to which it provides access to 9-1-1 service and databases, it does cite statistics related to the number of 9-1-1 trunks in service for MCI.<sup>99</sup> Further the company notes that it is supplying the required access pursuant to a Michigan specific 9-1-1 agreement dated October 5, 1996.<sup>100</sup> With this clarification, it appears Ameritech's provision of access to 9-1-1 service and databases is consistent with the MPSC's February 5, 1997 Comments.

The manner in which that access is provided and the quality of the databases is the subject of a proceeding before this Commission in Case No. U-11229. This is a complaint related to the difficulty the city of Southfield's public safety answering points (PSAPs) have

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<sup>98</sup>Ameritech's Brief in Support of Application, p 47.

<sup>99</sup>Ameritech's Brief in Support of Application, p. 47

<sup>100</sup>Ameritech's March 27, 1997 Submission of additional information in MPSC Case No. U-11104, p. 19

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receiving accurate automatic number identification (ANI) and automatic location identification information (ALI). In addition, TCG has indicated in that case it does not have on-line access to the 9-1-1 database for entry and error correction.

The record in the complaint case identifies two specific instances where, in potentially life threatening situations, incorrect ALI was given or improper routing of a 9-1-1 call occurred. The MPSC is also aware of a third event on May 21, 1997. The MPSC has not issued a final order in this matter; thus, it is limited in what it may discuss. The record, however, presents the MPSC with options that should minimize the potential for similar difficulties in the future.

Brooks claims Ameritech refused to provide nondiscriminatory access and interconnection to 9-1-1 services. Brooks also claims Ameritech refused to provide daily error reports until last week.<sup>101</sup> Brooks advised Ameritech of the lack of reporting on April 25, 1997. On June 2, 1997, Ameritech filed its response to Brooks' claims related to 9-1-1 service.<sup>102</sup> Specifically, Ameritech indicated that the 9-1-1 trunks serving Brooks' trunks were located only in Lansing. Further, Ameritech indicated the trunks were deactivated because they had been put in service prematurely. Ameritech notes the trunks had not undergone the full range of testing at the time they were activated. On the matter of confirmation of data

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<sup>101</sup>Brooks' May 14, 1997 filing in Case No. U-11104.

<sup>102</sup>Ameritech's June 2, 1997 Submission of Additional Information in Response to Brooks Fiber Concerning 9-1-1 Services and Service Order Performance in Case No. U-11104. Attachment 2, Docket #155.

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entry and error correction to the 9-1-1 database, Ameritech indicates there was an interruption in that reporting when the administration of the databases was turned over to a third party vendor. In Brooks' May 28, 1997 presentation before the MPSC, however, the presenter noted daily error reports were now received regularly.<sup>103</sup>

Ameritech interconnection agreements which contain provisions for 9-1-1 service, require Ameritech to coordinate error resolution involving database entry and update activity. Based on meetings between MPSC Staff, Ameritech's personnel and competitors' personnel, little or no confirmation of data entry or error correction is provided to competitors with respect to their customers. In its May 14, 1997 filing in Case No. U-11104, Brooks states it only began to receive daily error reports early in May 1997.<sup>104</sup> The MPSC believes this is not the level of coordination envisioned by the interconnection agreements.

Further, as demonstrated by the record in Case No. U-11229, Ameritech 9-1-1 databases are not error free. The Commission believes Ameritech is providing access to 9-1-1 service and databases. On its face, this access appears to satisfy this checklist item. However, it has been shown that the quality of the databases is suspect. Additionally, Ameritech's compliance with parts of its interconnection agreements related to coordination of data entry and error correction is, at best, poor. The MPSC therefore would indicate compliance with this checklist item only after Ameritech has shown the MPSC and/or the

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<sup>103</sup>Transcript of May 28, 1997 hearing in Case No. U-11104, p. 170. Attachment 2, Docket #154.

<sup>104</sup>Brooks' May 14, 1997 filing in Case No. U-11104.

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FCC that it has established and pursued methods to ensure accurate 9-1-1 databases and proof that it is in fact performing the data entry and error correction coordination role required by its interconnection agreements.

The MPSC originally addressed Ameritech's provisioning of directory assistance services and operator call completions services in its February 5, 1997 Comments and found that Ameritech appeared to comply with this checklist requirement.<sup>105</sup> In its Application, Ameritech has provided the following information. Of the providers on whose interconnection agreements Ameritech relies for satisfaction of the checklist requirements, it provides directory assistance trunks to Brooks and MFS and operator call completion trunks to Brooks. According to Ameritech, MCI also has been supplied directory assistance trunks.<sup>106</sup> The directory assistance agreement between Ameritech and Brooks was negotiated and submitted to the MPSC on April 23, 1997 for approval. The rates, terms and conditions for directory assistance services already approved and contained in the MFS agreement were negotiated between the parties. Similarly, the rates, terms and conditions for operator call completions services with Brooks and MFS as well as the specific services offered were negotiated between those parties. The rates contained in the AT&T interconnection agreement for both directory assistance services and operator call completion services were arbitrated and found to comply with the requirements of the Act and the MTA. These may be available to

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<sup>105</sup> Attachment 1, pp. 38-42.

<sup>106</sup> Ameritech's Application, Affidavit of Theodore A. Edwards, pp. 62-63.

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other providers through the use of MFN clauses in their interconnection agreements.

Ameritech appears to comply with the directory assistance and operator call completion requirements of the checklist.

**H. Checklist Item (viii)**

**White pages directory listings for customers of the other carrier's telephone exchange service.**

Much of the controversy related to the nature and scope of white pages listing and directory listings was previously discussed.<sup>107</sup> The approval by the MPSC of Ameritech's interconnection agreements with AT&T, Sprint, and others pursuant to the process delineated by the FCC in CC Docket No. 97-1 should remove any doubt related to Ameritech's inclusion of the white page listings of competing carriers in Ameritech's directories.<sup>108</sup> Ameritech is furnishing white pages listing to Brooks, MFS, TCG, MCI and AT&T. Ameritech also represents that 27 different providers or other entities have entered into agreements to have customers included in Ameritech's directories.<sup>109</sup>

There are only nine providers that have approved local interconnection agreements with Ameritech. The providers noted above are among the 27 to which Ameritech refers.

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<sup>107</sup> Attachment 1, pp. 42-45.

<sup>108</sup> AT&T Interconnection Agreement, Article XV.

<sup>109</sup> Ameritech's Application, Affidavit of Theodore A. Edwards, p. 133.

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There are local exchange service providers in operation utilizing Ameritech's resale tariff.<sup>110</sup> Additionally, there are providers offering local exchange service through the resale of Ameritech's retail Centrex.

The providers operating (without an interconnection agreement) through purchase of Ameritech services from the resale tariff have directory listings included as a tariffed offering. Those reselling Centrex would be governed by the Michigan retail Centrex tariff. Directory listings related to Centrex services are tariffed.<sup>111</sup>

AT&T contends that Ameritech has experienced various problems related to Ameritech's OSS database and lack of electronic access to white pages related databases. These issues are related to Ameritech's OSS and are discussed above in Section III., B. of these comments.

It appears that Ameritech meets this checklist item.

I. Checklist Item (ix)

**Until the date by which telecommunications numbering administration guidelines, plan, or rules are established, nondiscriminatory access to telephone numbers for assignment to the other carrier's telephone exchange service customers. After that date, compliance with such guidelines, plan, or rules.**

The MPSC's discussion on telephone numbers<sup>112</sup> remains the same with two exceptions. Ameritech, through February 1997, has assigned 141 NXXs to competing

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<sup>110</sup>M.P.S.C. Tariff 20R, Part 22, Sec. 12 and M.P.S.C. Tariff 20R, Part 12, Sec. 1.

<sup>111</sup>M.P.S.C. No. 20R, Part 22, Sec. 5 and M.P.S.C. No. 20R, Part 5, Sec. 2.

<sup>112</sup>Attachment 1, pp. 45-47.

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carriers.<sup>113</sup>

Ameritech indicated that it has sufficient central office codes in each area code to meet the demand of all LECs and Commercial Mobile Radio Service providers (CMRS) in the area.<sup>114</sup> As previously pointed out, the FCC rules require every authorized provider of local telephone service, exchange service or paging service to have at least one NXX in an existing area code. Ameritech has responded to requests for numbers in each area code and has the capability to meet the demand when asked by known providers.<sup>115</sup>

It therefore continues to appear Ameritech has met this checklist item.

**J. Checklist Item (x)**

**Nondiscriminatory access to databases and associated signaling necessary for call routing and completion.**

Ameritech asserts that it is furnishing access to its signaling and call-related databases to Brooks, MFS, and TCG.<sup>116</sup> It has clarified in comments to the MPSC that TCG's access to Ameritech's signaling networks and call related databases is provided through Illuminet, an SS7 hub provider. Ameritech also represents that TCG's access to Ameritech's line

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<sup>113</sup>Ameritech's March 27, 1997 Submission of Additional Information in MPSC Case No. U-11104, pp. 21-22.

<sup>114</sup>Ameritech's March 27, 1997 Submission of Additional Information in MPSC Case No. U-11104, p. 21.

<sup>115</sup>Ameritech's March 27, 1997 Submission of Additional Information in MPSC Case No. U-11104, p. 20.

<sup>116</sup>Ameritech's Brief in Support of Application, p. 50.



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information database (LIDB) is provided via a DOD trunk to Ameritech's Southfield central office utilized in the provisioning of operator services.<sup>117</sup> In other respects, the MPSC's February 5, 1997 Comments on this issue remain unchanged.<sup>118</sup> Ameritech appears to comply with this checklist item.

**K. Checklist Item (xi)**

Until the date by which the Commission issues regulations pursuant to section 251 to require number portability, interim telecommunications number portability through remote call forwarding, direct inward dialing trunks, or other comparable arrangements, with as little impairment of functioning, quality, reliability, and convenience as possible. After that date, full compliance with such regulations.

Interim number portability (INP) continues to be available via remote call forwarding and direct inward dialing. INP is available via interconnection agreement or Ameritech's Michigan tariffs. As of April 30, 1997, Ameritech represents over 24,000 numbers have been ported in Michigan.<sup>119</sup>

AT&T continues to argue Ameritech cannot satisfy this checklist item until route indexing is offered to provide INP.<sup>120</sup> AT&T's interconnection agreement with Ameritech

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<sup>117</sup>Ameritech's March 27, 1997 Submission of Additional Information in MPSC Case No. U-11104, pp. 23-24.

<sup>118</sup>Attachment 1, pp. 47-49.

<sup>119</sup>Ameritech Brief in Support of Application, p. 52.

<sup>120</sup>AT&T's May 7, 1997 Comments in Case No. U-11104, Evans Supplemental Testimony, pp 2-7.

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provides for the offering of other methods for INP, which could include route indexing.<sup>121</sup> AT&T has appealed this interconnection agreement to the federal courts. INP via route indexing is one of the contested issues.

The MTA requires long-term or true number portability by January 1, 1999 unless the MPSC determines it is economically feasible to provide it prior to that date. The MPSC has so ordered. Implementation of true or long-term number portability in Michigan is to take place when implementation in Illinois takes place.

A Michigan Local Number Portability Workshop was held to coordinate this implementation of true or long-term number portability in Michigan. The February 28, 1997 report from the workshop is included as Attachment 8. The implementation in Michigan remains as previously discussed:<sup>122</sup>

<u>MSA</u>	<u>TIME FRAME</u>
Detroit	1/98 - 3/98
Grand Rapids	7/98 - 9/98
Ann Arbor	10/98 - 12/98
All others	Bona Fide Request

It appears Ameritech complies with check list item (xi).

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<sup>121</sup>Interconnection Agreement between Ameritech and AT&T approved in Case No. U-11151 and U-11152, Section 13.10 (p.57).

<sup>122</sup>Attachment 1, p. 51.

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L. Checklist Item (xii)

Nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of section 251(b)(3).

As previously noted, the FCC has determined local dialing parity includes interconnection, number portability and nondiscriminatory access to telephone numbers.<sup>123</sup> In Michigan, interconnection is taking place via several interconnection agreements, e.g., AT&T, Brooks, MFS, and TCG. AT&T's interconnection agreement provides for interconnection on a facilities basis, but at this time AT&T is only providing service via resale of Ameritech's bundled residential service. The interconnection aspect of this checklist requirement is met by the apparent satisfaction of the interconnection requirements in checklist item (i).

Number portability is being provided on an interim basis, consistent with Ameritech's apparent compliance with checklist item (xi).

Nondiscriminatory access to telephone numbers in Michigan predates the Act. This requirement was established pursuant to MPSC action in Case No. U-10647. Interconnection agreements with Brooks, TCG, and MFS also provide for access to telephone numbers.

Utilization or consumption of telephone numbers is evidenced by the need to split the 313 and 810 area codes. The splits were necessitated by the entry of competing providers, who are assigned blocks of numbers, and growth in demand for numbers by existing customers. Implementation dates for the new area codes are:

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<sup>123</sup> Attachment 1, p. 52.

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<u>Area Code</u>	<u>Implementation Date</u>
248	May 10, 1997, permissive dialing September 13, 1997, mandatory dialing
734	December 13, 1997, permissive dialing July 25, 1998, mandatory dialing

Based on the MPSC's action in Case No. U-10647 and the Brooks, TCG and MFS interconnection agreements, providers are experiencing local dialing parity consistent with the Act. It appears Ameritech complies with this checklist item.

M. Checklist Item (xiii)  
Reciprocal compensation arrangements in accordance with the requirements of section 252(d)(2).

The interconnection agreements of Brooks and MFS provide for reciprocal compensation at rates negotiated by the parties to those agreements. The interconnection agreement of TCG contains arbitrated rates for reciprocal compensation and therefore these rates comply with the requirements of Section 252(d)(2) of the Act and the MTA. Likewise, the reciprocal compensation rates contained in AT&T's interconnection agreement were determined through arbitration and are available to other providers invoking their MFN clauses. Ameritech asserts that it is presently exchanging local traffic subject to reciprocal compensation with Brooks, MFS, and TCG.<sup>124</sup>

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<sup>124</sup>Ameritech's Brief in Support of Application, p. 53.

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According to a March 7, 1997 filing by Brooks, it believes that Ameritech has not complied with this checklist item because "for certain types of cellular and paging calls, classified as 'Type 2', Brooks is not recovering its costs for transport and termination as required by 252(d)(2) in a mutual and reciprocal fashion with Ameritech."<sup>125</sup> Brooks believes that compensation paid for cellular and paging calls is not, but should be, the same for competing and non-competing local exchange carriers alike. Ameritech responds that "the situation described by Brooks involves traffic which originates on a wireless (e.g., cellular or paging) provider's network, which simply transits Ameritech Michigan's network and is ultimately terminated on Brooks's network."<sup>126</sup> Additionally, on April 23, 1997, Brooks filed a complaint with the MPSC against Ameritech regarding this matter.<sup>127</sup> This was not an issue raised in arbitration under any interconnection agreement filed with the MPSC. Brooks in fact states in its complaint that it was agreed that matters regarding cellular and paging traffic would not be included in any of the agreement's compensation terms, and would be covered in separate negotiations. Its complaint was filed under the provisions of the MTA and not as a matter to be arbitrated under the Act. At this time, the MPSC has not and cannot determine (since the matter is pending before it) whether the matters at issue relate to compliance with

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<sup>125</sup>Brooks' March 7, 1997 Motion for Reconsideration in MPSC Case No. U-11104, p. 18.

<sup>126</sup>Ameritech's March 28, Answer to Brooks' Motion in MPSC Case No. U-11104, p. 20.

<sup>127</sup>This complaint has been docketed as Case No. U-11370 and is not scheduled to be completed until November, 1997.

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this checklist item. On the basis of information received by the MPSC to date and the provision of reciprocal compensation services to Brooks, MFS, and TCG at the present time, the MPSC continues to believe Ameritech complies with this checklist item.

N. Checklist Item (xiv)

Telecommunications services are available for resale in accordance with the requirements of sections 251(c)(4) and 252(d)(3).

Ameritech has relied upon the interconnection agreements of MFS, TCG and Brooks for satisfaction of its checklist requirements under the Act. Of these three, Ameritech presently provides resale services in Michigan only to MFS pursuant to its interconnection agreement. Additionally, however, Ameritech represents that it is also providing resale services to AT&T and USN, presumably pursuant to their approved interconnection agreements. As of April 30, 1997, Ameritech represents that MFS, USN and AT&T "had ordered or were using over 8,200 non-Centrex resale lines. When Centrex lines are included, there were nearly 18,000 resold lines ordered or in-service as of April 30, 1997."<sup>128</sup>

The rates, terms and conditions regarding resale in the MFS interconnection agreement were negotiated, as were those in the USN interconnection agreement. The resale rates established in the AT&T agreement were arbitrated by the MPSC and found to comply with the requirements of Section 252(d)(3) of the Act as well as the requirements of the MTA. Although the resale discount was established during the arbitration of the AT&T

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<sup>128</sup>Ameritech's Application, Affidavit of Theodore A. Edwards, p. 80.

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interconnection agreement, this agreement specifically references Ameritech's retail tariffs for the services to which the discount applies.

The establishment of a Michigan resale tariff to which AT&T can make reference in its interconnection agreement has been somewhat problematic but it is, with a few exceptions, complete at this time. A large part of the problem has arisen from the fact that, as was discussed in the MPSC's February 5, 1997 Comments on the issue of resale,<sup>129</sup> many services that must be resold under the Act are not regulated under Michigan law. As a result of this, no retail tariff for many services exists in Michigan to which a resale discount could be applied. Therefore, Ameritech's resale tariff in Michigan exists in two pieces: a resale tariff for services regulated under Michigan law and a resale tariff for services unregulated under Michigan law. These tariffs were accepted for filing on March 27, 1997 and March 12, 1997 respectively. The services that Ameritech believes it must resell under the definitions of the Act were not subject to a contested case proceeding in Michigan nor, for the most part, were they at issue in arbitration proceedings. In regard to a small number of retail services regulated under the MTA, agreement does not exist yet between Ameritech and the MPSC Staff regarding the definition of the contract and other customer-specific offerings,<sup>130</sup> which

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<sup>129</sup> Attachment 1, pp. 55-57..

<sup>130</sup> Services included in this category are, for example, the Centrex service of Detroit Metropolitan Airport and emergency and group alerting services sold to various municipalities in Michigan.

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are subject to resale obligations under the Orders and Rules of the FCC.<sup>131</sup> There may also be such services excluded from the resale tariff of services unregulated under Michigan law but, because the retail tariff for unregulated services is not filed with the MPSC, a comparison between the unregulated retail and resale tariffs has not and cannot occur. Other interpretations regarding services that must be resold under the Act may also arise. It is the belief of the MPSC, however, that a competitor may raise the issue of services that must be offered in Ameritech's resale tariff and the MPSC or the FCC may address these issues in an appropriate forum.

The MPSC continues to believe that Ameritech complies with this checklist item.

IV. IntraLATA Toll Dialing Parity Plan

In its previous comments, the MPSC noted the intraLATA toll dialing parity plan of Ameritech, and its actions, appeared to satisfy the requirements of Sec. 271(e)(2)(A). The Commission also noted that Ameritech's compliance with MPSC orders related to intraLATA dialing parity was a matter currently before the Michigan courts.<sup>132</sup>

An update to the chronology contained in the MPSC comments follows:

15. On March 24, 1997, MCI and AT&T filed a joint motion in the Michigan Court of Appeals Docket No. 198706 for confirmation that implementation of dialing parity from and after July 1, 1997 is not affected by that Court's stay. A motion for immediate consideration was also filed. (Note that on the same date, MCI and AT&T

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<sup>131</sup>FCC's August 8, 1996 First Report and Order in CC Docket 96-98, ¶948.

<sup>132</sup>Attachment 1, 61.



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filed their joint motion with the MPSC to compel dialing parity as of July 1, 1997. This motion was dated March 19, 1997.)

16. On April 1, 1997, Ameritech filed its brief in opposition to the motion for confirmation in the Michigan Court of Appeals.
17. On April 10, 1997, the Michigan Court of Appeals issued an order granting the motion for immediate consideration and denying the motion to confirm.
18. On May 23, 1997, MCI and AT&T filed a joint supplemental authority in the Michigan Court of Appeals. Docket No. 198706. This is the appeal on the merits of Ameritech's claim that the MPSC's June 26, 1996 and October 7, 1996 orders violated the MTA and the Federal Telecommunications Act. (MCI and AT&T made a joint filing in the Commission on the same date.)

As can be seen from this chronology, as of May 23, 1997, the issue of intraLATA dialing parity remains an issue before the Michigan courts.

Ameritech has also begun a process in Michigan of exiting certain portions of the intraLATA toll market. These actions may play a role in the implementation of its intraLATA toll dialing plan and certain interconnection agreements. It should be noted that the three actions that will be described are currently pending before the MPSC, so these comments will only be in the nature of background information. The comments should in no way be construed as the MPSC rendering any decision related to these specific ongoing cases.

On March 10, 1997, Climax Telephone Company filed for arbitration of its interconnection agreement with Ameritech.<sup>133</sup> One of the issues to be arbitrated was Ameritech's refusal to provide intraLATA toll services to Climax customers in Climax's

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<sup>133</sup>MPSC Case No. U-11340.

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Metro exchange. On May 21, 1997, the arbitration panel determined the MPSC was empowered to order Ameritech to continue the provision of intraLATA toll services to Climax customers residing in the Metro exchange. The panel recommended the Commission so order. The matter remains pending before the MPSC.

On March 21, 1997, Brooks filed a complaint against Ameritech with the MPSC claiming Ameritech was involved in anticompetitive activities.<sup>134</sup> These alleged activities included the discontinuance of intraLATA toll service to customers in Brooks' service territory who elected to change local service providers from Ameritech to Brooks. This matter is currently in process before the MPSC.

On April 18, 1997, pursuant to the MTA, Ameritech filed a notice of discontinuance of intraLATA toll service in the exchanges of Frontier Communications of Michigan.<sup>135</sup> August 1, 1997 is the proposed effective date of the discontinuance. On May 20, 1997, the MPSC Staff requested the MPSC to set the matter for hearing. This case is pending before the MPSC.

It should be noted that Ameritech provides erroneous information related to the intraLATA toll dialing parity.

169 Toll dialing parity.

Although toll dialing parity is not a check list requirement and is not required until Ameritech begins providing in-region intraLATA (sic) service in

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<sup>134</sup>MPSC Case No. U-11350.

<sup>135</sup>MPSC Case No. U-11367.

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Michigan, Ameritech is providing intraLATA toll dialing parity in 116 Michigan exchanges, representing 50% of the access lines in its exchange service territory. Upon filing of this application, Ameritech implemented toll dialing parity in an additional 70 exchanges representing an aggregate total of 70% of Ameritech's access lines in Michigan."<sup>136</sup>

Pursuant to Section 271(e)(2)(B), Michigan is exempt from the requirements of Section 271(e)(2)(A) due to the MPSC's action in Case No. U-10138 on February 28, 1994 and March 10, 1995. Ameritech has therefore misrepresented its obligation in Michigan related to intraLATA toll dialing parity. It should also be noted that Ameritech currently is providing in-region intraLATA toll service. Therefore, one must assume that the reference to in-region intraLATA toll service must be a typographical error. The correct reference should be in-region interLATA toll service.

Finally, Ameritech indicated in its original intraLATA toll dialing plan that it would move from 50% of its Michigan access lines with intraLATA toll dialing parity to 70% with the filing of its application for in-region interLATA service authority in Michigan. That filing took place on January 2, 1997. The MPSC understands that the conversion had taken place at that time.

The MPSC can conclude that Ameritech's plan and action consistent with that plan related to conversion appears to comply with the requirements of Section 271(e)(2)(A)

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<sup>136</sup>Ameritech's Application Affidavit of Theodore A. Edwards, p. 77.

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V. Conclusion.

As requested by the FCC's May 21, 1997 Public Notice, the MPSC submits herein its comments in regard to the Section 271 Application of Ameritech Michigan.

Respectfully submitted,  
MICHIGAN PUBLIC SERVICE COMMISSION



John G. Strand  
Chairman



John C. Shea, Commissioner, concurring as  
discussed in the separate statement attached.



David A. Svanda, Commissioner

DATED: June 9, 1997

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SEPARATE STATEMENT OF COMMISSIONER JOHN C. SHEA

Although I have previously expressed doubt about the federal government's authority to compel state regulation of certain activities subject to this consultation, my concerns do not inhibit me from voluntarily communicating to the FCC. I therefore join my colleagues in providing a factual evaluation of Ameritech's compliance with the competitive checklist set forth at 47 U.S.C. § 271(c) intended to assist the FCC in performing its statutory duties.

  
\_\_\_\_\_  
John C. Shea  
Commissioner

***LOCAL COMPETITION USERS GROUP  
(LCUG)***

***SERVICE QUALITY MEASUREMENTS (SQM)***

Verison 4

*Membership: AT&T, Sprint, MCI, LCI, WorldCom*

***LOCAL COMPETITION USERS GROUP  
(LCUG)***

***SERVICE QUALITY MEASUREMENTS (SQM)***

May 22, 1997

*Membership: AT&T, Sprint, MCI, LCI, WorldCom*

# LCUG Service Quality Measurements (SQMs)

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# LCUG Service Quality Measurements (SQMs)

## *Introduction*

### **Background:**

On August 8, 1996, the Commission released its First Report and Order (the Order) in CC Docket No. 96-98 (Implementation of the Local Competition Provisions of the Telecommunications Act of 1996). The Order established regulations to implement the requirements of the Telecommunications Act of 1996. Those regulations are intended to enable potential competitive local exchange carriers (CLECs) to enter and compete in local telecommunications markets. The Commission found that nondiscriminatory access to operations support systems ("OSS") of incumbent local exchange carriers ("ILECs") was essential to successful market entry by CLECs. Access to operational support systems was to occur by January 1, 1997. Many variations of interim OSS graphic user interfaces ("GUIs") and electronic gateways have been or are being installed by the ILECs. These interim systems have not provided the capability for the CLECs to provide the same customer experience for their customers as the ILECs do for theirs. The timeliness and accuracy of information processed by the ILEC for pre-ordering, ordering and provisioning, maintenance and repair, unbundled elements, and billing have been less than the expected levels of service. This lack of service delivery does not differ between provisioning method, whether it is simply buying existing services on a wholesale basis to be resold or interconnection utilizing unbundled elements. Final solutions for application-to-application real time system interfaces are evasive because of the complexity, the diversity of commitment schedules to implement them and the lack of industry guidelines.

On February 12, 1997, the Local Competition Users Group (LCUG) issued their "Foundation For Local Competition: Operations Support Systems Requirements For Network Platform and Total Services Resale." The core principles are: Service Parity, Performance Measurement, Electronic Interfaces, Systems Integrity Notification of Change, and Standards Adherence. Each of these are significant to ensure that CLEC customers receive equal levels of service to those of ILEC customers. The LCUG group indicated that it was essential that a plan be developed to measure ILECs performance for all the essential OSS categories, e.g., pre-ordering, ordering and provisioning, maintenance and repair, network performance, unbundled elements, operator services and directory assistance, system performance, service center availability and billing. To that end, an LCUG sub-committee was formed to address measurements and metrics. The following document is the result of that activity. A comprehensive list of all measurements was initially developed and distributed to the team members for review. Each committee member was then assigned a section to investigate and propose recommendations back to the group. The group discussed each measurement and used present measurements criteria contained in regulatory requirements or good business practices to determine the final item and classes of service to be measured. The service quality measurement (SQM) goal was difficult to set because the group lacked historical trended data from the ILECs. The ILECs have been reluctant to share current performance over the past 12-18 months. The goals were drawn from best of class and/or good business practices. The SQM goal may change as the ILECs start sharing historical as well as actually self-reporting data benchmark by the ILEC, the CLEC, and the CLEC industry on a going forward basis.

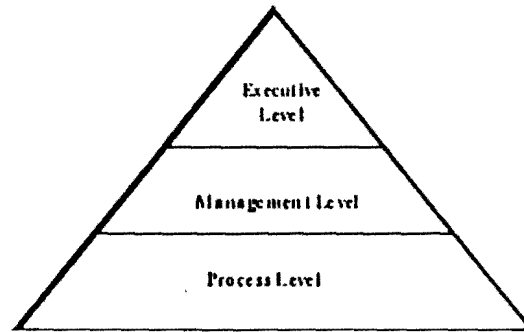
# LCUG Service Quality Measurements (SQMs)

## Measurement Plans:

A measurement plan must incorporate at least the following characteristics: 1) provide statistically valid and independently verifiable comparisons of the CLEC and CLEC industry experience to that of the ILEC; 2) account for potential performance variations due to differences in service and activity mix; 3) measure not only service measurements but also measures directed at UNEs in general and OSS interfaces; and 4) produce results which demonstrate the nondiscriminatory access to OSS functionality is being delivered across all interfaces and a broad range of resold services and unbundled elements. The measures must address interface availability, timeliness of execution, and accuracy of execution.

It is essential that the CLECs be able to determine that they are receiving equal treatment to that provided to the ILEC and its affiliates. Benchmarks and performance standards that are adopted by the CLECs and ILECs or ordered by commissions and reported will determine whether new service providers are receiving nondiscriminatory treatment. Benchmark comparisons should be self reported by the ILEC and reflect CLEC performance, ILEC performance and CLEC industry performance.

The measurements contained within this document addresses metrics at the executive level. There are several other levels of measurements that are used for the day-to-day activities as illustrated by the following simple diagram.



## Process Improvement:

In addition to the actual reporting of measurements there must be a commitment to take corrective action when poor performance or non-parity situations are identified. The ILECs need to self-report all measurements and analyze the results. Root cause analysis must be conducted and corrective actions taken to improve results or resolve issues. Corrective action steps, schedules and milestones should be developed by the ILEC and CLEC as appropriate to ensure timely implementation of corrective steps.

# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## PRE-ORDER (PO)

Function	Measurement Objective	Proposed Service Quality Measurement
Timeliness of Providing Pre-Ordering Information	Measures the ILEC response time to a query for appointment scheduling, service & feature availability, address verification, request for Telephone Numbers (TNs) and Customer Service Records (CSRs). The query interval starts with the request message leaving the CLEC and ends with the response message arriving at the CLEC.	<p>&lt;2 seconds from the time the query is launched until the following data is received back (98% ≤ 2 sec &amp; 100% ≤ 5 sec):</p> <ul style="list-style-type: none"> <li>• Due Date Reservation</li> <li>• Feature Function Availability</li> <li>• Facility Availability</li> <li>• Street Address Validation</li> <li>• Service Availability Information</li> <li>• Appointment Scheduling</li> <li>• Customer Service Records</li> <li>• Telephone Number Assignments:               <ol style="list-style-type: none"> <li>1. ≤30 TNs ret'd in ≤ 2 sec 98% of time &amp; ≤ 5 sec 100% of time,</li> <li>2. &gt; 30 TNs ret'd &lt; 2 hours 100% of time</li> </ol> </li> </ul> <p><b>PO-1</b>  <math display="block">\frac{\# \text{ of Responses Received on time}}{\text{Total \# of Queries Sent}} \times 100</math></p> <p><b>PO-2</b>            Mean Cycle Time</p>

DOCKET NO. 960786-TL  
 WITNESS: DOUGLAS W. KINKORP  
 EXHIBIT NO. \_\_\_\_\_  
 (DWK-2)  
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# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## ORDERING AND PROVISIONING (OP)

Function	Measurement Objective	Proposed Service Quality Measurement
Orders completed within specified intervals	Measures the percentage and mean completion interval of orders (Installation, feature change, service disconnect) completed with a requested due date that is equal or less than the interval specified in the Service Quality Measurements column.	<p>Unless specified below, orders with no Premises Visit or no physical work involved completed within 1 day of service order receipt *; orders that require Premises Visit or physical work: completed within 3 days of service order receipt *; 99% orders completed on due date *.</p> <p>Installation:</p> <ul style="list-style-type: none"> <li>• UNE Platform (at least DS0 loop + local switch + all common elements) always within 24 hours, regardless of dispatch</li> <li>• UNE Channelized DS1 (DS1 loop + multiplexing) always within 48 hours</li> <li>• Unbundled DS0 loop always within 24 hours</li> <li>• Unbundled DS1 loop (unchannelized) always within 24 hours</li> <li>• Other Unbundled Loops always within 24 hours</li> <li>• Unbundled Switch always within 48 hours</li> <li>• Dedicated Transport - DS0/DS1 always within 3 business days</li> <li>• Dedicated Transport - DS3 always within 5 bus days</li> </ul> <p>Feature Changes:</p> <ul style="list-style-type: none"> <li>• All orders completed within 5 business hours of receipt</li> </ul> <p>Disconnects:</p> <ul style="list-style-type: none"> <li>• Resale Product or Svc Disconnects always within 24 hrs</li> <li>• UNE switching within 24 hours</li> <li>• UNE (other) within 24 hours</li> </ul> <p>OP - 1  <math display="block">\frac{\text{\# of Orders Completed on Time}}{\text{Total \# of Orders Completed}} \times 100</math></p> <p>OP - 2  Mean Completion Time</p>

\* Reported for the following types of service or facility: Resold POTS, Resold ISDN, Resold Centrex/Centrex-like, Resold PBX trunks, Resold Channelized T1.5 Service, Other Resold Services, UNE Platform (at least DS0 loop + local switch + transport elements), UNE Channelized DS1 (DS1 loop + multiplexing), Unbundled DS0 loop, Unbundled DS1 loop, Other Unbundled loops, Unbundled Switch, Other UNEs

# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## ORDERING AND PROVISIONING (OP) (con'd)

Function	Measurement Objective	Proposed Service Quality Measurement
Order Accuracy	Measures the accuracy and completeness of the ILEC provisioning or disconnecting service by comparing what was ordered & what was completed	<p>≥ 99% are completed without error.</p> <p>OP-3  <math display="block">\frac{\text{\# of Orders Completed w/o error}}{\text{Total \# of Orders Sent}} \times 100</math></p>
Order Status	<p>Measures the response time (by percentage and mean time) for: Firm Order Confirmations (C-FOCs and D-FOCS *), Jeopardize / revised due date, Rejects, and Completions from the time an order is sent to the ILEC until a status is received</p> <p>*C-FOC: accepted, no change                      D-FOC: does not match due date</p>	<ul style="list-style-type: none"> <li>• FOC: 100% ≤ 4 hrs</li> <li>• Jeopardies/revised due date: 100% ≤ 4 hours</li> <li>• Rejects: ≥ 97% in ≤ 15 seconds</li> <li>• Order Completions: ≥ 97% received within 30 min of order completion</li> </ul> <p>OP-4  <math display="block">\frac{\text{\# of FOCs returned} + (\text{Total \# of Orders Sent}) - \text{Rejects Returned}}{\text{Total \# of Orders Sent}} \times 100</math></p> <p>OP-5  <u>Mean Time to Return FOC</u></p> <p>OP-6  <math display="block">\frac{\text{\# of D\_FOCs returned in } \leq 4 \text{ hours} + (\text{Total \# of Orders sent} - \text{Rejects Returned})}{\text{Total \# of Orders sent}} \times 100</math></p> <p>OP-7  <u>Mean Time to Return D-FOCS</u></p> <p>OP-8  <math display="block">\frac{\text{\# of Rejects returned in } \leq 15 \text{ seconds} + (\text{Total \# of Rejects Returned})}{\text{Total \# of Rejects Returned}} \times 100</math></p>

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# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## ORDERING AND PROVISIONING (OP) (con'd)

Function	Measurement Objective	Proposed Service Quality Measurement
		<p>OP-9 <u>Mean Time to Return Rejects</u></p> <p>OP-10 Jeopardies returned w/ 70% of allotted order time + Total # Jeopardies Returned</p> <p>OP-11 (# of Completions returned in <math>\leq 30</math> minutes) + (Total # Completed Orders) x 100</p> <p>OP-12 Mean Time to Return Completion</p> <p>OP-13 Jeopardies (Total C-FOCS - Total Rejects)</p>
# of Held Orders	Tracks the percentage and number of held orders within specified intervals	<p>Report for:  <math>\geq 15</math> days, <math>\leq 0.1\%</math>  <math>\geq 90</math> days, = 0%</p> <p>OP-14 (# of Orders Held for <math>\geq</math> "x" days) + (Total # of Orders Sent to ILEC in the past "x" days) x 100  <i>where "x" = 15 or 90 days</i></p> <p>OP-15 Mean Time of Orders Held Prior to Completion</p>

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# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## MAINTENANCE / REPAIR (MR)

Function	Measurement Objective	Proposed Service Quality Measurement
Time to Restore (TTR)	<p>Measures the percent of restorals made by product and service within 24 hours or less*</p> <p><i>Measures the mean time that it takes for the ILEC to resolve customer troubles*</i></p>	<p>Out of Service No Dispatch</p> <ul style="list-style-type: none"> <li>≥ 85% in 2 hrs</li> <li>≥ 95% in 3 hrs</li> <li>≥ 99% in 4 hrs</li> </ul> <p>All other Troubles</p> <ul style="list-style-type: none"> <li>≥ 95% in 24 hrs Dispatch Required</li> <li>≥ 90% in 4 hrs</li> <li>≥ 95% in 8 hrs</li> <li>≥ 99% in 16 hrs</li> </ul> <p><b>MIR-1</b>  <math display="block">\left( \frac{\# \text{ of Troubles Restored Within "x" hours} + \text{Total \# Troubles}}{\text{Total \# Troubles}} \right) \times 100</math> <i>where "x" = 2,3,4,8,16, or 24 "running clock" hours</i>  <u>Mean Time to Restore reported for ILEC and CLEC, for dispatch required and no dispatch required</u></p> <p><b>MIR-2</b>  <math display="block">\frac{\text{Total \# of Trouble Minutes} + \text{Total \# of Trouble Reports}}{\text{Total \# of Trouble Reports}}</math></p>
Repeat Troubles	Measures the frequency of recurring customer trouble on the same line, circuit or service*	<p>≤ 1% within 30 days*</p> <p><b>MIR-3</b>  <math display="block">\frac{\# \text{ of telephone lines reporting } \geq 2 \text{ troubles in the current report month}}{\text{Total number of troubles in the current report month}}</math></p>

\* Reported for the following types of service or facility: Resold POTS, Resold ISDN, Resold Centrex/Centrex-Ilite, Resold PBX trunks, Resold Channelized T1.5 Service, Other Resold Services, UNE Platform (at least DS0 loop + local switch + transport elements), UNE Channelized DS1 (DS1 loop + multiplexing), Unbundled DS0 loop, Unbundled DS1 loop, Other Unbundled loops, Unbundled Switch, Other UNEs

# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## MAINTENANCE / REPAIR (MR) (con'd)

Function	Measurement Objective	Proposed Service Quality Measurement
		<u>This includes those</u> lines, circuits, or services with a second trouble ticket coded out as CC (Came Clear), CO (central office), FAC (Facility) or STA (station) that follow an initial ticket coded out as Any found or Non-found disposition.
Troubles Per 100 Lines	Measures the frequency of troubles reported within the ILEC's network	$\leq 1.5$ per month*  MR-4 (# of Initial & Repeated Trouble Reports per exchange per month) + (Total # of Lines per exchange) x 100
Estimated Time to Restore (Appointments Met) ETTR	Measures the compliance of restoring service within the time estimated to the CLEC, reported for premises visits required and premises visit not required*	$\geq 99\%$ *  MR-5 (# of Customer Trouble Appointments Met + Total # Customer Trouble Appointments) x 100

\* Reported for the following types of service or facility: Resold POTS, Resold ISDN, Resold Centrex/Centrex-like, Resold PBX trunks, Resold Channelized T1.5 Service, Other Resold Services, UNE Platform (at least DS0 loop + local switch + transport elements), UNE Channelized DS1 (DS1 loop + multiplexing), Unbundled DS0 loop, Unbundled DS1 loop, Other Unbundled loops, Unbundled Switch, Other UNEs



# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## GENERAL (GE)

Function	Measurement Objective	Proposed Service Quality Measurement
Systems Availability	Measures the availability of operations support systems and associated interfaces (for pre-ordering, ordering and provisioning, maintenance)	<p>&lt; 0.1% unplanned downtime per month, reported for each interface:</p> <ul style="list-style-type: none"> <li>Pre-ordering Inquiry Interface</li> <li>Ordering Interface</li> <li>Maintenance Interface</li> </ul> <p>GE-1  <math display="block">\frac{(\# \text{ Hours Interface and/or System Not Available as Scheduled}) + (\text{Total} \# \text{ Hours Scheduled Availability})}{100}</math></p> <p>GE-2  Mean # of Hours Available</p>
Center Responsiveness	Measures the time for the ILEC representative to answer business office calls in provisioning and trouble report centers.	<p>≥ 95% within 20 seconds  100% within 30 seconds</p> <p>GE-3  <math display="block">\frac{\# \text{ Calls Answered Within Specified Timeframe}}{\text{Total} \# \text{ Calls from CLEC to Center}} \times 100</math></p> <p>GE-4  <u>Mean Time to Answer Calls w/o IVR; If IVR - Mean Time to Answer Calls after the end of IVR</u></p>

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# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## BILLING (BI)

Function	Measurement Objective	Proposed Service Quality Measurement
Timeliness of Billing Records Delivered	Measures the timeliness of billing records and wholesale bills (usage, CSRs, service orders, time & materials, adjustments) delivered to CLEC	<p>99.9% billing records received in <math>\leq 24</math> hours                      100% billing records received in <math>\leq 48</math> hours  <math>\geq 99.95\%</math> wholesale bills received within 10 calendar days of bill date</p> <p><b>BI-1</b>  <math>\frac{\# \text{ Billing Records Delivered on time}}{\text{Total \# of Billing Records Received}} \times 100</math></p> <p><b>BI-2</b>                      Mean Time to Provide <u>Billing</u> Records</p> <p><b>BI-3</b>                      Mean Time to Deliver Wholesale Bills</p>
Accuracy	Measures the percentage <i>and mean time</i> of billing records delivered to CLEC in the agreed-upon format and with the complete agreed-upon content (includes time and material and other non-recurring charges)	<p><math>\geq 98\%</math> wholesale bill financially accurate  <math>\geq 99.99\%</math> of all records transmitted</p> <p><b>BI-4</b>  <math>\frac{(\# \text{ of Accurate and Complete Formatted Mechanized Bills} , \text{ Total \# Mechanized Bills Received})}{\text{Total \# Mechanized Bills Received}} \times 100</math></p> <p><b>BI-5</b>  <math>\frac{\# \text{ of Billing Records Transmitted Correctly}}{\text{Total \# of Billing Records Received}} \times 100</math></p>

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# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## OPERATOR SERVICES AND DIRECTORY ASSISTANCE (DA)

Function	Measurement Objective	Proposed Service Quality Measurement
Average Speed to Answer	Measures the percent and mean time a call is answered by an OS or DA operator in a predefined timeframe. Includes all time from initiation of ringing until the customer's call is answered.	<p>For live agent, 90% of calls answered in 10 seconds. For Voice Response Unit service, 100% within 2 seconds.</p> <p>DA-1  <math display="block">\frac{\# \text{ Calls Answered Within "x" seconds}}{\text{Total DA Calls}} \times 100</math>                     where "x" equals 2 or 10 seconds</p> <p>DA-2                      DA Mean Time To Answer</p> <p>OS-1  <math display="block">\frac{\# \text{ Calls Answered Within "x" seconds}}{\text{Total OS Calls}} \times 100</math>                     where "x" equals 2 or 10 seconds</p> <p>OS-2                      OS Mean Time To Answer</p>

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# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## NETWORK PERFORMANCE (NP)

Function	Measurement Objective	Proposed Service Quality Measurement
Network Performance Parity	Compares ILEC performance distribution for its own customers to ILEC performance distribution for CLEC customers. Measures the deviation from supplier service performance distribution for each metric specified.	<p>Deviation <math>\leq 0.10\%</math> from supplier service performance distribution:</p> <p>Transmission quality:</p> <ul style="list-style-type: none"> <li>• Subscriber Loop Loss</li> <li>• Signal to Noise Ratio</li> <li>• Idle Channel Circuit Noise</li> <li>• Loops-Circuit Balance</li> <li>• Circuit Notched Noise</li> <li>• Attenuation Distortion</li> </ul> <p>Speed of Connection:</p> <ul style="list-style-type: none"> <li>• Dial Tone Delay</li> <li>• Post Dial Delay</li> <li>• Call Completion/ Delivery Rate</li> </ul> <p>Reliability Requirements: (For TSK Only)</p> <ul style="list-style-type: none"> <li>• Network incidents affecting &gt; 5000 blocked calls</li> <li>• Network incidents &gt; 100,000 blocked calls</li> </ul> <p>Statistical comparison based on the Mean ILEC Customer Experience and standard deviation from this mean, the Mean CLEC Customer Experience and standard deviation from this mean, and the number of observations used to determine these means.</p> <p>NP-1            (Mean ILEC customer experience - Mean CLEC customer experience) + Mean ILEC customer experience x 100  <i>Deviation between ILEC performance for ILEC and CLEC customers must be less than 0.10%.</i></p>

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# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## INTERCONNECT / UNBUNDLED ELEMENTS AND COMBOS (IUE)

Function	Measurement Objective	Proposed Service Quality Measurement
Availability of Network Elements	Measures the availability of network elements (e.g. signaling link transport, SCPs/ Databases, & loop combinations)	<p>Loop Combo availability 100%</p> <p>Signaling Link Transport Unavailability:</p> <ul style="list-style-type: none"> <li>• A-Link: ≤ 1 min per year</li> <li>• D-Link: ≤ 1 sec per year</li> <li>• SCPs/Databases: ≤ 15 min per year</li> <li>• SCPs/Databases correctly updated: ≥ 99% in ≤ 24 hrs</li> </ul> <p><b>IUE-1</b>  <math display="block">\frac{\text{\# minutes Loop unavailable} \times 100}{\text{Total \# minutes}}</math></p> <p><b>IUE-2</b>  <math display="block">\frac{\text{\# minutes A-link available during "x" years}}{\text{"x" years}}</math></p> <p><b>IUE-3</b>  <math display="block">\frac{\text{\# seconds D-link unavallable durlng "x" year}}{\text{"x" year}}</math> <p>Where <math>x \leq</math> or <math>\geq</math> year. After year, monthly reporting should be for a rolling year.</p> <p><b>IUE-4</b>  <math display="block">\frac{\text{\# Database Records Correctly Updated} \times 100}{\text{Total \# Update Requests Received by ILEC}}</math></p> <p><b>IUE-5</b>  <math display="block">\frac{\text{\# Database Records Updated within 24 hours of Update Request Receipt}}{\text{(Total \# Database Update Requests Received)}} \times 100</math></p> </p>

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# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## INTERCONNECT / UNBUNDLED ELEMENTS AND COMBOS (IUE) (con'd)

Function	Measurement Objective	Proposed Service Quality Measurement
Performance of Network Elements	Measures the performance of network elements (e.g. LIDB, routing to CLEC OS/DA platforms, 800, AIN)	<p>Example:</p> <ul style="list-style-type: none"> <li>•LIDB reply rate to all query attempts <math>\geq 99.95\%</math></li> <li>•LIDB query time-out <math>\leq 0.05\%</math></li> <li>•Unexpected data values in replies for all LIDB queries <math>\leq 1\%</math></li> <li>•% of LIDB queries return a missing customer record = 0%</li> <li>•Group troubles in all LIDB queries <math>\leq 0.5\%</math></li> </ul> <p>Delivery to OS platform:</p> <p>Mean Post Dial Delay for "0" calls from LSO to CLEC OS platform <math>\leq 2</math> seconds PDD for "0+" calls with 6 digit analysis from LSO to CLEC OS platform: <math>95\% \leq 2.0</math> sec; Mean <math>\leq 1.75</math> sec</p> <p>Percent of call attempts to CLEC OS Platform that were blocked <math>\leq 0.1\%</math></p> <p>IUE-6  <math>(\# \text{ LIDB}   \text{ or } 800 \text{ or AIN or } //   \text{Query Replies Received by CLEC}) + (\text{Total } \# \text{ LIDB}   \text{ or } 800 \text{ or AIN or } //   \text{Queries Received by ILEC}) \times 100</math></p> <p>IUE-7  <math>(\# \text{ LIDB}   \text{ or } 800 \text{ or AIN or } //   \text{Time-out responses received by CLEC}) + (\text{Total } \# \text{ LIDB}   \text{ or } 800 \text{ or AIN or } //   \text{Queries Received by ILEC}) \times 100</math></p> <p>IUE-8  <math>(\# \text{ LIDB}   \text{ or } 800 \text{ or AIN or } //   \text{Query Replies with unexpected data values received by CLEC}) + (\text{Total } \# \text{ LIDB}   \text{ or } 800 \text{ or AIN or } //   \text{Queries Received by ILEC}) \times 100</math></p>

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# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## INTERCONNECT / UNBUNDLED ELEMENTS AND COMBOS (IUE) (con'd)

Function	Measurement Objective	Service Quality Measurement
		<p><b>IUE-9</b>  <math>(\# \text{ LIDB}   \text{ or } 800 \text{ or AIN or } n   \text{ Query Replies missing customer record received by CLEC}) / (\text{Total } \# \text{ LIDB}   \text{ or } 800 \text{ or AIN or } n   \text{ Queries received by ILEC}) \times 100</math></p> <p><b>IUE-10</b>  <math>(\text{Cumulative Total } \# \text{ Post Dial Delay Seconds experienced on "0" calls from LSO to CLEC OS platform}) + (\text{Total } \# \text{ "0" calls from LSO to CLEC OS platform})</math></p> <p><b>IUE-11</b>  <math>(\text{Cumulative Total } \# \text{ Post Dial Delay Seconds experienced on "0+" calls with 6 digit analysis from LSO to CLEC OS platform}) + (\text{Total } \# \text{ "0+" calls with 6 digit analysis from LSO to CLEC OS platform})</math></p> <p><b>IUE-12</b>  <math>\# \text{ of "0+" calls with 6 digit analysis from LSO to CLEC OS platform that have Post Dial Delay } \leq 2 \text{ seconds} + (\text{Total } \# \text{ "0+" calls with 6 digit analysis from LSO to CLEC OS platform})</math></p> <p><b>IUE-13</b>  <math>\# \text{ Blocked Call Attempts to CLEC OS Platform} / \text{Total } \# \text{ Call Attempts to CLEC OS Platform} \times 100</math></p>

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# LCUG Service Quality Measure (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

## FORMULAS QUICK REFERENCE GUIDE

Metric No.	Formula
<i>PRE-ORDER</i>	
PO-1	$\frac{\text{\# of Responses Received on Time}}{\text{Total \# of Queries Sent}} \times 100$
PO-2	Mean Cycle Time
<i>ORDERING AND PROVISIONING</i>	
OP-1	$\frac{\text{\# of Orders Completed on Time}}{\text{Total \# of Order Completed}} \times 100$
OP-2	Mean Completion Interval
OP-3	$\frac{\text{\# of Orders Completed w/o Error}}{\text{Total \# of Orders Sent}} \times 100$
OP-4	$\frac{[\text{\# of C-FOCs Returned in } \leq 4 \text{ hours} + (\text{Total \# of Orders Sent} - \text{Syntax Rejects Returned})]}{\text{Total \# of Orders Sent}} \times 100$
OP-5	Mean Time to Return FOC
OP-6	$\frac{[\text{\# of D-FOCs Returned in } + (\text{Total \# of Orders Sent} - \text{Rejects Returned})]}{\text{Total \# of Orders Sent}} \times 100$



# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

OP-7	Mean Time to Return <i>D-FOCs</i>	
OP-8	(# of <i>Syntax</i> Rejects Returned in $\leq 15$ seconds) + (Total # of <i>Syntax</i> Rejects Returned)	x 100
OP-9	Mean Time to Return Rejects	
OP-10	<i>Jeopardies Returned within 70% of allotted order time + Total number Jeopardies Returned</i>	
OP-11	(# of Completions Returned in $\leq 30$ minutes) + (Total # Completed Orders)	x 100
OP-12	Mean Time to Return Completion	
OP-13	Jeopardies Total C-FOCs - Total Rejects	
OP-14	(# of Orders Held for $\geq x$ days) + (Total # of Orders Sent to ILEC in past x days )	x 100
OP-15	Mean Time of Orders Held Prior to Completion	
<b>MAINTENANCE / REPAIR</b>		
MR-1	(# of Troubles Restored within x hours + Total # Troubles) where "x" = 2,3,4,8,16 or 24 "running clock" hours	x 100

# LCUG Service Quality Measurements (SQMs)

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ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

MR-2	$\frac{\text{Total \# of Trouble Minutes}}{\text{Total \# of Trouble Reports}}$	
MR-3	# of telephone lines reporting $\geq 2$ troubles in the current report months + Total # of troubles in current report months	
MR-4	$\frac{\text{\# of Initial \& Repeated Trouble Reports per exchange per month}}{\text{Total \# of Lines per exchange}} \times 100$	
MR-5	$\frac{\text{\# Customer Trouble Appointments Met}}{\text{Total \# Customer Trouble Appointments}} \times 100$	
<b>GENERAL</b>		
GE-1	(# Hours Interface and/or System Not Available as Scheduled) $\div$ (Total # Hours Scheduled Availability)	$\times 100$
GE-2	Mean # of Hours Available	
GE-3	$\frac{\text{\# Calls Answered within Specified Timeframe}}{\text{Total \# Calls from CLEC to Center}} \times 100$	
GE-4	Mean Time to Answer Calls w/o IVR; If IVR, Mean Time to Answer Calls after end of IVR	
<b>BILLING</b>		
BI-1	$\frac{\text{\# Billing Records Delivered on Time}}{\text{Total \# of Billing Records Received}} \times 100$	

# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

BI-2	Mean Time to Provide Billing Records	
BI-3	Mean Time to Deliver Wholesale Bills	
BI-4	(# of Accurate & Complete Formatted Mechanized Bills + Total # Mechanized Bills Received)	x 100
BI-5	$\frac{\text{\# of Billing Records Transmitted Correctly}}{\text{Total \# of Billing Records Received}}$	x 100
<b>DIRECTORY ASSISTANCE AND OPERATOR SERVICES</b>		
DA-1	$\frac{\text{\# Calls Answered within "x" seconds}}{\text{Total DA Calls}}$ where "x" equals 2 or 10 seconds	x 100
DA-2	DA Mean Time to Answer	
OS-1	$\frac{\text{\# Calls Answered within "x" seconds}}{\text{Total OS Calls}}$ where "x" equals 2 or 10 seconds	x 100
OS-2	OS Mean Time to Answer	
<b>NETWORK PERFORMANCE</b>		
NP-1	(Mean ILEC customer experience - Mean CLEC customer experience) + Mean ILEC Customer Experience	x 100

# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

<i>INTERCONNECTION / UNBUNDLED ELEMENTS AND COMBOS</i>		
IUE-1	$\frac{\# \text{ Minutes Loop available}}{\text{Total \# Minutes}} \times 100$	
IUE-2	$\frac{\# \text{ Minutes A-link unavailable during } x \text{ years}}{x \text{ years}}$ <p style="margin-left: 20px;">(where "x" &lt; or &gt; 1 year after first year, monthly reporting should be for a rolling year.)</p>	
IUE-3	$\frac{\# \text{ Seconds D-link unavailable during } x \text{ years}}{x \text{ years}}$	
IUE-4	$\frac{\# \text{ Database Records Correctly Updated}}{\text{Total \# Update Requests Received by ILEC}} \times 100$	
IUE-5	<p>(# Database Records Updated within 24 hrs. of Update Request Received) ÷ (Total # Database Update Requests Received)</p>	
IUE-6	$\frac{(\# \text{ LIDB [or 800 or AIN or n] Query Replies Received by CLEC}) + (\text{Total \# LIDB [or 800 or AIN or n] Queries Received by ILEC})}{\text{Total \# LIDB [or 800 or AIN or n] Queries Received by ILEC}} \times 100$	
IUE-7	$\frac{(\# \text{ LIDB [or 800 or AIN or n] Time-Out Responses Received by CLEC}) + (\text{Total \# LIDB [or 800 or AIN or n] Queries Received by ILEC})}{\text{Total \# LIDB [or 800 or AIN or n] Queries Received by ILEC}} \times 100$	
IUE-8	$\frac{(\# \text{ LIDB [or 800 or AIN or n] Query Replies with Unexpected Data Values Received by CLEC}) + (\text{Total \# LIDB [or 800 or AIN or n] Queries Received by ILEC})}{\text{Total \# LIDB [or 800 or AIN or n] Queries Received by ILEC}} \times 100$	

# LCUG Service Quality Measurements (SQMs)

ASSUMPTION: OSS FULLY IMPLEMENTED BY ILEC

IUE-9	(# LIDB [or 800 or AIN or n] Query Replies Missing Customer Record Received by CLEC) + (Total # LIDB [or 800 or AIN or n] Queries Received by ILEC)	x 100
IUE-10	(Cumulative Total # Post Dial Delay Seconds experienced on "0" calls from LSO to CLEC OS platform) + (Total # "0" calls from LSO to CLEC OS platform)	
IUE-11	(Cumulative Total # Post Dial Delay Seconds experienced on "0+" calls with 6-digit analysis from LSO to CLEC OS platform) + (Total # "0+" calls with 6-digit analysis from LSO to CLEC OS platform)	
IUE-12	(# of "0+" calls with 6-digit analysis from LSO to CLEC OS platform that have Post Dial Delay ≤ 2 seconds) + (Total # "0+" calls with 6-digit analysis from LSO to CLEC OS platform)	
IUE-13	<u># Blocked Call Attempts to CLEC OS Platform</u> Total # Call Attempts to CLEC OS Platform	x 100

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing **Direct Testimony of Douglas W. Kinkoph on Behalf of Florida Competitive Carriers Association** has been furnished by U.S. Mail, by hand delivery(\*), or by overnight delivery(\*\*) on this **17th** day of **July, 1997**, to the following:

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