

ORIGINAL

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Dee May  
Director  
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EX PARTE OR LATE FILING



December 17, 1999

Ex Parte

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

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DEC 17 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: CC Docket No. 99-295: In the Matter of Application of Bell Atlantic Pursuant to Section 271 of the Telecommunications Act of 1996 to Provide In-Region, InterLATA Services in New York

Dear Ms. Salas,

Please find attached a letter to Mr. Eric Einhorn of the Common Carrier Bureau. The purpose of the letter is to provide revisions to our filing in the above proceeding that reflect corrections to our September and October New York Carrier to Carrier reports.

We are filing a confidential portion of the submission and a redacted version of the entire submission. The document contains carrier specific confidential information.

Please feel free to contact me with any questions.

Sincerely,

Attachments

cc: A. Kearney  
E. Einhorn

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December 17, 1999

Mr. Eric Einhorn  
Common Carrier Bureau  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: CC Docket No. 99-295: In the Matter of Application of Bell Atlantic Pursuant to Section 271 of the Telecommunications Act of 1996 to Provide In-Region, InterLATA Services in New York**

Dear Mr. Einhorn,

As part of its ongoing oversight, the New York PSC Staff has pointed out that the September Carrier-to-Carrier report, which was attached to the Dowell/Canny Reply Declaration as Exhibit C, incorrectly reported results for some ordering metrics (*see* metric numbers OR-1-01 through OR-1 04 and OR-2-01 through OR-2-04). The error resulted from the mis-classification of certain orders that were submitted during the scheduled off-line hours of the Service Order Processor (SOP). Bell Atlantic's system counted these orders as manually processed when they should have been classified as flow through. While Bell Atlantic corrected the actual reported flow through percentages before the September report was filed, Staff has pointed out that the corrected classification did not carry through to other ordering metrics. Corrected pages that have been filed with the New York PSC are attached. The incorrect results from the September report were reflected in the text of paragraph 43 of the Miller/Jordan/Zanfini Reply Declaration and Attachment F to the Dowell/Canny Reply Declaration. A corrected paragraph 43 (with corrected numbers in bold) and a corrected Attachment F are attached. The corresponding numbers cited in the Reply Comments, see pages 8 and 19, would also change accordingly.

In addition, the October Carrier-to-Carrier report filed with the New York PSC incorrectly reported results for certain of the same ordering metrics. The October error occurred in the coding to exclude orders received during the published hours when SOP is off-line for maintenance and nightly order processing, as directed by the New York PSC's November 5 Order. See Proceeding on Motion of the Commission to Review Service Quality Standards for Telephone Companies, Case 97-C-0139, Order Establishing Additional Inter-Carrier Service Quality Guidelines and Granting In Part Petition for Reconsideration, Clarification, and Stay at 21-22. Corrected pages for October that have been filed with the New York PSC are attached.

Finally, in reviewing certain individual carrier metrics, Bell Atlantic has discovered that orders submitted by a few CLECs were coded in such a way that they were incorrectly categorized when Bell Atlantic attempted to disaggregate UNE platform from UNE loop ordering results. Because one of these CLECs has not yet achieved flow through rates at the level attained by other CLECs, re-categorizing these orders caused the platform flow through rate cited by Bell Atlantic in the Reply Declarations to decline somewhat. This incorrect categorization had no effect on the overall UNE results previously reported. Attachment F of the Miller/Jordan/Zanfini Reply Declaration (pages 1 and 3 of 3) reflected both the misclassification from the September Carrier-to-Carrier report and the incorrect disaggregation of UNE loop and platform orders. Corrected paragraphs 35, 36, and 39 of the Miller/Jordan/Zanfini Reply Declaration, and paragraph 44 of the Dowell/Canny Reply Declaration (with the corrected numbers in bold) and corrected Attachment pages are attached. The corresponding numbers cited in the Reply Comments, see pages 16 and 17, n. 19, would also change accordingly.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dee May" followed by a flourish.

Attachments

cc: A. Kearney

**Carrier to Carrier**  
**Performance Standards and Reports**  
**September 1999**  
**Bell Atlantic - New York State**

**CLEC Aggregate Performance**  
**ORDERING - RESALE POTS / SPECIAL SERVICES**

**Revised Results-12-15-99**

Metric #	Standard	Performance	Observations
<b>POTS &amp; Pre-qualified Complex - Electronically Submitted</b>			
<b>OR-1 - Order Confirmation Timeliness</b>			
OR-1-01	Average Local Service Request Confirmation (LSRC) Time (Flow Through)	1.53	
OR-1-02	% On Time LSRC - Flow Through	99.79	10705
OR-1-03	Average LSRC Time < 10 Lines	13.36	
OR-1-04	% On Time LSRC < 10 Lines	95% within 24 Hours	9602
OR-1-05	Average LSRC Time >= 10 Lines	19.11	
OR-1-06	% On Time LSRC >= 10 Lines	95% within 72 Hours	222
<b>OR-2 - Reject Timeliness</b>			
OR-2-01	Average Local Service Request (LSR) Reject - Time (Flow Through)	0.29	
OR-2-02	% On Time LSR Reject - Flow Through	98.69	1302
OR-2-03	Average LSR Reject Time < 10 Lines	13.74	
OR-2-04	% On Time LSR Reject < 10 Lines	95% within 24 Hours	1001
OR-2-05	Average LSR Reject Time >= 10 Lines	16.70	
OR-2-06	% On Time LSR Reject >= 10 Lines	95% within 72 Hours	24
<b>POTS / Special Services - Aggregate</b>			
<b>OR-4 - Timeliness of Completion Notification</b>			
OR-4-01	Completion Notice - Average Response Time	0.00	
OR-4-02	Completion Notice - % On Time	100.00	21432
<b>OR-5 - Percent Flow-Through</b>			
OR-5-01	% Flow Through - Total	No Standard Developed	20756
OR-5-02	% Flow Through - Simple	No Standard Developed	20470
<b>Special Services - Electronically Submitted</b>			
<b>OR-1 - Order Confirmation Timeliness</b>			
OR-1-03	Average LSRC Time < 10 Lines	19.91	
OR-1-04	% On Time LSRC < 10 Lines	95% within 48 Hours	218
OR-1-05	Average LSRC Time >= 10 Lines	30.38	
OR-1-06	% On Time LSRC >= 10 Lines	95% within 72 Hours	3
<b>OR-2 - Reject Timeliness</b>			
OR-2-03	Average LSR Reject Time < 10 Lines	23.13	
OR-2-04	% On Time LSR Reject < 10 Lines	95% within 48 Hours	28
OR-2-05	Average LSR Reject Time >= 10 Lines	9.96	
OR-2-06	% On Time LSR Reject >= 10 Lines	95% within 72 Hours	6

**Carrier to Carrier**  
**Performance Standards and Reports**  
**September 1999**  
**Bell Atlantic - New York State**

**CLEC Aggregate Performance**  
**ORDERING - UNE POTS / SPECIAL SERVICES**

**Revised Results-12-15-99**

Metric #	Standard	Performance	Observations
<b>POTS/Pre-qualified Complex - Electronically Submitted</b>			
<b>OR-1 - Order Confirmation Timeliness</b>			
OR-1-01	Average Local Service Request Confirmation (LSRC) Time (Flow-Through)	2.11	
OR-1-02	% On Time LSRC - Flow Through	88.65	37593
OR-1-03	Average LSRC Time < 10 Lines	14.11	
OR-1-04	% On Time LSRC < 10 Lines (Electronic)	92.34	20990
OR-1-05	Average LSRC Time >= 10 Lines	31.44	
OR-1-06	% On Time LSRC >= 10 Lines	89.74	117
<b>OR-2 - Reject Timeliness</b>			
OR-2-01	Average Local Service Request (LSR) Reject - Time (Flow-Through)	2.55	
OR-2-02	% On Time LSR Reject - Flow Through	88.93	7188
OR-2-03	Average LSR Reject Time < 10 Lines	12.65	
OR-2-04	% On Time LSR Reject < 10 Lines	91.57	3761
OR-2-05	Average LSR Reject Time >= 10 Lines	36.11	
OR-2-06	% On Time LSR Reject >= 10 Lines	92.53	67
<b>POTS / Special Services - Aggregate</b>			
<b>OR-4 - Timeliness of Completion Notification</b>			
OR-4-01	Completion Notice - Average Response Time	0.00	
OR-4-02	Completion Notice - % On Time	100.00	58824
<b>OR-5 - Percent Flow-Through</b>			
OR-5-01	% Flow Through - Total	62.81	59843
OR-5-02	% Flow Through - Simple	64.00	58732
<b>Special Services - Electronically Submitted</b>			
<b>OR-1 - Order Confirmation Timeliness</b>			
OR-1-03	Average LSRC Time < 10 Lines	31.20	
OR-1-04	% On Time LSRC < 10 Lines	78.94	76
OR-1-05	Average LSRC Time >= 10 Lines	24.74	
OR-1-06	% On Time LSRC >= 10 Lines	100.00	9
<b>OR-2 - Reject Timeliness</b>			
OR-2-03	Average LSR Reject Time < 10 Lines	41.95	
OR-2-04	% On Time LSR Reject < 10 Lines	69.23	13
OR-2-05	Average LSR Reject Time >= 10 Lines	N/A	
OR-2-06	% On Time LSR Reject >= 10 Lines	N/A	

43. AT&T claims that BA-NY is not providing certain intermediate notices – order confirmations and reject notices – on UNE platform orders in a timely way, and further claims that performance on its own platform orders deteriorated from August to September when it began increasing its order volume. AT&T Comments at 23 and Crafton/Connolly Decl. ¶¶ 252-261. AT&T is simply wrong. As Mr. Dowell and Ms. Canny explained in their initial Declaration, overall, BA-NY has returned confirmations and reject notices for UNEs in a timely fashion, even if we have not always met the New York PSC’s stringent 95% on time standard. In July, BA-NY’s on time performance was 88% overall; in August, it was 94%; and in September it was [ ] **90%**. See Dowell/Canny Reply Decl. Attachment F. While some individual metrics show slightly lower on-time percentages, they are the order types with low volumes. For the order types with significant volumes, as the New York PSC noted, on-time performance was “at or near the target.” NY PSC Eval. at 43; Dowell/Canny Attachment D. For UNE platform orders, BA-NY returned more than **90%** of confirmation and reject notices on time in September. Moreover, performance on AT&T’s platform orders, measured in accordance with the Carrier-to-Carrier Guidelines, was well above what AT&T claimed – **\*\* REDACTED \*\*\*** for both August and September. See Attachment F.

**Carrier to Carrier  
Performance Standards and Reports  
Interim Guidelines September 1999  
Bell Atlantic - New York State**

**CLEC Aggregate Performance  
ORDERING - UNE POTS / SPECIAL SERVICES**

**POTS/Pre-qualified Complex - Electronically Submitted**

	<i>OR-1 - Order Confirmation Timeliness</i>
OR-1-02	% On Time LSRC - Flow Through
OR-1-04	% On Time LSRC < 10 Lines (Electronic)
OR-1-06	% On Time LSRC >= 10 Lines
OR-2-02	% On Time LSR Reject - Flow Through
OR-2-04	% On Time LSR Reject < 10 Lines
OR-2-06	% On Time LSR Reject >= 10 Lines
OR-1-04	% On Time LSRC < 10 Lines
OR-1-06	% On Time LSRC >= 10 Lines
OR-2-04	% On Time LSR Reject < 10 Lines
OR-1-08	% On Time LSRC < 10 Lines
OR-2-08	% On Time LSR Reject < 10 Lines

% ON TIME	COUNT	# ON TIME
88.65	37593	33326
92.34	20990	19382
89.74	117	105
88.93	7188	6392
91.57	3761	3444
92.53	67	62
78.94	76	60
100.00	9	9
69.23	13	9
98.40	125	123
97.47	79	77
<b>89.96</b>	<b>70018</b>	<b>62990</b>

TOTAL PERFORMANCE

**Carrier to Carrier**  
**Performance Standards and Reports**  
**October 1999**  
**Bell Atlantic - New York State**

**CLEC Aggregate Performance**  
**ORDERING - RESALE POTS / SPECIAL SERVICES**

**Revised Results-12-15-99**

Metric #	Standard	Performance	Observations
<b>POTS &amp; Pre-qualified Complex - Electronically Submitted</b>			
<b>OR-1 - Order Confirmation Timeliness</b>			
OR-1-01	Average Local Service Request Confirmation (LSRC) Time (Flow Through)	0.05	
OR-1-02	% On Time LSRC - Flow Through	99.87	6530
OR-1-03	Average LSRC Time < 10 Lines	16.04	
OR-1-04	% On Time LSRC < 10 Lines	84.80	8279
OR-1-05	Average LSRC Time >= 10 Lines	20.30	
OR-1-06	% On Time LSRC >= 10 Lines	97.98	298
<b>OR-2 - Reject Timeliness</b>			
OR-2-01	Average Local Service Request (LSR) Reject - Time (Flow Through)	0.07	
OR-2-02	% On Time LSR Reject - Flow Through	99.52	1263
OR-2-03	Average LSR Reject Time < 10 Lines	14.73	
OR-2-04	% On Time LSR Reject < 10 Lines	88.97	925
OR-2-05	Average LSR Reject Time >= 10 Lines	31.41	
OR-2-06	% On Time LSR Reject >= 10 Lines	85.71	14
<b>POTS / Special Services - Aggregate</b>			
<b>OR-4 - Timeliness of Completion Notification</b>			
OR-4-01	Completion Notice - Average Response Time	0.00	
OR-4-02	Completion Notice - % On Time	99.98	15230
<b>OR-5 - Percent Flow-Through</b>			
OR-5-01	% Flow Through - Total	42.82	15265
OR-5-02	% Flow Through - Simple	43.37	15054
<b>Special Services - Electronically Submitted</b>			
<b>OR-1 - Order Confirmation Timeliness</b>			
OR-1-03	Average LSRC Time < 10 Lines	22.56	
OR-1-04	% On Time LSRC < 10 Lines	87.67	146
OR-1-05	Average LSRC Time >= 10 Lines	18.51	
OR-1-06	% On Time LSRC >= 10 Lines	100.00	5
<b>OR-2 - Reject Timeliness</b>			
OR-2-03	Average LSR Reject Time < 10 Lines	21.36	
OR-2-04	% On Time LSR Reject < 10 Lines	93.33	15
OR-2-05	Average LSR Reject Time >= 10 Lines	NA	
OR-2-06	% On Time LSR Reject >= 10 Lines	NA	

**Carrier to Carrier**  
**Performance Standards and Reports**  
**October 1999**  
**Bell Atlantic - New York State**  
**CLEC Aggregate Performance**  
**ORDERING - UNE POTS / SPECIAL SERVICES**

**Revised Results-12-15-99**

Metric #	Standard	Performance	Observations
<b>POTS/Pre-qualified Complex - Electronically Submitted</b>			
<b>OR-1 - Order Confirmation Timeliness</b>			
OR-1-01	Average Local Service Request Confirmation (LSRC) Time (Flow-Through)	0.40	
OR-1-02	% On Time LSRC - Flow Through	94.26	48614
OR-1-03	Average LSRC Time < 10 Lines	16.55	
OR-1-04	% On Time LSRC < 10 Lines (Electronic)	88.27	30283
OR-1-05	Average LSRC Time >= 10 Lines	48.25	
OR-1-06	% On Time LSRC >= 10 Lines	85.26	190
<b>OR-2 - Reject Timeliness</b>			
OR-2-01	Average Local Service Request (LSR) Reject - Time (Flow-Through)	0.32	
OR-2-02	% On Time LSR Reject - Flow Through	91.21	4487
OR-2-03	Average LSR Reject Time < 10 Lines	14.37	
OR-2-04	% On Time LSR Reject < 10 Lines	90.24	4512
OR-2-05	Average LSR Reject Time >= 10 Lines	30.34	
OR-2-06	% On Time LSR Reject >= 10 Lines	87.37	103
<b>POTS / Special Services - Aggregate</b>			
<b>OR-4 - Timeliness of Completion Notification</b>			
OR-4-01	Completion Notice - Average Response Time	0.00	
OR-4-02	Completion Notice - % On Time	99.99	79099
<b>OR-5 - Percent Flow-Through</b>			
OR-5-01	% Flow Through - Total	60.32	80581
OR-5-02	% Flow Through - Simple	61.46	79087
<b>Special Services - Electronically Submitted</b>			
<b>OR-1 - Order Confirmation Timeliness</b>			
OR-1-03	Average LSRC Time < 10 Lines	37.51	
OR-1-04	% On Time LSRC < 10 Lines	68.75	64
OR-1-05	Average LSRC Time >= 10 Lines	11.41	
OR-1-06	% On Time LSRC >= 10 Lines	100.00	8
<b>OR-2 - Reject Timeliness</b>			
OR-2-03	Average LSR Reject Time < 10 Lines	40.84	
OR-2-04	% On Time LSR Reject < 10 Lines	75.00	12
OR-2-05	Average LSR Reject Time >= 10 Lines	N/A	
OR-2-06	% On Time LSR Reject >= 10 Lines	N/A	

<b>NEW YORK</b>	<b>Prod</b>	<b>Num</b>	<b>Denum</b>
<b>NEW YORK UNE</b>			
UNE % Flow Through Total	66.28	37032	55864
UNE % Flow Through Simple	66.28	37032	55864
UNE % Flow Through Complex	0.00	0	0
UNE % Reject Total	17.40	10083	57937
UNE % Reject Simple	17.40	10083	57937
UNE % Reject Complex	0.00	0	0
UNE Completion Notification - Average Response Time	0.0000	2309	55575
UNE Completion Notification - % On Time	100.00	55575	55575
UNE Submission per Order Ratio	1.10	63659	57937
<b>UNE POTS SERVICES:</b>			
<b><i>Mechanized Orders:</i></b>			
Average Order Confirmation Response Time	2.10	4675625	37032
% Order Confirmation within 2 Hrs	88.52	32783	37032
Average Reject Response Time	2.66	1085278	6795
% Reject within 2 Hrs	88.63	6023	6795
<b><i>Electronically Received Non-Mechanized Orders &lt; 10 Lines</i></b>			
Average Order Confirmation Response Time	13.37	15100022	18817
% Orders Confirmed within 24 Hrs	94.92	17862	18817
Average Reject Response Time	11.69	2302695	3282
% Reject within 24 Hrs	95.00	3118	3282

**CONFIDENTIAL ATTACHMENT**

35. As Mr. Dowell and Ms. Canny explain, BA-NY measures both Percent Flow Through – Total and Percent Flow Through Achieved. (BA-NY also measures Percent Flow Through – Simple, which is a subset of the Total measure.) “Total” flow through measures the percent of all electronically received valid orders that flow through, whether or not they are of a type designed to flow through. BA-NY’s total flow through rate for September is over 50% for resale, over 60% for all UNEs, and over 66% for UNE platform orders. “Achieved” flow through measures the percent of all electronically received valid orders for order types designed to flow through that actually do flow through. In September, the achieved flow through rates were over 80% for resale, and approximately 70% for all UNEs. BA-NY’s flow through rates reflect a significant increase since the beginning of the year as BA-NY has worked with individual CLECs to avoid common errors.

36. As we explained in our initial Declaration, the rates would be even higher if BA-NY simply rejected to the CLECs those orders that currently drop out for manual processing so BA-NY can correct a CLEC error. Unlike BellSouth, BA-NY does not subtract such orders from the denominator when reporting our actual achieved flow through rate. As we discussed in our initial Declaration, however, over 30% of orders that fall to manual processing are caused by CLEC errors. If BA-NY rejected those orders to the CLEC, instead of correcting the CLEC error and processing the order, BA-NY’s current total flow through rate would be much higher than what was reported above – over 65% for resale, nearly 75% for all UNEs, and approximately 77% for UNE platform. And, as Mr. Dowell and Ms. Canny explain, if BA-NY calculated flow through as BellSouth does (based on order types designed to flow through and excluding orders

with CLEC errors that cause the order to be processed manually), which is a reasonable way to measure of flow through, BA-NY's current flow through rates for resale and UNEs would be 80% and 87% – more than twice AT&T's incorrectly calculated rates.

39. BA-NY based the study on order types in order to compare the capabilities available to CLECs and to retail. An overall flow through percentage of individual orders, by contrast, will be a function of the order mix – what proportion of which order types are ordered by CLECs compared to retail customers. Nevertheless, an evaluation of retail orders for the month of October, shows that 61.5% of BA-NY’s retail orders “flow through” – are entered through DOE – not 80% or 95% or 100% as speculated by AT&T and MCI WorldCom. See Attachment E. This compares favorably to BA-NY’s wholesale flow through rate of 60% for UNEs generally and over **66%** for platform.

44. Citing data from the Dowell/Canny Decl., DOJ states that “Bell Atlantic’s ordering center manually process almost half of the UNE-Platform Orders” and questions whether this level of flow through will be sufficient to handle future demand as CLECs increase their marketing. (DOJ at 31(footnote omitted).) DOJ’s concerns are unfounded. The data it references is for *Total* Flow Through for all UNEs. The Total Flow Through for UNE-P was **66%** in August and **66%** in September. If these data were corrected for orders that fall out because of CLEC error it would be over **77%**.