

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of GTE Corporation, Transferor,	)	
And Bell Atlantic Corporation, Transferee,	)	CC Docket No. 98-184
For Consent to Transfer of Control	)	
	)	
In the Matter of NYNEX Corporation,	)	
Transferor, And Bell Atlantic Corporation,	)	File No. NSD-L-96-10
Transferee, For Consent to Transfer of Control	)	

**REPLY COMMENTS OF VERIZON<sup>1</sup>**

Verizon submits these reply comments pursuant to the Public Notice released on March 30, 2001 (DA 01-810). No one has objected to Verizon's request to stop providing the Bell Atlantic/NYNEX Performance Monitoring Reports.<sup>2</sup> WorldCom was the only party to comment on Verizon's request, and WorldCom addresses only one measure from those reports. WorldCom Comments at 2-4. WorldCom's arguments are without merit. The Commission, therefore, should authorize Verizon to stop providing the Bell Atlantic/NYNEX Performance Monitoring Reports effective immediately.

WorldCom also argues that the Commission should add measures to the Bell Atlantic/GTE Carrier-to-Carrier Performance Assurance Plan. WorldCom Comments at 4. WorldCom's claims are simply wrong and, in any event, have largely been rejected by the Commission already. The Commission should reject them again.

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<sup>1</sup> The Verizon telephone companies ("Verizon"), for purposes of this filing, are the former Bell Atlantic local exchange carriers affiliated with Verizon Communications Inc. shown on Attachment 1.

<sup>2</sup> Bell Atlantic/NYNEX Merger Order, 12 FCC Rcd 19985 (1997), Appendix C.

## **Introduction**

Verizon has met the conditions of the Bell Atlantic/NYNEX Merger Order, including the obligation to provide quarterly Performance Monitoring Reports. Since approval of the Bell Atlantic/NYNEX merger, Verizon has submitted ten quarterly reports, with monthly detail, for each of the Bell Atlantic/NYNEX states, to the extent that activity existed and that reporting the results would not reveal CLEC-proprietary information. In addition, Verizon has provided reports to individual carriers that have requested them. Verizon has, therefore, met its obligations under this condition.<sup>3</sup>

### **There Is No Reason To Retain The Common Trunk Blocking Metric.**

WorldCom, the only party to file comments in this proceeding, does not oppose the elimination of the Bell Atlantic/NYNEX Performance Monitoring Reports. Instead, WorldCom argues that a single measure from those reports should be retained. WorldCom's claims about this measure are fundamentally flawed, however, and its arguments should be rejected.

According to WorldCom, CLECs need the Common Trunk Blocking metric currently reported in the Bell Atlantic/NYNEX Performance Monitoring Reports "in order to ascertain the level of blocked calls on these trunks" so they can "obtain augmentation of the trunks where the blocking rates are unacceptable." WorldCom Comments at 3. But CLECs are not responsible for these trunks. Common final trunks are part of Verizon's network; they carry traffic – Verizon traffic in addition to CLEC traffic – between Verizon end offices and the Verizon access

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<sup>3</sup> In a footnote, WorldCom references two 1998 letters from Kenneth P. Moran to Patricia E. Koch. Many of the items addressed in those letters were, in fact, Commission approval of Verizon (then Bell Atlantic) requests to modify the business rules for particular measures to make the reports more logical or more accurate. Most of the "errors" mentioned in the letters were administrative or ministerial in nature – for example, ensuring that the metric labels on the reports matched the metric names in the Merger Order Appendix. In any event, Verizon refiled the reports at issue more than 33 months ago.

tandem.<sup>4</sup> Verizon designs and engineers these trunks in accordance with the engineering standards used throughout its network and, contrary to WorldCom's claim, *id.*, Verizon monitors these trunks and adds trunks as needed to maintain a sufficient level of capacity.

Even if CLECs were responsible for monitoring and augmenting these trunks, which they are not, that would not be an argument for retaining this metric. Verizon reports this metric once per quarter, 45 days after the end of the quarter. The metric is reported on a statewide aggregate basis. A statewide aggregate result does not inform Verizon or the CLECs which specific trunk groups or geographic areas may need attention. And results once per quarter, 45 days after the end of the quarter are not useful for, or intended to be used for, the kind of ongoing monthly monitoring and trunk engineering of the network that Verizon performs for its network and CLECs should perform for theirs. For these reasons, the Common Trunk Blocking metric should not be retained.

**The Commission Should Again Reject WorldCom's Request To Add Metrics To The Bell Atlantic/GTE Carrier-to-Carrier Performance Assurance Plan.**

WorldCom uses its Comments on the Bell Atlantic/NYNEX Performance Monitoring Reports to argue that measures should be added to the Bell Atlantic/GTE Carrier-to-Carrier Performance Assurance Plan. The Commission has already rejected that argument and should do so again.

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<sup>4</sup> As Verizon noted in its March 8, 2001 letter, these trunks carry both Verizon and CLEC traffic. WorldCom disputes that there is "parity by design" on common final trunks because, according to WorldCom, these trunks carry a "large percentage of CLEC traffic volume" but only "occasional overflow" traffic for Verizon. WorldCom Comments at 3. This is incorrect. WorldCom clearly misunderstands how Verizon designs its network. Common final trunks generally carry a larger volume of Verizon traffic, interexchange carrier traffic, and traffic of other types of carriers than of CLEC traffic and Verizon works hard to ensure that there is sufficient capacity to handle all anticipated call volumes.

WorldCom argues that the Commission should add a measure to the Bell Atlantic/GTE Plan to address “missing billing completion notifiers.” WorldCom Comments at 4.<sup>5</sup> WorldCom made the same argument in its Supplemental Comments filed in the Bell Atlantic/GTE merger docket (CC Docket No. 98-184) on March 1, 2000 (*see* page 18). In its order approving the merger, the Commission “decline[d] to adopt other specific performance measurements advocated by certain parties.” Bell Atlantic/GTE Memorandum Opinion and Order, 15 FCC Rcd 14032, ¶ 283 (2000). WorldCom did not seek reconsideration of the Commission’s Order within the required timeframe, and there is no basis for the Commission to change its decision now.

Finally, WorldCom makes a somewhat cryptic request for the Commission to adopt an achieved flow through metric “based on the Achieved and a Total Flow through metrics in the NY PAP.” WorldCom Comments at 4. WorldCom’s stated reason is that “CLECs are finding out that there are problems with failed orders.” *Id.* Verizon assumes that WorldCom is referring to orders that do not flow through. The Commission has already determined that “[f]low-through rates . . . are not so much an end in themselves,” but instead should be examined for their “potential to indicate problems elsewhere in a BOC’s OSS.” *New York 271 Order*, 15 FCC Rcd 3953, ¶ 162 (1999); *Massachusetts 271 Order*, CC Docket No. 01-9, FCC 01-130, ¶ 77 (rel. Apr. 16, 2001). For this very reason, Verizon has proposed that remedies associated with the flow through measures in the Bell Atlantic/GTE Plan be linked to measures of timeliness in returning order confirmation and reject notices to CLECs on manually handled orders (i.e., orders that do not flow through). If Verizon demonstrates that it is providing order confirmations

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<sup>5</sup> WorldCom suggests three possible measures which it claims are in the New York Performance Assurance Plan (PAP). WorldCom is wrong. Neither the Completed Orders without a BCN/PCN nor the Due Date to BCN in 4 Days measure is in the New York PAP. The third measure – Missing Notifier Trouble Tickets Cleared in Three Days – is in the New York PAP, but is not in the New York Carrier-to-Carrier plan.

and reject notices to CLECs in a timely manner, then any short-fall of flow through performance is not denying competitors a meaningful opportunity to compete, and no remedy should apply.

**Conclusion**

The Commission should authorize Verizon to stop providing Performance Monitoring Reports pursuant to Appendix C of the Bell Atlantic/NYNEX Merger Order, effective immediately.

Respectfully submitted,

/S/

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THE VERIZON TELEPHONE COMPANIES

The Verizon telephone companies, for purposes of this filing, are the former Bell Atlantic local exchange carriers affiliated with Verizon Communications Inc. These are:

Verizon Delaware Inc.  
Verizon Maryland Inc.  
Verizon New England Inc.  
Verizon New Jersey Inc.  
Verizon New York Inc.  
Verizon Pennsylvania Inc.  
Verizon Virginia Inc.  
Verizon Washington, DC Inc.  
Verizon West Virginia Inc.