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Metropolitan Telecommunications

April 15, 2002

EX PARTE

William Caton
Acting Secretary
Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

RE: Application by Verizon-New Jersey for Authorization To Provide In-Region, InterLATA Services in the State of new Jersey, WC Docket No. 02-67

Dear Mr. Caton:

On Friday, April 12, 2002, David Aronow, Andoni Economou, and Elliot Goldberg of MetTel; Jonathan Smith, Claire Beth Nogay, Ray Wierzbicki, Kathleen McLean, Beth Abesamis, Marilyn DeVito, Clint Odom, Karen Zacharia, Leslie Owsley and Scott Angstreich of Verizon met with Jeffery Carlisle, Michelle Carey, Brent Olson, Alex Johns, Jeremy Miller, Ben Childers, Gail Cohen, Raelynn Tibayan Remy and Sheryl Herauf of the Wireline Competition and enforcement Staff to discuss various issues MetTel had identified in regard to the above application. As per the agenda, MetTel presented its data, views and positions; Verizon responded to MetTel's data, presented its positions; and both MetTel and Verizon responded to Staff questions.

On the issue of LSRC/Reject timeliness, MetTel presented a statement identifying its weighted average approach generated from the data Verizon submitted on February 25, 2002 in the absence of the monthly "Flat Files". MetTel mentioned that there was an issue of 520 PONs which had been sent by MetTel but were not listed on the Verizon files accompanying their second New Jersey filing and also mentioned the use of the header placed on the notifier as part of the encryption process as the date/time indicator of transmission in lieu of the actual EDI transmission files data; encryption being the last processing step before transmission.

Verizon's opening statement dealt with the Business to Business relationship between the two companies; the development of metrics in the Carrier to Carrier environment; a brief explanation of level 5 and 2 processing; and a general statement regarding Verizon's seriousness about the metrics citing a daily review by John Griffin's office. They continued by providing a breakdown of the 520 PONs cited above. In short, the PONs that did apply to NJ and were within the dates of review were specifically excluded as part of an exception to the metric. Further, these orders that are "instantaneously rejected" are not recorded. When asked how these PONs can be identified, Verizon indicated that "LSRN" field was left blank.

The FCC Staff questioned why the two companies had different numbers of observations. MetTel reviewed the issue that we were working without the detailed monthly "Flat Files" and that we would reconcile and represent the data after the files were received. Verizon said that we would get the "Flat Files" on April 25th which is confirmation of the Account Manager's statement that MetTel would receive the November through February "Flat Files" during the week of April 22. Staff wondered if a special accommodation could be rendered under the circumstances to provide these files as expeditiously as possible.

There was then a lengthy discussion about MetTel's use of the encryption date/time stamp in the header as the date/time indicator of transmission. Initially Verizon was apprehensive about this, however, after elaboration and verification that the header date/time stamp is consistent with MetTel's received time and is reliable, Verizon conceded this was an appropriate indicator of the actual transmission time. They did, however, want to ensure that MetTel was incorporating the specified exclusions.

On the issue of Timely and Accurate Billing Completion Notices, MetTel noted that both the Verizon and MetTel data demonstrated that metric OR-4-09 had not been met in November, December and January (except that Verizon's numbers indicated they had passed for UNE only in December) but that MetTel's data showed significantly lower scores. Verizon summarized the relevant metrics and discussed how their systems automatically triggered the completion notifiers upon order completion. Verizon also introduced the concept that both Retail and Wholesale billing cycles affect the OR-4-09 metric, they stated that there are many instances where they cannot generate a completion notice because the billing system posting is being precluded because the lines are affected by a Verizon billing cycle. Verizon noted that there are 20 billing cycles and the billing cycles last 2 to 3 days. They also said that similar problems occur with carrier billing cycles (we could not get a sense of how many there are of these, but in the case of UNE-P it is once a month). MetTel commented that based on e number of billing cycle associated days, it would be statistically impossible for Verizon to achieve 95% performance.

Verizon acknowledged that they previously had "forced" the BCN out so that they could get the "info" to the customer. MetTel argued that Verizon had previously denied this fact. MetTel stated that this was another retreat from previous Verizon statements that the issuance of the BCN represented the final step of the migration process to the CLEC. Verizon claimed that they had previously discussed this with MetTel and that they disclosed it at that time. MetTel strongly disagreed. The information previously provided was that we were wrong, that we did not know what we were doing and that we were submitting our orders wrong.

There was also a long discussion about the order of service orders. MetTel inquired as to why Verizon ever provisioned the migration order before the disconnect order and why it took them so long to change it given the extensive problems that process caused.

Verizon also tried to state that their poor performance in Migration Accuracy was based on the payphone migrations that we did. Their opinion was that MetTel should not be including those orders in its analysis. In addition, Verizon suggested that a mass migration should have been scheduled. MetTel responded that the payphone migration investigated by Verizon was a

January migration which was not included in MetTel's November-December analysis. MetTel also advised Verizon that the only metrics that are excepted during a project are the LSRC/Reject metrics (OR-1 & 2). Verizon disagreed and MetTel advised that we would produce the project letter. At this point, Staff noted the extensive difference in the OR-4-09 observations and MetTel responded that these are due to Verizon's exclusion of the project PONs that should not have been excluded. Further, with the inclusion of these PONs, Verizon's score was consistent with prior months.

Verizon also said that on Mass Migration projects they do not even require the CLEC to submit orders but accept it on a TN basis. MetTel wanted to know why it was not given opportunity during its mass migration of North American Telecom customers where MetTel was required to submit over 6000 LSRs for approximately 800 orders.

With regard to accuracy, MetTel stated that receiving a false BCN is worse than not receiving any BCN due to the incremental work involved in separating the meaningful notifiers from the false ones. MetTel highlighted that this metric is the most important in the sense that it represents most of our operational problems. Poor performance in this category results in overwhelming operational costs to sort out the false data and resolve it manually. The accuracy analysis best illustrates the CLEC environment of "death by 1000 nicks".

Verizon focused on payphone lines and zero usage after migrations. They provided some numbers, which MetTel will investigate. They addressed the issue of suspends. Verizon checked 22 SNP orders where MetTel showed usage after the SNP without a restoral. Their finding was 15 orders had restorals, 6 were winbacks where Verizon restores the account 1 day before taking it and 1 was still in research. MetTel requested the exact list, which Verizon agreed to provide. As a side matter, MetTel noted that it was unable to provision restoral orders with weekend due dates, not withstanding repeated requests and not withstanding Verizon Retail's ability to do so.

With regard to MetTel's PIC change accuracy issue Verizon suggested that we did not advise them that we washed our data of all casual dialing, terminating and 800. MetTel reiterated that we had coordinated the query with Verizon staff and had written it to their specification so that the poor performance was indisputably valid. Verizon stated that it would look at this analysis again.

FCC Staff had questions on the reliability of MetTel's zero usage migration analysis and MetTel suggested that they should examine the affirmative accuracy metrics i.e. suspends and PICs. Verizon acknowledged that usage going to a carrier other than the new carrier would be indicative of the existence of a migration problem. MetTel agreed to attempt to prepare an exhibit illustrating lines with usage after appearing on a Loss Of Line report.

A discussion ensued concerning quantity of problems, overall system problems and the requirement of discriminatory access for issues of relevance in the 271 process.

In the context of the accuracy analysis, MetTel mentioned the report we had prepared during the NY Verizon Incentive Plan case that attempted to capture the costs associated with doing business with Verizon and that these costs are in fact the main reason that CLECs have failed.

Unfortunately, while some time was spent on the non-agenda Trouble Tickets for lack of usage the Missing Notifier Trouble Tickets were not fully discussed. The discussion on the missing usage Trouble Tickets revolved on when the usage actually appeared and the degree to which it approached the provisioning date. MetTel agreed to complete an analysis of these PONs to indicate when the usage appeared and when it was incurred.

As noted above, minimal time was devoted to missing notifier trouble tickets, but Staff was again interested in the quantity of PONs in this category. MetTel will provide this data. MetTel and Verizon disagreed on their performance in this category. MetTel asserted that Verzon fails miserably in meeting the only standard in this area (FCC 00-92), and Verizon believes they are doing a great job but they do not care about this category.

MetTel mentioned that the reluctance to examine OSS issues in states that were "post-271 approved" was a bad practice. MetTel emphasized that post 271 trends in other states were good indicators of the real problems that are neglected by Verizon.

MetTel provided the attendees with confidential versions of the attached handouts during the meeting. A copy of the confidential handout has been filed under separate cover. The 20-page limit does not apply as set forth in DA 02-718. If you have any questions, please do not hesitate to call me.

Respectfully submitted

Elliot M. Goldberg

Attachment