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April 1, 2004

Ex Parte

Marlene H. Dortch
Secretary
Federal Communications Commission
455 12th Street, S.W. - Portals
Washington, DC 20554

Re: Bell Atlantic Corp. and GTE Corp., CC Docket No. 98-184

Dear Ms. Dortch:

The enclosed letter was provided to W. Maher of the Wireline Competition Bureau today. If you have any questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in black ink that reads "Ann D. Berkowitz".

cc: Carol Matthey
Peter Young
Dennis Johnson
William Dever

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March 16, 2004

Mr. Bill Ahern
Executive Director
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Dear Mr. Ahern:

Pursuant to Rule 48(b) of the Commission's Rules of Practice and Procedure (Rules), Verizon respectfully requests an extension of time in which to implement an "exclusion for batch transmissions" applicable to Measures No. 1, 2 and 3, of Verizon's OSS Performance Measure standards.

By way of background, OSS Performance Measures were first adopted for Verizon in Commission Decision No. 99-08-020 (dated August 5, 1999), and have since been modified from time to time. Most recently, in Decision No. 03-07-035 (dated July 14, 2003), the Commission approved certain changes to the Performance Measures, including a provision that favors Verizon and allows it to "exclude" from its reporting for Measures 1, 2, and 3 any batch transmission that involves 200 or more orders. Verizon was scheduled to implement this exclusion 120 days after Decision No. 03-07-035¹, but it has received few if any such transmissions. Given that the programming changes necessary for this exclusion are expensive and difficult to implement, and that the change favors Verizon, Verizon asks that it be permitted to delay implementation of this change.

¹ Verizon's implementation schedule is Appendix D to Decision No. 03-07-035, as corrected by *Order Correcting Errors* in Decision No. 03-12-030 (dated December 11, 2003).

The batch exclusion affects Measures 1, 2, and 3, Measures which concern requests for pre-ordering information, order confirmations, and notices of rejected orders. The recently approved batch transmission exclusion allows Verizon to exclude from its measurement any transaction that might involve hundreds of specific orders within a single batch transmission. Excluding such orders obviously helps Verizon in meeting the measurement requirements under these Measures.

Verizon has contacted several active CLECs in California asking whether they oppose a delay in implementing this change. AT&T has said it does not oppose a delay in implementation, so long as Verizon acknowledges that a delay in implementing the change would not constitute a ground for delaying application of any state incentives the Commission may, in the future, order for Verizon for Measures 1, 2 and 3. This is acceptable to Verizon, in that it never contemplated a delay in lawful incentives for these Measures based on its deferring implementation of the exclusion for batch transmissions.² Other CLECs who have indicated that they do not oppose this request are Covad, XO Communications, and MCI.

For the reasons expressed above, Verizon asks that it be permitted to delay implementation of the batch transmission exclusion approved in Decision No. 03-07-035. Verizon will continue with its planning work to implement the change, and will provide all interested parties with advance notice of its actual implementation. Until the change is implemented, Verizon will continue to measure and report all applicable standards under Measures 1, 2 and 3.

Thank you for considering this request, and please contact Marlin Ard if you have any questions.



MARLIN ARD

cc: Service List – R.97-10-016/I.97-10-017

² Currently, state incentive payments only apply to SBC of California, and not Verizon. See, Decision No. Decision No. 02-03-023 (*Opinion on the Performance Plan for Pacific Bell Telephone Company*, dated March 7, 2002). Verizon has opposed and continues to oppose application of any incentives in California, and its acceptance of AT&T's condition should not be construed in any way as a change in its long standing opposition to incentives.

CALIFORNIA PUBLIC UTILITIES COMMISSION

Service Lists

Proceeding: R9710016 - PUC - OIR INTO MONIT

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Last changed: March 12, 2004

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April 1, 2004

William Maher
Chief, Wireline Competition Bureau
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455 12th Street, S.W.
Washington, DC 20554

Dear Mr. Maher:

In a letter dated February 20, 2004 Verizon advised you that it had discovered that one of the changes adopted by the California Public Utilities Commission in the July 2003 order could not be implemented for the January 2004 data month as Verizon had recommended. Verizon also advised that it was working with CLECs in California that participate in the collaborative process there to request an implementation delay from the California Public Utilities Commission. Attached is a copy of that request. Verizon is continuing to work on developing the means to implement the required programming change and will keep you apprised of our progress.

If you have any questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in black ink that reads "Ann D. Berkowitz".

Attachment

cc: Carol Matthey
Peter Young
Dennis Johnson
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