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July 16, 2004

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, TW-A325
Washington, DC 20554

Re: WC Dockets 02-112, 01-321, and 03-197; CC Docket 96-149

Dear Ms. Dortch,

On June 9, 2004 BellSouth met with members of the Wireline Competition Bureau staff to provide additional information regarding the company's Harmonized Sec. 272 (e)(1) Performance Metrics proposal. During the course of that meeting the staff asked BellSouth a number of questions that required further research. Attached for inclusion in the record of the above noted proceedings are BellSouth's responses to the staff's questions.

This notice is being filed pursuant to Sec. 1.1206(b)(2) of the Commission's rules. If you have any questions regarding this filing please do not hesitate to contact me.

Sincerely,

Mary L. Henze

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cc: J. Veach
B. Koener

Question 1. On pages 5-6 of the PowerPoint presentation used in its June 9, 2004 *ex parte* meeting with FCC staff, BellSouth displayed data showing its performance with respect to ordering, provisioning and maintenance functions related to non-affiliates' special access circuits in Florida and Georgia for the months of February through April, 2004. Staff requested that BellSouth provide similar data relating to special access circuits for itself and its affiliates for the same period.

BellSouth Response:

The data on pages 5 and 6 came from reports filed with the Florida and Georgia Public Service Commissions. These filings are part of the Commission-prescribed metric plans in those states, which are based upon JCIG proposals similar to the one JCIG has presented to the FCC. Each of these plans requires benchmarking the performance of service to non-affiliates rather than making any parity determination. Consequently, BellSouth does not measure how it performs for itself and its affiliates using the metrics defined in those plans.

BellSouth does, however, generate monthly data for both non-affiliates and itself, including its affiliates, in connection with its Section 272 audit obligations referred to as "272 Metrics." Thus for the months of February, March and April 2004, 272 Metrics are available to compare performance relating to both non-affiliate and affiliate special access circuits for FOC Timeliness, Percent Installation Appointments Met, Trouble Report Rate, and Average Repair Interval. These measures are similar, though not identical to the state ordered special access metrics, which were reflected in the June presentation. To assist in comparing the 272 data to the data provided in the presentation, we have also provided the performance for non-affiliates per the 272 Metrics. The measure New Installation Trouble Report Rate is not a 272 measure, so performance data calculated per the 272 measures for non-affiliates is not available. However, special access data for BellSouth Long Distance (BSLD) is reported in Florida and Georgia as ordered by the state commissions. This analog data is reflected below.

From Slides 5-6 June 9, 2004		272 Equivalent Data	
JCIG Metrics	**IXC Data**	**Non-Affiliates**	**Affiliate (Analog)**
SA-1 FOC Receipt DS0/DS1 FOC w/in 2 business days DS3 & above FOC w/in 5 business days	93% 90%	96% 85.6% (April 04)	94% 83.5% (April 04)
SA-4 On Time Performance to FOC Due Date DS0/DS1 DS3 & above	96% met 97% met	97.5% 93.9%	95% 97%
SA-8 New Installation Trouble Report Rate DS0/DS1 DS3 & above	5.8% 3.4%	Not a 272 measure	9.98% 20%
SA-9 Failure Rate DS0/DS1 DS3 & above	2.2% 0.5%	2.72% .28%	2.62% .4%
SA-10 Mean Time to Restore DS0/DS1 DS3 & above	2.8 hrs. 1.3 hrs.	2.58 hrs. .99 hrs.	2.48 hrs. 2.25 hrs.

Question 2a. For FOCT2 calculations, does BellSouth capture orders submitted at the end of a month for which a FOC issues after the beginning of the following month? In other words, does BellSouth include all FOCs? How does BellSouth address JCIG's concern over "not worked"? What happens to incomplete orders that remain incomplete the next month?

BellSouth Response:

BellSouth's current proposal does not capture orders submitted at the end of a month for which a FOC or Reject issues after the beginning of the following month. Thus, if there were any incomplete orders that remained incomplete the next month those orders would not be reflected. With respect to JCIG's concern, BellSouth continues to maintain that there is not a problem with orders not being worked, so the possibility of such occurrence spanning multiple months is theoretical at best. Response to special access ASRs is, for the most part, a self-policing, self-correcting activity. Competitors would certainly be vocal in their protests if orders were not being processed, and BellSouth is unaware of any competitors lodging such complaints against it, nor has any competitor offered any evidence that BellSouth has not responded to ASRs that it has received. In addition, access services are high revenue services; thus there already exists sufficient incentive for an RBOC to complete and close all orders

promptly so that it can begin to bill for the service. Consequently, data produced for this measure will indicate whether responses were sent late instead of not sent at all, and the traditional FOC Timeliness measure already measures whether responses are late.

Nonetheless, if the Commission continues to be concerned about this theoretical occurrence, BellSouth proposes to amend its measure for FOCT2 to include orders submitted at the end of a month with the FOC issued after the beginning of the following month by structuring the completeness calculation to include all service requests received during the reporting period. The revised completeness calculation would be structured as follows:

FOCT2:

Percent FOC Completeness = (d / e) X 100 – Diagnostic

d = Total number of service requests received during the reporting period for which a Firm Order Confirmation or Reject is sent
e = Total number of service requests received during the reporting period

Question 2b. Explain how BellSouth's proposed "Percent Installation Appointments Met" metric, or PIAM-2, would address the concerns that JCIG asserts underlie its proposed "Days Late" metric. Explain why the root cause analysis triggered by poor performance data for PIAM-2 would address JCIG's concern better than its proposed "Days Late" metric.

BellSouth Response:

BellSouth's PIAM2 measures the percentage of installation commitments completed on or before the customer requested due date (CDDD). This report measures the timeliness of BellSouth's provisioning of a service order and demonstrates whether BellSouth meets the committed due date. BellSouth's performance has been consistently, demonstrably strong. Nonetheless, BellSouth treats a decline in performance in meeting appointments as a "red-flag" that triggers root cause analysis of why the appointment was missed.

In the unlikely event that the PIAM results show significant degradation, the root cause analysis required to address this occurrence would incidentally uncover the explanation for the duration and cause of the delayed installations. Thus this analysis offers considerably more information than could be derived from the "Days Late" measure, which simply provides the distribution of past due orders.

In addition, BellSouth would note, the measure proposed by JCIG would not result in any more meaningful data and, in fact, in may cases would be more highly questionable than that being proposed by BellSouth. As BellSouth explained in more detail its July 9, 2004 response to AT&T's June 7, 2004 *ex parte,* the Percent Installation Appointments Met measure would take only those installations that are not timely, and determine how many of them occur within a certain number of days after the committed due date. Dependent on the data in any given month, it would be difficult to argue reasonably that a higher days late value in one case reflects worse performance than a lower days late value in another case.

Question 2c. Explain the "completeness diagnostic." What exactly is a "diagnostic" and why is it appropriate for this measure?

BellSouth Response:

BellSouth identifies a metric as "Diagnostic" when the associated performance data are reported, but there is no standard or benchmark for the metric.

For the reasons stated in response to item 2b above, designating FOC Completeness as diagnostic is reasonable. Treating the metric in this manner would give the Commission the information it would need to be able to monitor a theoretical issue in which it has an interest, but for which no competitor has offered any evidence that BellSouth has not responded to any ASRs it has received. As previously explained, this measure will largely be just another indicator of whether FOCs are late, so such treatment would prevent evaluating performance based on duplicate measurements of late FOCs.

Question 3. Why does BellSouth assert that if the FCC decides to adopt a Metrics Plan, such a Plan must include more detail than just the names of the metrics included in it?

BellSouth Response:

BellSouth believes that if the Commission prescribes a metric plan for monitoring whether a BOC is meeting its non-discrimination obligations under the Communications Act, that set of metrics should make clear to the BOC and its customers precisely the universe of activities to be measured, the formula to be used to calculate performance and the standard to be used to determine whether there is a presumption of parity. At the same time, however, using parity as the standard allows the Commission's plan to accommodate necessary differences among BOCs in operations and reporting dimensions that have no effect upon the usefulness of the performance data reported (*e.g.*, measuring time

intervals in hours or days or number of troubles by circuits or orders). Failure to make such accommodation just imposes costs on subject carriers with no concomitant improvement in the accuracy or quality of the performance data.

Question 4. How does BellSouth define low volumes and how frequent does a low volume situation occur?

BellSouth Response:

BellSouth defines a metric to have low volume when there are fewer than 30 events to measure in the prescribed measurement period. The BellSouth proposed metric plan has a total of 26 sub-metrics for each potential reporting entity; *i.e.*, region or state, in each month. BellSouth examined data for three months (February to April 2004), which would have a total of 78 measurement opportunities for data reported as a region total. Using the sum of data for Georgia and Florida only, of those 78 sub-metrics, only six had low volumes. These six, all sub-metrics of the Average Repair Interval metric, had low volumes because of BellSouth's strong performance under the Failure Rate metric. The inclusion of performance data for additional states, or combining data for multiple months in the metrics would further reduce the incidence of low volume.

Question 5. Why is "five days" a more reasonable outer time limit than 30 days for a trouble to be included in the calculation of BellSouth's New Installation Trouble Report Rate, or NITRR?

BellSouth Response:

BellSouth has reviewed this metric and agrees to amend its proposal to include in the NITRR calculation any trouble reported within 30 days of a new installation.