

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

In the Matter of	)	
	)	
Application by BellSouth Corporation,	)	
BellSouth Telecommunications, Inc., and	)	WC Docket No. 02 – 307
BellSouth Long Distance, Inc., for	)	
Authorization To Provide In-Region,	)	
InterLATA Services in Florida and Tennessee	)	
	)	
	)	

**MEMORANDUM OPINION AND ORDER**

**Adopted:** December 18, 2002

**Released:** December 19, 2002

By the Commission: Chairman Powell and Commissioner Copps issuing separate statements;  
Commissioner Adelstein not participating.

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**APPENDIX A – LIST OF COMMENTERS****APPENDIX B – FLORIDA PERFORMANCE DATA****APPENDIX C – TENNESSEE PERFORMANCE DATA****APPENDIX D – STATUTORY REQUIREMENTS****I. INTRODUCTION**

1. On September 20, 2002, BellSouth Corporation and its subsidiaries, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. (collectively, BellSouth) filed an application pursuant to section 271 of the Communications Act of 1934, as amended,<sup>1</sup> for authority to provide in-region, interLATA service originating in the states of Florida and Tennessee.<sup>2</sup> We grant BellSouth’s application in this Order based on our conclusion that BellSouth has taken the statutorily required steps to open its local exchange markets in these states to competition. BellSouth therefore becomes the first Bell Operating Company (BOC) to obtain section 271 authority for interLATA service throughout its region.<sup>3</sup>

2. In ruling on BellSouth’s application, we wish to acknowledge the effort and dedication of the Florida Public Service Commission (Florida Commission) and the Tennessee

<sup>1</sup> We refer to the Communications Act of 1934, as amended, as the Communications Act or the Act. See 47 U.S.C. §§ 151 *et seq.*

<sup>2</sup> See *Joint Application by BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in Florida and Tennessee*, WC Docket No. 02-307 (filed Sept. 20, 2002) (BellSouth Application); see also *Comments Requested on the Joint Application by BellSouth Corporation for Authorization under Section 271 of the Communications Act to Provide In-Region InterLATA Service in the States of Florida and Tennessee*, WC Docket No. 02-307, Public Notice, 17 FCC Rcd 17435 (Wireline Comp. Bur. 2002).

<sup>3</sup> See *Joint Application by BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in Alabama, Kentucky, Mississippi, North Carolina, and South Carolina*, WC Docket No. 02-150, Memorandum Opinion and Order, 17 FCC Rcd 17595 (2002) (*BellSouth Multistate Order*); *Joint Application by BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in Georgia and Louisiana*, CC Docket No. 02-35, Memorandum Opinion and Order, 17 FCC Rcd 9018 (2002) (*BellSouth Georgia/Louisiana Order*).

Regulatory Authority (Tennessee Authority) (collectively, state commissions), both of which have expended significant time and effort overseeing BellSouth's implementation of the requirements of section 271. The state commissions conducted proceedings to determine BellSouth's section 271 compliance and provided interested third parties with ample opportunities for participation in their proceedings. The state commissions also adopted a broad range of performance measures and standards, as well as Performance Assurance Plans designed to create financial incentives for BellSouth's post-entry compliance with section 271.<sup>4</sup> Moreover, the state commissions have committed themselves to actively monitor BellSouth's continuing efforts to open the local markets to competition. The Commission recognizes the vital role of the state commissions in conducting section 271 proceedings and their commitment to furthering the pro-competitive purposes of the Act.<sup>5</sup> We commend and thank these two states for the time and effort they spent investigating the merits of this application.

3. We also recognize BellSouth for the progress it has made in opening its local exchange markets to competition in the states subject to this application. According to BellSouth, competitive local exchange carriers (competitive LECs) provide facilities-based local service to 1,217,756 lines in Florida,<sup>6</sup> and 330,319 lines in Tennessee.<sup>7</sup> In addition, BellSouth states that competitive LECs have gained double-digit market share in Florida (18.4 percent) and

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<sup>4</sup> The performance metrics measuring BellSouth's performance in Tennessee were calculated according to the business rules (based upon the BellSouth Service Quality Measurement Plan or SQM) developed by the Georgia Public Service Commission (Georgia Commission). See BellSouth Application App. A, Vol. 6a, Tab K, Affidavit of Alphonso J. Varner (BellSouth Varner Aff.) at para. 5. In Florida, the performance metrics the Florida Commission relied upon in reviewing BellSouth's performance were calculated according to the Interim Florida SQM measurements based on, and virtually identical to, the Georgia SQM. BellSouth Application Reply App., Tab I, Reply Affidavit of Alphonso J. Varner (BellSouth Varner Reply Aff.) at para. 76. On September 10, 2001, the Florida Commission established permanent performance measures (Florida Permanent SQM). BellSouth Varner Aff. at para. 157. Since May 2002, BellSouth has been reporting data in Florida pursuant to the Florida Permanent SQM. BellSouth Varner Reply Aff. at para. 77. On August 29, 2002, the Tennessee Authority approved a settlement agreement requesting the adoption of performance measures based on the Florida Permanent SQM. BellSouth Varner Aff. at paras. 230-31. BellSouth stated that it began operating under the permanent Tennessee plan on December 1, 2002. Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-370 (filed Dec. 3, 2002) (BellSouth Dec. 3 *Ex Parte* Letter – #1); see also BellSouth Varner Aff. at para. 231.

<sup>5</sup> See, e.g., *Application of Verizon New York Inc., Verizon Long Distance, Verizon Enterprise Solutions, Verizon Global Networks Inc., and Verizon Select Services Inc., for Authorization to Provide In-Region, InterLATA Services in Connecticut*, CC Docket No. 01-100, Memorandum Opinion and Order, 16 FCC Rcd 14147, 14149, para. 3 (2001) (*Verizon Connecticut Order*); *Application of Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions) and Verizon Global Networks Inc., for Authorization to Provide In-Region, InterLATA Services in Massachusetts*, CC Docket No. 01-9, Memorandum Opinion and Order, 16 FCC Rcd 8988, 8990, para. 2 (2001) (*Verizon Massachusetts Order*).

<sup>6</sup> BellSouth Application Reply App. A, Tab H, Reply Affidavit of Elizabeth A. Stockdale (BellSouth Stockdale Reply Aff.) at para. 6.

<sup>7</sup> See *id.* at para. 7.

Tennessee (12.6 percent).<sup>8</sup> We note also that BellSouth states that as of July 31, 2002, BellSouth had provisioned 166,168 loops in Florida and 50,886 loops in Tennessee.<sup>9</sup>

## II. BACKGROUND

4. In the 1996 amendments to the Communications Act, Congress required the BOCs to demonstrate compliance with certain market-opening requirements contained in section 271 of the Act before they would be permitted to provide in-region, interLATA long distance service. Congress empowered the Commission to review BOC applications to provide such service, and to consult with the affected states and the Attorney General.<sup>10</sup>

5. We rely heavily in our examination of this application on the work completed by the Florida Commission and the Tennessee Authority. On March 6, 2001, the Florida Commission initiated a proceeding open to participation by all interested parties to review BellSouth's satisfaction of the requirements necessary to provide in-region, interLATA service in Florida.<sup>11</sup> In September 2002, the Florida Commission unanimously adopted the staff recommendation and determined that BellSouth had met each and every checklist requirement.<sup>12</sup>

6. On April 26, 2002, BellSouth notified the Tennessee Authority of its intent to file an application to provide interLATA telecommunications services in Tennessee.<sup>13</sup> In response,

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<sup>8</sup> See *id.* at paras. 6-7.

<sup>9</sup> BellSouth Application at 84.

<sup>10</sup> The Commission has summarized the relevant statutory framework in prior section 271 orders. See, e.g., *Joint Application by SBC Communications Inc., Southwestern Bell Tel. Co., and Southwestern Bell Communications Services, Inc., d/b/a Southwestern Bell Long Distance for Provision of In-Region, InterLATA Services in Kansas and Oklahoma*, CC Docket No. 00-217, Memorandum Opinion and Order, 16 FCC Rcd 6237, 6241-42, paras. 7-10 (2001) (*SWBT Kansas/Oklahoma Order*), *aff'd in part, remanded in part sub nom. Sprint Communications Co. v. FCC*, 274 F.3d 549 (D.C. Cir. 2001) (*Sprint v. FCC*).

<sup>11</sup> Letter from Lila A. Jaber, Chairman, Florida Public Service Commission, to Marlene H. Dortch, Secretary, Federal Communications Commission at 2 (Sept. 25, 2002) (transmitting the Florida Commission Comments); Consideration of BellSouth Telecommunications, Inc.'s entry into interLATA services pursuant to Section 271 of the Federal Telecommunications Act of 1996 (Hearing), Docket No. 960786A-TL (Sept. 25, 2002) (Florida Commission Comments – Hearing); Consideration of BellSouth Telecommunications, Inc.'s entry into interLATA services pursuant to Section 271 of the Federal Telecommunications Act of 1996 (Third Party OSS Testing), Docket No. 960786B-TL (Sept. 25, 2002) (Florida Commission Comments – OSS Test) (collectively, Florida Commission Comments). On June 28, 1996, the Florida Commission opened its initial inquiry into the entry of BellSouth into the interLATA telephone market in Florida. Florida Commission Comments – Hearing at 10. However, on November 19, 1997, the Florida Commission determined that BellSouth had not met all of the checklist items. *Id.* at 10-11. Accordingly, BellSouth refiled its application on March 6, 2001. *Id.* at 11.

<sup>12</sup> Florida Commission Comments – Hearing at 211, Florida Commission Comments – OSS Test at 86, BellSouth Application at 9. *But see* Arvanitas Reply.

<sup>13</sup> Tennessee Authority Comments at 18. We note that this was BellSouth's third application before the Tennessee Authority for authorization to provide in-region, interLATA services in Tennessee. BellSouth previously applied for section 271 approval for Tennessee in December 1997 and then again July 2001. *Id.* at 14-18.

the Tennessee Authority initiated a proceeding, which was open to participation by all interested parties, to examine BellSouth's compliance with the requirements of section 271.<sup>14</sup> At the suggestion of the Tennessee Authority, BellSouth and competitive LECs initiated settlement discussions.<sup>15</sup> Subsequently, the parties reached a settlement agreement concerning outstanding issues in the section 271 docket,<sup>16</sup> and the Tennessee Authority approved it.<sup>17</sup> On August 26, 2002, by separate vote on each checklist item, the Tennessee Authority determined that "BellSouth had satisfied all aspects of the competitive checklist, as well as Track A and section 272."<sup>18</sup>

7. The Department of Justice filed its recommendation regarding this joint application on October 25, 2002.<sup>19</sup> The Department of Justice recommends approval of BellSouth's application for section 271 authority in Florida and Tennessee, subject to the Commission's resolving certain concerns expressed by the Department of Justice, specifically, BellSouth's change management process,<sup>20</sup> and its policy on restating erroneously reported performance data.<sup>21</sup>

### III. COMPLIANCE WITH SECTION 271(c)(1)(A)

8. As a threshold matter, we address BellSouth's compliance with section 271(c)(1)(A), which requires, as a prerequisite for any approval of a BOC's application to provide in-region interLATA services, that a BOC first demonstrate that it satisfies the requirements of either section 271(c)(1)(A) (Track A) or 271(c)(1)(B) (Track B).<sup>22</sup> To qualify for Track A, a BOC must have interconnection agreements with one or more competing

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<sup>14</sup> *Id.* at 18.

<sup>15</sup> *Id.* at 19-20.

<sup>16</sup> *Id.* at 20. Parties that did not join the settlement agreement either withdrew from the proceedings or concurred in the parties' agreement to submit the case to the panel for a decision based on the current record. *Id.* at 20.

<sup>17</sup> *Id.* at 22-23. Consistent with the settlement agreement, the Tennessee Authority adopted on an interim basis the performance measures and penalty plan approved in Georgia, and adopted as the permanent performance measures and penalty plan those approved in Florida as the Florida Permanent SQM. *Id.* at 21.

<sup>18</sup> BellSouth Application at 11-12.

<sup>19</sup> Section 271(d)(2)(A) requires us to give "substantial weight" to the Department of Justice's evaluation.

<sup>20</sup> The Department of Justice indicated four areas of concerns: 1) BellSouth's adherence to competitive LECs' prioritized change requests; 2) BellSouth's provision of sufficient capacity to implement competitive LEC change requests; 3) BellSouth's provision of adequate pre-release testing of OSS changes; and 4) review of OSS changes implemented for BellSouth retail to assure that they do not result in discriminatory access. Department of Justice Evaluation at 2, 6-10.

<sup>21</sup> The Department of Justice expressed concern that the reposting policy does not clearly state which errors are to be restated and that the policy could impact the accuracy of BellSouth's performance data. *Id.* at 9-10.

<sup>22</sup> 47 U.S.C. § 271(d)(3)(A).

providers of “telephone exchange service . . . to residential and business subscribers.”<sup>23</sup> The Act states that “such telephone service may be offered . . . either exclusively over [the competitor’s] own telephone exchange service facilities or predominantly over [the competitor’s] own telephone exchange facilities in combination with the resale of the telecommunications services of another carrier.”<sup>24</sup> The Commission has concluded that section 271(c)(1)(A) is satisfied if one or more competing providers collectively serve residential and business subscribers,<sup>25</sup> and that unbundled network elements are a competing provider’s “own telephone exchange service facilities” for purposes of section 271(c)(1)(A).<sup>26</sup> The Commission has further held that a BOC must show that at least one “competing provider” constitutes “an actual commercial alternative to the BOC,”<sup>27</sup> which a BOC can do by demonstrating that the provider serves “more than a *de minimis* number” of subscribers.<sup>28</sup> The Commission has interpreted Track A not to require any particular level of market penetration, however, and the United States Court of Appeals for the D.C. Circuit (D.C. Circuit Court) has affirmed that the Act “imposes no volume requirements for satisfaction of Track A.”<sup>29</sup>

9. We conclude, as did the state commissions, that BellSouth satisfies the requirements of Track A in Florida and Tennessee.<sup>30</sup> No commenter challenges BellSouth’s

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<sup>23</sup> 47 U.S.C. § 271(c)(1)(A).

<sup>24</sup> *Id.*

<sup>25</sup> *Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, To Provide In-Region, InterLATA Services in Michigan*, CC Docket No. 97-137, Memorandum Opinion and Order, 12 FCC Rcd 20543, 20589, para. 85 (1997) (*Ameritech Michigan Order*); *see also Application of BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in Louisiana*, CC Docket No. 98-121, Memorandum Opinion and Order, 13 FCC Rcd 20599, 20633-35, paras. 46-48 (1998) (*Second BellSouth Louisiana Order*).

<sup>26</sup> *Ameritech Michigan Order*, 12 FCC Rcd at 20598, para. 101.

<sup>27</sup> *Application by SBC Communications Inc., Pursuant to Section 271 of the Communications Act of 1934, as amended, To Provide In-Region, InterLATA Services in Oklahoma*, CC Docket No. 97-121, Memorandum Opinion and Order, 12 FCC Rcd 8685, 8695, para. 14 (1997) (*SWBT Oklahoma Order*).

<sup>28</sup> *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6257, para. 42; *see also Ameritech Michigan Order*, 12 FCC Rcd at 20585, para. 78.

<sup>29</sup> *Sprint v. FCC*, 274 F.3d at 553-54; *see also SBC Communications Inc. v. FCC*, 138 F.3d 410, 416 (D.C. Cir. 1998) (“Track A does not indicate just how much competition a provider must offer either the business or residential markets before it is deemed a ‘competing’ provider.”).

<sup>30</sup> Florida Commission Comments – Hearing at 34; *see also Tennessee Authority Comments* at 23.

showing in this respect.<sup>31</sup> With respect to these states, BellSouth relies on interconnection agreements with AT&T, Knology, MCI and US LEC in support of its Track A showing.<sup>32</sup>

10. We find that both AT&T and Knology in Florida, and both MCI and US LEC in Tennessee each serve more than a *de minimis* number of end users predominantly over their own facilities and represents an “actual commercial alternative” to BellSouth in Florida and Tennessee respectively.<sup>33</sup> Specifically, each provides telephone exchange service to both residential and business subscribers through its own facilities.<sup>34</sup>

#### IV. PRIMARY ISSUES IN DISPUTE

11. In a number of prior orders, the Commission discussed in considerable detail the analytical framework and particular legal showing required to establish checklist compliance.<sup>35</sup> In this Order, we rely upon the legal and analytical precedent established in those prior orders. In addition, we include comprehensive appendices containing the applicants’ performance data and the statutory framework upon which we rely when considering for analysis section 271 applications.<sup>36</sup> In reviewing this application, we examine performance data as reported in monthly performance reports reflecting service in the period from May, 2002, through September, 2002.

12. We focus in this Order on the issues in controversy in the record. Accordingly, we begin by addressing the evidentiary case, followed by checklist item two (unbundled network elements, or UNEs). Next, we address the following checklist items: checklist item one (interconnection), checklist item four (unbundled local loops), checklist item eleven (local

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<sup>31</sup> *But see* Arvanitas Reply at 4. By alleging BellSouth breached the interconnection agreement with IDS Telecom, LLC, Arvanitas recognizes that the interconnection agreement exists, an implicit acknowledgement that BellSouth has satisfied Track A.

<sup>32</sup> BellSouth Application at 12-13; BellSouth Application App. A, Vol. 6a, Tab J, Affidavit of Elizabeth A. Stockdale (BellSouth Stockdale Aff.) at paras. 19 and 31, and Tables 2 and 5.

<sup>33</sup> BellSouth Stockdale Aff. at para. 19; BellSouth Stockdale Aff., Exs. ES-5, ES-6, ES-8, and ES-9 (*citing confidential information*). *See also SWBT Oklahoma Order*, 12 FCC Rcd at 8695, para. 14.

<sup>34</sup> BellSouth Stockdale Aff., Exs. ES-5, ES-6, ES-8, and ES-9 (*citing confidential information*).

<sup>35</sup> *See, e.g., Application by SBC Communications, Inc., Southwestern Bell Tel. Co., and Southwestern Bell Communications Services, Inc., d/b/a Southwestern Bell Long Distance pursuant to Section 271 of the Telecommunications Act of 1996, To Provide In-Region, InterLATA Services in Texas*, CC Docket No. 00-65, Memorandum Opinion and Order, 15 FCC Rcd 18354, 18359-61, 18365-78, paras. 8-11, 21-40, 43-58 (2000) (*SWBT Texas Order*); *Application by Bell Atlantic New York for Authorization Under Section 271 of the Communications Act To Provide In-Region, InterLATA Service in the State of New York*, CC Docket No. 99-295, Memorandum Opinion and Order, 15 FCC Rcd 3953, 3961-63, 3966-69, 3971-76, paras. 17-20, 29-37, 43-60 (1999) (*Bell Atlantic New York Order*), *aff’d sub nom. AT&T Corp. v. FCC*, 220 F.3d 607 (D.C. Cir. 2000); *see also* Appendix D.

<sup>36</sup> *See generally* Appendices B, C, and D.

number portability), and checklist item thirteen (reciprocal compensation). The remaining checklist items, 3, 5, 6-10,12, and 14 are discussed briefly, as they received little or no attention from commenting parties. Finally, we discuss issues concerning compliance with section 272 and the public interest requirements.

#### A. Evidentiary Case

13. As a threshold matter, we address the performance metrics and standards that we use in the instant application to make findings of checklist compliance. The state commissions of states for which we have previously approved in-region long distance authority for BellSouth have generally used either the Georgia performance metrics (Georgia SQM) or metrics based on or substantially similar to the Georgia SQM. In the instant application, the Tennessee Authority based its evaluation on the Georgia SQM,<sup>37</sup> and the Florida Commission used the interim Florida SQM, modeled on the Georgia SQM, for its third-party test and for purposes of determining BellSouth's section 271 compliance.<sup>38</sup> The Florida Interim SQM is nearly identical to the Georgia SQM except for minor differences in some standards and/or levels of disaggregation in the collocation and change management measures.<sup>39</sup> Although we recognize that the Florida Commission established the Florida Permanent SQM in 2001, and BellSouth began reporting data under this SQM in May 2002, we do not consider this SQM for purposes of the instant analysis.<sup>40</sup> We find it reasonable to use the Florida Interim SQM because this is what the Florida Commission used and it will enable us to conduct a more "apples-to-apples" evaluation of BellSouth's performance. Similarly, we used substantially the same measures and standards to evaluate BellSouth's performance in the past seven applications. By using the Florida Interim SQM we can best evaluate whether BellSouth has maintained its performance or whether performance has deteriorated. Significantly, we note that no commenter has suggested that it is inappropriate for us to rely on the Florida Interim SQM. Accordingly, we rely on the performance data in the Florida Interim SQM filed with the application for assessing BellSouth's section 271 compliance in Florida.

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<sup>37</sup> The Tennessee Authority used the Georgia SQM for purposes of assessing BellSouth's compliance with section 271. Tennessee Authority Comments at 21-22, 27.

<sup>38</sup> See *infra* n.4.

<sup>39</sup> BellSouth Varner Aff. at paras. 108, 157; BellSouth Varner Reply Aff. at para. 76.

<sup>40</sup> The Florida Permanent SQM, when compared to the Georgia SQM, reflects the addition of some new measures and the deletion of others, changes to certain business rules, more stringent benchmarks in some cases and changes to the level of disaggregation reported. For example, for ordering and provisioning measures, the Florida Commission ordered the addition of metrics for UNE Line Splitting and Enhanced Extended Loops (EELs). For ordering and maintenance and repair, the Florida Commission also required the addition of metrics for digital and high capacity loops. See BellSouth Varner Aff. at paras. 123, 157-58, 164-65; BellSouth Varner Reply Aff. at para. 76; Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 Attach. at 1-2 (filed Oct. 17, 2002) (BellSouth Oct. 17 *Ex Parte* Letter – #1); see also *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9027, para. 16; *BellSouth Multistate Order*, 17 FCC Rcd at 17600, 17605, paras. 12, 19.



14. We also address challenges to the validity of the data submitted by BellSouth. The accuracy of BellSouth's performance data is essential to its showing of compliance with several different checklist items. Accordingly, it is appropriate for us to dispose of this threshold issue before addressing BellSouth's compliance with each checklist item.<sup>41</sup> The Department of Justice and AT&T maintain that BellSouth's data reposting policy (i.e., when BellSouth revises published performance data results) would allow BellSouth to hide errors in its performance data, thus bringing the reliability of the data into question.<sup>42</sup> BellSouth's policy had excluded the reposting of errors not involving "key performance measures," as defined by BellSouth. Further, BellSouth's policy required a trigger of at least 100 transactions in a given month before some types of errors would be reposted.<sup>43</sup>

15. Although BellSouth correctly points out that it is under no obligation to repost performance data, BellSouth has revised its reposting policy to include all performance measures that a state commission currently includes in its Service Performance Measurements and Enforcement Mechanisms (SEEM) Plan and BellSouth anticipates modifying the policy in the future in response to changes made to a state's SEEM Plan.<sup>44</sup> We note that restrictions relating to the number of transactions remain in place. In addition, on December 1, 2002, BellSouth began disclosing all known and validated data issues, including those with less than 100 transactions, by filing at all state commissions in its region a list of validated errors affecting results that are not captured on a data notification or by reposting.<sup>45</sup> BellSouth also commits to

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<sup>41</sup> The Commission has discussed the importance of data validity issues in a number of orders. *See e.g., BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9027, para. 16.

<sup>42</sup> AT&T argues that BellSouth should be required to repost all errors because BellSouth's reposting policy would hamper the ability of competitive LECs, state regulatory authorities, and the Commission to effectively evaluate BellSouth's performance. AT&T Comments at 15-16; AT&T Comments App., Tab B, Declaration of Sharon E. Norris (AT&T Norris Decl.) at paras. 3-10; AT&T Reply at 18-25; Letter from Jodi S. Sirotnak, Regulatory Analyst, Federal Government Affairs, AT&T, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Nov. 19, 2002) (AT&T Nov. 19 *Ex Parte* Letter); Letter from R. Merinda Wilson, Counsel to AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Dec. 2, 2002) (attaching Joint Supplemental Declaration of Cheryl Bursh, Sharon E. Norris, and Robert M. Bell at para. 25) (AT&T Bursh/Norris/Bell Supp. Decl.). The Department of Justice also raised concerns about the effect of the policy on the accuracy of BellSouth's reported performance data and whether the policy could reduce the value of performance reporting as an ongoing mechanism for measuring performance and preventing backsliding. Department of Justice Evaluation at 9-10.

<sup>43</sup> For key measures, reposting would always occur if the correction would shift a performance measures from "in parity" to "out of parity." Key measures that have been out of parity would be reposted if there were at least 100 competitive LEC transactions at the sub-metric level, and there was at least a two percentage point change in the performance for benchmark measures or a 0.5 change in the z-score for retail analogue measures. *See* Letter from Jonathan B. Banks, General Attorney, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 Attach. at 1-2 (filed Oct. 17, 2002) (BellSouth Oct. 17 *Ex Parte* Letter – #3).

<sup>44</sup> BellSouth Reply at 30-31; BellSouth Varner Reply Aff. at para. 23; BellSouth Varner Reply Aff., Ex. PM-20.

<sup>45</sup> BellSouth Reply at 5, 30; BellSouth Varner Reply Aff. at para. 14; Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 1 (filed Nov. 13, 2002).

filing its modified reposting policy with the Georgia, Florida, and Louisiana Commissions in their upcoming six-month review proceedings.<sup>46</sup>

16. Based on the record in this proceeding, we are satisfied that the data BellSouth submitted with the instant application are reliable and accurate. We reach this conclusion based on the extensive third party auditing, the internal and external data controls, the availability of raw performance data to competing carriers and regulators, BellSouth's readiness to engage in data reconciliations, and the oversight and review of the data and of proposed changes to the metrics provided by state commissions.<sup>47</sup> We further expect that, to the extent BellSouth becomes aware of errors in its data that would affect our analysis of the instant application, it would alert us to such errors as soon as it becomes aware of them.<sup>48</sup> We are prepared to pursue appropriate enforcement action if evidence becomes available to the Commission sufficient to show that incorrect data were submitted to the Commission in violation of Commission rules.<sup>49</sup> We encourage the state commissions in BellSouth's territory to continue their review of BellSouth's reposting policy, particularly the impact of the 100 transaction reposting trigger on monitoring BellSouth's performance, the omission of some performance measures from the reposting policy, and the potential impact of the reposting policy on penalty payments.<sup>50</sup>

17. We disagree with Network Telephone's suggestion that we should question the validity of BellSouth's Performance Measurement Analysis Platform (PMAP) data<sup>51</sup> because of restatements in BellSouth's SEEM payments to Network Telephone.<sup>52</sup> BellSouth argues that validation procedures suggested errors in its preliminary SEEM payments to Network Telephone, and that BellSouth made full payment to Network Telephone even though it is still

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<sup>46</sup> BellSouth Reply at 31; BellSouth Varner Reply Aff. at para. 9.

<sup>47</sup> BellSouth Varner Aff. at paras. 39-68; BellSouth Varner Reply Aff. at paras. 5, 29, 45, 47-66. *See also BellSouth Multistate Order*, 17 FCC Rcd at 17604, para. 16; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9030, para. 19.

<sup>48</sup> 47 C.F.R. §1.65. BellSouth acknowledges that it is bound by this rule. BellSouth Varner Reply Aff. at para. 11.

<sup>49</sup> We also note that submission of false data to the Commission could subject BellSouth to criminal prosecution under 18 U.S.C. § 1001.

<sup>50</sup> BellSouth Varner Reply Aff. at paras. 20-21. *But see* AT&T Bursh/Norris/Bell Supp. Decl. at paras. 28-54.

<sup>51</sup> PMAP is the software program in which the majority of the SQM values are produced. BellSouth Varner Aff. at paras. 33-36.

<sup>52</sup> Network Telephone Comments at 9-10. Network Telephone also complains that BellSouth no longer reports data that Network Telephone had been using to determine what data was excluded from the trouble duration metric. Network Telephone Comments at 9. Although we noted in *BellSouth Georgia/Louisiana Order* that BOCs do not routinely make their raw data available, BellSouth plans to respond to this complaint by providing a data file to competitive LECs with the excluded records during the first quarter of 2003. BellSouth Varner Reply Aff. at paras. 25-28; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9032 n.71.

investigating the reason for its relative poor performance.<sup>53</sup> Competitive LECs can request an audit of the SEEM payments under the SEEM provision for an annual audit of payments, and KPMG is currently performing an independent, extensive end-to-end audit of the underlying SEEM data, SEEM calculations and SEEM payments.<sup>54</sup> We find that there are sufficient mechanisms to assure the validity of BellSouth's SEEM payments, and thus the facts asserted by Network Telephone do not demonstrate that BellSouth's data are invalid.<sup>55</sup>

## **B. Checklist Item 2 – Unbundled Network Elements**

18. Checklist item 2 of section 271 states that a BOC must provide “nondiscriminatory access to network elements in accordance with sections 251(c)(3) and 252(d)(1)” of the Act.<sup>56</sup> Section 251(c)(3) requires incumbent LECs to provide “nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms, and conditions that are just, reasonable, and nondiscriminatory.”<sup>57</sup>

### **1. Pricing of Unbundled Network Elements**

19. Section 252(d)(1) provides that a state commission's determination of the just and reasonable rates for network elements must be nondiscriminatory, based on the cost of providing the network elements, and may include a reasonable profit.<sup>58</sup> Pursuant to this statutory mandate,

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<sup>53</sup> BellSouth Varner Reply Aff. at paras. 41-46.

<sup>54</sup> *Id.* at para. 45.

<sup>55</sup> Mpower asserts that its ability to determine whether BellSouth provides it with parity access to its network elements is hampered by BellSouth's reporting methods, which Mpower believes diminish its ability to compare and track performance trends. We concur with BellSouth that this complaint is more appropriately addressed in a state six month review process. Mpower Comments at 16-17; Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 2-3 (filed Oct. 25, 2002) (BellSouth Oct. 25 *Ex Parte* Letter – #2); BellSouth Varner Reply Aff. at paras. 27-40.

<sup>56</sup> 47 U.S.C. § 271(c)(2)(B)(ii). Overturning a 1997 decision of the Eighth Circuit Court of Appeals, on May 13, 2002, the U.S. Supreme Court upheld sections 51.315(c)-(f) of the Commission's rules, which, subject to certain limitations, require incumbent LECs to provide combinations of unbundled network elements “not ordinarily combined in the incumbent LEC's network” and to “combine unbundled network elements with the elements possessed by the requesting telecommunications carrier.” *Verizon Communications, Inc. v. FCC*, 122 S. Ct. 1646 (2002). In a prior decision, the Supreme Court upheld the Commission's authority to adopt sections 51.315(a)-(b) of the Commission's rules, which establish the general obligation of an incumbent LEC to provide combinations of network elements and require an incumbent LEC not to separate requested elements that it currently combines, except upon request. *AT&T Corp. v. Iowa Utils. Bd.*, 525 U.S. 366, 385, 393-95 (1999). No commenter raises concerns about UNE combinations.

<sup>57</sup> 47 U.S.C. § 251(c)(3).

<sup>58</sup> 47 U.S.C. § 252(d)(1).

the Commission has determined that prices for UNEs must be based on the total element long run incremental cost (TELRIC) of providing those elements.<sup>59</sup>

20. In applying the Commission's TELRIC pricing principles in this application, we do not conduct a *de novo* review of a state's pricing determinations.<sup>60</sup> We will, however, reject an application if "basic TELRIC principles are violated or the state commission makes clear errors in factual findings on matters so substantial that the end result falls outside the range that the reasonable application of TELRIC principles would produce."<sup>61</sup> We note that different states may reach different results that are each within the range of what a reasonable application of TELRIC principles would produce. Accordingly, an input rejected elsewhere might be reasonable under the specific circumstances here.

21. Commenters in these proceedings assert several challenges to BellSouth's pricing that were never raised before the state commissions. Just as it is impractical for us to conduct a *de novo* review of the state commissions' pricing determinations, it is likewise generally impractical for us to make determinations about issues that were not specifically raised before the state commissions in the first instance. During the course of their UNE pricing proceedings, the state commissions are able to cross examine witnesses, compel discovery, and direct the submission of additional record evidence on particular issues. This Commission lacks the time to employ such tools during the course of the 90-day statutory review period for section 271 applications. Without the means to test and evaluate evidence during this short statutory review period, and without a state record to analyze with respect to issues not raised before the state commissions, we are often left to resolve factually complex issues based simply on the untested written assertions of various experts.

22. As the Commission's previous decisions make clear, a BOC may submit as part of its *prima facie* case a valid pricing determination from a state commission.<sup>62</sup> In such cases, we will conclude that the BOC meets the TELRIC pricing requirements of section 271,<sup>63</sup> unless we

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<sup>59</sup> See *Implementation of the Local Competition Provisions in the Telecommunications Act of 1996*, CC Docket No. 96-98, First Report and Order, 11 FCC Rcd 15499, 15844-47, paras. 674-79 (1996) (*Local Competition Order*); 47 C.F.R. §§ 51.501-51.515. The Supreme Court has upheld the Commission's forward-looking pricing methodology in determining the costs of UNEs. *Verizon v. FCC*, 122 S. Ct. at 1679.

<sup>60</sup> *Application of Verizon Pennsylvania Inc., Verizon Long Distance, Verizon Enterprise Solutions, Verizon Global Networks Inc., and Verizon Select Services Inc. for Authorization To Provide In-Region, InterLATA Services in Pennsylvania*, CC Docket No. 01-138, Memorandum Opinion and Order, 16 FCC Rcd 17419, 17453, para. 55 (2001) (*Verizon Pennsylvania Order*) (citations omitted). See also *Sprint v. FCC*, 274 F.3d at 556 ("When the Commission adjudicates § 271 applications, it does not – and cannot – conduct *de novo* review of state rate-setting determinations. Instead, it makes a general assessment of compliance with TELRIC principles.").

<sup>61</sup> *Verizon Pennsylvania Order*, 16 FCC Rcd at 17453, para. 55.

<sup>62</sup> *BellSouth Multistate Order*, 17 FCC Rcd at 17611, para. 32.

<sup>63</sup> When a state commission makes a determination that rates are TELRIC-compliant, it may not have explicitly analyzed every component of such rates, particularly when no party has taken issue with the component. Indeed, (continued....)

find that the determination violates basic TELRIC principles or contains clear errors of fact on matters so substantial that the end result falls outside the range that a reasonable application of TELRIC principles would produce.<sup>64</sup> Once the BOC makes a *prima facie* case of compliance, the objecting party must proffer evidence that persuasively rebuts the BOC's *prima facie* showing. The burden then shifts to the BOC to demonstrate the validity of its evidence or the state commission's approval of the disputed rate or charge.<sup>65</sup> When a party raises a challenge related to a pricing issue for the first time in the Commission's section 271 proceedings without showing why it was not possible to raise it before the state commission, we may exercise our discretion to give this challenge little weight. In such cases, we will not find that the objecting party persuasively rebuts the *prima facie* showing of TELRIC compliance if the BOC provides a reasonable explanation concerning the issue raised by the objecting party.

23. With these principles in mind and after thoroughly reviewing the record in this application, we find that BellSouth's UNE rates in Florida and Tennessee are just, reasonable, and nondiscriminatory, and are based on cost plus a reasonable profit as required by section 252(d)(1). We therefore find that BellSouth's UNE rates in Florida and Tennessee satisfy checklist item 2. Before we discuss commenters' arguments and our conclusions, we summarize the pricing proceedings in each state.

**a. Background**

**(i) Florida Commission Pricing Proceedings**

24. By order dated May 26, 1999, the Florida Commission opened Docket 990649-TP to set deaveraged prices for UNEs as well as prices for UNE combinations and non-recurring charges.<sup>66</sup> On May 25, 2001, the Florida Commission issued its 621-page Final Order on Rates for Unbundled Network Elements Provided by BellSouth (Phases I and II).<sup>67</sup> In the *Final UNE Rate Order*, the Florida Commission addressed the appropriate methodology, assumptions, and inputs for establishing UNE rates and directed BellSouth to unbundle the identified elements and subloop elements for the purpose of setting prices and to provide access to those subloop

(Continued from previous page) \_\_\_\_\_

we do not provide extensive analysis on checklist items that receive little or no attention from commenters when our own review of the record leads us to conclude that the BOC has satisfied these requirements.

<sup>64</sup> See, e.g., *Application by Verizon New Jersey Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc., for Authorization To Provide In-Region, InterLATA Services in New Jersey*, WC Docket No. 02-67, Memorandum Opinion and Order, 17 FCC Rcd 12275, 12305, para. 68 (2002) (*Verizon New Jersey Order*).

<sup>65</sup> *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20635-39, paras. 51-59.

<sup>66</sup> Florida Public Service Commission, In re: Investigation into Pricing of Unbundled Network Elements, *Final Order on Rates for Unbundled Network Elements Provided by BellSouth*, Docket No. 990649-TP, at 18 (May 25, 2001) (*Florida Commission UNE Rate Order*).

<sup>67</sup> *Id.* at 1.

elements.<sup>68</sup> The Florida Commission determined that the inclusion of non-recurring costs in recurring rates should be considered when the resulting level of non-recurring charges would constitute a barrier to entry.<sup>69</sup> In addition, the Florida Commission defined xDSL-capable loops and found that a cost study addressing such loops may make distinctions based on loop length.<sup>70</sup> The Florida Commission identified the applicable UNE rates and directed that they should become effective as carriers amend their existing interconnection agreements to incorporate the state-approved rates.<sup>71</sup>

25. In the *Final UNE Rate Order*, the Florida Commission directed BellSouth to re-file, within 120 days, revisions to its cost study addressing hybrid copper/fiber xDSL-capable loops, network interface devices (NIDs), and cable engineering and installation.<sup>72</sup> During this proceeding, BellSouth determined, through proceedings in other states, that it was necessary to change certain inputs for Daily Usage Files (DUFs) rates.<sup>73</sup> This proceeding is known as the “BellSouth 120-day filing.”

26. In connection with the BellSouth 120-day filing, on March 11-12, 2002, the Florida Commission conducted an administrative hearing to receive evidence concerning some of the issues raised in that filing.<sup>74</sup> By order dated September 27, 2002, the Florida Commission addressed the following issues: loop cost studies and modifications; DUF cost studies and modifications; unbundled copper loop (non-design) cost study and modifications; NIDs; the hybrid copper/fiber xDSL-capable loop offering; accounting for inflation; and other related issues.<sup>75</sup> The Florida Commission found that BellSouth’s cost studies and associated inputs, as modified by the state commission in the *Florida Commission 120-Day Filing Order*, result in rates that comply with TELRIC principles.<sup>76</sup>

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<sup>68</sup> *Id.* at 126-327.

<sup>69</sup> *Id.* at 327-433.

<sup>70</sup> *Id.* at 547.

<sup>71</sup> *Id.* at 534-40, 548, App. A.

<sup>72</sup> *Id.* at 548. *See also* Florida Public Service Commission, In re: Investigation into Pricing of Unbundled Network Elements (BellSouth Track), *Final Order on Rates for Unbundled Network Elements Provided by BellSouth Telecommunications, Inc. (120-Day Filing)*, Docket No. 990649A-TP, at 8 (Sept. 27, 2002) (*Florida Commission 120-Day Filing Order*).

<sup>73</sup> *Florida Commission 120-Day Filing Order* at 8-9.

<sup>74</sup> *Id.* at 9.

<sup>75</sup> *Id.* at 2-3.

<sup>76</sup> *Id.* at App. A; Florida Commission Comments – Hearing at 100.

27. On September 25, 2002, the Florida Commission filed comments in the section 271 proceeding before this Commission.<sup>77</sup> In those comments, the Florida Commission stated that the state-approved UNE rates comply with TELRIC principles and recommended approval of BellSouth's section 271 application.<sup>78</sup>

**(ii) Tennessee Authority Pricing Proceedings**

28. The Tennessee Authority set UNE prices with the stated goal of establishing forward-looking, cost-based rates that are consistent with the Commission's TELRIC methodology.<sup>79</sup> UNE rates were established over the course of several proceedings. On July 15, 1997, the Tennessee Authority convened the initial UNE rate proceeding (docket number 97-01262) as a contested case related to arbitration proceedings between BellSouth and AT&T.<sup>80</sup> The UNE rate proceeding consisted of two phases. In Phase I, the Tennessee Authority determined adjustments to the cost models, issuing an order on January 25, 1999, which adopted interim proxy prices applicable until the approval of permanent cost-based interconnection and UNE prices.<sup>81</sup> In Phase II, the Tennessee Authority established final prices for interconnection and UNEs, issuing a final order on February 23, 2001.<sup>82</sup>

29. The Tennessee Authority addressed a range of specific issues in this docket.<sup>83</sup> After making 17 adjustments to BellSouth's TELRIC Calculator model, the Tennessee Authority adopted that model for setting all UNE prices, including loop inputs and non-loop UNEs.<sup>84</sup> BellSouth used three models to develop recurring costs: the Loop Model (for loops), the

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<sup>77</sup> *Id.* at 1.

<sup>78</sup> *Id.* at 99-100.

<sup>79</sup> BellSouth Application App. D – Tennessee, Vol. 4, Tab 39, *Petition to Convene a Contested Case Proceeding to Establish Permanent Prices for Interconnection and Unbundled Network Elements*, Tennessee Authority, Interim Phase I Order, Docket No. 97-01262, at 8 (Jan. 25, 1999) (*Tennessee Authority Phase I UNE Order*).

<sup>80</sup> *Id.* at 3. *See also* Tennessee Authority Comments at 7.

<sup>81</sup> *See Tennessee Authority Phase I UNE Order. See also* Tennessee Authority Comments at 7.

<sup>82</sup> BellSouth Application App. D – Tennessee, Vol. 6, Tab 65, *Petition of BellSouth Telecommunications, Inc. to Convene a Contested Case Proceeding to Establish "Permanent Prices" for Interconnection and Unbundled Network Elements*, Tennessee Authority, Final Order, Docket No. 97-01262 (Feb. 23, 2001). *See also* Tennessee Authority Comments at 8.

<sup>83</sup> The Tennessee Authority addressed 19 specific issues in this docket, including cost methodology for setting interconnection and UNE prices, cost model for recurring UNE prices, fill and utilization factors, depreciation rates, loop prices, switch costs, OSS costs, and calculation of nonrecurring costs. *Tennessee Authority Phase I UNE Order*.

<sup>84</sup> *Id.* at 7-8; BellSouth Application App. D – Tennessee, Vol. 5, Tab 59, *Petition of BellSouth Telecommunications, Inc. to Convene a Contested Case Proceeding to Establish "Permanent Prices" for Interconnection and Unbundled Network Elements*, Tennessee Authority, Second Interim Order re Revised Cost Studies and Geographic Deaveraging, Docket No. 97-01262, at 5-6 (Nov. 22, 2000).

Switched Network Calculator Model (for usage), and the Switching Cost Information System Model (for ports and vertical features).<sup>85</sup>

30. In May 2000, the Tennessee Authority opened a second proceeding (docket number 00-00544) to establish permanent UNE prices for line sharing, pursuant to the Commission's *Line Sharing Order*,<sup>86</sup> and permanent prices for riser cable and network terminating wire elements.<sup>87</sup> The Tennessee Authority later expanded the scope of this proceeding to address certain additional unbundling obligations in the Commission's *UNE Remand Order*.<sup>88</sup> The decisions in this docket were consistent with the decisions in docket number 97-01262, which remained in effect.<sup>89</sup>

31. The Tennessee Authority established a permanent geographic deaveraging methodology for UNE loop rates in a third proceeding (docket number 01-00339).<sup>90</sup> The parties to that proceeding entered into a stipulated agreement for the rate deaveraging methodology, which the Tennessee Authority accepted and approved on August 5, 2002.<sup>91</sup> Additionally, the Tennessee Authority set resale and wholesale discount rates of 16 percent and 21.56 percent, respectively, in separate proceedings (docket numbers 96-01152 and 96-01331).<sup>92</sup> In addition to applying these discount rates to most tariffed recurring and nonrecurring local and intrastate toll retail offerings, BellSouth states that it will also apply the wholesale discount to nonrecurring

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<sup>85</sup> BellSouth Application App. A, Vol. 2, Tab C, Affidavit of D. Daonne Caldwell (BellSouth Caldwell Aff.) at para. 33.

<sup>86</sup> *Deployment of Wireline Services Offering Advanced Telecommunications Capability and Implementation of Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 98-147, Third Report and Order, 14 FCC Rcd 20912 (1999) (*Line Sharing Order*).

<sup>87</sup> BellSouth Application App. D – Tennessee, Vol. 7, Tab 44, *Generic Docket to Establish UNE Prices for Line Sharing Per FCC 99-355, and Riser Cable and Terminating Wire as Ordered in TRA Docket 98-00123*, Tennessee Authority, First Initial Order, Docket No. 00-00544, at 3 (Apr. 3, 2002) (*Tennessee Authority Line Sharing Order*).

<sup>88</sup> *Id.* at 5. See also *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, 15 FCC Rcd 3696 (1999) (*UNE Remand Order*).

<sup>89</sup> *Tennessee Authority Line Sharing Order* at 3.

<sup>90</sup> BellSouth Application App. H – Tennessee, Vol. 3, Tab 42, *Generic Docket to Consider Technology Advances and Geographic Deaveraging*, Tennessee Authority, Report and Recommendation, Docket No. 01-00339 (March 13, 2002).

<sup>91</sup> BellSouth Application App. H – Tennessee, Vol. 3, Tab 52, Transcript of Tennessee Authority Agenda Meeting, Vol. 1, Docket No. 01-00339 at 45-47 (Aug. 5, 2002).

<sup>92</sup> BellSouth Application App. H – Tennessee, Vol. 1, Tab 6, *In the Matter of the Interconnection Agreement Negotiation Between AT&T Communications of the South Central States, Inc. and BellSouth Telecommunications, Inc. Pursuant to 47 U.S.C. Section 252*, Tennessee Authority, Report and Recommendation, Docket No. 96-01152 at 50-51 (Jan. 23, 1997). See also BellSouth Application App. A, Vol. 4b, Tab G, Affidavit of John A. Ruscilli and Cynthia K. Cox (BellSouth Ruscilli/Cox Aff.) at paras. 132-35.



charges associated with resold services.<sup>93</sup> The Tennessee Authority recently convened an additional proceeding (docket number 02-00434) to analyze the potential impact of technological advances on cost development.<sup>94</sup>

**b. Specific Pricing Issues**

32. AT&T and Mpower raise five checklist item 2 pricing issues in connection with the Florida Commission's approval of BellSouth's UNE rates: the hot cut charge for SL-2 loops; the \$200 market-based expedite charge; promotional tariffs BellSouth offers to certain retail customers; the manner in which BellSouth accounts for inflation in calculating its rates; and BellSouth's loading factors. No commenter raises any checklist item 2 pricing issues in connection with the Tennessee Authority's approval of BellSouth's UNE rates.

**(i) Hot Cut Charge for SL-2 Loops**

33. AT&T argues that BellSouth's hot cut charges for Service Level-2 (SL-2) loops<sup>95</sup> in Florida are unlawful, anti-competitive, and do not comply with TELRIC principles.<sup>96</sup> According to AT&T, BellSouth charges \$160 to perform the first SL-2 hot cut and \$82.47 for each additional loop in the same order.<sup>97</sup> After reviewing AT&T's evidence and the Florida Commission's consideration of this issue, we find that BellSouth's hot cut charge for an SL-2 loop complies with checklist item 2.

34. A "hot cut" is the process of converting a customer from one network configuration served by an incumbent LEC's switch to a UNE-loop served by another carrier's switch.<sup>98</sup> The "cut" is "hot" because telephone service on the specific customer's loop is

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<sup>93</sup> BellSouth Ruscilli/Cox Aff. at paras. 132-35.

<sup>94</sup> BellSouth Caldwell Aff. at para. 201. *See also* BellSouth Application App. H, Vol. 3, Tab 49, *Generic Docket to Consider Technology Advances*, Tennessee Authority, Order Accepting Report and Recommendation, Docket No. 02-00434 at 2 (May 13, 2002).

<sup>95</sup> BellSouth offers competitive LECs several different types of loops to purchase or lease, including SL-1, SL-2, unbundled copper (non-design), and UNE-Platform. BellSouth Application Reply App., Tab C, Reply Affidavit of C. Daonne Caldwell (BellSouth Caldwell Reply Aff.) at para. 17. An SL-2 loop includes not only the bare loop, but also a physical test point, a detailed loop "map" known as a Design Layout Record (DLR), and certain transmission capabilities. *Id.* The less-expensive SL-1 loop includes only the bare loop, *id.*, although carriers may also purchase some of the additives that come standard with an SL-2 loop. *Id.* at para. 23. For example, a carrier can select an SL-1 loop and the BellSouth additive "Engineering Information Document"; together, these two products will result in a loop that is identical to an SL-2 loop in all respects save the presence of a physical test point. *Id.*

<sup>96</sup> AT&T Comments at 23-25; AT&T Reply at 38.

<sup>97</sup> AT&T Comments at 24.

<sup>98</sup> *Verizon New Jersey Order*, 17 FCC Rcd at 12302, para. 61 (citations omitted).

interrupted for a brief period of time, usually fewer than five minutes, during the conversion process.<sup>99</sup>

35. BellSouth's hot cuts can be performed as "time-specific" or "non-time-specific."<sup>100</sup> BellSouth charges \$49 for an SL-1 hot cut and \$135 for an SL-2 hot cut.<sup>101</sup> The time-specific additive costs \$23.02<sup>102</sup> BellSouth states that competitive LECs request very few SL-2 hot cuts. Indeed, according to BellSouth, out of 4700 loops ordered in August 2002, only 16 were SL-2.<sup>103</sup> As a result, BellSouth claims, the \$160 figure that AT&T challenges here is "an uncommon occurrence" because it reflects both an SL-2, not an SL-1, loop, and it is time-specific, not non-time-specific.<sup>104</sup>

36. During the Florida UNE rate proceeding, AT&T submitted evidence purporting to show that BellSouth's cost study for non-recurring charges (NRCs), which generates the disputed SL-2 hot cut charge, overstates BellSouth's NRC costs.<sup>105</sup> AT&T argued that BellSouth's NRC cost study "includ[es] costs that are not appropriate or necessary in a forward-looking network, overstat[es] time estimates for the completion of work activities, and includ[es] costs for procedures that would be automated in a forward-looking network."<sup>106</sup> In preparing a rival NRC cost study, AT&T eliminated several provisioning workgroups entirely, such as the Local Customer Service Center (LCSC) and the UNE Center (UNEC)/Access Customer Advocate Center (ACAC).<sup>107</sup> According to AT&T, "these workgroups are middlemen" and "not intended for efficient operations."<sup>108</sup> AT&T also adjusted work times for certain, unspecified

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<sup>99</sup> *Id.*

<sup>100</sup> BellSouth Caldwell Reply Aff. at para. 23.

<sup>101</sup> *Id.* at paras. 16, 19, 30.

<sup>102</sup> *Id.* at paras. 16, 19.

<sup>103</sup> BellSouth Application Reply App., Tab E, Reply Affidavit of John A. Ruscilli and Cynthia K. Cox (BellSouth Ruscilli/Cox Reply Aff.) at para. 11.

<sup>104</sup> *Id.* While we agree that AT&T has chosen the most expensive hot cut rate to challenge, BellSouth does not dispute that the \$160 rate is the correct rate for a time-specific, coordinated SL-2 hot cut. *See* BellSouth Caldwell Reply Aff. at para. 30.

<sup>105</sup> AT&T Comments at 24.

<sup>106</sup> *Id.*

<sup>107</sup> Letter from Jodi S. Sirotnak, Regulatory Analyst, Federal Government Affairs, AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Oct. 21, 2002) (attaching AT&T Rebuttal Testimony of Jeffrey King Before Florida Public Service Commission, Docket No. 990649-TP, at 11 (revised Sept. 12, 2000) (AT&T Florida Rebuttal King Testimony), and AT&T Supplemental Rebuttal Testimony of Jeffrey King Before Florida Public Service Commission, Docket No. 990649-TP, at 5-6 (Aug. 28, 2000) (AT&T Florida Supplemental Rebuttal King Testimony)).

<sup>108</sup> AT&T Florida Rebuttal King Testimony at 11.

work group activities.<sup>109</sup> Finally, AT&T lowered BellSouth's assumption concerning the percent of manual work performed by certain work centers from 100 percent to 10 percent.<sup>110</sup> According to AT&T, many manual activities are a function of "embedded inefficiencies, and result in costs for which [C]LECs should not compensate an ILEC."<sup>111</sup> Correcting for these purported errors, AT&T proposed SL-2 hot cut charges of \$22.63 for the initial loop and \$12.34 for each subsequent loop in the same order.<sup>112</sup>

37. The Florida Commission specifically rejected AT&T's argument concerning NRCs in a forward-looking network.<sup>113</sup> After noting that AT&T's witness had assumed "the existence of a fully automated ordering system which could identify all errors on an electronically submitted local service request (LSR) and resubmit it to [the] [C]LEC,"<sup>114</sup> the Florida Commission stated that the witness "subsequently admitted that he was unaware if such a system has actually been implemented anywhere."<sup>115</sup> As a result of this information, the Florida Commission found AT&T's argument to be "unrealistic"<sup>116</sup> and stated that "non-recurring studies should be forward-looking reflecting efficient practices and systems, *but this perspective should be tempered by considerations of what is reasonably achievable.*"<sup>117</sup> The Florida Commission then made certain adjustments to BellSouth's NRC cost study to account for problems that it identified in the study.

38. In evaluating BellSouth's NRC cost study, the Florida Commission chose three representative UNEs for detailed analysis and, based on its findings in connection with those UNEs, directed BellSouth to make adjustments to the work times for *all* NRCs.<sup>118</sup> The Florida Commission specifically examined 11 different workgroups that perform work for BellSouth's NRCs and ordered BellSouth to reduce the various workgroups' work times by factors from 20 to 100 percent.<sup>119</sup> These adjustments reduced BellSouth's SL-1, SL-2, and other hot cut elements

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<sup>109</sup> *Id.* at 10-11.

<sup>110</sup> *Id.* at 11.

<sup>111</sup> *Id.* at 12.

<sup>112</sup> AT&T Comments, App. A, Tab D, Declaration of Jeffrey A. King (AT&T King Decl.) at para. 11; BellSouth Caldwell Reply Aff. at para. 16 n.3.

<sup>113</sup> *Florida Commission UNE Rate Order* at 332.

<sup>114</sup> *Id.*

<sup>115</sup> *Id.*

<sup>116</sup> *Id.*

<sup>117</sup> *Id.* (emphasis added).

<sup>118</sup> *Id.* at 335. The Florida Commission examined the following three UNEs: ADSL loop, CCS7 signaling, and interoffice transport – DS0. *Id.*

<sup>119</sup> *Id.* at 423. In only one category did the Florida Commission approve no adjustment – travel time. *Id.*

by an average of 41 percent.<sup>120</sup> The adjustments also lowered BellSouth's proposed SL-2 hot cut rate from \$219 to a Commission-approved rate of \$135, a drop of 38 percent.<sup>121</sup> Significantly, the Florida Commission also ordered BellSouth to reduce by 45 percent all work times for tasks performed by any other workgroup.<sup>122</sup>

39. In this proceeding, AT&T contends that the Florida Commission erred in approving BellSouth's SL-2 hot cut charges of \$160 (initial) and \$82.47 (subsequent). AT&T claims that the "manual activity required by BellSouth to complete a hot cut charge is minimal, and the time needed to complete the hot cut process is short."<sup>123</sup> AT&T also argues that a comparison with hot cut charges in other states "demonstrates that BellSouth's Florida rate is clearly excessive."<sup>124</sup> AT&T states that BellSouth's high hot cut charges threaten AT&T's business plan of converting UNE-Platform customers to UNE-loop customers served on AT&T's switches.<sup>125</sup> AT&T claims that it cannot attract business customers if it passes on the hot cut charge, and it cannot afford to absorb this NRC because it could not recoup the charge within its expected customer retention period.<sup>126</sup>

40. BellSouth responds that AT&T has not shown clear error by the Florida Commission.<sup>127</sup> BellSouth argues that AT&T's assumptions are unreasonable.<sup>128</sup> BellSouth also provides unrefuted evidence that performing a hot cut on an SL-2 loop is more labor intensive

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<sup>120</sup> BellSouth Caldwell Reply Aff. at para. 30.

<sup>121</sup> *Id.*

<sup>122</sup> *Id.* Travel time was the only category of work time that the Florida Commission did not adjust or eliminate. *See id.*

<sup>123</sup> AT&T Comments at 24.

<sup>124</sup> *Id.*

<sup>125</sup> *Id.* at 24-25.

<sup>126</sup> *Id.* AT&T also argues that, while BellSouth has recently agreed to perform bulk hot cuts to convert UNE-Platform customers to UNE-Loop customers, the rate for bulk conversions "could be more expensive than submitting individual SL-2 orders that cost \$160 for the first hot cut per order but then charge the lesser amount of \$82 for each subsequent hot cut in the same order." Letter from Alan C. Geolot, Counsel to AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 3 (filed Nov. 26, 2002) (AT&T Nov. 26 *Ex Parte* Letter). According to AT&T, BellSouth's bulk conversion rate is \$134.32 per working telephone number. *Id.* at Attach. 1. We note that this charge is for "Project Management of *After Hours* UNE-P to UNE-L conversion." *Id.* (emphasis added). AT&T provides no specific information about this charge, including whether the interconnection agreement with BellSouth provides for it. In addition, beyond AT&T's claim that the bulk rate is high, there is no evidence in the record suggesting that BellSouth may not charge more for work performed after normal business hours. We therefore reject AT&T's recent challenge to BellSouth's bulk conversion rate.

<sup>127</sup> BellSouth Caldwell Reply Aff. at paras. 25-31.

<sup>128</sup> *Id.*

than for an SL-1 loop. The manual installation of the test point and associated manual testing require a technical “dispatch,” and, on an SL-2 loop, it must be performed on 100 percent of hot cuts.<sup>129</sup> In addition, the SL-2 loop provides competitive LECs with tangible benefits not available with a simple SL-1 loop, such as loop mapping information and a physical test point.<sup>130</sup>

41. As an initial matter, we note that the Florida Commission itself carefully reviewed BellSouth’s NRC cost study and significantly adjusted work times for BellSouth’s workgroups, eliminating some of them altogether.<sup>131</sup> These adjustments reduced BellSouth’s hot cut charge for an SL-2 loop from \$219 to \$135, a 38 percent reduction. Notably, AT&T does not challenge these reductions; rather, it argues that the Florida Commission should have accepted its assumptions concerning the level of automation in a forward-looking network. AT&T’s representative conceded during the state proceeding that he did not know if such an automated system actually existed.<sup>132</sup> He also acknowledged that a non-recurring cost study should reflect the use of forward-looking technologies that are “currently available and being deployed.”<sup>133</sup> In light of AT&T’s concessions and the Florida Commission’s adjustments to BellSouth’s NRC cost study, we cannot conclude that the Florida Commission committed clear error in rejecting AT&T’s assumption of a hypothetical, automated forward-looking network when calculating non-recurring costs for hot cuts.

42. BellSouth also presented credible evidence concerning the substantial amount of work required to perform an SL-2 hot cut.<sup>134</sup> As noted above, a technical dispatch, or manual installation and testing, is required on 100 percent of SL-2 hot cuts. AT&T has not shown that this work is overstated or unnecessary. Nor has AT&T provided any evidence, beyond its global challenge to the level of automation in BellSouth’s network, that the provisioning work for an

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<sup>129</sup> *Id.* at para. 29. The test point helps BellSouth to locate the source of any loop trouble that might arise in the future. As a result, BellSouth states that it can locate and repair problems on an SL-2 loop much faster than with an SL-1 loop. Indeed, from April through August 2002, BellSouth took an average of 4.68 hours to repair SL-2 loop problems, whereas SL-1 loop problems were repaired in an average of 12.01 hours. Letter from Glenn T. Reynolds, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Oct. 25, 2002) (BellSouth Oct. 25 *Ex Parte* Letter – #1). Thus, while the hot cut charge for an SL-2 loop is roughly three times the rate for an SL-1 loop, the SL-2 loop provides significant benefits over the SL-1 loop in terms of the duration of service outages that a damaged line might experience.

<sup>130</sup> *See generally* Letter from Glenn T. Reynolds, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 6 (filed Nov. 22, 2002) (BellSouth Nov. 22 *Ex Parte* Letter – #1).

<sup>131</sup> *Florida Commission UNE Rate Order* at 423.

<sup>132</sup> *Id.* at 332.

<sup>133</sup> *Id.*

<sup>134</sup> *See, e.g.,* BellSouth Caldwell Reply Aff. at paras. 19-23.

SL-2 hot cut or the benefit that such loops provide does not justify the cost differential between the SL-1 and SL-2 hot cut charges.<sup>135</sup>

43. Finally, AT&T's general comparison of hot cut charges in Florida to those in other states or of other carriers is not dispositive.<sup>136</sup> While AT&T points out that Verizon charges only \$75.48 for a hot cut in Florida, Verizon's NRC cost study is not in this record. Nor is there any evidence in this record regarding what types of loops Verizon offers. In other section 271 orders, we have not found that a simple comparison of NRC rates in different states demonstrates TELRIC non-compliance.<sup>137</sup>

44. We find that AT&T has not presented sufficient evidence that BellSouth's SL-2 loop hot cut charges do not comply with TELRIC principles. Accordingly, we find that BellSouth's SL-2 hot cut charges satisfy checklist item 2.

**(ii) \$200 Expedite Charge**

45. In July of this year, BellSouth stated its intention to begin, as of August 15, 2002, imposing a \$200 per day per line charge for expediting competitive LEC orders.<sup>138</sup> BellSouth proposed that, where necessary, its interconnection agreements be amended to reflect this charge.<sup>139</sup>

46. AT&T challenges BellSouth's proposed expedite charge as discriminatory because, it asserts, BellSouth does not impose a similar charge on its own customers for expediting their orders; AT&T also notes that BellSouth has provided no cost support for the charge.<sup>140</sup> According to AT&T, "provisioning of orders is itself a network element," to which BellSouth must provide nondiscriminatory access as required in section 251(c)(3).<sup>141</sup> Consequently, AT&T concludes, all aspects of BellSouth's provisioning, including its expedite process, must be offered in a nondiscriminatory manner and priced according to TELRIC principles, as required in sections 251(c)(3) and 252(d)(1).<sup>142</sup>

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<sup>135</sup> Nor does AT&T contend that BellSouth has failed to meet hot cut submetrics in Florida. *See* BellSouth Nov. 22 *Ex Parte* Letter – #1 at 7.

<sup>136</sup> *See* AT&T Comments at 24; Letter from Jodi S. Sirotnak, Regulatory Analyst, Federal Government Affairs, AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 2-4 (filed Dec. 10, 2002) (*citing confidential information*).

<sup>137</sup> *See, e.g., Verizon New Jersey Order*, 17 FCC Rcd at 12306, para. 70 n.193.

<sup>138</sup> AT&T Reply at 44.

<sup>139</sup> AT&T Reply App., Tab C, Reply Declaration of Jeffrey A. King (AT&T King Reply Decl.) at para. 9.

<sup>140</sup> AT&T Comments at 25-26; AT&T Reply at 41.

<sup>141</sup> AT&T Reply at 42-43.

<sup>142</sup> *Id.* at 44.

47. In response, BellSouth asserts that AT&T voluntarily agreed to an interconnection agreement that explicitly permits BellSouth to charge for expediting orders but sets no applicable charge. BellSouth contends that, for charges not specified in the agreement, the agreement refers to the “applicable BellSouth tariff.”<sup>143</sup> In this case BellSouth states the “applicable” tariff is its interstate special access tariff. Accordingly, BellSouth argues, AT&T has agreed to terms “without regard” to the requirements of the 1996 Act, as permitted under section 251(a)(1).<sup>144</sup> BellSouth rejects the charge of discrimination, asserting that, under its special access tariff, its retail customers must also pay an additional charge to expedite their orders.<sup>145</sup>

48. In an *ex parte* letter, AT&T contests BellSouth’s assertion that AT&T agreed to the expedite charge that it now challenges.<sup>146</sup> It points out that the interconnection agreement’s reference to BellSouth’s tariff for rates not specified in the agreement appears in a table setting rates for daily usage files (DUF), not in any portion of the agreement relating to expedition of UNE orders.<sup>147</sup> AT&T further asserts that, even if the interconnection agreement did properly refer to BellSouth’s “applicable tariff” for the expedite charge, the special access tariff on which BellSouth relies does not relate, in any way, to the process for expediting the provisioning of a competitive LEC’s UNE orders and therefore is not “applicable.”<sup>148</sup>

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<sup>143</sup> BellSouth Reply at 38-39. Section 3.14 of Attach. 7 to BellSouth’s interconnection agreement with AT&T provides that “BellSouth may bill expedite charges for expedited due date and will advise AT&T of any charges at the time the offered date is provided.” BellSouth Ruscilli/Cox Reply Aff. at para. 18. BellSouth also points to language in its interconnection agreement which states that “[i]f no rate is identified in the contract, the rate for the specific service or function will be as set forth in applicable BellSouth tariff or as negotiated by the Parties upon request by either Party.” *Id.*

<sup>144</sup> BellSouth Reply at 38-39. BellSouth also states that AT&T has not challenged the expedite charge before the Florida Commission. *Id.* at 38. It argues that AT&T’s arguments, appearing as they do for the first time in opposition to BellSouth’s section 271 application, should receive little weight and that our precedent requires only that BellSouth provide a “reasonable explanation” for the charge. *Id.* at 39-40 (citing *BellSouth Multistate Order*, 17 FCC Rcd at 17611, para. 32). By way of providing such an explanation, BellSouth contends that it need only charge TELRIC rates for providing the nondiscriminatory access to UNEs that section 251(c)(3) requires. It argues that it meets this nondiscrimination obligation by meeting its standard provisioning intervals. BellSouth Reply at 39. By seeking provisioning that is faster than these intervals, BellSouth argues, AT&T is requesting superior quality access to UNEs, which need not be offered at TELRIC rates and to which the Eighth Circuit, in reviewing the *Local Competition Order*, held that competitive LECs were not entitled. *Id.* (citing *Iowa Utilities Board*, 120 F.3d 753, 812-13 (8<sup>th</sup> Cir. 1997), *aff’d in part and rev’d in part*, 525 U.S. 366, 397 (1999)). See also BellSouth Ruscilli/Cox Reply Aff. at para. 20.

<sup>145</sup> BellSouth Ruscilli/Cox Reply Aff. at para. 22.

<sup>146</sup> See AT&T Nov. 26 *Ex Parte* Letter at 1-3. AT&T also states that the expedite charge may violate the public interest standards of section 271. See *id.* at 3. We reject this argument for the same reasons we reject AT&T’s claim that the expedite charge violates checklist item 2 pricing standards.

<sup>147</sup> Letter from Alan C. Geolot, Counsel to AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Nov. 18, 2002) (AT&T Nov. 18 *Ex Parte* Letter – Expedite Charge).

<sup>148</sup> *Id.*

49. It does not appear from the record that BellSouth has actually imposed this new expedite charge.<sup>149</sup> Moreover, the record indicates that the parties continue to negotiate an amendment to their interconnection agreement that would set the amount of the charge.<sup>150</sup> At present, as discussed above, the parties disagree primarily over whether their interconnection agreement definitively establishes the rate for an expedite charge.

50. To the extent that the parties have an actual dispute and do not continue to negotiate this issue, it is a dispute regarding interpretation or implementation of their interconnection agreement. As such, it is a dispute that AT&T should present to the Florida Commission in the first instance; it is a dispute that does not amount to a violation of checklist item 2.<sup>151</sup> Indeed, AT&T has stated its intention to “seek relief from the appropriate decision makers” if it cannot come to terms with BellSouth on a mutually acceptable expedite charge. In this regard, we note that the interconnection agreement specifically provides that the Florida Commission will resolve interpretive and implementation disputes.<sup>152</sup>

51. For the foregoing reasons, we reject AT&T’s allegations that BellSouth’s \$200 expedition charge per day per line or circuit is discriminatory and violates checklist item 2.

### (iii) Promotional Tariffs

52. We also reject Mpower’s argument that BellSouth violates checklist item 2 by improperly providing promotional discounts to certain BellSouth business customers in Florida.<sup>153</sup> Mpower very generally states that, through a series of Florida intrastate tariffs, BellSouth offers continuous discounts of 10-25 percent off of retail rates to small business customers in selected wire centers in which BellSouth faces competition, making such

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<sup>149</sup> See Letter from Alan C. Geolot, Counsel to AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 3 (filed Nov. 21, 2002). Our decision in this proceeding is based on the record before us. We express no opinion on whether the expedite charge would violate section 271 if BellSouth were to apply it.

<sup>150</sup> See AT&T Reply App., Tab C, Reply Affidavit of Jeffrey A. King (AT&T King Reply Aff.) at para. 12 (“AT&T is continuing to try to resolve this matter with BellSouth and if no resolution can be reached will seek relief from the appropriate decision makers.”).

<sup>151</sup> See *BellSouth Multistate Order*, 17 FCC Rcd at 17718, para. 220 n.843, 17723, para. 230 (allegations that a carrier refuses to perform according to the terms of an interconnection agreement should be addressed by the state commissions in the first instance). *Accord Verizon Pennsylvania Order*, 16 FCC Rcd at 17484, para. 118; *Verizon New Jersey Order*, 17 FCC Rcd at 12354, para. 159.

<sup>152</sup> The agreement states that a “dispute that arises as to the interpretation of any provision of this Agreement or as to the proper implementation of this Agreement, may be taken to the [Florida] Commission for resolution.” BellSouth Application App. B – Florida, BellSouth - AT&T Interconnection Agreement, sec. 16. See also *id.*, Attach. 6, sec. 1.15 (requiring 45-day period of negotiation of billing disputes, before submission of dispute to Florida Commission).

<sup>153</sup> Mpower Comments at 15-16.



discounted rates lower than BellSouth's wholesale charges.<sup>154</sup> Mpower asserts that these targeted discounts are discriminatory and anti-competitive.<sup>155</sup> Notably, Mpower does not refer to any specific retail or wholesale rates in its comments; nor does it provide any evidence of any particular prices, costs, or rates to substantiate its claims.

53. Assuming that BellSouth does provide such promotional discounts, Mpower has not provided facts amounting to a violation under either section 271 or section 272. As stated above, our analysis in this proceeding focuses on whether the rates for network elements are just and reasonable, and nondiscriminatory.<sup>156</sup> Mpower does not contend that BellSouth's UNE rates are improper; instead, Mpower states that certain unspecified promotional retail rates offered by BellSouth in Florida are too low.<sup>157</sup> In general, however, the Commission does not have jurisdiction to consider a state's retail rates.<sup>158</sup> In addition, to the extent that Mpower may be attempting to make a price squeeze argument, it has submitted none of the support that we have stated in previous orders is necessary to support such a claim.<sup>159</sup>

54. Mpower's nonspecific and unsubstantiated claim of "discrimination" related to BellSouth's retail rates is not in the nature of a claim under section 271. Nor does Mpower contend that BellSouth discriminates in favor of its long-distance affiliate in violation of section 272. Instead, Mpower appears to be raising a section 202 claim of discrimination on behalf of the retail customers who do not receive the subject discounts. It does not, however, explain how such a claim may be relevant to our analysis under section 271. Accordingly, we reject Mpower's argument.

#### (iv) Inflation Rate

55. AT&T alleges that BellSouth's cost study impermissibly double-counts inflation.<sup>160</sup> The cost study includes a component for anticipated inflation in the nominal cost of

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<sup>154</sup> *Id.* But see BellSouth Ruscilli/Cox Aff. at para. 42 (disputing Mpower's assertion that such discounts make BellSouth's retail prices lower than its wholesale charges). We note that Mpower did not raise this argument in the Florida section 271 pricing proceeding. These tariffs are now the subject of a separate, open proceeding initiated by Florida Digital Network, Inc. See Florida Commission, Docket No. 020119-TP. See also BellSouth Ruscilli/Cox Reply Aff. at para. 36.

<sup>155</sup> Mpower Comments at 15-16.

<sup>156</sup> See 42 U.S.C. § 252(d)(1).

<sup>157</sup> See Mpower Comments at 15-16. Mpower does not contend that the discounts violate any resale requirements.

<sup>158</sup> *BellSouth Multistate Order*, 17 FCC Rcd at 17752-53, para. 279.

<sup>159</sup> See, e.g., *id.* at 17756, para. 285.

<sup>160</sup> AT&T Comments at 22-23; AT&T Comments App., Tab E, Declaration of John C. Klick and Brian F. Pitkin (AT&T Klick/Pitkin Decl.) at paras. 4-16; AT&T Reply at 35-38; AT&T Reply App., Tab D, Reply Declaration of John C. Klick and Brian F. Pitkin (AT&T Klick/Pitkin Reply Decl.) at paras. 3-16; Letter from Alan C. Geolot, Counsel to AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (continued...)

capital and then adds anticipated inflation to asset values as well.<sup>161</sup> AT&T claims that allowing the use of the nominal cost of capital, which already includes inflation, and the use of asset values adjusted for anticipated inflation results in double recovery of inflation and constitutes a per se violation of TELRIC principles.<sup>162</sup>

56. BellSouth acknowledges that its cost study recovers for inflation reflected both in the cost of capital and asset values.<sup>163</sup> BellSouth argues, however, that it is entitled to account for inflationary pressures on both its assets and the cost of money.<sup>164</sup> BellSouth claims that its methodology is consistent with generally accepted economic principles and prevailing academic literature.<sup>165</sup> In any event, BellSouth states that the Florida Commission – and this Commission in the *BellSouth Georgia/Louisiana Order* – previously considered and rejected AT&T’s argument concerning double recovery of inflation.<sup>166</sup>

57. As an initial matter, we conclude that, in its *Final UNE Rate Order*, the Florida Commission did not either explicitly approve or reject BellSouth’s argument that it may recover anticipated inflation both in the cost of capital and through asset values.<sup>167</sup> The Florida Commission concluded its discussion of this issue by simply stating that it was “concerned about BellSouth’s use of inflation factors in its cost model.”<sup>168</sup> Beyond this expression of general concern, we discern no specific finding from the Florida Commission about the propriety of BellSouth’s methodology.<sup>169</sup>

(Continued from previous page) \_\_\_\_\_  
(filed Nov. 18, 2002) (AT&T Nov. 18 *Ex Parte* Letter – Inflation Rate) (attaching Supplemental Declaration of John C. Klick and Brian F. Pitkin (AT&T Klick/Pitkin Supp. Decl.) at paras. 3-16).

<sup>161</sup> See, e.g., AT&T Klick/Pitkin Decl. at para. 3.

<sup>162</sup> AT&T Comments at 22; AT&T Reply at 35.

<sup>163</sup> BellSouth Reply at 34; BellSouth Caldwell Reply Aff. at para. 5; BellSouth Application Reply App., Tab B, Reply Affidavit of Randall S. Billingsley (BellSouth Billingsley Reply Aff.) at paras. 11-30.

<sup>164</sup> BellSouth Billingsley Reply Aff. at paras. 11-13.

<sup>165</sup> *Id.* at paras. 23-27.

<sup>166</sup> Letter from Sean A. Lev, Counsel to BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Nov. 8, 2002) (BellSouth Lev Nov. 8 *Ex Parte* Letter) (stating that, in light of this precedent, “there is no legal basis for this Commission to second-guess the reasoned decision of the Florida PSC”). BellSouth also characterizes the inflation dispute as a “battle[] of experts” that this Commission should not resolve. *Id.*

<sup>167</sup> *Florida Commission UNE Rate Order* at 300.

<sup>168</sup> *Id.*

<sup>169</sup> *But see* BellSouth Application App. D – Florida, Tab 43, Florida Commission Staff Recommendation for Special Agenda at 338 (stating that the Florida Commission “staff does not believe that the BellSouth model double counts inflation in its cost model”), and 342-43 (April 6, 2001). No party contends that a staff recommendation has the same force and effect as an order of the Florida Commission.

58. Nor do we conclude that we are bound by the Commission's brief statement concerning this issue in the *BellSouth Georgia/Louisiana Order*.<sup>170</sup> In that application, AT&T submitted cursory and speculative evidence of alleged double counting of inflation that was insufficient to overcome BellSouth's prima facie case premised on the state commission's consideration and rejection of this very issue.<sup>171</sup>

59. In this proceeding, however, the record on this issue is substantial. Both AT&T and BellSouth have submitted extensive evidence, including the written testimony of several experts in economics and finance, concerning the double recovery of inflation.<sup>172</sup> After careful review of the substantial record on this issue here, we find that AT&T has raised legitimate questions about the validity of BellSouth's approach for the recovery of anticipated inflation in both asset values and the nominal cost of capital.

60. We need not resolve the inflation dispute in this section 271 proceeding. Both companies have submitted evidence concerning the effect of BellSouth's methodology on UNE rates.<sup>173</sup> While the companies disagree on the merits of BellSouth's approach, they separately concur that removing the inflation factor from asset values would lower UNE-platform and SL-1 loop rates by roughly 2.3 percent and port rates by 1.4 percent.<sup>174</sup> BellSouth estimates that SL-2 loop rates would drop by 1.1 percent.<sup>175</sup> BellSouth also estimates that elimination of the inflation factor would increase the rates for certain elements, particularly transport, and AT&T does not dispute this evidence.<sup>176</sup>

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<sup>170</sup> See *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9057, para. 76 (stating that "[i]t is not double counting for a commission to account for inflationary pressures on both the price of material goods and on the price of money itself"). See also *id.* at 9050, para. 59 and n.209, 9052, para. 62.

<sup>171</sup> *Id.* at 9050, para. 59 n.209 (citing AT&T GALA I Comments, Ex. A, Declaration of Michael Baranowski at paras. 5-8 (alleging that loading factors double-count inflation)).

<sup>172</sup> See, e.g., AT&T Klick/Pitkin Decl. at paras. 4-16; AT&T Klick/Pitkin Reply Decl. at paras. 3-16; AT&T Klick/Pitkin Supp. Decl. at paras. 2-26; BellSouth Billingsley Reply Aff. at paras. 11-30; Letter from Randall S. Billingsley, BellSouth consultant, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Nov. 8, 2002) (BellSouth Billingsley Nov. 8 *Ex Parte* Letter) (appended as Attach. B to BellSouth Lev Nov. 8 *Ex Parte* Letter).

<sup>173</sup> AT&T Nov. 18 *Ex Parte* Letter; AT&T Klick/Pitkin Supp. Decl. at paras. 23-26 and Ex. JK/BP-6; Letter from Glenn T. Reynolds, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 1 and Ex. 5 (filed Nov. 19, 2002) (BellSouth Nov. 19 *Ex Parte* Letter).

<sup>174</sup> Letter from Alan C. Geolot, Counsel to AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Nov. 20, 2002) (AT&T Nov. 20 *Ex Parte* Letter) (estimating \$0.43 drop -- from \$18.62 to \$18.19 -- in UNE-Platform price); AT&T Nov. 18 *Ex Parte* Letter; AT&T Klick/Pitkin Supp. Decl. at paras. 23-26 and Ex. JK/BP-6; BellSouth Nov. 19 *Ex Parte* Letter at 1 and Ex. 5.

<sup>175</sup> BellSouth Nov. 19 *Ex Parte* Letter at 1, Attach. 2, and Ex. 5.

<sup>176</sup> *Id.* at Attach. 2.

61. BellSouth also argues that, even if the Commission were to agree with AT&T regarding BellSouth's adjustments for inflation, the slight overstatement of UNE rates resulting from this error must be evaluated in light of the many downward adjustments that the Florida Commission made during the BellSouth 120-day filing.<sup>177</sup> We agree. As a practical matter, our task is not to conduct a TELRIC rate-making proceeding within 90 days, or even to conduct a *de novo* review of the state commission's rate determinations, but instead to determine whether the state commissions applied general TELRIC principles and whether any errors push rates outside the range that a reasonable application of TELRIC principles would produce.<sup>178</sup>

62. Here, the Florida Commission has demonstrated a strong commitment to TELRIC principles and adjusted numerous inputs, such as cost of capital, depreciation, and others, to lower levels than those proposed by BellSouth.<sup>179</sup> The Florida Commission could have approved many of BellSouth's proposed inputs or selected inputs between BellSouth's and the competitive LECs' without violating TELRIC principles.<sup>180</sup> Such selections would likely have affected rates more than the one-to-two percent at issue here.<sup>181</sup> Thus, there is no evidence that the one-to-two percent error alleged by AT&T moves rates outside a reasonable TELRIC range, and we reject AT&T's argument that the double counting of inflation is a per se TELRIC violation that dooms this application.<sup>182</sup> Moreover, AT&T has not demonstrated that the alleged error results in rates outside a reasonable TELRIC range.<sup>183</sup>

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<sup>177</sup> BellSouth Nov. 19 *Ex Parte* Letter at 2-3 (discussing Florida Commission's adoption of AT&T's proposed changes on a series of technical inputs, including splicing, facility sharing, and placement assumptions); BellSouth Nov. 22 *Ex Parte* Letter – #1 at 2-3 (listing the technical inputs favored by AT&T and adopted by the Florida Commission).

<sup>178</sup> *AT&T Corp. v. FCC*, 220 F.3d 607, 616, 618 (D.C. Cir. 2000) (recognizing that TELRIC pricing principles are flexible and can produce a range of acceptable rates); *BellSouth Multistate Order*, 17 FCC Rcd at 17610-11, paras. 30-32 (discussing standard of review and shifting of the burden of proof).

<sup>179</sup> *Florida Commission UNE Rate Order* at 171, 187. See also *Florida Commission 120-Day Filing Order* at 118 and App. A (reducing many UNE rates to levels favored by competitive LECs). We note that the commissions in South Carolina and Kentucky, states in which BellSouth has received section 271 authority, approved higher cost of capital rates than the 10.24% rate approved by the Florida Commission. See South Carolina Commission, *Generic Proceeding to Establish Prices for BellSouth Telecommunications, Inc.'s Interconnection Services, Unbundled Network Elements and other Related Services*, Order on UNE Rates, Docket No. 2001-65-C, at 5 (rel. Nov. 30, 2001) (approving BellSouth's proposed 11.25% cost of capital); Kentucky Commission, *In the Matter of An Inquiry into the Development of Deaveraged Rates for Unbundled Network Elements*, Order, Docket No. 382, at 26 (rel. Dec. 18, 2001) (approving 10.67% cost of capital).

<sup>180</sup> See BellSouth Nov. 22 *Ex Parte* Letter – #1 at 2.

<sup>181</sup> See *id.* at 3.

<sup>182</sup> Cf. *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6275, para. 79 (stating that, even if the fill factors for transport rates did not adhere to TELRIC principles, "the resulting difference in rates is minimal for shared transport, and any error is not of great enough magnitude to require denial of the application" (citations omitted)).

<sup>183</sup> Cf. *Verizon New Jersey Order*, 17 FCC Rcd at 12304, para. 67 ("AT&T provides no evidence that the line between TELRIC and non-TELRIC pricing for a hot cut charge in New Jersey falls somewhere between the \$30- (continued....)

63. Although AT&T raises legitimate questions about BellSouth's methodology for accounting for inflation – questions that we trust state commissions will closely examine in future UNE rate proceedings – we conclude that, in this instance, BellSouth's inflation adjustments do not result in rates outside the range of rates that a reasonable application of TELRIC principles would produce.

**(v) Loading Factors**

64. AT&T asserts that the Florida UNE rates could be overstated as the result of a possible error in the underlying loading factors used to determine investments.<sup>184</sup> As we explain in more detail below, we are satisfied that such an error does not exist, and accordingly, we reject AT&T's argument.

65. AT&T bases its argument on an error that BellSouth previously announced in calculating its hardwire and plug-in loading factors in a North Carolina UNE proceeding. AT&T asserts that, in North Carolina, BellSouth reduced one of the relevant loading factors by approximately 40 percent after correcting its mistake.<sup>185</sup> AT&T explains that, because BellSouth uses the same cost study methodology throughout its region, it likely made the same error in Florida.<sup>186</sup> According to AT&T, it cannot determine from the information available to it whether BellSouth made the same error in Florida.<sup>187</sup> AT&T argues that BellSouth must state whether or not such an error exists in the development of the loading factors related to the Florida UNE rates and must correct any existing error prior to any Commission action on BellSouth's section 271 application for Florida.<sup>188</sup>

66. In response, BellSouth states that its Florida UNE rates contain no similar error.<sup>189</sup> BellSouth explains that, in North Carolina, it incorrectly incorporated another state's data into certain loading factors and also incorrectly applied the state sales tax, but it states that these

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\$33 rate it previously found acceptable and the \$35 rate it now finds unacceptable.”), 12306, para. 70 (stating that AT&T's “simple rate comparison does not, by itself, demonstrate that the New Jersey Board failed to follow TELRIC principles”).

<sup>184</sup> AT&T Reply at 34-35. *See also* AT&T Reply App., Tab E, Reply Declaration of Brian F. Pitkin (AT&T Pitkin Reply Decl.) at paras. 3-10.

<sup>185</sup> AT&T notes that the error at issue affected the installation cost of circuit equipment, such as digital loop carrier equipment. BellSouth's correction of the error reduced the UNE cost of a two-wire loop by \$1.04 and the UNE cost of a DS-1 loop by \$14.63. AT&T Pitkin Reply Decl. at paras. 3-4.

<sup>186</sup> *See* AT&T Pitkin Reply Decl. at paras. 7-9.

<sup>187</sup> *Id.* at paras. 5-6; AT&T Reply at 35.

<sup>188</sup> AT&T Reply at 35; AT&T Pitkin Reply Decl. at para. 11.

<sup>189</sup> Letter from Glenn T. Reynolds, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 2 (filed Nov. 8, 2002).

errors were specific to North Carolina and did not impact the Florida rates.<sup>190</sup> Additionally, BellSouth states that the same problem does not exist in Florida because, in Florida, BellSouth uses a different loading factor file incorporating an older study period.<sup>191</sup> We are satisfied with BellSouth's confirmation that the errors related to the North Carolina UNE rates do not exist in Florida.

## 2. Access to Operations Support Systems

67. We find, as did the state commissions,<sup>192</sup> that BellSouth provides nondiscriminatory access to its OSS and, thus, satisfies the requirements of checklist item 2. We find that the evidence presented in this record shows that BellSouth provides nondiscriminatory access to its OSS functions for pre-ordering, ordering, provisioning, maintenance and repair, and billing. We base this determination on BellSouth's actual performance in Florida and Tennessee.

68. The Commission has defined OSS as the various systems, databases, and personnel used by incumbent LECs to provide service to their customers,<sup>193</sup> and consistently has found that nondiscriminatory access to OSS is a prerequisite to the development of meaningful local competition.<sup>194</sup> We analyze whether BellSouth has met the nondiscrimination standard for each OSS function using the two-step approach outlined in prior orders.<sup>195</sup> Under the first inquiry, a BOC must demonstrate that it has developed sufficient electronic (for functions that the BOC accesses electronically) and manual interfaces to allow competing carriers equivalent access to all of the necessary OSS functions.<sup>196</sup> Under the second inquiry, we examine

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<sup>190</sup> *Id.*

<sup>191</sup> *Id.*

<sup>192</sup> Florida Commission Comments – OSS Test at 84; Tennessee Authority Comments at 27.

<sup>193</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3989-90, para. 83; *Application by BellSouth Corporation, et al., Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Service in South Carolina*, CC Docket No. 97-208, Memorandum Opinion and Order, 13 FCC Rcd 539, 585, para. 82 (1997) (*BellSouth South Carolina Order*); *SWBT Texas Order*, 15 FCC Rcd at 18396-97, para. 92.

<sup>194</sup> *See Bell Atlantic New York Order*, 15 FCC Rcd at 3989-90, para. 83; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20653-57, paras. 83-90; *BellSouth South Carolina Order*, 13 FCC Rcd at 547-49, 585, paras. 14-18, 82.

<sup>195</sup> *See, e.g., Bell Atlantic New York Order*, 15 FCC Rcd at 3991-94, paras. 85-89; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6284-85, paras. 104-05.

<sup>196</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3992-93, para. 88; *Ameritech Michigan Order*, 12 FCC Rcd at 20616, para. 136 (stating that the Commission determines “whether the BOC has deployed the necessary systems and personnel to provide sufficient access to each of the necessary OSS functions and whether the BOC is adequately assisting competing carriers to understand how to implement and use all of the OSS functions available to them.”). For example, a BOC must provide competing carriers the specifications necessary to design their systems' interfaces, and business rules necessary to format orders, as well as demonstrate that systems are scalable to handle current and projected demand. *Id.*

performance measurements and other evidence of commercial readiness to ascertain whether the BOC's OSS is handling current demand and will be able to handle reasonably foreseeable future volumes.<sup>197</sup> The most probative evidence that OSS functions are operationally ready is actual commercial usage in the state for which the BOC seeks section 271 authorization.<sup>198</sup> Absent sufficient and reliable data on commercial usage in a state, the Commission will consider the results of carrier-to-carrier testing, independent third-party testing, and internal testing in assessing the commercial readiness of a BOC's OSS.<sup>199</sup> Where, as here, the BOC proves that many of the OSS functions in the states for which it seeks section 271 authorization are the same as in a state for which we have already granted such authorization; we may also look to performance in the latter state as additional evidence with which to make our determination.<sup>200</sup> Here, however, we have sufficient and reliable data on commercial volumes in both Florida and Tennessee, so we do not need to look at commercial volumes in other states. We focus our analysis in this Order on a handful of issues that are contested by commenting parties or in areas where the record indicates discrepancies in performance between BellSouth and its competitors.<sup>201</sup>

**a. State Commissions' Determination that BellSouth's OSS is Nondiscriminatory**

69. *Tennessee and Florida.* The Tennessee Authority found that the BellSouth OSS are regional and that BellSouth is providing or generally offering nondiscriminatory access to network elements in accordance with the requirements of the Act.<sup>202</sup> The Florida Commission also found that BellSouth provides competitive LECs nondiscriminatory access to its OSS. The Florida Commission relied upon three sources of information for making its determination: the

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<sup>197</sup> We assess "whether the OSS functions that the BOC has deployed are operationally ready, as a practical matter." See *Bell Atlantic New York Order*, 15 FCC Rcd at 3992-93, para. 87.

<sup>198</sup> See *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6285, para. 105.

<sup>199</sup> *BellSouth Multistate Order*, 17 FCC Rcd at 17660, para. 129.

<sup>200</sup> See *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6285, para. 105; *BellSouth Multistate Order*, 17 FCC Rcd at 17660, para. 129; see Appendix D at paras. 11-14.

<sup>201</sup> We note that in its comments, AT&T lists various performance metrics missed by BellSouth. Although AT&T relates some of these missed metrics to alleged competitive impact, much of what AT&T lists demonstrates nothing more than isolated instances, or instances of near-compliance that, as we have found in previous orders, have no competitive impact. Accordingly, we decline to make a finding of noncompliance based upon AT&T's unsubstantiated allegations. See AT&T Norris Decl. However, the order fully treats those portions of the Norris Declaration that correlate BellSouth performance data to any competitive impact alleged by AT&T in its comments. Pursuant to section 271(d)(6), we will monitor BellSouth's performance in the post-approval period. If BellSouth's performance deteriorates, we will not hesitate to bring appropriate enforcement action. AT&T and other carriers may identify for the Enforcement Bureau areas of deteriorating performance in Tennessee, Florida, or other states.

<sup>202</sup> Tennessee Authority Comments at 27 and Attach. E at 3-6 and Attach. D at 6. See also BellSouth Application App. A, Vol. 5a, Tab I, Affidavit of William N. Stacy (BellSouth Stacy Aff.) at paras. 47, 91.

OSS third-party test (Florida KPMG test); BellSouth's own commercial data; and the competitive LECs' "real-world" experience.<sup>203</sup>

70. *Florida KPMG Test.* In 1999, the Florida Commission ordered BellSouth to conduct an independent third-party test of the readiness of specific aspects of BellSouth's OSS, interfaces, and processes that enable competitive LECs to compete against BellSouth.<sup>204</sup> BellSouth relies on the Florida KPMG and the Georgia KPMG tests to support the instant application.

71. Under the direction of the Florida Commission, KPMG conducted the Master Test Plan (MTP).<sup>205</sup> The Florida KPMG test reviewed the five OSS functions, as well as normal and peak volume testing of the OSS interfaces supporting pre-ordering, ordering, and maintenance and repair functions for both resale and UNE services.<sup>206</sup> The Florida KPMG test also evaluated different transaction interfaces.<sup>207</sup> KPMG performed pre-order, order, and repair transactions using BellSouth's interfaces to evaluate functional capabilities and determine whether competing carriers receive a level of service comparable to BellSouth retail service.<sup>208</sup>

72. The test was divided into five functional domains, including each critical OSS function, plus BellSouth's Change Management Process.<sup>209</sup> Within each domain, specific methods and procedures were applied to evaluate BellSouth's performance *vis-à-vis* specific target tests.<sup>210</sup> KPMG monitored BellSouth's performance while creating and tracking orders, entering trouble tickets and evaluating carrier-to-carrier bills.<sup>211</sup> KPMG evaluated BellSouth's

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<sup>203</sup> Florida Commission Comments – OSS Test at 9; BellSouth Stacy Aff. at para. 57.

<sup>204</sup> BellSouth Stacy Aff. at paras. 53-56.

<sup>205</sup> The MTP identifies the specific testing activities necessary to demonstrate nondiscriminatory access and parity for BellSouth's systems and processes. *Id.*

<sup>206</sup> *Id.* at Ex. WNS-11, BellSouth Telecommunications OSS Evaluation Project - Final Report at 10-15 (*KPMG Final Report*). The Florida Commission asserts that the third-party test was designed to examine all OSS interfaces in use for the vast majority of BellSouth product offerings, and that, at the request of the competitive LECs, the test scope was broadened to include line-sharing and operator services/directory assistance. Florida Commission Comments – OSS Test at 14.

<sup>207</sup> These transaction interfaces included Trouble Analysis Facilitation Interface (TAFI), Electronic Communication Trouble Administration (ETA), Local Exchange Navigation Systems (LENS), Telecommunications Access Gateway (TAG), Electronic Data Interchange (EDI), Operational Daily Usage File (ODUF), Access Daily Usage File (ADUF), and Billing Output Specification Bill Data Tape (BOS-BDT). *Id.* at 10.

<sup>208</sup> *Id.* at 12.

<sup>209</sup> *Id.* at 11. Change management is the process by which changes to systems and processes are introduced at BellSouth. BellSouth Stacy Aff. at para. 41.

<sup>210</sup> KPMG Final Report at 14.

<sup>211</sup> *Id.* at 12.



day-to-day operations and operational management practices, including account establishment, help desks, and change management.<sup>212</sup> KPMG also evaluated the processes and systems used for performance metrics reporting.<sup>213</sup> In performing these tests, KPMG adopted a military-style test standard.<sup>214</sup> KPMG also sought input from both the Florida Commission and competitive LECs to understand the types of activities that had previously presented problems or otherwise were of concern.<sup>215</sup> Finally, KPMG took steps to assure that it gained first-hand knowledge of a competitive LEC's experiences by instituting procedures to help ensure that KPMG's experience would most accurately replicate that of a competitive LEC.<sup>216</sup>

73. The persuasiveness of a third-party review depends upon the conditions and scope under which the review was conducted.<sup>217</sup> To the extent a test is limited in scope and depth; we rely on other evidence, such as actual commercial usage, to assess whether the BOC provides nondiscriminatory access to its OSS.<sup>218</sup> The Florida Commission actively directed and supervised the Florida KPMG test, monitoring telephone calls and attending meetings between KPMG and BellSouth.<sup>219</sup> Moreover, the MTP was revised a number of times in response to input from the industry, preceding state tests, and "regulatory emphasis by the DOJ and FCC."<sup>220</sup> We note that the Florida KPMG test was actively monitored by other state commissions in BellSouth's territory and that it has been widely recognized for its independence, openness to competitive LEC participation, breadth of coverage, and level of detail.<sup>221</sup> Significantly, the Florida Commission determined that BellSouth met more than 97 percent of the KPMG evaluation criteria. For the evaluation criteria not met, the Florida Commission found that these

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<sup>212</sup> *Id.* at 16.

<sup>213</sup> *Id.* at 17-18. At the time of the final report, PMAP 4.0 had just become available. KPMG is conducting additional tests in the PMAP 4.0 environment. *Id.*

<sup>214</sup> When situations arose where testing revealed a BellSouth process, document, or system that did not meet expectations, BellSouth would formally respond by providing clarification or describing its intended fix for the problem, after which KPMG would retest if necessary. *Id.* at 13.

<sup>215</sup> *Id.* at 11.

<sup>216</sup> *Id.* at 14; Florida Commission Comments – OSS Test at 14.

<sup>217</sup> *Ameritech Michigan Order*, 12 FCC Rcd at 20658-59, para. 216.

<sup>218</sup> As noted above, we can rely on commercial volumes in both Florida and Tennessee. *See supra* para. 68.

<sup>219</sup> Weekly conference calls between the Florida Commission, competitive LECs, BellSouth and KPMG gave competitive LECs an opportunity to obtain information about the progress of the test and to communicate issues of concern. KPMG Final Report at 14.

<sup>220</sup> Florida Commission Comments – OSS Test at 14; KPMG Final Report at 11.

<sup>221</sup> Florida Commission Comments – OSS Test at 12. Competitive LECs attended over 130 weekly status meetings, over 250 observation and exceptions discussion calls, and at least 15 face-to-face meeting or workshops. *Id.*

shortcomings did not constitute significant barriers to competition and would be resolved at a time certain or are pending resolution through a software change.<sup>222</sup>

74. *Analysis of Commercial Data and Input from Competitive LECs.* For further evidence that BellSouth's OSS is nondiscriminatory, the Florida Commission reviewed the January through March 2002 commercial data and information provided by competitive LECs at a Competitive LEC Experience Workshop last February.<sup>223</sup> The Florida Commission found that the commercial data generally confirms the OSS test results,<sup>224</sup> and that the most significant issues raised at the Competitive LEC Experience Workshop had either been addressed by Florida Commission action or through the Florida KPMG test.<sup>225</sup> Finally, the Florida Commission determined that the less significant issues raised at the Competitive LEC Experience Workshop were not supported by the available information, did not reflect systemic problems that inhibit the competitive LECs' ability to compete, or did not rise to a level which would alter its finding that BellSouth's OSS comply with the requirements of the Telecommunications Act.<sup>226</sup>

75. Supra's claim that the Florida KPMG test is flawed because it focused on plain old telephone service (POTs) and not other services is inconsistent with the record.<sup>227</sup> The KPMG test actually included a broad range of UNE loop ordering scenarios (e.g., loops, xDSL capable loops, DS1, line-sharing, and EELs) and UNE-Platform ordering scenarios (e.g., POTs, ISDN, PBX, DID).<sup>228</sup> Moreover, the Florida KPMG test was expanded a number of times to include additional services (e.g., line-sharing and directory assistance) in response to comments made by competitive LECS to the Florida Commission.<sup>229</sup> Notably, the Florida KPMG test has been, "recognized for its ... breadth of coverage and depth of detail"<sup>230</sup> and, as observed by the

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<sup>222</sup> *Id.* at 9.

<sup>223</sup> *Id.* at 9-10.

<sup>224</sup> *Id.* at 10, 36-37, 52-53.

<sup>225</sup> *Id.* at 10, 53-54, 82-84.

<sup>226</sup> *Id.* at 10, 84-86.

<sup>227</sup> Supra Comments at 21. Covad also faults the third-party test design. Covad Comments at 10-14. Although not a factor in our decision here, we note that Covad concedes that the OSS Release 11.0 will repair the two design defects it identifies. We note that OSS Release 11.0 has been delayed so that BellSouth can address the defects identified in pre-release testing. BellSouth Application Reply App., Tab G, Reply Affidavit of William N. Stacy (BellSouth Stacy Reply Aff.) at paras. 103-11; BellSouth Application Reply App., Tab F, Reply Affidavit of David P. Scollard (BellSouth Scollard Reply Aff.) at para. 8.

<sup>228</sup> See, e.g., KPMG Final Report at 174-76 (outline of scenarios to test Pre-order, Order, and Provisioning Functional Evaluation); 267-69 (outline of scenarios to test Pre-order, Order and Provisioning Volume Performance Test; 381-83 (outline of scenarios to test Order Flow-Through Evaluation).

<sup>229</sup> Florida Commission Comments – OSS Test at 14; KPMG Final Report at 11.

<sup>230</sup> Florida Commission Comments – OSS Test at 12.

Department of Justice, the Florida Commission “oversaw a robust third-party test.”<sup>231</sup> In any event, the extent to which the OSS test is narrow in scope, standing alone, merely limits the extent to which the test may supply useful evidence for our section 271 evaluation. It does not show that the test is “flawed.”

76. We also reject *Supra*’s claim that the Florida KPMG test was inadequate because KPMG was not granted access to BellSouth’s OSS identical to that offered to BellSouth’s retail operations.<sup>232</sup> Contrary to *Supra*’s assertions, we have never held that a competitive LEC must access the BOC’s OSS in the identical manner as does the BOC. Instead, the Commission has found that where a retail analogue exists, a BOC must provide access that is substantially the same as the level of access that the BOC provides itself, its customers, or its affiliates, in terms of quality, accuracy, and timeliness.<sup>233</sup> For those functions that have no retail analogue, the BOC must demonstrate that the access it provides to competing carriers would offer an efficient carrier a “meaningful opportunity to compete.”<sup>234</sup> The Commission has recognized in prior orders that there may be situations in which a BOC contends that, although equivalent access has not been achieved for an analogous function, the access that it provides is nonetheless nondiscriminatory within the meaning of the statute.<sup>235</sup> The Florida KPMG test evaluated the methods BellSouth employs to provide competitive LECs access to BellSouth’s OSS, methods that we have found previously to constitute nondiscriminatory access to BellSouth’s OSS.<sup>236</sup>

77. Further, we find to be without merit *Supra*’s claim that the Florida KPMG test’s analysis of the operational experience of a pseudo-competitive LEC was inappropriate.<sup>237</sup> The use of a pseudo-competitive LEC to satisfy this prong of the test is not atypical and is consistent with prior third-party tests that have been used to support a section 271 application.<sup>238</sup> Moreover, KPMG’s analysis reviewed BellSouth’s commercial data; thus, the Florida KPMG test was also based in part upon actual commercial experience.

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<sup>231</sup> Department of Justice Evaluation at 2.

<sup>232</sup> *Supra* Comments at 6-10. *See also* Arvanitas Reply.

<sup>233</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3971-72, para. 44; *Ameritech Michigan Order*, 12 FCC Rcd at 20618-20, paras. 139-41.

<sup>234</sup> Appendix D at para. 6.

<sup>235</sup> *See id.* BellSouth argues that *Supra*’s choice not to use an integratable interface does not mean that BellSouth provides discriminatory access to pre-ordering and ordering functionality. *Supra* has chosen to use BellSouth’s human-to-machine electronic interface over one of BellSouth’s integratable machine-to-machine interfaces. BellSouth Stacy Reply Aff. at paras. 131-32.

<sup>236</sup> *BellSouth Multistate Order*, 17 FCC Rcd at 17660, para. 128; *see also BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9068, para. 101.

<sup>237</sup> *Supra* Comments at 10-11.

<sup>238</sup> *See, e.g., BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9081-82, paras. 124-26.

78. Finally, we discount Supra's complaint that the Florida Commission should not have delegated competitive LECs' concerns to the third-party tester.<sup>239</sup> We give this assertion little weight given the amount of input that competitive LECs had in the Florida KPMG test, the Florida Commission's careful consideration of the competitive LECs' concerns raised to KPMG, and the Florida Commission's consideration of the issues raised during its recently held Competitive LEC Experience Workshop.<sup>240</sup> No commenters have presented sufficient evidence to cause us to discount the results of the Florida KPMG test.

79. We also disagree with Covad's claims that BellSouth's application should fail because a third party did not examine BellSouth's OSS in Tennessee.<sup>241</sup> Although in prior orders the Commission has held that third-party tests can provide critical information about the functionality and performance of a BOC's OSS,<sup>242</sup> especially where the record lacks evidence of commercial usage such as performance measurements, the Commission has never stated that a third-party test of an applicant's OSS is a prerequisite to checklist compliance.<sup>243</sup> Moreover, as discussed further below, the PricewaterhouseCoopers (PwC) attestation leads us to conclude that the KPMG tests in Georgia and Florida yield information that is relevant and useful to our assessment of BellSouth's OSS in Tennessee. We emphasize that our analysis of an applicant's OSS rests on a wide range of evidence, of which evidence from third-party tests is but one part. In any event, the usefulness of a third-party test is reduced in this instance because BellSouth relies on evidence of actual commercial usage of its OSS, an OSS that this Commission in the *BellSouth Georgia/Louisiana* and *BellSouth Multistate Orders* found to be nondiscriminatory.<sup>244</sup>

**b. Relevance of BellSouth's Georgia OSS and OSS "Sameness" Audit**

80. We find that BellSouth, through the PwC report, provides evidence that its OSS are substantially the same across BellSouth's nine-state region.<sup>245</sup> Thus, we shall consider both the Georgia KPMG test and the Florida KPMG test in evaluating this application. Moreover, BellSouth's showing enables us to rely, in most instances, on findings relating to BellSouth's OSS from the *BellSouth Georgia/Louisiana Order* and the *BellSouth Multistate Order* in our

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<sup>239</sup> Supra Comments at 10-12.

<sup>240</sup> Florida Commission Comments – OSS Test at 10-14, 57-84.

<sup>241</sup> Covad Comments at 4.

<sup>242</sup> See *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6291, para. 118.

<sup>243</sup> See *id.*

<sup>244</sup> BellSouth Reply at 17; BellSouth Oct. 25 *Ex Parte* Letter – #2 at 1; *BellSouth Multistate Order*, 17 FCC Rcd at 17660, para. 128; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9068, para. 101.

<sup>245</sup> The Commission may, however, evaluate the performance in each state separately for enforcement purposes pursuant to section 271(d)(6).

analysis of BellSouth's OSS in Florida and Tennessee.<sup>246</sup> To support its claim of sameness, BellSouth submits the PwC report which attests to the validity of its assertions that: (1) the same pre-ordering and ordering OSS, processes, and procedures are used to support competing LEC activity across BellSouth's nine-state region; and (2) there are no material differences in the functionality or performance of BellSouth's two order entry systems: Direct Order Entry (DOE) and Service Order Negotiation System (SONGS).<sup>247</sup> PwC concluded that, in its opinion, BellSouth's assertions were "fairly stated, in all material respects."<sup>248</sup>

81. Accordingly, we reject Supra's claim that BellSouth's OSS are not regional and that we are thus barred from examining evidence from other BellSouth states in our evaluation of BellSouth's OSS in Florida and Tennessee.<sup>249</sup> We have previously found the PwC examination closely modeled the successful "Five State Regional OSS Attestation Examination" performed in the context of SWBT's Kansas/Oklahoma section 271 application.<sup>250</sup> BellSouth has also provided detailed information regarding the "sameness" of BellSouth's systems in Florida and Tennessee to each other and to its OSS in states in which it has already received section 271 approval.<sup>251</sup> We note that the regionality of BellSouth's OSS has now been confirmed by all of the state commissions in BellSouth's region that have ruled on this issue.<sup>252</sup> We thus conclude that there is no support in the record for Supra's claim.

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<sup>246</sup> This "anchor state" approach was developed in the *SWBT Kansas/Oklahoma Order* and has been used frequently since then. We have held that companies may use evidence from an "anchor state" when the OSS are regional. *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6286-88, paras. 107-11. See, e.g., *Application by Verizon New England Inc., Bell Atlantic Communications Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc., for Authorization To Provide In-Region, InterLATA Services in Rhode Island*, CC Docket No. 01-324, Memorandum Opinion and Order, 17 FCC Rcd 3300, 3329-30, paras. 59-60 (2002) (*Verizon Rhode Island Order*). BellSouth asserts that its OSS in Georgia are substantially the same as its OSS in Florida and in Tennessee and, therefore, evidence concerning its OSS in Georgia is relevant and should be considered in our evaluation of Florida's and Tennessee's OSS. BellSouth Application at 41-43, 46-47; BellSouth Application App. A, Vol 2, Tab D, Affidavit of Alfred A. Heartley (BellSouth Heartley Aff.) at paras. 3-4, 21-31, 42-46; BellSouth Varner Aff. at paras. 28-32; BellSouth Stacy Aff. at paras. 88-131.

<sup>247</sup> BellSouth Stacy Aff. at paras. 88-103.

<sup>248</sup> *Id.* at paras. 108-14.

<sup>249</sup> See Supra Comments at 12.

<sup>250</sup> *BellSouth Multistate Order*, 17 FCC Rcd at 17662, para. 133.

<sup>251</sup> See, e.g., BellSouth Heartley Aff. at paras. 3-4, 21-31, 42-46; BellSouth Stacy Aff. at paras. 88-131; BellSouth Oct. 25 *Ex Parte* Letter – #2 at 2; *BellSouth Multistate Order*, 17 FCC Rcd at 17662, para. 133; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9073, paras. 110-11.

<sup>252</sup> BellSouth Application at 41-42; BellSouth Stacy Aff. at paras. 88-91; BellSouth Reply at 16-17.

**c. Pre-Ordering**

82. To comply with their obligation to provide nondiscriminatory access to OSS functions, BOCs must provide competing carriers with access to pre-ordering functions such as street address validation, telephone number selection, service and feature availability, due date information, customer service record information, and loop qualification information. We conclude that for Florida and Tennessee, BellSouth demonstrates that it provides competing carriers with nondiscriminatory access to pre-ordering functions. We find that BellSouth generally meets or exceeds the applicable benchmarks for the OSS pre-ordering metrics.<sup>253</sup>

83. *Access to Loop Qualification Information.* We find, as did the state commissions,<sup>254</sup> that BellSouth provides competitive LECs with access to loop qualification information consistent with the requirements of the *UNE Remand Order*.<sup>255</sup> Specifically, we find that BellSouth provides competitors with access to all of the same detailed information about the loop that is available to itself, and in the same time frame as any of its personnel could obtain it.<sup>256</sup>

84. We reject Covad's claim that BellSouth discriminates against competitive LECs by denying them access to the raw data underlying its prequalification tool for line-shared loops.<sup>257</sup> BellSouth submits that it provides all competitive LECs with access to the raw loop make-up (LMU) data contained in its OSS.<sup>258</sup> Specifically, BellSouth states that competitive LECs can use the LMU functionality in TAG or LENS to access the source data contained in the Loop Facilities Assignment and Control System (LFACS) database, or can use the Loop Qualification System (LQS) pre-qualification tool to derive theoretical LMU information from data contained in the Loop Engineering Assignment Data (LEAD) database.<sup>259</sup> Furthermore,

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<sup>253</sup> See generally Appendices B and C.

<sup>254</sup> See Florida Commission Comments – OSS Test at 58-59, 64; Tennessee Authority Comments at 28.

<sup>255</sup> The Commission's rules require BellSouth to provide competitors with access to all loop qualification information in its databases or internal records in the same time intervals that it is available to any BellSouth personnel, regardless of whether BellSouth personnel actually access that information. See *UNE Remand Order*, 15 FCC Rcd at 3885-86, paras. 427-31.

<sup>256</sup> See, e.g., BellSouth Stacy Aff. at paras. 363-78; see also *Verizon Massachusetts Order*, 16 FCC Rcd at 9016-17, para. 54.

<sup>257</sup> Covad Comments at 8-10.

<sup>258</sup> BellSouth Reply at 18; BellSouth Stacy Reply Aff. at para.163.

<sup>259</sup> BellSouth Reply at 18; BellSouth Stacy Reply Aff. at para.163. BellSouth states that LFACS is the source of data for all loop make-up information in BellSouth's OSS. BellSouth Stacy Reply Aff. at para. 163. The LEAD database takes a "once-per-month-per-wire-center 'snapshot' of the information contained in the LFACS database, and the information contained in the loop qualification system is then derived from information in the LEAD database. BellSouth Stacy Reply Aff. at para.163. In late September 2001, BellSouth also implemented an enhancement that allows competitive LECs to not only access LMU data contained in the LFACS database, but to (continued....)

BellSouth states that Covad may use the raw data that is contained in each of these databases or a combination of the two, to do exactly what BellSouth has done – design a prequalification tool optimized for its own use.<sup>260</sup> Thus, to the extent Covad wants to create its own loop prequalification tool, it has nondiscriminatory access to the underlying information to do so. Accordingly, we do not believe that Covad’s claim supports a finding of checklist noncompliance.<sup>261</sup>

85. *Facilities Reservation Number.* Mpower claims that BellSouth’s preordering functionality is discriminatory because BellSouth requires competitive LECs in Florida to obtain a Facilities Reservation Number (FRN) to order xDSL.<sup>262</sup> According to Mpower, if LENS<sup>263</sup> shows that facilities are not available, it will not generate a FRN, and Mpower is unable to place an xDSL loop order. Mpower states that 40 percent of its xDSL sales in BellSouth territory were cancelled because BellSouth’s LENS system informed Mpower that UNE loop facilities were not available, when at the same time, retail customers could obtain BellSouth Asymmetric Digital Subscriber Line (ADSL) services.<sup>264</sup> BellSouth disputes that its pre-ordering processes are discriminatory. BellSouth denies that it requires competitive LECs to obtain an FRN to order xDSL, asserting that the Unbundled Copper Loop-Non-Design (UCL-ND), an xDSL compatible loop product, is an option that does not require the competitive LEC to obtain an FRN to place an order for xDSL. Moreover, BellSouth states that LENS is used by competitive LECs to obtain the same loop makeup information from LFACS in substantially the same timeframe as BellSouth does for itself.<sup>265</sup> We decline to resolve this dispute in the context of a section 271 proceeding. Mpower in a letter dated September 13, 2002 requested the Commission’s Enforcement Bureau to adjudicate the same issues it raises here.<sup>266</sup> As the Commission found in

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also automatically launch a query to the Corporate Facilities Database for any loop qualification information that is not currently resident in LFACS. BellSouth Stacy Aff. at para. 368. Competitive LECs may also submit manual LMU service inquiry requests for additional information that may have to be obtained from manual or paper plats. BellSouth Stacy Aff. at paras. 369-70.

<sup>260</sup> BellSouth Stacy Reply Aff. at para.163.

<sup>261</sup> As described in further detail below, we also note that Covad is pursuing its claim via the change control escalation process. *See infra* Part IV.B.2.g.

<sup>262</sup> Mpower Comments at 9-10.

<sup>263</sup> LENS is a web-based person-to-machine pre-ordering interface. *See* BellSouth Application at 63.

<sup>264</sup> Mpower Comments at 9-10.

<sup>265</sup> BellSouth Reply at 18-19; BellSouth Stacy Reply Aff. at paras. 147-53.

<sup>266</sup> *See* BellSouth Stacy Reply Aff., Ex. WNS-20 (attaching Letter from Scott A. Sarem, Vice President Strategic Relations, Mpower Communications to Alex Starr, Chief, Market Disputes Division, Enforcement Bureau, Federal Communications Commission (Sept. 13, 2002)). BellSouth responded to Mpower’s arguments in the enforcement proceeding. *See* BellSouth Stacy Reply Aff., Ex. WNS-21 (attaching Letter from W.W. Jordan, Vice President – Federal Regulatory, BellSouth, to Radhika Karmarkar, Deputy Chief, Market Disputes Division, Enforcement Bureau, Federal Communications Commission (Oct. 4, 2002)).

previous proceedings, given the time constraints, the section 271 process simply could not function if we were required to resolve every interpretive dispute between a BOC and each competitive LEC about the precise content of the BOC's obligations to its competitors.<sup>267</sup> We believe that an enforcement proceeding would be a more appropriate venue to resolve this fact-specific dispute between Mpower and BellSouth. No other competitive LECs have raised concerns about the FRN in the record.

#### **d. Ordering**

86. In this section, we address BellSouth's ability to provide competing carriers with access to the OSS functions necessary for placing wholesale and resale orders. Based on the evidence in the record, we find that BellSouth demonstrates that it provides nondiscriminatory access to its ordering systems. In the following discussion, we address the OSS issues primarily in dispute in this application: order confirmation notices, order reject notices, flow-through, and several other issues raised by the commenters.

##### **(i) Order Confirmation Notices**

87. Based on the evidence in the record,<sup>268</sup> we conclude, as did the state commissions,<sup>269</sup> that BellSouth is providing timely order confirmation notices to competitive LECs in Florida and Tennessee.

88. We recognize, however, that BellSouth failed to meet the 95 percent benchmark for the UNE mechanized and the 85 percent benchmark for the partially mechanized Other Non-Design sub-metrics in Florida and Tennessee during several of the relevant months.<sup>270</sup> We find

<sup>267</sup> *BellSouth Multistate Order*, 17 FCC Rcd at 17717, para. 218; *Georgia/Louisiana Order*, 17 FCC Rcd at 9139, para. 209; *Verizon Pennsylvania Order*, 16 FCC Rcd at 17475, para. 101; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6355, para. 230; *SWBT Texas Order*, 15 FCC Rcd at 18366-67, paras. 22-27.

<sup>268</sup> See Florida/Tennessee A.1.9.1 (FOC Timeliness – Mechanized – Residence); Florida/Tennessee A.1.9.2 (FOC Timeliness – Mechanized – Business); Florida/Tennessee A.1.9.3 (FOC Timeliness – Mechanized – Design Specials); Florida/Tennessee A.1.12.1 (FOC Timeliness – Partially Mechanized – Residence); Florida/Tennessee A.1.12.2 (FOC Timeliness – Partially Mechanized – Business); Florida/Tennessee A.1.13.1 (FOC Timeliness – Non - Mechanized – Residence); Florida/Tennessee A.1.13.2 (FOC Timeliness – Non - Mechanized – Business); Florida/Tennessee A.1.13.3 (FOC Timeliness – Non - Mechanized – Design Specials); Florida/Tennessee B.1.9.3 (FOC Timeliness – Mechanized Loop and Port Combinations); Florida/Tennessee B.1.9.14 (FOC Timeliness – Mechanized – Other Design); Florida/Tennessee B.1.9.15 (FOC Timeliness – Mechanized – Other Non - Design); Florida/Tennessee B.1.13.3 (FOC Timeliness – Non - Mechanized – Loop and Port Combinations); Florida/Tennessee B.1.13.14 (FOC Timeliness – Non - Mechanized – Other Design); Florida/Tennessee B.1.13.15 (FOC Timeliness – Non - Mechanized – Other Non - Design). See also KPMG Final Report at 195-98, 202-04 (TVV1-3-4, TVV 1-3-5, TVV 1-3-10, TVV 1-3-11).

<sup>269</sup> Florida Commission Comments – OSS Test at 24; Tennessee Authority Comments at 28.

<sup>270</sup> Florida B.1.9.15 (FOC Timeliness – Mechanized – Other Non - Design) (May – 93.88%, June – 94.85%); Tennessee B.1.9.15 (FOC Timeliness – Mechanized – Other Non-Design) (May – 75.43%, June – 71.7%, July – 78.24%, Aug. – 87.22%); Tennessee B.1.12.15 (FOC Timeliness – Mechanized – Other Non-Design) (May – (continued...))



that these misses do not warrant a finding of checklist non-compliance. BellSouth explains that its performance data for these sub-metrics between May and August were affected by an incorrect time-stamp in the LEO Header Table.<sup>271</sup> When BellSouth reran these data with the correct time-stamp, it met the benchmark each month in both states with a single exception.<sup>272</sup> Should BellSouth's performance in this area deteriorate, we will pursue appropriate enforcement action.

89. AT&T asserts that BellSouth missed some benchmarks in Florida for AT&T's UNE-Platform and UNE Loop partially mechanized orders.<sup>273</sup> As in prior section 271 orders, performance data relative to competitive LECs on an aggregate basis is the most persuasive evidence of whether a BOC meets the checklist requirements.<sup>274</sup> Here, the aggregate data show that performance is satisfactory.<sup>275</sup> Thus, although AT&T claims that its data show discriminatory performance, allegedly anomalous results for a single carrier in this instance are insufficient to rebut BellSouth's evidence demonstrating checklist compliance.

### (ii) Order Reject Notices

90. We conclude, as did the state commissions, that BellSouth provides competing carriers with order reject notices in a timely and nondiscriminatory manner.<sup>276</sup> BellSouth establishes that it provides reject notices in a nondiscriminatory manner for those orders that require partial or full manual processing.<sup>277</sup> We also find that BellSouth demonstrates that it

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65.56%, June – 75.68%, July – 71.43%); Tennessee B.1.9.15 (FOC Timeliness – Mechanized – Other Non-Design) (May – 75.42%, June – 71.70%, July – 78.24%, Aug. – 87.22%, Sept. – 87.22%).

<sup>271</sup> BellSouth Application at 67-68 n.51; BellSouth Varner Aff., Exs. PM-2 at para. 45 and PM-3 at para. 45; BellSouth Varner Reply Aff. at para. 90.

<sup>272</sup> BellSouth Varner Aff., Exs. PM-2 at paras. 45-47 and PM-3 at paras. 43-45; BellSouth Varner Reply Aff., Ex. PM-16. Florida B.1.9.15 (FOC Timeliness – Mechanized BellSouth – Other Non-Design) (May – 99.26%, June – 99.20%, July – 96.30%, Aug. – 99.10%); Tennessee B.1.9.15 (FOC Timeliness – Mechanized – Other Non-Design) (May – 99.15%, June – 98.11%, July – 96.65%, Aug. – 99.02%); Tennessee B.1.12.15 (FOC Timeliness – Mechanized – Other Non-Design) (May – 91.11%, June – 90.54%, July – 81.32%, August – 92.05%). With the correct time-stamp, BellSouth missed sub-metric B.1.12.15 (FOC Timeliness – Partially Mechanized – Other Non-Design) in Tennessee in July by less than 4%. BellSouth Varner Aff., Ex. PM-32. BellSouth met the benchmarks for these sub-metrics in August and September.

<sup>273</sup> AT&T Norris Decl. at paras. 54-55.

<sup>274</sup> See, e.g., *BellSouth Multistate Order*, 17 FCC Rcd at 17727-28, para. 237.

<sup>275</sup> See Appendices B and C.

<sup>276</sup> See Florida Commission Comments – OSS Test at 24; Tennessee Authority Comments at 28.

<sup>277</sup> See Florida/Tennessee A.1.7.1 (Reject Interval – Partially Mechanized – Residence); Florida/Tennessee A.1.7.2 (Reject Interval – Partially Mechanized – Business); Florida/Tennessee A.1.8.1 (Reject Interval – Non-Mechanized – Residence); Florida/Tennessee A.1.8.2 (Reject Interval – Non-Mechanized – Business); Florida/Tennessee A.1.8.3 (Reject Interval – Non-Mechanized – Design (Specials)); Florida/Tennessee B.1.7.3 (continued....)

provides fully mechanized reject notices in a timely manner.<sup>278</sup> In making this finding, we give substantial weight to the fact that KPMG independently tested BellSouth's ability to return mechanically processed rejects in a timely manner and found that BellSouth had satisfied all of KPMG's criteria.<sup>279</sup>

91. Although BellSouth missed the 97 percent benchmarks for the UNE Mechanized Design and Other Non-Design sub-metrics every month in both Florida and Tennessee, we do not find BellSouth's performance overall to be checklist noncompliant.<sup>280</sup> Given the small number of LSRs for both sub-metrics in Tennessee,<sup>281</sup> BellSouth is allowed no more than one or two misses per month in that state under the 97 percent benchmark standard.<sup>282</sup> The order volumes in Florida for the UNE Mechanized Other Design sub-metric also are low.<sup>283</sup> Consistent with previous orders, we find that low competitor order volumes can cause seemingly large variations in the monthly performance data, and thus decline to find checklist non-compliance based solely upon low volume performance measurements.<sup>284</sup> Notwithstanding that order

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(Reject Interval – Partially Mechanized – Loop and Port Combinations); Florida/Tennessee B.1.7.4 (Reject Interval – Partially Mechanized – Combo Other); Florida/Tennessee B.1.7.14 (Reject Interval – Partially Mechanized – Other Design); Florida/Tennessee B.1.7.15 (Reject Interval – Partially Mechanized – Other Non-Design); Florida/Tennessee B.1.8.3 (Reject Interval – Non-Mechanized – Loop and Port Combinations); Florida/Tennessee B.1.8.4 (Reject Interval – Non-Mechanized – Combo Other); Florida/Tennessee B.1.8.14 (Reject Interval – Non-Mechanized – Other Design); Florida/Tennessee B.1.8.15 (Reject Interval – Non-Mechanized – Other Non-Design).

<sup>278</sup> See generally Florida/Tennessee A.1.4 (Reject Interval – Mechanized); Florida/Tennessee B.1.4 (Reject Interval – Mechanized). While BellSouth did not meet the benchmarks in some months for mechanized residence and business resale orders, these misses were by very small margins, *i.e.*, generally less than 1%. See Florida/Tennessee Resale A.1.4.1 (Mechanized Reject Interval – Residence); Florida/Tennessee Resale A.1.4.2 (Reject Interval – Mechanized – Business).

<sup>279</sup> See KPMG Final Report at 193-94, 200-03 (TVV1-3-2, TVV 1-3-8, TVV 1-3-10).

<sup>280</sup> See Florida B.1.4.14 (Reject Interval – Mechanized – Other Design) (58.97%, 61.22%, 55.56%, 54.17%, 78.48%); Tennessee B.1.4.14 (Reject Interval – Mechanized – Other Design) (71.43%, 50%, 66.67%, 77.78%, 72.50%); Florida B.1.4.15 (Reject Interval – Mechanized – Other Non-Design) (77.92%, 73.90%, 66.61%, 56.80%, 50.20%); Tennessee B.1.4.15 (Reject Interval – Mechanized – Other Non-Design) (79.55%, 75.00%, 85.33%, 68.18%, 72.09%).

<sup>281</sup> See Tennessee B.1.4.14 (Reject Interval – Mechanized – Other Design) (for May-Sept., order volumes were 21, 18, 27, and 40, respectively). See Tennessee B.1.4.15 (Reject Interval – Mechanized – Other Non-Design) (for May-Sept., order volumes were 88, 68, 75, 66, and 43, respectively).

<sup>282</sup> See BellSouth Varner Reply Aff. at para. 124 (BellSouth in order to comply with the benchmark is allowed one miss per month under Tennessee B.1.4.14 (Reject Interval – Mechanized – Other Design); BellSouth in order to comply with the benchmark is allowed two misses per month under Tennessee B.1.4.15 (Reject Interval – Mechanized – Other Non-Design); see also BellSouth Varner Reply Aff., Ex. PM-27).

<sup>283</sup> See Florida B.1.4.14 (Reject Interval – Mechanized – Other Design) (for May-Sept., order volumes were 78, 49, 96, and 79, respectively).

<sup>284</sup> See, e.g., *BellSouth Georgia Louisiana Order*, 17 FCC Rcd at 9090 n.494 (declining to find checklist non-compliance based upon BellSouth's failure to meet the benchmark for sub-metric B.1.4.14 (Reject Interval – Mechanized – Other Design) based on low order volumes).

volumes for the UNE Mechanized Other Non-Design sub-metric are not low, BellSouth conducted a root cause analysis that adequately explains its failure to meet the benchmark for the UNE Mechanized Other Non-Design sub-metric, as well as for the other mechanized reject benchmarks.

92. In its root cause analysis, BellSouth identified the reasons for the missed mechanized reject benchmarks for all sub-metrics and took measures to improve its performance.<sup>285</sup> For example, to prevent the recurrence of some untimely rejects, BellSouth restructured ENCORE mapping in Release 10.6.<sup>286</sup> In addition, BellSouth discovered that other untimely rejects were caused by the detection of errors after returning a Firm Order Confirmation (FOC) associated with working telephone numbers to the competitive LEC.<sup>287</sup> BellSouth solved this problem in Release 10.7.1 on October 11, 2002 by checking the status of telephone numbers in additional databases before the FOC is returned to the competitive LEC. Although these solutions do not result in BellSouth meeting the applicable benchmarks, they improve significantly BellSouth's performance.<sup>288</sup> Overall, we conclude that BellSouth's order rejection process meets the OSS requirements of section 271. Although not a factor in our decision here, it is reassuring that BellSouth continues to implement other solutions to improve its performance of mechanically processed reject notices.<sup>289</sup> Should BellSouth's performance in this area deteriorate, we will pursue appropriate enforcement action.

### (iii) Order Flow-Through Rate

93. We conclude that BellSouth's OSS are capable of flowing through UNE and resale orders in a manner that affords competing carriers a meaningful opportunity to compete.<sup>290</sup> BellSouth's flow-through performance has improved since the BellSouth Georgia/Louisiana and

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<sup>285</sup> BellSouth Varner Aff., Exs. PM-2 at para. 40 and PM-3 at para. 39.

<sup>286</sup> Release 10.6 was released on August 25, 2002. BellSouth explains that the interface to the EDI system is a file created by competitive LECs with the LSR ordering information. When a large file is received in EDI, the data must be mapped before any error checking can begin, resulting in delays to the start of error checking by 30 minutes or more. BellSouth states that the restructuring of ENCORE mapping enables more efficient processing of the data. BellSouth Varner Aff., Exs. PM-2 at para. 40 and PM-3 at para. 39.

<sup>287</sup> BellSouth Varner Aff., Exs. PM-2 at para. 40 and PM-3 at para. 39.

<sup>288</sup> For example, taking into account the restructuring of ENCORE mapping in Release 10.6, BellSouth's performance for the UNE Mechanized Other Non-Design sub-metric in Tennessee in July improved to 86.68%, bringing it closer to the 97% benchmark. See BellSouth Varner Reply Aff., Ex. PM-27; see also Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Nov. 7, 2002) (BellSouth Nov. 7 *Ex Parte* Letter – #1).

<sup>289</sup> BellSouth Varner Aff., Exs. PM-2 at para. 40 and PM-3 at para. 39.

<sup>290</sup> See Florida/Tennessee F.1.1.5 (% Flow Through Service Requests, UNE); Florida/Tennessee F.1.14 (% Flow – Through Service Requests, Business); Florida/Tennessee F.1.1.3 (% Flow – Through Service Requests, Residence).

Multistate applications.<sup>291</sup> Specifically, BellSouth's flow-through data for UNE orders in recent months show performance at or above the benchmark level,<sup>292</sup> and BellSouth's resale flow-through performance has been improving steadily during the five-month period, reaching 90 percent in September for residential orders.<sup>293</sup> Although we recognize that BellSouth has missed the flow-through benchmarks for resale orders, we find that BellSouth is in compliance with the checklist.<sup>294</sup> Consistent with our prior section 271 orders, we find that other factors, in addition to the flow-through rate, such as a BOC's overall ability to process accurately, manually handled orders, to return timely order confirmation and reject notices, and to scale its systems, are relevant and probative for analyzing a BOC's ability to provide access to its ordering functions in a nondiscriminatory manner.<sup>295</sup> As discussed above, BellSouth demonstrates that it provides timely order confirmation and reject notices. In addition, the evidence of record demonstrates that BellSouth accurately processes both manual and mechanized orders.<sup>296</sup> Further, we find, as we have in previous BellSouth section 271 orders,<sup>297</sup> that BellSouth scales its system as volumes

<sup>291</sup> See Florida/Tennessee F.1.1.5 (% Flow – Through Service Requests, UNE); Florida/Tennessee F.1.1.4 (% Flow – Through Service Requests, Business); Florida/Tennessee F.1.1.3 (% Flow – Through Service Requests, Residence).

<sup>292</sup> While BellSouth missed the UNE flow-through benchmarks by small margins in May and June 2002, BellSouth met the benchmark in July, August, and September 2002; its four month average (May-Sept.) is 86.94%, almost two percentage points above the 85% benchmark level. See Florida/Tennessee F.1.1.5 (% Flow – Through Service Requests). Even though BellSouth did not satisfy the KPMG evaluation criteria with respect to its processing of UNE order transactions in accordance with published flow-through rules (see KPMG Final Report at 387-88 (TVV3-2)), we find BellSouth's recent commercial performance data establish its ability to flow through UNE orders in a nondiscriminatory manner.

<sup>293</sup> See Florida/Tennessee F.1.1.3 – F.1.1.4 (% Flow – Through Service Requests). KPMG found that BellSouth systems process residential resale and UNE-Platform order transactions in accordance with published flow-through rules. See KPMG Final Report at 385-87 (TVV 3-1).

<sup>294</sup> Florida/Tennessee F.1.1.3 (% Flow – Through Service Requests) (Residence) (May – 86.74%, June – 88.58%, July – 87.70%, Aug. – 89.52%, Sept. – 90.20%) (95% benchmark); Florida/Tennessee F.1.1.4 (% Flow – Through Service Requests) (Business) (May – 69.54%, June – 73.74%, July – 73.23%, Aug. – 76.17%, Sept. – 77.80%) (90% benchmark).

<sup>295</sup> See, e.g., *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9092-93, para. 143; see also *Bell Atlantic New York Order*, 15 FCC Rcd at 4035, para. 162 (“[f]low through rates . . . are not so much an end in themselves, but rather are a tool used to indicate a wide range of possible differences in a BOC's OSS that may deny an efficient competitor a meaningful opportunity to compete.”).

<sup>296</sup> BellSouth met most of the performance benchmarks for resale and UNE-Platform service order accuracy. See Florida/Tennessee A.2.25 (Resale Service Order Accuracy – Regional); Florida/Tennessee B.2.34 (UNE Service Order Accuracy – Regional). All the resale and UNE-Platform performance levels fall within the general range of service order accuracy that the Commission stated was acceptable in the *BellSouth Multistate Order*. See *BellSouth Multistate Order*, 17 FCC Rcd at 17679, para. 159 n.574. The eight sub-metrics that did not meet the 95% benchmark for two of three months between June and August represent only 0.4% of the total orders processed. See *BellSouth Varner Reply Aff.* at para. 72. BellSouth's September data show that it continues to maintain a high degree of service order accuracy.

<sup>297</sup> See, e.g., *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9093, 9097, paras. 144, 152.

increase, and has demonstrated its ability to continue to do so at reasonably foreseeable volumes.<sup>298</sup> Should BellSouth's performance in this area deteriorate, we will pursue appropriate enforcement action.

94. We reject Mpower's claim that BellSouth's TAG is inefficient, requiring Mpower to use the more expensive and time consuming manual processes when it orders data circuits.<sup>299</sup> As BellSouth points out, more than 65,000 orders were placed using TAG in August, 2002 alone.<sup>300</sup> Not only has Mpower's usage of TAG increased steadily, but a high percentage of Mpower's data circuit orders submitted through TAG flowed through without manual intervention.<sup>301</sup> The record evidence thus undermines Mpower's claim that TAG is a "failed" system.<sup>302</sup>

95. We also reject Covad's assertion that BellSouth's OSS are deficient because BellSouth has not made fully mechanized ordering available for UCL-ND loops and ADSL loops that require conditioning.<sup>303</sup> In the *BellSouth Georgia/Louisiana Order* and the *BellSouth Multistate Order*, the Commission held that electronic ordering of UCL-ND loops and ADSL-compatible loop or Line-Shared loops with conditioning was not a prerequisite for a finding of checklist compliance. In finding checklist compliance, the Commission pointed to the low volumes of orders for these products, BellSouth's willingness to automate the ordering of these products despite their low volumes, and the very high percentage of loops that can be ordered electronically. Undisputed record evidence shows that these same factors apply to this application.<sup>304</sup> Covad presents no arguments that would cause us to reach a different

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<sup>298</sup> See BellSouth Stacy Aff. at para. 430. We also note that the Florida Commission has taken steps to improve BellSouth's flow-through by requiring BellSouth to file a plan with that commission outlining its proposed steps to improve flow-through performance and by doubling the penalties under the SEEM plan when flow-through benchmarks are not met. Florida Commission Comments – OSS Test at 22.

<sup>299</sup> Mpower Comments at 6-7.

<sup>300</sup> BellSouth Reply at 22; BellSouth Stacy Reply Aff. at paras. 142-43.

<sup>301</sup> *Id.*

<sup>302</sup> Mpower Comments at 7. We also find unpersuasive Mpower's claim that TAG is ineffective because the only way it can order service for a local customer with a new service address is to submit a manual order. Mpower Comments at 6. As BellSouth explained, manual processing in this situation is necessary only if Mpower does not perform the pre-ordering function and submits a request for service to a new address that does not reside in BellSouth's Regional Street Address Guide (RSAG) database. BellSouth Stacy Reply Aff. at para. 146. Moreover, the need for manual processing in this limited situation is not discriminatory because BellSouth personnel also must submit a manually processed order for a new address that is not in the RSAG database. See BellSouth Reply at 22; BellSouth Stacy Reply Aff. at para. 146. We note also that BellSouth has established processes for the identification of a "new address" condition and for the prompt resolution and population of new address information in RSAG. BellSouth Stacy Reply Aff. at para. 146.

<sup>303</sup> Covad Comments at 17-24.

<sup>304</sup> See BellSouth Stacy Aff. at paras. 406-11; BellSouth Reply at 20-21; BellSouth Stacy Reply Aff. at paras. 202-11 (*citing confidential data*).

determination in this proceeding. We note that BellSouth implemented electronic ordering of UCL-ND on August 24, 2002.<sup>305</sup> While not a factor in our analysis, we note further that BellSouth intends to implement full flow-through of UCL-ND loops on December 30, 2002 with OSS Release 11.0.<sup>306</sup>

96. While its arguments are not clear, *Supra* raises a number of concerns regarding BellSouth's OSS, none of which we find persuasive. First, *Supra* asserts that BellSouth's ordering systems are inadequate in that BellSouth's OSS cannot handle the volumes its retail systems can handle.<sup>307</sup> As noted above, the Commission has found consistently that BellSouth's OSS have the ability to handle competitive LEC orders in a nondiscriminatory manner, even as order volumes increase.<sup>308</sup> *Supra* provides no record evidence that would cause us to reach a different conclusion in this proceeding. *Supra* next claims that LENS is deficient and does not provide competitive LECs with OSS functions in the same manner that BellSouth provides the same functions to itself.<sup>309</sup> *Supra* relies upon BellSouth's acknowledgement that LENS is a human-to-machine interface.<sup>310</sup> As BellSouth points out, however, BellSouth provides competitive LECs with two pre-ordering interfaces, LENS and TAG, and three ordering interfaces, LENS, TAG and EDI.<sup>311</sup> The fact that *Supra* has made the business decision to use the human-to-machine interface, LENS, rather than the machine-to machine alternatives (TAG and EDI) does not establish that BellSouth's OSS are discriminatory.<sup>312</sup> The record evidence shows that BellSouth offers competitive LECs nondiscriminatory interfaces that can be integrated by the competitive LECs.<sup>313</sup>

97. We also reject *Supra*'s claim that LENS is discriminatory because "orders submitted from LENS are not error checked with any efficiency or completeness."<sup>314</sup> KPMG

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<sup>305</sup> See *BellSouth Multistate Order*, 17 FCC Rcd at 17676-77, para. 155; BellSouth Stacy Aff. at para. 406.

<sup>306</sup> BellSouth Stacy Aff. at para. 406; BellSouth Stacy Reply Aff. at paras. 103-12. See BellSouth Nov. 7 *Ex Parte* Letter – #1 at 3; Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 14 (filed Nov. 1, 2002) (BellSouth Nov. 1 *Ex Parte* Letter – #2).

<sup>307</sup> *Supra* Comments at 14.

<sup>308</sup> See BellSouth Application at 70; *BellSouth Multistate Order*, 17 FCC Rcd at 17673-74, 17675, paras. 151, 153; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9097, para. 152.

<sup>309</sup> *Supra* Comments at 14-16, 25. See also Arvanitas Reply at 7.

<sup>310</sup> *Supra* Comments at 19-20.

<sup>311</sup> See, e.g., BellSouth Stacy Reply Aff. at para. 131.

<sup>312</sup> See generally, *Bell Atlantic New York Order*, 15 FCC Rcd at 4014-16, paras. 130-32. Competitive LECs elect to use the LENS interface when they have made the business decision not to integrate pre-ordering, ordering and provisioning interfaces with their own internal OSS. See BellSouth Reply Stacy Aff. at para. 132.

<sup>313</sup> See, e.g., BellSouth Stacy Aff. at paras. 300-31.

<sup>314</sup> *Supra* Comments at 15.

found LENS to be a nondiscriminatory interface under criteria that included testing of both error-free transactions and transactions that included errors.<sup>315</sup> Moreover, since January 2000, LENS has used the TAG architecture and gateway and has essentially the same pre-ordering and ordering functionality for resale services and UNEs as TAG. Thus, when a competitive LEC submits a request through LENS, which sits atop the TAG system, it has the same on-line editing capabilities as a request submitted through TAG.<sup>316</sup> As a consequence, we disagree with Supra that “BellSouth has not implemented on-line edit checking in LENS.”<sup>317</sup>

#### (iv) Other Ordering Issues

98. *Parity in the Order Status Information Database.* We do not agree with Network Telephone and WorldCom that BellSouth, through its Competitive LEC Service Order Tracking System (CSOTS),<sup>318</sup> has provided competitive LECs with discriminatory access to service orders, a necessary part of BellSouth’s OSS. First, we reject the claim of Network Telephone that there is a lack of parity because BellSouth retail representatives are able to view the status of orders on a real-time basis through SOCS whereas the CSOTS system, used by competitive LECs, is updated only on a daily basis.<sup>319</sup> As BellSouth explains, CSOTS provides competitive LECs with timely status order information by giving them real-time access to portions of the order that are likely to change during the course of the day, and daily updates to portions of the order not subject to change.<sup>320</sup> The Commission has never held that a competitive LEC must access the BOC’s OSS in the identical manner as does the BOC. Instead, the Commission has found that where a retail analogue exists, a BOC must provide access that is equal to (i.e., substantially the

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<sup>315</sup> KPMG Final Report at 182-87 (TVV1-1-2, TVV 1-1-3). See BellSouth Stacy Reply Aff. at para. 136.

<sup>316</sup> See BellSouth Stacy Reply Aff. at para. 137.

<sup>317</sup> See Supra Comments at 15 n.16.

<sup>318</sup> Competitive LECs use CSOTS, among other things, to check the status of orders to ensure that they are being processed correctly. See Letter from Margaret H. Ring, Director, Regulatory and Governmental Affairs, Network Telephone, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 2-4 (filed Nov. 21, 2002) (Network Telephone Nov. 21 *Ex Parte* Letter); see also Letter from Keith L. Seat, Senior Counsel, Federal Advocacy, WorldCom, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Nov. 20, 2002) (WorldCom Nov. 20 *Ex Parte* Letter).

<sup>319</sup> Network Telephone Nov. 21 *Ex Parte* Letter at 2.

<sup>320</sup> Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 1-2 (filed Nov. 22, 2002) (BellSouth Nov. 22 *Ex Parte* Letter – #2). BellSouth explains that CSOTS provides real-time access to orders in the following three categories that are subject to a change in status: (1) assignable orders (AO), service orders that have cleared the service order edit routine (SOER) edits and are ready to be assigned to a facility; (2) missed appointments (MA), service orders in which either BellSouth or the competitive LEC was unable to meet their commitment; and (3) pending facilities (PF), service orders in which facilities are unavailable or the assigned facility is defective. In contrast, COSTS provides daily updates for orders not subject to change, i.e., completed orders and orders in which facilities already have been assigned and the order is ready for work to be completed on the scheduled due date. BellSouth Nov. 22 *Ex Parte* Letter – #2 at 1-2.

same as) the level of access that the BOC provides itself, its customers, or its affiliates, in terms of quality, accuracy, and timeliness.<sup>321</sup> Access to CSOTS satisfies this requirement.

99. Second, we find that the operational problems associated with CSOTS during October and November 2002 do not warrant a finding of checklist non-compliance.<sup>322</sup> As BellSouth points out, when outages or degradations in CSOTS occur, competitive LECs have alternative ways to obtain timely status order information. For example, competitive LECs can obtain the status of orders, line loss information, and completion notices through the PON status report, the PF report, line loss report, and the EDI or LENS interface.<sup>323</sup> While these types of electronic alternatives are not available for those orders that are subject to change during the day, we believe the competitive significance of this disparity is minimal. Such orders are less than one percent of the total number of competitive LEC orders, and competitive LECs, in any event, are able to get timely status information for these types of orders by calling the LCSC.<sup>324</sup> Moreover, the record evidence shows that the outages and delays in CSOTS during October and November were caused by an unexpected surge in demand.<sup>325</sup> At the end of November BellSouth installed a new server which eliminated the problems of outages and service degradation by increasing substantially the capacity of CSOTS.<sup>326</sup> We find, therefore, that CSOTS provides competitive LECs with parity to BellSouth retail regarding the service order process, and that the recent operational problems with CSOTS do not diminish this parity. Accordingly, we conclude that BellSouth's provisioning of CSOTS is consistent with checklist item 2. Should BellSouth's performance in this area deteriorate, however, we will pursue appropriate enforcement action.<sup>327</sup>

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<sup>321</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3971-72, para. 44; *Ameritech Michigan Order*, 12 FCC Rcd at 20618-20, paras. 139-41.

<sup>322</sup> We find that CSOTS performance generally was satisfactory prior to October 2002. The record evidence shows that the number of service degradation or outages in CSOTS in each month from January to September 2002 was very small and that the overall availability level of COSTS during this time period was 95.82%. BellSouth Nov. 22 *Ex Parte* Letter – #2 at 3.

<sup>323</sup> BellSouth Nov. 22 *Ex Parte* Letter – #2 at 2, 4.

<sup>324</sup> *Id.* The answering time for calls to the LCSC averages less than one minute. *Id.* at 4.

<sup>325</sup> According to BellSouth, a single competitive LEC in October and November increased its CSOTS query volume by more than 55%. Queries from this single carrier accounted for about 80% of all CSOTS queries. Because that competitive LEC currently is involved in a bankruptcy proceeding, BellSouth was unable to limit that carrier's access to CSOTS without approval of the bankruptcy court. *Id.* at 3.

<sup>326</sup> Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Nov. 25, 2002) (BellSouth Nov. 25 *Ex Parte* Letter – #1). See also Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Dec. 6, 2002) (BellSouth Dec. 6 *Ex Parte* Letter – #6).

<sup>327</sup> We agree with BellSouth that the installation of a new server does not require use of the change control process since it is an infrastructure change that is not competitive LEC-affecting. BellSouth Nov. 22 *Ex Parte* (continued...)



100. *Parity in the Ordering of Line-Shared Loops.* We reject Covad's assertions that Bellsouth's OSS are discriminatory because BellSouth allegedly permits Internet service providers (ISPs) reselling its line-sharing service to a customer to use a streamlined "to-and-from" ordering procedure that is unavailable to competitive LECs.<sup>328</sup> BellSouth has not yet implemented such an ordering procedure and has made clear that it will not implement this functionality until after a comparable feature is put in place for competitive LECs.<sup>329</sup>

101. We again reject Mpower's claim that BellSouth unlawfully discriminates against competitive LECs by requiring them to use multiple LSRs and customer service records (CSRs) for orders and accounts with multiple lines that BellSouth's retail division has on a single account on one bill.<sup>330</sup> The Commission, in rejecting the identical claim in the *BellSouth Georgia/Louisiana Order*, found insufficient evidence that BellSouth's practice impedes a competitive LEC's ability to compete in a meaningful manner.<sup>331</sup> Mpower presents no new evidence on the record before us that would cause us to reconsider that finding.

102. *Information Regarding Facilities.* We find that BellSouth provides facilities information accurately and in compliance with the checklist despite Mpower's complaints to the contrary. Alleging that BellSouth cannot provide accurate facilities information to competitive LECs before the day of cutover, Mpower complains that it must order new loops and have them installed before the customers' move-in date.<sup>332</sup> BellSouth acknowledges that its facilities database is not perfect, and that an inaccuracy may not be found until the installer attempts to test the loop pair from the end user's premises on the due date. BellSouth asserts, however, that

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Letter – #2. We note that BellSouth acknowledges that the long term solution is a platform upgrade, which will require moving a Network Telephone platform to a SUN/Solaris platform and away from Navigator to XML. *See* Network Telephone Nov. 21 *Ex Parte* Letter at 3. We note further that BellSouth has agreed to keep the competitive LECs informed about the progress of the changes in CSOTS through the change control process. BellSouth Nov. 22 *Ex Parte* Letter – #2 at 4.

<sup>328</sup> *See* Covad Comments at 6-8. A "to-and-from" order allows a vender to place an order transferring service from one address to another as soon as its customer has asked to have his voice service transferred. Without the availability of a "to-and-from" order, the vender must disconnect the customer's line shared loops and then wait until voice service is fully provisioned at the new address before placing a new order to establish line-shared loops.

<sup>329</sup> BellSouth Reply at 20; BellSouth Stacy Reply Aff. at paras. 187-91. We also reject Covad's claim that BellSouth requires competitive LECs, when ordering line-shared loops, to validate the identity of the customer by telephone number and address, while it uses telephone validation only in processing a customer order for its own line sharing service. *See* Covad Comments at 5-6. As BellSouth explains, Release 10.3.1, which was placed into production on February 2, 2002, included a feature that enables competitive LECs to place line sharing orders without the need for address validation. Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Dec. 13, 2002); Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Dec. 16, 2002).

<sup>330</sup> *See* Mpower Comments at 10.

<sup>331</sup> *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9107-08, para. 165.

<sup>332</sup> Mpower Comments at 11-12.

any inaccuracies in the database affect BellSouth and the competitive LECs equally, so there is no issue of discrimination or parity.<sup>333</sup> We agree. Our rules do not require incumbent LECs to ensure the accuracy of their loop qualification databases. Rather, our rules require that incumbent LECs provide competitive LECs with nondiscriminatory access to those databases.<sup>334</sup>

103. *Local Carrier Service Center Procedures.* We reject Mpower's claim that BellSouth's policies and procedures governing calls into BellSouth's ordering center, the Local Carrier Service Center ("LCSC") that require escalation, are inefficient and result in substantial delays for competitive LECs that BellSouth's retail operations do not encounter.<sup>335</sup> BellSouth, in sworn testimony, disputes the factual accuracy of Mpower's description of its policy.<sup>336</sup> Moreover, BellSouth's claim that its policies and procedures governing LCSC calls are fair and nondiscriminatory is independently corroborated by KPMG's Florida third-party test.<sup>337</sup> We also note that Mpower failed to provide any specific examples of delays and inefficiencies it has incurred in making calls to the LCSC that required escalation. Based upon the record evidence showing that most of Mpower's calls are resolved by the LCSC representative without need for the intervention of an escalation manager,<sup>338</sup> we find that any problems that Mpower may have encountered appear to have been isolated incidents. They do not, in our view, reflect a systemic deficiency in the way BellSouth responds to LCSC calls.

**e. Provisioning and Maintenance & Repair**

104. Based on the evidence in the record, we find, as did the state commissions,<sup>339</sup> that BellSouth provisions competitive LEC customers' UNE-Platform and resale orders in substantially the same time and manner as it provisions orders for its own retail customers. In

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<sup>333</sup> BellSouth Stacy Reply Aff. at para. 154.

<sup>334</sup> See *BellSouth Multistate Order*, 17 FCC Rcd at 17667, para. 142.

<sup>335</sup> See Mpower Comments at 11.

<sup>336</sup> Mpower and BellSouth agree that, if the LCSC representative answering the call cannot help with a problem, the caller is told a manager will return the call. Mpower complains, however, that if the competitive LEC representative is not at his or her desk when the call is returned, the manager leaves a message to call the main number again, requiring the competitive LEC to start the process over again. BellSouth disputes Mpower's claim. According to BellSouth, when a call to its LCSC requires escalation, the escalation manager calls the competitive LEC within an hour, after taking time to research the issue and to ensure that the information that will be given to the competitive LEC is accurate. If the competitive LEC representative does not answer the call, BellSouth states that the escalation manager leaves a message that includes his or her specific contact number. BellSouth Application Reply App., Tab A, Reply Affidavit of Ken L. Ainsworth (BellSouth Ainsworth Reply Aff.) at para. 5.

<sup>337</sup> See KPMG Final Report at 153-165 (PPR8-1 to PPR8-14).

<sup>338</sup> BellSouth Ainsworth Reply Aff., Ex. KLA-1 (*citing confidential data*).

<sup>339</sup> Florida Commission Comments – OSS Test at 47-48; Tennessee Authority Comments at 29.

addition, we find that BellSouth provides nondiscriminatory access to maintenance and repair OSS functions.<sup>340</sup>

105. We reject AT&T's assertion that BellSouth fails to satisfy checklist item 2 because it requires AT&T to treat certain maintenance and repair requests as provisioning requests.<sup>341</sup> Specifically, AT&T argues that if service to one of its end users were to be disrupted because of a problem on AT&T's side of the collocation facility, BellSouth would require AT&T to send a loop provisioning order to BellSouth, rather than a maintenance request.<sup>342</sup> According to AT&T, provisioning requests take longer and are more expensive than maintenance requests, thus causing AT&T unnecessary time and expense.<sup>343</sup> BellSouth states, however, that its policy is appropriate and is meant to ensure accuracy, and thus reduces maintenance issues. According to BellSouth, the scenario posited by AT&T rarely, if ever, happens, but if or when it does, BellSouth states that it is imperative that competitors submit an LSR so that the carriers' databases reflect the correct connecting facility assignment.<sup>344</sup> AT&T does not dispute that this scenario is an extremely rare occurrence. Given the lack of any record evidence contradicting BellSouth's position, this issue does not appear to be a systemic problem. Accordingly, we find that the impact of BellSouth's policy on its competitors is minimal. BellSouth's policy complies with checklist item 2. Although not a factor in our decision here, we note that BellSouth is working on a maintenance process that addresses this situation, which gives us confidence that BellSouth will continue to comply with checklist item 2 in the future.<sup>345</sup>

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<sup>340</sup> See generally Florida/Tennessee A.2.1.1.1.1 – A.2.1.1.2.2 (Order Completion Interval, Residence); Florida/Tennessee B.2.1.3.1.1 – B.2.1.3.2.4 (Order Completion Interval, Loop + Port Combinations); Florida/Tennessee A.3.1 (% Missed Repair Appointments); A.3.3 and B.3.3 (Maintenance Average Duration); A.3.4 and B.3.4 (% Repeat Troubles within 30 Days); and A.3.5 and B.3.5 (% Out of Service More than 24 Hours); see generally Appendix D.

<sup>341</sup> AT&T Comments at 20-21; AT&T Comments, Tab C, Declaration of Denise Berger (AT&T Berger Decl.) at paras. 16-19. AT&T also asserts that BellSouth's policy violates checklist item 4. We address fully AT&T's argument in this section; accordingly, we do not need to discuss it further in our analysis of checklist item 4. In addition, AT&T's complaints about BellSouth's expedite fees in the pricing section relates to this issue. See *supra* Part IV.B.1.b.ii.

<sup>342</sup> AT&T Comments at 20-21; AT&T Berger Decl. at paras. 16-19. We note that AT&T provides no evidence of an actual occurrence.

<sup>343</sup> AT&T Comments at 20-21; AT&T Berger Decl. at paras. 16-19.

<sup>344</sup> BellSouth Reply at 21; BellSouth Ainsworth Reply Aff. at paras. 19-20 (*citing confidential information*).

<sup>345</sup> BellSouth explains that the new process will link the maintenance request with the necessary provisioning work, ensure that maintenance requests are handled in a timely manner, and keep the database records up-to-date. Thus, BellSouth asserts that while its current process is already compliant with its Section 271 obligations, it is willing to work with the competitive LECs. See BellSouth Ainsworth Reply Aff. at para. 20.

106. *Quality Service Problems.* We reject the arguments of AT&T and WorldCom that BellSouth's alleged failure to implement single "C" orders<sup>346</sup> for UNE-Platform partial conversions warrants a finding of checklist non-compliance. According to AT&T and WorldCom, BellSouth has implemented single "C" orders only for full migrations of service.<sup>347</sup> These parties claim that, by continuing to use two separate orders for partial migrations, BellSouth has failed to eliminate completely the problems with service outages associated with UNE-Platform conversions. BellSouth responds that inherent limitations on the way accounts, sub-accounts and account structures can be manipulated make it is impossible to develop a single "C" order for partial migrations.<sup>348</sup> In addition, BellSouth denies that the existing two-order system creates significant service order processing problems.<sup>349</sup> We are unpersuaded that the lack of single "C" orders for partial migrations establishes that BellSouth fails to provision competitive LEC orders in a nondiscriminatory manner. Consistent with the BellSouth Georgia/Louisiana Order, we hold that BellSouth's OSS provide nondiscriminatory access to its provisioning systems and processes without regard to the manner in which it implements single "C" ordering.<sup>350</sup> The Commission in the BellSouth Georgia/Louisiana Order found that the problems associated with BellSouth's two-order system for UNE-conversion were exaggerated and affected only a small percentage of orders.<sup>351</sup> The evidence of record in this proceeding likewise establishes that BellSouth's performance on UNE-Platform conversions is satisfactory. For example, BellSouth processed 99.88 percent of the UNE-Platform conversions in August and September 2002 without a service order-related outage.<sup>352</sup> While BellSouth's 98.5 percent performance rate relating specifically to partial migration was slightly lower than its overall performance rate,<sup>353</sup> we find that the isolated problems relating to partial migration service orders are not competitively significant. As BellSouth points out, only 22 of the 1,457 partial migration service orders in August and September 2002 had out of service problems related to

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<sup>346</sup> Competitive LECs claimed that BellSouth's use of separate "D" and "N" orders caused outages when not processed in the proper sequence. The use of a single "C" order, which replaces the separate "D" and "N" orders, is designed to prevent such outages. See AT&T Nov. 19 *Ex Parte* Letter at 1-2.

<sup>347</sup> Letter from Alan C. Geolot, Counsel to AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 12-14 (filed Nov. 13, 2002) (AT&T Nov. 13 *Ex Parte* Letter – OSS) and Attach.(AT&T Supplemental Berger Decl.); WorldCom Nov. 20 *Ex Parte* Letter at 5.

<sup>348</sup> Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 8 (filed Nov. 20, 2002) (BellSouth Nov. 20 *Ex Parte* Letter – #1).

<sup>349</sup> *Id.* at 9.

<sup>350</sup> *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9110, para. 167.

<sup>351</sup> *Id.*

<sup>352</sup> Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Dec. 6, 2002) at 2 (BellSouth Dec. 6 *Ex Parte* Letter – #1).

<sup>353</sup> *Id.*

conversions.<sup>354</sup> Moreover, it took BellSouth less time to correct these troubles than it took BellSouth to correct troubles with its retail accounts during the same period.<sup>355</sup> Should BellSouth's performance in this area deteriorate, we will pursue appropriate enforcement action.

**f. Billing**

107. Like the state commissions,<sup>356</sup> we reject competitive LECs' contentions that BellSouth fails to provide nondiscriminatory access to its billing system.<sup>357</sup> In reaching this determination, we find it significant that commenters neither raise new claims nor provide new supporting evidence to claims already squarely dismissed by the Commission in the *BellSouth Multistate Order*.<sup>358</sup>

**g. Change Management**

108. We conclude, as did the state commissions, that BellSouth meets the requirements of checklist item 2 with regard to change management in Florida and Tennessee.<sup>359</sup> The record in this proceeding shows that BellSouth's change control process, and its performance under this process, is comparable to, if not better than, BellSouth's performance in the *BellSouth Georgia/Louisiana Order* and the *BellSouth Multistate Order*. We have carefully scrutinized this process, heedful of the Department of Justice's attention to this issue.

109. We find, as did the Department of Justice, that following the release of our prior two orders, BellSouth has continued to improve the adequacy of its change control plan by providing competitors with more information and input into the change control process.<sup>360</sup> We

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<sup>354</sup> BellSouth Nov. 20 *Ex Parte* Letter – #1 at 9.

<sup>355</sup> BellSouth Dec. 6 *Ex Parte* Letter – #1 at 2.

<sup>356</sup> Florida Commission Comments – OSS Test at 48-49; Tennessee Authority at 30.

<sup>357</sup> See Mpower Comments at 14; Covad Comments at 12-14; and Supra Comments at 29-31.

<sup>358</sup> See *BellSouth Multistate Order*, 17 FCC Rcd at 17689-92, paras. 174-77.

<sup>359</sup> Florida Commission Comments – OSS Test at 53-57; Tennessee Authority Comments at 30; Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 1 (filed Nov. 8, 2002) (BellSouth Nov. 8 *Ex Parte* Letter – #3).

<sup>360</sup> Department of Justice Comments at 6. According to BellSouth, the following enhancements have been made to the change control process: BellSouth has adopted the competitive LECs' definition of "[competitive] LEC affecting change." BellSouth will also give competitors approximately 80% of 2003 production capacity instead of the 50% to which they are entitled under the plan approved by the Florida and Georgia Commissions. See BellSouth Reply at 9; BellSouth Stacy Reply Aff. at para. 11. In addition, in October 2002, BellSouth adopted the competitive LEC option for a 2003 release schedule. See *id.* BellSouth has also continued to work with competitive LECs under the close supervision of the Florida and Georgia Commissions. These meetings have resulted in numerous improvements to the change control process. For instance, as of August 31, 2002, BellSouth has implemented 538 change requests (which include regulatory mandates, industry standard changes, BellSouth- and competitive LEC-initiated requests, and defects). See BellSouth Stacy Aff. at para. 184. In addition, BellSouth (continued....)

believe that it is essential for BellSouth to continue to work collaboratively with competitive LECs through the change control process on prioritization issues, provide competitive LECs with sufficient information to be able to make informed decisions regarding prioritization of proposed systems changes, and implement changes in a timely manner.<sup>361</sup> As discussed below, we first assess the adequacy of BellSouth's change management plan, and then evaluate whether BellSouth has demonstrated that it adheres to its plan.

**(i) Adequacy of the Change Management Plan**

110. *Change Management Plan Organization.* Based upon our examination of the record, we find that BellSouth's change control process is adequate to provide competitive LECs with access to BellSouth's OSS.<sup>362</sup> For example, we note that BellSouth has taken significant remedial action in response to KPMG's findings that some portions of its change control process did not provide competitive LECs with sufficient information.<sup>363</sup> Many of these improvements had been developed and presented to KPMG, but were not implemented while KPMG testing was still in progress. As a result, KPMG states in its Final Report that based upon BellSouth's improvements, KPMG would have closed out its exceptions, but for the fact that it could not observe BellSouth's implementation.<sup>364</sup> As discussed below, however, we find that BellSouth has adequately implemented these revisions, and, accordingly, the concerns raised in KPMG's Final Report should be resolved.

111. *Competing Carrier Input, Adequate Dispute Resolution Process, Testing Environment, and Documentation Adequacy.* Competitors in Tennessee and Florida use the same processes and systems that we reviewed and approved in both the *BellSouth*

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has already implemented at least 9 of the competitive LECs' Top 15 change requests, and it intends to implement at least 14 of them by the end of December 2002. See *BellSouth Multistate Order*, 17 FCC Rcd at 17704-05, para. 194; BellSouth Reply at 9; BellSouth Stacy Reply Aff. at para. 13. Finally, BellSouth has expanded the availability of the pre-release testing environment, the Competitive LEC Application Verification Environment (CAVE), established a testing web-site, broadened the test case catalog, and enhanced competitive LEC participation through a "go/no go" recommendation process. See BellSouth Reply at 10; BellSouth Stacy Reply Aff. at paras. 33-39.

<sup>361</sup> The Commission has expressed this same expectation in prior orders. See *BellSouth Multistate Order*, 17 FCC Rcd at 17693, para. 179; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9128-30, paras. 193-95.

<sup>362</sup> See *BellSouth Multistate Order*, 17 FCC Rcd at 17694-96, paras. 181-82; see also BellSouth Stacy Aff. at paras. 137-38, 199-204, Ex. WNS-26 (BellSouth Change Control Process, Version 3.2, July 29, 2002).

<sup>363</sup> KPMG Final Report at 34-36, 40-41.

<sup>364</sup> *Id.* at 41.

*Georgia/Louisiana Order* and the *BellSouth Multistate Order*.<sup>365</sup> Nothing on the record in this proceeding causes us to make a different determination here.<sup>366</sup>

**(ii) Adherence to the Change Management Process**

112. *Accepting Change Requests.* We find that BellSouth is complying with checklist item 2 by adequately accepting its competitors' change requests in Florida and Tennessee.<sup>367</sup> BellSouth states that from June to September 2002, it has met the 10-day deadline for either accepting or rejecting change requests for 22 of the 23 change requests that competitive LECs have submitted.<sup>368</sup> As noted in the *BellSouth Multistate Order*, BellSouth has now implemented two new region-wide performance metrics adopted by the Florida Commission that measure BellSouth's handling of change requests: CM-7 measures BellSouth's adherence to the 10-day change control process deadline, and CM-8 measures how many change requests are denied by BellSouth for any of the reasons allowed under the change control process.<sup>369</sup> For the months of August and September, the first two months for which data under these metrics was available, BellSouth met the relevant benchmarks.<sup>370</sup>

113. *Implementation of Prioritized Change Requests.* BellSouth's implementation of competitive LEC prioritized changes complies with checklist item 2, and BellSouth has continued to make progress in providing information to competitive LECs through its change

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<sup>365</sup> See *BellSouth Multistate Order*, 17 FCC Rcd at 17694-701, paras. 181-89; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9118-27, paras. 180-191.

<sup>366</sup> AT&T asserts that BellSouth's 50/50 plan was unilaterally imposed on the competitors by BellSouth. See AT&T Comments Tab A, Declaration of Jay M. Bradbury at para. 8 (AT&T Bradbury Decl.). The Commission, however, previously rejected this argument in the *BellSouth Multistate Order*, and AT&T provides no new evidence in this record. See *BellSouth Multistate Order*, 17 FCC Rcd at 17698-99, para. 185.

<sup>367</sup> As explained in the *BellSouth Multistate Order*, when a feature change request is submitted by a competitive LEC, BellSouth has 10 days to accept or reject the request. BellSouth can reject competitive LEC change requests based on cost, industry direction and technical infeasibility. BellSouth must provide competitive LECs with a rationale for its decisions, and competitive LECs can appeal BellSouth's decision, using either the escalation process or by filing a complaint with a regulatory body. If a change request is accepted, the request is then submitted to competitive LECs for prioritization, *i.e.*, a competitive LEC ranking of how important the change request is, which determines how soon it will be implemented. See *BellSouth Multistate Order*, 17 FCC Rcd at 17706, para. 197 n. 759.

<sup>368</sup> BellSouth Reply at 9; BellSouth Stacy Reply Aff. at para. 16. BellSouth's June to September performance is better than its performance during the months of March to June 2002, the period during which its five-state application was pending. At the time of the five-state application, BellSouth only timely accepted 10 of 13 submitted change requests. See BellSouth Stacy Reply Aff. at para. 16. The ten-day period has been part of the change control process since September 2001. See *id.* at para. 15.

<sup>369</sup> See *BellSouth Multistate Order*, 17 FCC Rcd at 17702-03, para. 191.

<sup>370</sup> See Florida/Tennessee F.10.10 (% Change Requests Accepted or Rejected Within 10 days), and Florida/Tennessee F.10.11 (% Change Requests Rejected). Currently, CM-8 (F.10.11) is a diagnostic measure. BellSouth Stacy Aff. at para. 196.

control process.<sup>371</sup> We have previously recognized that the implementation of OSS changes is inherently a slow-moving process, and is seriously constrained by capacity limits and architecture.<sup>372</sup> Accordingly, we have looked to evidence that a BOC has committed to OSS feature changes that incorporate an adequate number of competitors' backlogged change requests. Evidence of this type indicates that the BOC is adhering to the plan and taking the process seriously.

114. In the instant proceeding, we find that although there is a backlog of competitive LEC prioritized changes, the backlog is smaller than it was at the time of the *BellSouth Multistate Order*, and BellSouth has scheduled many of the competitive LEC requests to be implemented in upcoming scheduled releases.<sup>373</sup> Moreover, BellSouth states that based upon decisions made in past meetings with the competitive LEC community, it will implement at least 14 of the competitive LECs' top 15 change requests by the end of 2002.<sup>374</sup> Moreover, BellSouth asserts, and WorldCom concedes,<sup>375</sup> that most of the competitive LEC change requests prioritized in September 2002 for the 2003 release schedule will be implemented in the 2003 releases.<sup>376</sup> In fact, BellSouth explains that it has provided approximately 80 percent of the 2003 production capacity to its competitors, instead of the 50 percent to which they are entitled under its change control process.<sup>377</sup> This type of action was encouraged by the Commission to ensure that competitive LEC requests are implemented as quickly as possible, and thus reverse the trend of backlogging change requests.<sup>378</sup> BellSouth has also implemented a new, region-wide performance metric (CM-11) adopted by the Florida Commission that measures BellSouth's ability to implement prioritized change requests within 60 weeks of their prioritization and imposes penalties if BellSouth fails to meet the deadline.<sup>379</sup> Based upon the evidence in the record before us, we find that BellSouth continues to make strides to address its existing backlog, and that its performance in this area has improved following the Commission's grant of BellSouth's prior applications. Accordingly, we find BellSouth to be compliant with checklist item 2.

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<sup>371</sup> Department of Justice Comments at 6.

<sup>372</sup> See *BellSouth Multistate Order*, 17 FCC Rcd at 17703-04, para. 193.

<sup>373</sup> At the time of the *BellSouth Multistate Order*, there were 63 backlogged change requests. *BellSouth Multistate Order*, 17 FCC at 17704, para. 193. In the instant proceeding, the record shows that there are a total of 57 change requests in the backlog. See *BellSouth Stacy Aff.* at paras. 143, 186.

<sup>374</sup> *BellSouth Stacy Reply Aff.* at para. 13.

<sup>375</sup> WorldCom Comments at 2-3.

<sup>376</sup> *BellSouth Reply* at 3; *BellSouth Stacy Reply Aff.* at para. 49.

<sup>377</sup> *BellSouth Stacy Aff.* at para. 11. AT&T contests this percentage. See *infra* at para. 124 for a discussion.

<sup>378</sup> *BellSouth Multistate Order*, 17 FCC Rcd at 17705-06, para. 196.

<sup>379</sup> *BellSouth Stacy Aff.* at para. 196. CM-11 tracks the number of prioritized change requests that are actually implemented within 60 weeks of their prioritization, and it requires a 95% interval success rate.



115. Despite these improvements, competitive LECs continue to express concerns about the backlog of change requests awaiting implementation, BellSouth's adherence to its change management process, and the quality of BellSouth's software releases (i.e. number of defects). We consider each of these concerns in turn and, for the reasons indicated below, we find that the record demonstrates checklist compliance.

**(a) Timely Implementation of Change Requests and Allocation of Release Capacity**

116. We conclude that BellSouth implements competitive LECs' change requests in a timely manner. We disagree with AT&T's allegations to the contrary. AT&T alleges that BellSouth has poorly managed the change control process, as evidenced by, among other things, BellSouth's improper projections regarding the implementation of a fully-automated EDI pre-ordering interface and migration from ENCORE to IDN.<sup>380</sup> AT&T also alleges that BellSouth has not reduced the backlog of feature and defect change requests because AT&T believes that competitors may have to wait 2 to 3 years to have these changes implemented.<sup>381</sup> We are not persuaded by either of these allegations. First, we find that much of AT&T's criticism is centered on BellSouth's decision to change its 2003 release plan, which affected initial projections. We note, however, that BellSouth was required to make this decision in order to comply with a Florida Commission order directing BellSouth to file a plan showing how it would implement all prioritized changes within 60 weeks.<sup>382</sup> As we have previously recognized, OSS changes such as these are difficult to implement.<sup>383</sup> Thus, to comply with the directive of the Florida Commission, BellSouth was confronted with the difficult task of recalibrating projected OSS changes in the face of a newly-imposed deadline. We find that any problems with BellSouth's projected schedule are more the result of complexities arising out of its attempt to comply with the state commission-imposed deadline, rather than mismanagement and lack of dedicated resources.<sup>384</sup> Second, we do not agree with AT&T on the age of BellSouth's backlog. We find that AT&T began its calculations at the time when the change requests were first submitted, rather than when they were actually prioritized. By improperly calculating the age of the unimplemented change requests, AT&T gives the incorrect impression that the prioritized change requests are older than is actually the case.<sup>385</sup> Although not a basis for our decision here,

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<sup>380</sup> See AT&T Comments at 11-12; AT&T Bradbury Decl. at paras. 29-31.

<sup>381</sup> AT&T Comments at 10; AT&T Bradbury Decl. at paras. 26-40; AT&T Reply at 9-13; AT&T Reply, Reply Declaration of Jay M. Bradbury at paras. 9-21 (AT&T Bradbury Reply Decl.). We address AT&T's allegations about BellSouth's backlog of software defects changes below.

<sup>382</sup> BellSouth Stacy Reply Aff. at paras. 49-50.

<sup>383</sup> *BellSouth Multistate Order*, 17 FCC Rcd at 17703-04, para. 193.

<sup>384</sup> In 2003, BellSouth will spend approximately \$108 million and devote 300,000 programmer hours to change management issues, and, as mentioned above, will provide competitive LECs with 80% of production capacity for 2003. See BellSouth Stacy Reply Aff. at para. 42.

<sup>385</sup> BellSouth Reply at 12; BellSouth Stacy Reply Aff. at para. 76. The Florida Commission established the business rules for CM-11, which starts the 60-week period at the time when a change request is prioritized by all the (continued....)

given that BellSouth has dedicated significant time and resources to scheduling the implementation of competitors' prioritized changes for the upcoming 2003 releases, we expect that BellSouth will have little difficulty in complying with CM-11, and we are satisfied with the progress BellSouth has made so far. Furthermore, we are encouraged by the fact that state commissions continue to oversee improvements to BellSouth's change control process, and may impose penalties if BellSouth fails to meet required benchmarks and parity standards.

117. We also reject Covad's assertions that BellSouth corrects problems affecting its own retail operations quicker than it does for competitors. In support of its claim, Covad provides one example. It states that on January 18, 2002, it submitted a change request (CR0621), and that it took BellSouth 6 months to take effective action. On the other hand, Covad alleges that BellSouth quickly acted upon a similar defect (CR0766) that affected BellSouth's own operations.<sup>386</sup> We find that even if true, the record shows that BellSouth was justified in its treatment of Covad's change request because the change requests were not similar. BellSouth had to perform substantially more work to identify and resolve the issues in Covad's change request.<sup>387</sup> In contrast, BellSouth's change request was for a known line number portability (LNP) defect, capacity for such a change was identified in an upcoming release, and the change itself required significantly less work.<sup>388</sup> Therefore, based upon the evidence in the record, we find that BellSouth's actions neither violate the change control process nor checklist item 2. However, we note that BellSouth may not have communicated with Covad as well as it could have about the status of its change request, which is a separate issue we address below.

#### (b) Adherence to the Prioritization Process

118. We find that BellSouth adheres to the competitive LEC prioritization of their change requests.<sup>389</sup> The record does not support the arguments made by AT&T, Network

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participating competitive LECs, not at the time when the change request is first submitted. See BellSouth Stacy Reply Aff. at para. 76.

<sup>386</sup> See Covad Comments at 15-17.

<sup>387</sup> See BellSouth Reply at 16; BellSouth Stacy Reply Aff. at paras. 196-201.

<sup>388</sup> *Id.*

<sup>389</sup> As explained in the *BellSouth Multistate Order*, after BellSouth validates a change request, competitive LECs jointly prioritize change requests using information BellSouth provides about the approximate size of each change request feature and estimates of available capacity in future releases. BellSouth then internally reviews the prioritization and sequences change requests beginning with the top priority request. Under the 50/50 release plan, BellSouth has its own releases and competitive LECs have their own releases. The plan first requires implementation of all regulatory mandates, all needed industry standard updates, and all scheduled repairs to fix defects. After those changes are implemented, competitive LECs and BellSouth share equally the remaining release capacity for the year. BellSouth schedules its change requests and shows competitive LECs the changes it had initiated and intends to implement. Likewise, competitive LECs prioritize their change requests, and these are slotted for implementation in competitive LEC releases. BellSouth and competitive LECs each have the right to prioritize the features in their releases. See *BellSouth Multistate Order*, 17 FCC Rcd at 17696-98, para. 184; see also BellSouth Stacy Aff., Ex. WNS-26 (BellSouth Change Control Process) at 33-42.

Telephone, and WorldCom that BellSouth ignored the change control process and unilaterally developed a set of alternative plans for an industry standard release in 2003.<sup>390</sup> Despite WorldCom's and AT&T's assertions that BellSouth has reorganized release schedules so that they deviated from the competitors' prioritized changes,<sup>391</sup> the record shows that BellSouth presented its competitors with two options for the 2003 release schedule, received a counterproposal from the competitive LECs, and is now implementing that counterproposal.<sup>392</sup> Although it appears that BellSouth could have communicated better with the competitive LEC community during this process, we find no evidence that BellSouth failed to adhere to its change control plan. As BellSouth's actions conform to the requirements of its change control process, we find it to be compliant with checklist item 2.

119. Relatedly, WorldCom and AT&T argue that BellSouth is not providing timely information about why prioritized changes are not implemented in prioritized order.<sup>393</sup> The Department of Justice also commented that BellSouth needs to discuss its releases openly with competitive LECs when it believes capacity constraints will prevent it from following the competitive LECs' prioritized list.<sup>394</sup> We have similar concerns, and find that BellSouth may have valid, operational reasons to depart from the competitive LECs' prioritization of change requests, but it must discuss with the competitive LECs its reasons for, and provide timely information about, its departure from the prioritized list.<sup>395</sup> Moreover, we believe that BellSouth should provide information not just when change requests are prioritized, but during all steps of the process. In response to these concerns, BellSouth has provided the Commission with detailed information in this proceeding explaining how capacity constraints determined when the competitive LECs' prioritized changes would be implemented in the upcoming 2003 releases.<sup>396</sup> The record also shows that since April 2002, BellSouth has met with its competitors on over 60 separate occasions to discuss change management issues. Although we encourage BellSouth to continue its efforts to share relevant information with competitors in a timely fashion throughout the change management process, we find no evidence that BellSouth has failed to adhere to the change control plan or with the requirements of checklist item 2. In addition, we are persuaded that BellSouth will continue to make significant efforts to improve its communications with competitive LECs, and in the future, will take the necessary step of providing timely, pertinent information that relates to the change control process.

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<sup>390</sup> AT&T Comments at 11; AT&T Bradbury Decl. at paras. 26-27; AT&T Reply at 8; AT&T Bradbury Reply Decl. at paras. 6-7; WorldCom Comments at 2-3; Network Telephone Comments at 9.

<sup>391</sup> WorldCom Comments at 2-4; AT&T Comments at 11; AT&T Bradbury Decl. at 26-27.

<sup>392</sup> BellSouth Reply at 11-12; BellSouth Stacy Reply Aff. at paras. 43-49.

<sup>393</sup> WorldCom Comments at 4-5; AT&T Reply at 7-9; AT&T Bradbury Reply Decl. at paras. 6-8; AT&T Nov. 13 *Ex Parte* Letter – OSS at 5-6.

<sup>394</sup> Department of Justice Comments at 7.

<sup>395</sup> *Id.*

<sup>396</sup> *See* BellSouth Stacy Reply Aff. at paras. 72-74, and Ex. WNS-33 .

120. We also reject AT&T's and WorldCom's arguments that BellSouth has violated the change control process by failing to inform competitors of "[competitive LEC]-affecting" changes. Commenters generally complain that BellSouth has failed to provide information about upcoming changes to some of its underlying interfaces, which will affect competitors' access to BellSouth's OSS. Specifically, the commenters argue that BellSouth has failed to submit change requests and sizing information regarding the upcoming migration from the Application Program Interface (API) to the Extensible Markup Language (XML) architecture for BellSouth's TAG interface, and the implementation of IDN infrastructure.<sup>397</sup> WorldCom explains that these changes are "[competitive LEC]-affecting" because they are "unique to the [competitive LEC] wholesale environment," and will impact the way in which BellSouth processes competitive LEC orders, and could cause significant problems, particularly for orders being processed at the time of the change.<sup>398</sup> Evidence in the record shows that these changes in underlying architecture are transparent to competitive LECs, and have no effect on their access to the BellSouth OSS.<sup>399</sup> The record shows, moreover, that representatives from both AT&T and WorldCom were present at meetings where BellSouth proposed its infrastructure initiatives, and neither party objected.<sup>400</sup>

121. We also reject the claims of WorldCom, AT&T, and Covad that BellSouth will not adhere to the change control process without significant protest by competitive LECs or the close scrutiny of state or federal regulators.<sup>401</sup> For example, commenters allege that without competitor protest and regulatory pressure, BellSouth would have neither corrected a KPMG exception,<sup>402</sup> nor implemented competitors' prioritized change requests.<sup>403</sup> Evidence in the record shows, however, that BellSouth has taken action without regulatory involvement.<sup>404</sup> For example, collaborative meetings beginning in early 2002 resulted in agreements on such significant change control issues as expanding the definition of "[competitive LEC]-affecting change," creating the "go/no go" concept, and providing capacity information and size estimates for future and prior releases.<sup>405</sup> Furthermore, the record before us does not indicate that

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<sup>397</sup> See AT&T Comments at 12; AT&T Bradbury Decl. at paras. 27, 30-34; WorldCom Comments at 6.

<sup>398</sup> See WorldCom Comments at 6 (quoting BellSouth Stacy Aff.).

<sup>399</sup> See BellSouth Nov. 20 *Ex Parte* Letter – #1 at 10. The record shows that migrating to the TAG XML is a software protocol change that will not affect the functionality of TAG and has not generated competitor concern in the past. See BellSouth Stacy Reply Aff. at para. 69.

<sup>400</sup> See BellSouth Stacy Reply Aff. at paras. 74-75.

<sup>401</sup> WorldCom Comments at 4; AT&T Comments at 14; AT&T Bradbury Decl. at paras. 8, 19-21; Covad Comments at 17.

<sup>402</sup> Covad Comments at 17.

<sup>403</sup> WorldCom Comments at 3-4; AT&T Comments at 11.

<sup>404</sup> See BellSouth Stacy Reply Aff. at para. 22.

<sup>405</sup> BellSouth Stacy Reply Aff. at paras. 23, 28. In the *BellSouth Multistate Order*, the Commission recognized this collaborative effort, stating, "BellSouth agreed to competitive LECs' requests to expand the definition of '[competitive] LEC-affecting' changes . . . accepting the competitive LECs' proposed definition verbatim, so that (continued....)"

BellSouth is denying competitors an opportunity to provide meaningful input into the change control process simply because competitors have to occasionally avail themselves of a regulatory process in order to resolve a dispute.<sup>406</sup> As we have previously stated, “BOCs [must] provide competitive LECs ‘opportunities for meaningful input’ in the change management process, [but they do not have] to relinquish control over their systems or to provide unlimited resources to implement all change requests.”<sup>407</sup> We find that the record supports a finding that BellSouth is complying with the change control process.<sup>408</sup> As we discuss below, we intend to monitor, through the enforcement process, BellSouth's ongoing compliance with the change control process. In that regard, we are reassured by the fact that the Florida Commission, among others, has stated its intention to remain involved in the change management process.<sup>409</sup>

122. *Delay of Release 11.0.* We are not persuaded by the assertions of AT&T, WorldCom, and Network Telephone that BellSouth's decision to postpone Release 11.0 indicates persistent flaws in BellSouth's testing process, and is evidence that it does not adhere to its change management process.<sup>410</sup> We find that BellSouth's delay of the release appears to demonstrate BellSouth's commitment to its processes.<sup>411</sup> These commenters claim that as early as October 4, 2002, BellSouth learned from its vendor of defects in pre-release versions of the software. According to the commenters, BellSouth had an obligation to inform the competitive

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the CCP will apply to a broader array of possible changes.” *BellSouth Multistate Order*, 17 FCC Rcd at 17694, para. 181.

<sup>406</sup> We reject AT&T's characterization of BellSouth's Motion for Reconsideration and Clarification of a Georgia Commission performance measurements proceeding. See Letter filed by Alan C. Geolot, Counsel to AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Dec. 10, 2002). BellSouth is simply asserting its procedural rights in a state regulatory proceeding in which AT&T has rights as well. Further, the Georgia state proceeding is not decisional to our analysis of the current application. Accordingly, we do not find that AT&T's claims warrant a finding of checklist noncompliance.

<sup>407</sup> *BellSouth Multistate Order*, 17 FCC Rcd at 17698-99, para. 185.

<sup>408</sup> Similarly, we find no merit to AT&T's assertion that BellSouth has no intention of improving its performance, but rather, is concentrating on avoiding penalties associated with the inadequate implementation of competitive LEC change requests and is coercing competitors to comply with its demands by threatening to reduce capacity. See AT&T Bradbury Decl. at para. 10. BellSouth explains that AT&T misinterpreted its statements, and that it was simply expressing concern that by spending more time on scheduling and development planning, less time would be left for the planning and programming of the releases. See BellSouth Stacy Reply Aff. at para. 45.

<sup>409</sup> The Florida Commission states that the commission “will continue to monitor the Change Control Process . . . to ensure BellSouth is providing service in a nondiscriminatory manner.” Florida Commission Comments – OSS Test at 57.

<sup>410</sup> AT&T Nov. 13 *Ex Parte* Letter – OSS at 3; Network Telephone Nov. 21 *Ex Parte* Letter at 1-2; WorldCom Nov. 20 *Ex Parte* Letter at 1-2.

<sup>411</sup> BellSouth states that it anticipates that Release 11.0 will go into production on December 29, 2002. Letter from Glenn T. Reynolds, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 1 (filed Dec. 6, 2002) (BellSouth Dec. 6 *Ex Parte* Letter – #5).

LECs of these defects at that time, and should not have waited four weeks before advising competitive LECs of BellSouth's decision to delay 11.0's release.<sup>412</sup> The commenters also allege that when BellSouth finally informed the competitive LECs of its decision to delay the release, it did not include the same information provided to the Commission on October 31<sup>st</sup>. The Commenters argue that it is not consistent with the collaborative process for the competitive LECs to have to cull information from BellSouth's *ex parte* filings with the Commission.

123. Although we agree that BellSouth should have provided the competitive LECs with the same information that it provided to the Commission, the evidence in the record shows that BellSouth provided all required information and complied with plan deadlines.<sup>413</sup> According to its change management plan, BellSouth is required to provide competitors with software release information 30 days prior to the scheduled release date or, if the release has an extended CAVE soak period, one week prior to the CAVE start date.<sup>414</sup> Given that Release 11.0's original implementation date was to have been December 8<sup>th</sup>, and that it was scheduled to go into CAVE on November 11<sup>th</sup>, BellSouth's November 4<sup>th</sup> notice was within the 30-day requirement.<sup>415</sup> Moreover, we agree with BellSouth that it did not have to disclose the communications it received from its vendor in early October. BellSouth explains that unlike previous releases, it received information about its vendor's coding and testing problems with Release 11.0 earlier in the process.<sup>416</sup> We believe that this improved communication between BellSouth and its vendor belies commenters' arguments that BellSouth's testing process is flawed. Further, we agree with BellSouth that the presence of pre-release defects did not necessarily guarantee that BellSouth would not make the December 8<sup>th</sup> release date. Thus, it was appropriate and in compliance with the change control procedures for BellSouth to wait to notify competitive LECs of the defects while there was a chance that Release 11.0 could be timely implemented.<sup>417</sup> We are concerned,

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<sup>412</sup> AT&T Nov. 13 *Ex Parte* Letter – OSS at 5-6; Network Telephone Nov. 21 *Ex Parte* Letter at 2. AT&T underscores the fact that in early October, Telcordia discovered ten times the number of pre-release defects found in either Releases 10.5 or 10.6, and that it failed to meet certain deadlines for providing Generally Available code to BellSouth. AT&T Nov. 13 *Ex Parte* Letter – OSS at 5-6.

<sup>413</sup> BellSouth Nov. 20 *Ex Parte* Letter – #1 at 2.

<sup>414</sup> *Id.* at 3.

<sup>415</sup> *Id.*

<sup>416</sup> Similarly, we reject AT&T's argument that Release 11.0 is not more complex than previous software releases. *See* AT&T Nov. 13 *Ex Parte* Letter – OSS at 4. Evidence in the record shows that the complexity of Release 11.0 is approximately 1.8 to 2.6 times more complex than either Releases 10.5 or 10.6. *See* BellSouth Nov. 20 *Ex Parte* Letter – #1 at 6. Moreover, BellSouth states that AT&T's analysis is flawed because it used outdated sizing data on the estimated effort required to implement Release 11.0. BellSouth explains that as the software development process moves from the initial specifications into coding and testing, the complexity of the development effort often changes; consequently, the release's size increases from initial estimates. *See id.*

<sup>417</sup> We note that BellSouth has committed to conducting a root-cause analysis of the problems associated with Release 11.0 after it has been implemented. *See id.* at 7. Although AT&T argues that waiting until after implementation to conduct a root-cause shows that BellSouth has not presently determined the cause of Release 11.0's defects, we fail to see the harm in BellSouth's timing. We are persuaded by BellSouth's explanation that (continued....)

however, that BellSouth did not inform the competitive LECs of its decision to postpone the release at the same time and in the same manner as it disclosed its decision to the Commission. We believe that BellSouth must continue to take the necessary step of providing timely, pertinent information to competitive LECs that relates to the change control process. If BellSouth fails to do so in the future, we will pursue appropriate enforcement action.

124. *BellSouth Use of 80 Percent of Production Capacity for Competitive LEC Feature Requests.* We are not persuaded by AT&T's argument that BellSouth is using only 48 percent of its capacity units to implement competitive LEC-initiated change requests.<sup>418</sup> Evidence in the record shows that AT&T's calculations ignore the capacity associated with implementing software and infrastructure changes.<sup>419</sup> When this capacity is included in determining the total capacity allotment for Releases 12 and 13, competitive LEC changes comprise at least 75.7 percent.<sup>420</sup>

**(c) Quality of Software Releases and Software Defect Corrections**

125. We find that BellSouth's software releases continue to be compliant with our requirements. AT&T's assertion that BellSouth's software releases continue to have high error rates is inconsistent with BellSouth's showing that it has improved the quality of its software releases, and its attention to any defects that may have been discovered subsequently.<sup>421</sup> Evidence in the record shows that BellSouth has made improvements following the release of the *BellSouth Multistate Order*. For example, BellSouth has implemented a "go/no go" policy for the release of new software. Under this policy, competitive LECs that have utilized BellSouth's pre-ordering and ordering testing environment (the Competitive LEC Application Verification Environment (CAVE)), vote to either recommend or deny the release of new software.<sup>422</sup>

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were it to direct its vendor to stop work on Release 11.0 to conduct this analysis, the release's integrity could be further impeded. *See id.*

<sup>418</sup> *See* AT&T Nov. 13 *Ex Parte* Letter – OSS at 9.

<sup>419</sup> *See* BellSouth Nov. 20 *Ex Parte* Letter – #1 at 4-5. These software and infrastructure changes include the upgrade to ELMS6 industry release, the change to M-PLEX in order to support both EDI pre-ordering function and Interactive Agent, and the migration to EDI.

<sup>420</sup> *See id.*

<sup>421</sup> AT&T Comments at 12-13; AT&T Bradbury Decl. at paras. 45-50; AT&T Reply at 14-15; AT&T Bradbury Reply Decl. at paras. 22-25.

<sup>422</sup> According to BellSouth, in order for competitive LECs to cast a vote to defer the release, there must exist one of the following two conditions: an unresolved validated severity level 1 defect or an unresolved validated severity level 2 defect (with no workaround). Only competitive LECs that use interfaces impacted by the release would vote. The vote would take place one week before the scheduled implementation date of the release. BellSouth would then use this recommendation, in conjunction with the recommendations of its quality assurance testing teams and its testing information, to make a final decision on implementation of the release. *See* BellSouth Stacy Aff. at para. 146.

BellSouth is also working with competitive LECs to address defects found in “frozen” maps of interfaces.<sup>423</sup> In addition, BellSouth has hired a third-party vendor to expand BellSouth’s internal test deck cases used during internal pre-release testing, which is now available for competitors’ use in CAVE.<sup>424</sup> Given these types of improvements, BellSouth reports that its most recent software release, Release 10.6, has generated only nine competitive LEC affecting software defects, four of which were identified before the release went into production. Based upon these improvements and the low number of defects in its most recent software release, we find the quality of BellSouth’s software releases to be adequate.

126. Similarly, we deny AT&T’s assertion that little reliance should be placed upon QP Management Group’s (QP) third-party test of BellSouth’s software. AT&T alleges that the software evaluation company failed to properly include and identify some of BellSouth’s vendors.<sup>425</sup> Specifically, AT&T alleges that QP’s analysis failed to include both the applications used by one of BellSouth’s vendors, Accenture, and the work performed by Electronic Systems, Inc. (ESI).<sup>426</sup> Contrary to AT&T’s claims, the record shows that QP included Accenture’s applications and ESI’s work.<sup>427</sup> Moreover, QP found that despite the increasing complexity of BellSouth’s software releases, the percentage of defects declined, with the ratio of defects per function point decreasing from 0.00708 in Release 10.3 to 0.00146 in Release 10.6.<sup>428</sup> This function point analysis demonstrates that BellSouth’s software Release 10.6 is comparable to the industry’s “best-in-class.”<sup>429</sup> Despite AT&T’s complaints about QP’s erroneous reliance upon

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<sup>423</sup> *Id.* at para. 137. The record shows that when BellSouth issues a new industry standard for an interface, the prior industry standard will be retained or “frozen,” with no changes being made to it. BellSouth explains that it provides support for both the new and frozen versions until the next industry standard is issued, and will cure any defects found in the frozen version. *See id.* at Ex. WNS-26 (BellSouth Change Control Process) at 87.

<sup>424</sup> *Id.* at para. 145. This expansion of the test bed is directed at detecting migration defects for production releases. BellSouth explains that the expanded set of test cases used first, internally for systems testing, and then the same test cases were tested in CAVE to insure that the CAVE environment mirrored the internal test environment and the production environment. Among other things, the additional testing identifies any defects from a competitive LEC’s vantage point. BellSouth tested approximately 17,000 test cases for Release 10.6 compared to approximately 9,000 used for Release 10.5. *See id.* at para. 255.

<sup>425</sup> AT&T Comments at 13; AT&T Bradbury Decl. at para. 65.

<sup>426</sup> AT&T Bradbury Decl. at para. 56 n.18.

<sup>427</sup> BellSouth Reply at 14; BellSouth Stacy Reply Aff. at paras. 83-84.

<sup>428</sup> BellSouth Stacy Reply Aff. at para. 81. The software industry uses a metric called defect density to measure the success in implementing a defect-free release. This metric compares the number of defects identified to the number of function points implemented in the release on a defects-per-function-point basis. A function point is an industry standard metric for defining the complexity of a given piece of software, based on the business functionality provided by the software. The function points are defined after the analysis of the data functions and transactional function performed by a set of software programs. *See BellSouth Stacy Aff.* at paras. 248-49.

<sup>429</sup> BellSouth Nov. 20 *Ex Parte* Letter – #1 at 2; *see also* BellSouth Stacy Reply Aff. at para. 81.



function point counting,<sup>430</sup> the record shows that this methodology is the most commonly-used measure of software size for telecommunications companies, that it is the only method supported by a governing standards body, and that QP conformed to its definitions for counting function points.<sup>431</sup>

127. We note that during its testing of BellSouth's OSS in Florida, KPMG found deficiencies in the quality of BellSouth's software releases.<sup>432</sup> The Department of Justice also noted that the Commission should continue to monitor this area to assure that competitive LECs do not have OSS access problems.<sup>433</sup> During its examination of the adequacy of BellSouth's OSS, the Florida Commission addressed KPMG's findings by ordering the implementation of three new metrics, which measure the quality of BellSouth's software releases.<sup>434</sup> BellSouth began reporting under these new metrics with the August 2002 performance data. BellSouth's performance for the months of August and September has been satisfactory.<sup>435</sup> Moreover, most,

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<sup>430</sup> AT&T argues that the report fails to determine the number of defective function points in each of the releases studied. Instead, it only identifies defects without determining their impact upon software users. AT&T also argues that the report is flawed because it converted line counts using unverified data and relied on only 30 instead of 90 days of data taken from Release 10.5. *See* AT&T Bradbury Decl. at paras. 51-65.

<sup>431</sup> BellSouth Reply at 14; BellSouth Stacy Reply Aff. at paras. 85-88. BellSouth admits that although there is not a single, uniform technique for sizing software in the telecommunications industry, function point counting is a commonly used measure of software size for telecommunications companies, and is the only one supported by a governing standards body (International Function Point Users Group). BellSouth explains that function points act as the basis for measuring both productivity and quality. BellSouth states, furthermore, that it recently interviewed four software benchmarking firms: Compass, Meta, Gartner and Q/P Management. BellSouth reports that each of these firms' benchmarking methodology included the use of function points in measuring productivity and quality, as well as the use of the defect density metric. Moreover, BellSouth states that QP Management's database includes data for over 10,000 projects from 100 different organizations, including numerous telecommunications software projects. These organizations do use function point counts and the defects per function point metric to benchmark their software quality, productivity, and cost. *See* BellSouth Stacy Reply Aff. at para. 85.

<sup>432</sup> KPMG Final Report at 101, 104, 120-21.

<sup>433</sup> Department of Justice Comments at 8.

<sup>434</sup> BellSouth Stacy Aff. at paras. 265-69; BellSouth Stacy Reply Aff. at para. 90. CM-6 requires that BellSouth timely correct software defects: 10 business days for high impact defects; 30 business days for medium impact defects; and 45 days for low impact defects. CM-9 measures the number of defects in a release. CM-10 measures the quality of a software release as determined by a pre-defined set of test cases established in the post-production environment. *See id.*

<sup>435</sup> *See* Florida/Tennessee F.10.7 (% competitive LEC Interface Outages Sent within 15 Minutes); Florida/Tennessee F.10.8 (% Software Errors Corrected within 30 Business Days); Florida/Tennessee F.10.9 (% Change Requests Accepted or Rejected within 10 Business Days); Florida/Tennessee F.10.12 (Number of Severity 1 Defects (Type 6 CR) in a Production Release Implemented); Florida/Tennessee F.10.13 (Number of Severity 2 Defects (Type 6 CR) in a Production Release Implemented); Florida/Tennessee F.10.14 (Number of Severity 3 Defects (Type 6 CR) in a Production Release Implemented); and Florida/Tennessee F.10.15 (% Test Deck Weight Failure in Production Release). We note that AT&T asserts that BellSouth has improperly reported its performance for CM-6 and CM-11, and that it, along with other competitive LECs, have provided the Florida Commission with information about BellSouth's alleged improper methodology. *See* AT&T Bradbury Reply Decl. at paras. 26-29. We find that the state commission is the proper venue to address such concerns. Thus, unless the Florida (continued...)

if not all, of the improvements mentioned above had not been implemented at the time when KPMG was conducting its testing. Accordingly, we find that BellSouth's implementation of these improvements, and the low defect rate of Release 10.6, adequately address the Commission's and the Department of Justice's concerns about BellSouth's software releases.<sup>436</sup> We will continue to monitor this area, as recommended by the Department of Justice.

128. We are not persuaded by AT&T's argument that BellSouth's internal software testing is inadequate because it did not prevent customers in Florida and Tennessee from successfully ordering BellSouth Long Distance (BSLD) service.<sup>437</sup> Regardless of what enforcement action we may take in the futures with respect to this incident, we do not believe that it mandates a finding of checklist noncompliance with respect to the adequacy of BellSouth's change management processes. BellSouth states that software updates disabled previously-imposed safeguards.<sup>438</sup> However, BellSouth further states that its internal testing is sufficient given that of the 87,000 customers who contacted BellSouth's Small Business Customer Service centers from October 1 to October 9, 2002, only seven, or 0.008 percent, were able to actually place orders for BSLD.<sup>439</sup>

129. We also find unpersuasive AT&T's assertion that BellSouth corrects lower-impacting defects before it corrects those with higher severity levels.<sup>440</sup> The performance data show that BellSouth has corrected all recently-reported, high-impact defects within 10 days, and that it has corrected 16 other medium- and low-impact defects.<sup>441</sup> Although the record also shows that BellSouth has 6 outstanding medium- and low-impact defects to correct in Release 10.6, we are persuaded by BellSouth's explanation that some of these defects could not be corrected until the implementation of Release 11.0 (scheduled for release on December 30, 2002) because the Florida Commission order requiring the reduction of defect correction intervals was issued in the midst of a release cycle.<sup>442</sup> In fact, as discussed in detail above, evidence of improvements in BellSouth's pre-release software testing can be found in BellSouth's decision

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Commission finds that BellSouth inaccurately reported its performance results, we accept BellSouth's performance as valid, and do not address AT&T's assertions.

<sup>436</sup> KMPG Final Report at 101, 104, 120-21.

<sup>437</sup> See AT&T Reply at 15; see also discussion of premature marketing *infra* Part VII.C.

<sup>438</sup> See Letter from Jonathan B. Banks, General Attorney, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 1-3 (filed Oct. 29, 2002) (BellSouth Oct. 29 *Ex Parte* Letter – #2).

<sup>439</sup> See *id.* at 3.

<sup>440</sup> AT&T Comments at 13; AT&T Bradbury Decl. at paras. 46-50.

<sup>441</sup> BellSouth Reply at 15; BellSouth Stacy Reply Aff. at paras. 99-101.

<sup>442</sup> BellSouth Reply at 15-16; BellSouth Stacy Reply Aff. at para. 102.

to postpone Release 11.0 until December 30, 2002 due to the high number of defects identified during pre-release testing.<sup>443</sup>

130. *Notification Adequacy and Timeliness.* We also find no support for Network Telephone's and WorldCom's complaints that BellSouth has been slow to reveal constraints that may exist before competitors have prioritized their change requests,<sup>444</sup> and that BellSouth is unresponsive to competitive LEC questions.<sup>445</sup> The Department of Justice also notes that BellSouth should discuss its releases openly with competitive LECs when it believes constraints prevent it from following competitive LEC priorities.<sup>446</sup> While we agree with concerns expressed about BellSouth's provision of information, we also believe that BellSouth has improved, and is continuing to improve, its processes in this respect. For instance, BellSouth has made improvements such as lengthening the notification period for retirement of interfaces from 120 to 180 days,<sup>447</sup> providing competitive LECs with information on BellSouth's legacy system releases via the change control process website, and providing competitors with BellSouth maintenance release information via the change control process's Change Control Release Schedule.<sup>448</sup> Moreover, BellSouth now posts all Type 2 through Type 6 change requests to the Flagship Feature Release Schedule.<sup>449</sup> Although BellSouth should continue improving its communications with the competitive LECs, these commenters' assertions do not compel us to retract our previous findings that "BellSouth is providing competitive LECs with sufficient information to be able to make informed decisions regarding prioritization of proposed systems changes."<sup>450</sup> Although not a factor in our decision here, we are encouraged by the fact that

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<sup>443</sup> BellSouth Reply at 14-15; BellSouth Stacy Reply Aff. at paras. 103-14. BellSouth explains that the competitive LECs chose Option 1 for the rescheduled release date for Release 11.0. Release 11.0 is now scheduled for release on December 30, 2002. See BellSouth Nov. 7 *Ex Parte* Letter – #1 at 3; BellSouth Nov. 1 *Ex Parte* Letter – #2 at 14. See *supra* paras. 122-23 for discussion of Release 11.0.

<sup>444</sup> WorldCom Comments at 5. WorldCom cites the fact that BellSouth has stated that some of its back-end systems can undergo only a limited number of simultaneous changes, but it has not provided information about these constraints. See *id.*

<sup>445</sup> Network Telephone Comments at 9.

<sup>446</sup> Department of Justice Comments at 7.

<sup>447</sup> BellSouth Stacy Aff. at para. 137.

<sup>448</sup> *Id.* at para. 138.

<sup>449</sup> *Id.* BellSouth explains that once the competitive LECs have prioritized the features that they want changed, BellSouth provides a 12-month view of all Type 2 through 6 change requests that are scheduled, implemented, or targeted features. BellSouth explains that this is commonly called the Flagship Feature Release Schedule. See BellSouth Stacy Aff., Ex. WNS-53. The Flagship Feature Release Schedule is provided to the competitive LECs via e-mail and on the change control process web site, and is discussed in each change control monthly status meeting. *Id.* at paras. 138, 199, 206.

<sup>450</sup> *BellSouth Multistate Order*, 17 FCC Rcd at 17695-96, para. 182.

BellSouth has committed itself to making capacity information available to competitive LECs in a form similar to that provided to the Commission.<sup>451</sup>

#### **h. Training, Technical Assistance, and Help Desk Support**

131. As we did in the *BellSouth Georgia/Louisiana* and the *BellSouth Multistate Orders*, we find that BellSouth adequately assists competing carriers in their use of available OSS functions.<sup>452</sup> We reject Network Telephone's assertion that BellSouth's "Care Team" service is inadequate because Network Telephone provides no evidence that BellSouth has failed to enable Network Telephone to understand, implement, and use all of the OSS functions available to them.<sup>453</sup> In fact, the record shows that from April 17–19, 2002, seventeen BellSouth employees traveled to Florida to meet with Network Telephone to discuss operational assistance issues.<sup>454</sup> An outcome of this meeting was the discussion of a single point of contact ("SPOC") for Network Telephone on operational issues. If Network Telephone believes that BellSouth has failed to uphold its responsibilities in these areas, it may either avail itself of the change management plan's dispute resolution process or initiate an enforcement proceeding. However, given the lack of substantiating evidence in this proceeding, we find that BellSouth's showing in this area is the same as, if not better than, that which we found sufficient to meet the requirements of section 271 in the *BellSouth Georgia/Louisiana* and the *BellSouth Multistate Orders*.

### **V. OTHER CHECKLIST ITEMS**

#### **A. Checklist Item 4 - Unbundled Local Loops**

132. Section 271(c)(2)(B)(iv) of the Act requires that a BOC provide "[l]ocal loop transmission from the central office to the customer's premises, unbundled from local switching or other services."<sup>455</sup> Based on the evidence in the record, we conclude, as did the state commissions,<sup>456</sup> that BellSouth demonstrates that it provides unbundled local loops in accordance with the requirements of section 271 and our rules. As in past section 271 orders, our conclusion

<sup>451</sup> BellSouth Nov. 20 *Ex Parte* Letter – #1 at 5-6.

<sup>452</sup> See *BellSouth Multistate Order* 17 FCC at 17712-13, para. 208; *BellSouth Georgia/Louisiana Order*, 17 FCC at 9132, para. 198.

<sup>453</sup> Network Telephone Comments at 11-12. Network Telephone states that the Care Team cannot quickly provide answers to complicated questions, that deadlines are missed, that team members do not have the appropriate level of expertise, and that the Care Team does not have access to the appropriate personnel at BellSouth. *Id.* at 11.

<sup>454</sup> See *BellSouth Ruscilli/Cox Reply Aff.* at paras. 54-58.

<sup>455</sup> 47 U.S.C. § 271(c)(2)(B)(iv). The Commission has defined the loop as a transmission facility between a distribution frame, or its equivalent, in an incumbent LEC central office, and the demarcation point at the customer premises. Dark fiber and loop conditioning equipment are among the features, functions, and capabilities of the loop. *UNE Remand Order*, 15 FCC Rcd at 3772-73, paras. 166-67 n.301. See Appendix D at paras. 48-52.

<sup>456</sup> See Florida Commission Comments – Hearing at 123-24; Tennessee Authority Comments at 33-34.

is based on our review of BellSouth's performance for all loop types, including voice grade loops, xDSL-capable loops, high capacity loops, and digital loops, as well as our review of BellSouth's hot cut, line-sharing, and line splitting processes. We note that, as of July 31, 2002, BellSouth states that it had provisioned 166,168 loops in Florida and 50,886 loops in Tennessee.<sup>457</sup>

133. Consistent with our prior section 271 orders, we do not address in detail aspects of BellSouth's loop performance where there is little, if any, dispute in the record that BellSouth's performance complies with the parity and benchmark measures established in the relevant states.<sup>458</sup> As in past section 271 proceedings, in the course of our review we look for patterns of systemic performance disparities that have resulted in competitive harm or that otherwise have denied new entrants a meaningful opportunity to compete.<sup>459</sup> Although several parties have raised issues with respect to BellSouth's loop performance,<sup>460</sup> our own review of the record shows that BellSouth's performance overall has been satisfactory. Thus, we do not engage in detailed discussion of BellSouth's loop performance. Instead we focus on concerns raised by commenters, where the record indicates significant discrepancies between BellSouth's performance for its competitors and BellSouth's performance for its own retail operations.

134. *Voice Grade Loops.* We find, as did the state commissions,<sup>461</sup> that BellSouth provisions voice grade loops to competitors in a nondiscriminatory manner. BellSouth generally meets the benchmark and parity standards for order processing timeliness, installation timeliness, installation quality, and maintenance and repair timeliness and quality of voice grade loops in Florida and Tennessee, with few exceptions.<sup>462</sup> We find that the exceptions to BellSouth's

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<sup>457</sup> See BellSouth Application at 84.

<sup>458</sup> See, e.g., *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9144, para. 219; *Verizon Connecticut Order*, 16 FCC Rcd at 14151-52, para. 9.

<sup>459</sup> See, e.g., *Verizon Massachusetts Order*, 16 FCC Rcd at 9055-56, para. 122. We note that in its comments, AT&T lists various performance metrics missed by BellSouth. Although AT&T relates some of these missed metrics to alleged competitive impact, much of what AT&T lists demonstrates nothing more than isolated instances, or instances of near-compliance that, as we have found in previous orders, have no competitive impact. Accordingly, we decline to make a finding of noncompliance based upon AT&T's unsubstantiated allegations. See generally *AT&T Norris Decl.* However, the draft order fully treats those portions of the Norris Declaration that correlate BellSouth performance data to any competitive impact alleged by AT&T in its comments. See also *supra* n.201.

<sup>460</sup> See, e.g., Covad Comments at 25-29; KMC Comments at 15-17.

<sup>461</sup> See Florida Commission Comments – Hearing at 123-24; Tennessee Authority Comments at 33-34.

<sup>462</sup> See, e.g., Florida/Tennessee B.1.12.8 – B.1.12.9 (FOC Timeliness – Partially Mechanized – 10 Hours, 2 Wire Analog Loops); Florida/Tennessee B.2.18.8 – B.2.18.9 (% Missed Installation Appointments, 2 Wire Analog Loops); Tennessee B.2.19.8 – B.2.19.9 (% Provisioning Troubles Within 30 Days, 2 Wire Analog Loops); Tennessee B.3.1.8 – B.3.1.9 (Missed Repair Appointments, 2 Wire Analog Loops); Florida/Tennessee B.3.4.8 – B.3.4.9 (% Repeat Troubles Within 30 Days, 2 Wire Analog Loops).

generally nondiscriminatory performance are not competitively significant.<sup>463</sup> We therefore find that a finding of checklist compliance is warranted despite these exceptions. Should BellSouth's performance in this area deteriorate, we will pursue appropriate enforcement action.

135. *Hot Cut Activity.* We find, as did the state commissions,<sup>464</sup> that BellSouth is providing voice grade loops through hot cuts in accordance with the requirements of checklist item 4.<sup>465</sup> As in the Georgia/Louisiana proceeding, Mpower alleges that BellSouth's failure to provide an adequate frame due time (FDT) process violates BellSouth's obligation to provide nondiscriminatory access to OSS and to unbundled loops.<sup>466</sup> The Commission did not find

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<sup>463</sup> BellSouth missed several months under an order processing timeliness benchmark (95% within 3 hours). See Florida B.1.9.8 (FOC Timeliness – Mechanized, 2 Wire Analog Loops)(indicating misses in June, July and August). However, competitive LECs experienced an average of 95.08% within 3 hours for the relevant period. Although BellSouth also missed parity from May-Sept. in Florida under a provisioning timeliness metric (the order completion interval metric), we note that its performance under another measure of installation timeliness, the percent missed installation appointments metric, indicates parity performance throughout the relevant period. See Florida B.2.1.9.1.4 (Order Completion Interval, 2 Wire Analog Loops Non-Design/Dispatch) (indicating a disparity from May-Sept.); see also Florida B.2.18 (% Missed Installation Appointments, 2 Wire Analog Loops). In previous orders, we have found the percent missed installation appointments metric more persuasive under comparable circumstances. See, e.g., *Bell Atlantic New York Order*, 15 FCC Rcd at 4063-66, paras. 205-10. BellSouth also suggests that some disparity under the order completion interval metric may be attributable to the fact that competitive LEC orders are scheduled based on the standard ordering guide which carries a minimum four-day interval, while the retail analogue for the majority of these orders is residence and business type plain old telephone service (POTS) orders that are scheduled on the due date calculator, and may be completed in less than a day. BellSouth Varner Aff., Ex. PM-2 at para.139. BellSouth missed parity in Florida for three months under a provisioning quality measure. See Florida B.2.19.9.1.4 (% Provisioning Troubles Within 30 Days, 2 Wire Analog Loops). We give little weight to this reported performance failure, however, in light of BellSouth's explanation that the misses correspond to a small number of trouble reports that do not provide a valid comparison to the retail analogue. The low competitive LEC volume of 9 in September makes it difficult to draw further conclusions regarding the data. BellSouth Varner Aff., Ex. PM-2 at para.143. BellSouth also missed several months under a maintenance and repair measure. See Florida B.3.2.9.1 (Customer Trouble Report Rate, 2 Wire Analog Loops, Non-Design/Dispatch). However, BellSouth still provided over 97% trouble-free services under this measurement, and the difference in the trouble report rate for competitive LEC lines was less than 1% higher than the BellSouth retail analogue. BellSouth Varner Aff., Ex. PM-2 at para. 148. Therefore, we find that that reported performance failure has little, if any, competitive impact. Finally, we note that BellSouth missed three months in Florida under the missed appointments metric for non-dispatch orders. See Florida B.3.1.9.2 (Missed Repair Appointments, 2 Wire Analog Loops, Non-Design/Non-Dispatch). BellSouth states that two of the six missed appointments in May were missed by less than thirty minutes each, and the other four were due to improper order close-out procedures associated with a multi-trouble order for the same customer. BellSouth further states that two of the eighteen total missed appointments in July were closed as Tested OK/ Found OK, and fifteen of the remaining 16 missed appointments were the result of 2 multiple troubles. BellSouth Varner Aff., Ex. PM-2 at para.147. We are persuaded by BellSouth's explanations for these performance disparities and find that they have little, if any, competitive impact.

<sup>464</sup> See Florida Commission Comments – Hearing at 123-24; Tennessee Authority Comments at 33-34.

<sup>465</sup> See generally Appendices B and C.

<sup>466</sup> See Mpower Comments at 12-13.

Mpower's arguments persuasive in the *BellSouth Georgia/Louisiana Order*,<sup>467</sup> and Mpower provides no new evidence to support its claim in the instant proceeding. Accordingly, we dismiss Mpower's allegations.

136. *Digital Loops*. We find, as did the state commissions,<sup>468</sup> that BellSouth's performance with respect to digital loops complies with checklist item 4.<sup>469</sup> We recognize, however, that BellSouth's performance in Florida with respect to one installation timeliness measure – the order completion interval metric (dispatch) – was out of parity from May through September.<sup>470</sup> BellSouth explains, however, that within the mix of competitive LEC orders under this measurement, more than half were for unbundled digital channel (UDC) circuits, which are designed circuits requiring approximately 10 days for completion as compared to the retail analogue which is heavily weighted toward ADSL circuits requiring approximately 4 days to complete.<sup>471</sup> Due to BellSouth's explanation, we do not find that the disparity in BellSouth's performance under this metric raises an issue of checklist noncompliance. In addition, the data under another installation timeliness metric – percent missed installation appointments – shows that BellSouth provisioned digital loops in a timely fashion during the relevant period.<sup>472</sup> In these circumstances, as in previous orders, we conclude that BellSouth's performance under the order completion interval metric has not denied competitive LECs a meaningful opportunity to compete in Florida.<sup>473</sup>

137. Contrary to the argument propounded by KMC, we conclude that BellSouth's provisioning and maintenance and repair performance for digital loops warrants a finding of checklist compliance.<sup>474</sup> Although BellSouth's installation quality measure for digital loops – the percentage of provisioning troubles within 30 days – was out of parity in Florida from May to

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<sup>467</sup> See *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9146, para. 222.

<sup>468</sup> See Florida Commission Comments – Hearing at 123-24; Tennessee Authority Comments at 33-34.

<sup>469</sup> BellSouth missed several months under an order processing timeliness benchmark (85% within 10 hours). See Florida B.1.12.14 (FOC Timeliness – Partially Mechanized – 10 Hours) (Other Design). This category comprises several loop types, including digital and high capacity loops. However, competitive LECs experienced an average of 87.03% within 10 hours for the relevant period. Thus, we do not find these misses to be competitively significant. Should BellSouth's performance in this area deteriorate, we will pursue appropriate enforcement action.

<sup>470</sup> The order completion interval metric measures the amount of time it takes BellSouth to actually provide service on the orders it receives from competitive LECs and its own customers. See Florida B.2.1.18.1.1 (Order Completion Interval, Digital Loops <DS1/<10 Circuits/Dispatch) (indicating intervals of 8.89, 7.64, 7.77, 8.24, and 7.99 days for competitive LECs and 4.77, 3.69, 3.58, 3.27, and 3.17 days for BellSouth's retail operations).

<sup>471</sup> See *BellSouth Varner Aff.*, Ex. PM-2 at para. 151. BellSouth also states that UDC circuits are not offered as retail products. *Id.*

<sup>472</sup> See Florida B.2.18.18.1.1 (% Missed Installation Appointments, Digital Loops <DS1/<10 Circuits/Dispatch).

<sup>473</sup> See, e.g., *BellSouth Multistate Order*, 17 FCC Rcd at 17729-30, para. 240.

<sup>474</sup> KMC Comments at 15-17.

September,<sup>475</sup> BellSouth demonstrates that the majority of these misses were caused by defective plant facilities, central office wiring problems, or incidents where trouble reports were resolved as “tested OK/found OK”.<sup>476</sup> Specifically, BellSouth provides the number of total trouble reports for each month that would be classified under the above categories of troubles, and explains how troubles under these categories often do not reflect the quality of the installation performed by BellSouth.<sup>477</sup> BellSouth further states that it is retraining plant technicians on proper testing and order turn-up procedures.<sup>478</sup> We agree that several troubles reported under this measure appear to be attributed to causes other than BellSouth’s provisioning process, and accordingly find that BellSouth’s performance in this area satisfies checklist item 4.

138. Similarly, BellSouth’s maintenance and repair performance for digital loops was generally in parity during the applicable period.<sup>479</sup> This performance constitutes checklist compliance notwithstanding that one measure of that performance – the customer trouble report rate – was out of parity in Florida and Tennessee throughout much of the relevant period.<sup>480</sup>

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<sup>475</sup> See Florida B.2.19.18.1.1 (% Provisioning Troubles within 30 Days, Digital Loops<DS1/<10 Circuits/Dispatch) (indicating trouble rates from May to September of 7.22%, 6.61%, 6.99%, 8.28%, and 6.96% for competitive LECs, and rates of 4.63%, 4.63%, 5.18%, 4.81%, and 4.03% for BellSouth retail).

<sup>476</sup> See BellSouth Varner Aff., Ex. PM-2 at para. 154.

<sup>477</sup> For example, BellSouth explains that incidents of defective plant facilities may occur after BellSouth has installed and tested the facility when a cable gets wet or foreign voltage finds its way onto the facility. Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 4 (filed Nov. 13, 2002)(BellSouth Nov. 13 *Ex Parte* Letter – #2). Furthermore, troubles that fall under the tested OK/found OK category would also not appear to indicate that there was an actual problem with the quality of the installation performed by BellSouth. As BellSouth describes, the tested OK/found OK category includes competitive LEC reported troubles where a technician conducts tests in either the repair center, the central office or outside, and finds that the loop is operating without a problem. See Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 3 (filed Nov. 18, 2002)(BellSouth Nov. 18 *Ex Parte* Letter – #1). BellSouth shows that when tested OK/found OK reports are removed from the percent provisioning troubles in 30 days metric, the competitive LEC results from May-Sept. are reduced to 6.4%, 5.8%, 6.2%, 7.4% and 5.8% respectively. *Id.* at 2.

<sup>478</sup> See BellSouth Varner Aff., Ex. PM-2 at para. 154.

<sup>479</sup> See BellSouth Varner Aff., Ex. PM-33; BellSouth Varner Reply Aff., Ex. PM-15; Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Nov. 21, 2002) (BellSouth Nov. 21 *Ex Parte* Letter – #1) (listing BellSouth’s disaggregated performance under the % Missed Repair Appointments, Maintenance Average Duration, and % Repeat Troubles within 30 Days metrics for digital and high capacity loops). We note that while BellSouth has provided disaggregated maintenance and repair data for digital loops, the Florida interim and Tennessee measurements do not have established metrics for this data. Disaggregated metrics are included under the Florida permanent measurements.

<sup>480</sup> See *Id.* (listing BellSouth’s disaggregated performance under the Customer Trouble Report Rate, Digital Loops<DS1/Dispatch in Florida/Tennessee) (out of parity in Florida and Tennessee from May through September); *id.* (listing BellSouth’s disaggregated performance under the Customer Trouble Report Rate, Digital (continued....))



BellSouth states that in spite of this disparity, 95 percent of the competitive LEC circuits for dispatch and non-dispatch digital loop orders were trouble-free during the relevant period.<sup>481</sup> Because the overall trouble report rate for digital loops that BellSouth provided competitive LECs was low during the relevant period, we find that these disparities lack competitive significance.<sup>482</sup> Moreover, contrary to KMC's assertions, BellSouth was consistently in parity, with very few repeat troubles, with regard to its measure for repeat troubles within 30 days of maintenance or repair of digital loops.<sup>483</sup>

139. *High Capacity Loops.* We find, as did the state commissions,<sup>484</sup> that BellSouth's performance with respect to high capacity loops complies with checklist item 4.<sup>485</sup> We reach this conclusion despite the fact that BellSouth's performance with respect to some provisioning metrics – including the percentage of missed installation appointments and the percentage of troubles found within 30 days of installation – is out of parity for several months during the applicable period.<sup>486</sup> As we discuss below, however, this performance does not warrant a finding of checklist noncompliance. Isolated cases of performance disparity, especially when the margin of disparity is small, generally will not result in a finding of checklist noncompliance.<sup>487</sup>

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Loops<DS1/Non-Dispatch in Florida/Tennessee) (out of parity in Florida from May through September, and out of parity in Tennessee in May); *see also* KMC Comments at 16.

<sup>481</sup> BellSouth Reply at 42; BellSouth Varner Reply Aff. at para. 150.

<sup>482</sup> BellSouth missed parity with regard to digital loops requiring dispatch in Florida from May through September with customer trouble rates of 1.34%, 1.49%, 1.74%, 1.57%, and 1.40% for competitive LECs, and rates of 0.26%, 0.28%, 0.34%, 0.36%, and 0.28% for BellSouth retail; BellSouth also missed parity in Tennessee from May through September with customer trouble rates of 1.11%, 1.14%, 1.10%, 1.49%, and 0.95% for competitive LECs, and rates of 0.34%, 0.37%, 0.44%, 0.44%, and 0.40% for BellSouth retail. *See* BellSouth Varner Aff., Ex. PM-33; BellSouth Varner Reply Aff., Ex. PM-15; BellSouth Nov. 21 *Ex Parte* Letter – #1. BellSouth missed parity with respect to non-dispatch digital loops in Florida from May through September with customer trouble rates of 0.66%, 0.55%, 0.47%, 0.57%, and 0.49% for competitive LECs, and rates of 0.35%, 0.28%, 0.32%, 0.33%, and 0.31% for BellSouth retail; BellSouth only missed parity in Tennessee in May with a customer trouble rate of 0.71% for competitive LECs, and a rate of 0.32% for BellSouth retail. *See* BellSouth Varner Aff., Ex. PM-33; BellSouth Varner Reply Aff., Ex. PM-15; BellSouth Nov. 21 *Ex Parte* Letter – #1; *see also* *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9150, para. 230. Should BellSouth's performance in this area deteriorate, we will pursue appropriate enforcement action.

<sup>483</sup> *See* KMC Comments at 16-17; *but see* BellSouth Varner Aff., Ex. PM-33; BellSouth Varner Reply Aff., Ex. PM-15; BellSouth Nov. 21 *Ex Parte* Letter – #1 (listing BellSouth's disaggregated performance under the % Repeat Troubles within 30 Days metrics for digital and high capacity loops); BellSouth Varner Reply Aff. at para. 151.

<sup>484</sup> *See* Florida Commission Comments – Hearing at 123-124; Tennessee Authority Comments at 33-34.

<sup>485</sup> *See generally* Appendices B and C; *see also supra* n.469.

<sup>486</sup> *See* Florida/Tennessee B.2.18.19.1.1 (% Missed Installation Appointments, Digital Loops $\geq$ DS1/<10 Circuits/Dispatch); Florida/Tennessee B.2.19.19.1.1 (% Provisioning Troubles within 30 Days, Digital Loops $\geq$ DS1/<10 Circuits/Dispatch).

<sup>487</sup> *See* *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9144, para. 219; *Verizon Massachusetts Order*, 16 FCC Rcd at 9055-56, para. 122; *Verizon Pennsylvania Order*, 16 FCC Rcd at 17468-69, para. 90 (finding that even (continued...))

140. First, we recognize that BellSouth's performance with respect to the missed installation appointments metric was out of parity in Florida and Tennessee for several months during the relevant period.<sup>488</sup> BellSouth states that there were only 29 missed appointments in Florida under the missed installation appointment metric from May through July for over 1,200 orders, and that the majority of these missed due dates were caused by facility issues where installation of the loop required the construction of additional facilities.<sup>489</sup> Given that the majority of installation appointments were met, and that BellSouth's overall loop performance is satisfactory, we do not find that lack of parity under the missed installation appointments metric for high capacity loops warrants a finding of noncompliance in Florida and Tennessee for checklist item 4.

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"poor" performance with regard to high capacity loops did not warrant a finding of checklist noncompliance for all loop types where high capacity loops represented only a small percentage of all loops ordered by competitors in a state). High capacity loops appear to represent approximately 3.5% and 7.6% of the unbundled loops provisioned to competitive LECs in Florida and Tennessee, respectively. See BellSouth Application App. A, Vol. 3a, Tab F, Affidavit of W. Keith Milner (BellSouth Milner Aff.) at paras. 96, 98.

<sup>488</sup> See Florida B.2.18.19.1.1 (% Missed Installation Appointments, Digital Loops $\geq$ DS1/<10 Circuits/Dispatch) (indicating missed installation appointment rates from May to September of 2.16%, 1.81%, 3.15%, 4.01%, and 4.37% for competitive LECs, and rates of 0.60%, 0.00%, 1.30%, 0.69%, and 1.33% for BellSouth retail); Tennessee B.2.18.19.1.1 (% Missed Installation Appointments, Digital Loops $\geq$ DS1/<10 Circuits/Dispatch) (indicating missed installation appointment rates in May, June, August and September of 6.77%, 9.17%, 7.25%, and 6.38% for competitive LECs, and rates of 2.93%, 4.22%, 3.14%, and 1.98% for BellSouth retail). KMC argues that BellSouth's loop assignment practices are discriminatory, and result in a greater percentage of competitive LEC high capacity loop orders being "held, pending facility" and placed in jeopardy status. KMC Comments at 11; see also Letter from Andrew M. Klein, Counsel to KMC, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307, Attach. at 6 (filed Dec. 5, 2002) (KMC Dec. 5 *Ex Parte* Letter). According to KMC, BellSouth's jeopardy performance in Georgia and Louisiana has also declined in recent months. See KMC Dec. 5 *Ex Parte* Letter, Attach. at 7-8. KMC states that this high percentage of jeopardies under BellSouth's facility assignment approach leads to more missed appointments for competitive LECs. KMC Comments at 14; KMC Reply at 8. BellSouth, however, explains that the difference in the percentage of competitive LEC and BellSouth orders placed in jeopardy status is primarily a reflection of the fact that competitive LECs are targeting business customers in customer locations that are typically heavily congested and capacity constrained, whereas BellSouth's retail orders are more widely distributed across a statewide area. See Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 1-2 (filed Dec. 11, 2002)(BellSouth Dec. 11 *Ex Parte* Letter – #1). According to BellSouth, the percentage of jeopardies issued for competitive LEC orders in Georgia and Louisiana has increased, but BellSouth notes that jeopardies for BellSouth retail have also increased to an even greater degree than for competitive LEC orders. BellSouth Dec. 11 *Ex Parte* Letter – #1 at 3. BellSouth states that despite the issuance of jeopardies in Florida and Tennessee, many orders were still completed as scheduled. BellSouth Varner Reply Aff. at paras. 127, 129. But see Letter from Andrew M. Klein, Counsel to KMC, Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 1 (filed Dec. 17, 2002) (KMC Dec. 17 *Ex Parte* Letter). In addition, BellSouth states that the majority of missed appointments that did occur were not caused by discriminatory practices, but instead were due to the fact that the competitive LEC orders were placed to end-users where facility projects were required to meet the demand. BellSouth Varner Reply Aff. at para. 129. We note that BellSouth's performance reflected by another measure of installation timeliness – the order completion interval metric – indicates parity in both states for all relevant months. See Florida/Tennessee B.2.1.19.1.1 (Order Completion Interval, Digital Loops $\geq$ DS1/<10 Circuits/Dispatch).

<sup>489</sup> See BellSouth Varner Aff., Ex. PM-2 at para. 153.

141. Next, KMC argues that BellSouth fails to achieve parity under the provisioning quality metric measuring the percentage of troubles found within 30 days of high capacity loop installation.<sup>490</sup> BellSouth states that in Florida the majority of the misses were caused by defective plant facilities, central office wiring problems or incidents where trouble reports were resolved as tested OK/found OK.<sup>491</sup> BellSouth also specifically states that in Tennessee, forty percent of the reports were closed as no trouble found, while the remainder were equally spread between outside facilities and equipment within the central office.<sup>492</sup> As discussed above, we agree that several troubles reported under this measure appear to be attributed to causes other than BellSouth's own provisioning process. Data provided by BellSouth show for example that 13 of the 39 total trouble reports reported in September for high capacity loops in Florida fell under the category of loops that actually were tested OK or found OK.<sup>493</sup> Given this evidence, and recognizing BellSouth's generally acceptable performance for other categories of loops, we find that BellSouth's performance is in compliance with checklist item 4.<sup>494</sup>

142. KMC also contends that BellSouth's maintenance and repair performance for high capacity loops precludes a finding of checklist compliance.<sup>495</sup> In particular, KMC points to BellSouth's performance under the percentage of repeat troubles within 30 days and the customer trouble report rate.<sup>496</sup> With respect to BellSouth's performance under the repeat troubles metric in Florida and Tennessee, we find that contrary to KMC's claim, results during the relevant period indicate nondiscriminatory performance for BellSouth's maintenance and

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<sup>490</sup> KMC Comments at 15-16. As with missed appointments, KMC suggests that the high percentage of jeopardies under BellSouth's facility assignment approach contributes to the greater number of provisioning troubles. *See supra* n.488; KMC Reply at 8-9. *See also* Florida/Tennessee B.2.19.19.1.1 (% Provisioning Troubles within 30 Days, Digital Loops $\geq$ DS1/<10 Circuits/Dispatch) (BellSouth missed parity in Florida in May, July, August and September with trouble rates of 11.17%, 10.57%, 9.93%, and 12.04% for competitive LECs, and rates of 6.89%, 5.41%, 6.36%, and 2.07% for BellSouth retail; BellSouth missed parity in Tennessee in May, July, August, and September with trouble rates of 19.23%, 14.41%, 18.92%, and 16.58% for competitive LECs, and rates of 5.51%, 6.63%, 3.52%, and 3.92% for BellSouth retail). Performance under these measures is within the range accepted in previous BellSouth applications.

<sup>491</sup> *See* BellSouth Varner Aff., Ex. PM-2 at para. 154; *see also* BellSouth Dec. 11 *Ex Parte* Letter – #1 at 5-6. *But see* KMC Dec. 17 *Ex Parte* Letter at 3.

<sup>492</sup> *See* BellSouth Varner Aff., Ex. PM-3 at para. 149.

<sup>493</sup> *See* BellSouth November 13 *Ex Parte* Letter – #2 at 4. BellSouth shows that when tested OK/found OK reports are removed from the percent provisioning troubles in 30 days metric, the competitive LEC results in May, July, August and September are reduced to 8.6%, 7.3%, 6.5%, and 8.0% respectively. BellSouth Nov. 18 *Ex Parte* Letter – #1.

<sup>494</sup> Should BellSouth's performance in this area deteriorate, we will pursue appropriate enforcement action.

<sup>495</sup> KMC Comments at 17.

<sup>496</sup> KMC Comments at 16-17. As with missed appointments, KMC suggests that the high percentage of jeopardies under BellSouth's facility assignment approach contributes to the greater number of customer trouble reports. *See supra* n.488; KMC Reply at 8-9.

repair of high capacity loops.<sup>497</sup> The customer trouble report rate, however, was out of parity in Florida and Tennessee throughout the relevant period.<sup>498</sup> BellSouth states that one explanation for this disparity is that the retail analogue for these circuits includes many interoffice circuits that use fiber facilities running between central offices at the DS-3 level, and which are less complex, and thus less prone to the technical problems that give rise to customer trouble reports, than the DS-1 competitive LEC circuits that have additional circuit equipment.<sup>499</sup> BellSouth also states that, in spite of the performance disparity, 95 percent of the competitive LEC circuits for dispatch and non-dispatch high capacity loop orders were trouble free during the relevant period.<sup>500</sup> Because the overall trouble report rate for high capacity loops that BellSouth provided competitive LECs was low during the relevant period, we find that these disparities lack competitive significance, and that BellSouth's maintenance and repair performance for high capacity loops warrants a finding of checklist compliance.<sup>501</sup>

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<sup>497</sup> See BellSouth Varner Aff., Ex. PM-33; BellSouth Nov. 21 *Ex Parte* Letter – #1 (listing BellSouth's disaggregated performance under the % Repeat Troubles Within 30 Days metric for digital and high capacity loops) (indicating parity performance from May-Sept. for dispatch/non-dispatch high capacity loop orders in Tennessee, and parity performance for every month during the relevant period except August for dispatch/non-dispatch high capacity loop orders in Florida). See also BellSouth Dec. 11 *Ex Parte* Letter – #1 at 7.

<sup>498</sup> See BellSouth Varner Aff., Ex. PM-33; BellSouth Varner Reply Aff., Ex. PM-15; BellSouth Nov. 21 *Ex Parte* Letter – #1 (listing BellSouth's disaggregated performance under the Customer Trouble Report Rate, Digital Loops>=DS1/Dispatch in Florida/Tennessee) (out of parity in Florida and Tennessee from May through September); *id.* (discussing BellSouth's disaggregated performance under the Customer Trouble Report Rate, Digital Loops>=DS1/Non-Dispatch in Florida/Tennessee) (out of parity in Florida and Tennessee from May through September); see also KMC Comments at 9, 16 (stating that despite the fact that in most cases high capacity loops constitute a small percentage of overall loops provided, the out of parity trouble rate for high capacity loops affects a competitive LEC customer base equivalent to between 156,240 and 4,374,720 voice grade lines depending on whether all of the 6,510 circuits are on DS-1 or DS-3 high capacity loops).

<sup>499</sup> See BellSouth Varner Reply Aff. at para. 150. BellSouth also notes that KMC's argument regarding the voice grade line equivalent for these high capacity loops assumes that each DS-1 and DS-3 is completely full, which is not the case. See BellSouth Varner Reply Aff. at para. 150.

<sup>500</sup> BellSouth Reply at 42; BellSouth Varner Reply Aff. at para. 150; see also BellSouth Dec. 11 *Ex Parte* Letter – #1 at 6.

<sup>501</sup> BellSouth missed parity with regard to high capacity loops requiring dispatch in Florida from May through September with customer trouble rates of 3.55%, 3.34%, 3.59%, 3.10%, and 3.03% for competitive LECs, and rates of 0.26%, 0.28%, 0.34%, 0.36%, and 0.28% for BellSouth retail; BellSouth also missed parity in Tennessee from May through September with customer trouble rates of 3.30%, 3.03%, 4.40%, 3.91%, and 3.25% for competitive LECs, and rates of 0.34%, 0.37%, 0.44%, 0.44%, and 0.40% for BellSouth retail. See BellSouth Varner Aff., Ex. PM-33; BellSouth Varner Reply Aff., Ex. PM-15; BellSouth Nov. 21 *Ex Parte* Letter – #1. BellSouth missed parity with respect to non-dispatch high capacity loops in Florida from May through September with customer trouble rates of 1.44%, 1.32%, 1.44%, 1.26%, and 1.31% for competitive LECs, and rates of 0.35%, 0.28%, 0.32%, 0.33%, and 0.31% for BellSouth retail; BellSouth missed parity in Tennessee from May through September with customer trouble rates of 1.38%, 1.48%, 1.43%, 1.60%, and 1.46% for competitive LECs, and rates of 0.32%, 0.32%, 0.35%, 0.38%, and 0.28% for BellSouth retail. See BellSouth Varner Aff., Ex. PM-33; BellSouth Varner Reply Aff., Ex. PM-15; BellSouth Nov. 21 *Ex Parte* Letter – #1; see also *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9150, para. 230.

143. AT&T asserts that BellSouth fails to satisfy checklist item 4 because it fails to provide a reasonable and cost-based method of converting special access DS-1 circuits to TELRIC-priced unbundled loops.<sup>502</sup> Specifically, AT&T states that BellSouth's conversion process requires the issuance of a disconnect order for the special access DS-1 in addition to a new connect order for the UNE loop, risking disruption of service.<sup>503</sup> AT&T further states that BellSouth does not dispute AT&T's right to convert the special access circuit to an unbundled loop, only the process of conversion.<sup>504</sup> In response, BellSouth argues that its interconnection agreement provides only for the conversion of special access to UNE combinations and does not provide for, or require, conversions of access or tariffed services to stand-alone UNEs.<sup>505</sup> Based on the limited factual record, and the time constraints associated with section 271 proceedings, we find that this competitive LEC-specific dispute is more appropriately addressed in an adjudicatory proceeding in the appropriate forum. Thus we find that a finding of checklist compliance is warranted despite AT&T's allegations.

144. *Line Sharing.* We find, as did the state commissions,<sup>506</sup> that BellSouth offers nondiscriminatory access to the high frequency portion of the loop in Florida and Tennessee.<sup>507</sup> BellSouth has provisioned 2,850 line sharing arrangements in Florida and 931 line sharing arrangements in Tennessee, as of July 2002.<sup>508</sup> We recognize that BellSouth's performance in Florida and Tennessee, with respect to one installation timeliness measure – the order completion interval metric (dispatch) – was out of parity for several months.<sup>509</sup> We note, however, that the data under another installation timeliness metric – percent missed installation appointments – shows that BellSouth generally provisioned line shared loops in a timely fashion

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<sup>502</sup> AT&T Comments at 19-20.

<sup>503</sup> AT&T Comments at 19-20. AT&T also suggests that current single order alternatives are cost prohibitive. *Id.* at 20.

<sup>504</sup> AT&T Comments at 19 n.13.

<sup>505</sup> BellSouth Ruscilli/Cox Reply Aff. at para. 25. BellSouth submits that its project management offer to facilitate the conversion of special access to stand-alone UNEs goes beyond its obligations. BellSouth Ruscilli/Cox Reply Aff. at paras. 26-27.

<sup>506</sup> See Florida Commission Comments – Hearing at 123-24; Tennessee Authority Comments at 33-34.

<sup>507</sup> The D.C. Circuit recently stated that “the *Line Sharing Order* must be vacated and remanded.” *USTA v. FCC*, 290 F.3d 415, 429 (D.C. Cir. 2002). The court also stated that it “grant[ed] the petitions for review[] and remand[ed] the *Line Sharing Order* . . . to the Commission for further consideration in accordance with the principles outlined.” *Id.* at 430. We are addressing the line sharing rules as part of our *Triennial Review Proceeding*. See *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, 16 FCC Rcd 22781, 22805, paras. 53-54 (2001).

<sup>508</sup> See BellSouth Application at 97.

<sup>509</sup> See Florida B.2.1.7.3.1 (Order Completion Interval, <6 Circuits/Dispatch); Florida B.2.1.7.3.2 (Order Completion Interval, <6 Circuits/Non-Dispatch); Tennessee B.2.1.7.3.2 (Order Completion Interval, <6 Circuits/Non-Dispatch).

during the relevant period.<sup>510</sup> Accordingly, we find that BellSouth's provisioning of line-shared loops satisfies checklist item 4. Should BellSouth's performance in this area deteriorate, we will pursue appropriate enforcement action.

145. Covad raises issues regarding BellSouth's performance under the percent provisioning troubles within 30 days of installation, the maintenance average duration, and the percent repeat troubles within 30 days metrics.<sup>511</sup> BellSouth states that despite the disparity under the provisioning troubles within 30 days of installation metric, the results indicate a very high incidence of trouble reports that were resolved as tested OK/found OK in Florida for both dispatch and non-dispatch orders.<sup>512</sup> BellSouth further states that misses in Tennessee under the maintenance average duration metric are again largely due to delays caused by a very high incidence of trouble reports closed as tested OK/found OK.<sup>513</sup> Given the totality of circumstances, we conclude that BellSouth's performance under these metrics is consistent with satisfactory performance of this checklist item. We also note that despite Covad's claims of discriminatory performance under the percent repeat troubles within 30 days metric, BellSouth achieved parity under this metric for all relevant months in Tennessee, and all but one month in Florida.<sup>514</sup>

146. *UNE ISDN Loops.* We find, as did the state commissions,<sup>515</sup> that BellSouth provides ISDN loops to competitors in a nondiscriminatory manner. BellSouth's performance

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<sup>510</sup> See Florida B.2.18.7.1.1 (% Missed Installation Appointments, Line Sharing/<10 Circuits/Dispatch); Florida B.2.18.7.1.2 (% Missed Installation Appointments, Line Sharing/<10 Circuits/Non-Dispatch); Tennessee B.2.18.7.1.2 (% Missed Installation Appointments, Line Sharing/<10 Circuits/Dispatch).

<sup>511</sup> Covad Comments at 25-29. As in prior section 271 orders, performance data relative to competitive LECs on an aggregate basis is the most persuasive evidence of whether a BOC meets the checklist requirements. See, e.g., *BellSouth MultiState Order*, 17 FCC Red at 17727, para. 237; *BellSouth Georgia/Louisiana Order*, 17 FCC Red at 9148, para. 226. Thus, although Covad claims that its data show discriminatory performance, allegedly anomalous results for a single carrier in this instance are insufficient to rebut BellSouth's evidence demonstrating checklist compliance. If evidence becomes available to the Commission in the future sufficient to show systemic performance disparities, we will pursue appropriate enforcement action.

<sup>512</sup> BellSouth Reply at 40; BellSouth Varner Reply Aff. at para. 143 (indicating that 39% of the troubles for dispatch line sharing orders were closed as tested OK/found OK in May, 23% in June, 50% in July, and 31% in August). BellSouth states that when tested OK/found OK reports are removed from this metric for non-dispatch line sharing orders in Florida, the results in May, June, July, and August are 4.6%, 9.6%, 5.4% and 4.5% respectively. BellSouth Varner Reply Aff. at para.144. BellSouth also states that when tested OK/found OK reports are removed from Tennessee results, the percentage of troubles within 30 days are quite small. BellSouth Reply at 41; BellSouth Varner Reply Aff. at para. 144 (indicating that results under this metric would have been 2.8% and 4.2% respectively if the tested OK/found OK reports are removed for July and August).

<sup>513</sup> BellSouth Reply at 41; BellSouth Varner Reply Aff. at para. 146. As noted above, troubles that fall under the tested OK/found OK category would not appear to indicate that there was an actual problem with the quality of the installation performed by BellSouth. See *supra* n.477.

<sup>514</sup> See BellSouth Reply at 41.

<sup>515</sup> See Florida Commission Comments – Hearing at 123-24; Tennessee Authority Comments at 33-34.

data demonstrate that, for the most part, it met the relevant benchmarks and parity standards,<sup>516</sup> notwithstanding that the data reveal some performance issues with respect to ordering and a maintenance and repair measure. First, with respect to the order processing timeliness metric, Firm Order Confirmation (FOC) timeliness, we recognize that BellSouth's performance misses the relevant benchmarks for partially mechanized orders for several months.<sup>517</sup> BellSouth explains that the volumes decreased to such low levels in recent months that to meet the 85 percent in 10-hours benchmark in any given month, BellSouth could not miss more than four LSRs in Florida and could not miss any LSRs in Tennessee.<sup>518</sup> BellSouth adds that steps have been taken to improve performance, such as the implementation of new computer tools and periodic operational reviews.<sup>519</sup> Given this, and the fact that the order volumes were low for this submetric, we find that that these performance discrepancies are not competitively significant. We also reject AT&T's claim that BellSouth's performance for the percentage of jeopardy notices for mechanized ISDN loops, which is out of parity throughout the relevant period in Florida and Tennessee, demonstrates BellSouth's noncompliance with this checklist item.<sup>520</sup> We believe that BellSouth's failing to meet the parity standard for such jeopardy notices has little competitive impact because BellSouth ultimately provisioned the ISDN loop in a timely manner.<sup>521</sup> Should BellSouth's performance in this area deteriorate, we will pursue appropriate enforcement action.

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<sup>516</sup> See, e.g., Florida/Tennessee B.2.1.6.3.1 (Order Completion Interval, UNE ISDN/<6 Circuits/Dispatch); Florida/Tennessee B.2.18.6.1.1 (% Missed Installation Appointments, UNE ISDN/<10 Circuits/Dispatch).

<sup>517</sup> See Florida B.1.12.6 (FOC Timeliness – Partially Mechanized – 10 hours, ISDN Loops (UDN, UDC)) (in Florida, BellSouth missed the 85% within 10 hours benchmark from June-Sept., the results are 82.05%, 70.83%, 80.95%, 83.33%, respectively); Tennessee B.1.12.6 (FOC Timeliness – Partially Mechanized – 10 hours, ISDN Loops (UDN, UDC)) (in Tennessee, BellSouth missed the 85% within 10 hours benchmark in June and July, the results are 81.82% and 80.00%, respectively). We note that AT&T generally comments about BellSouth's performance in Florida and Tennessee with respect to the FOC timeliness partially mechanized submetric. AT&T Norris Decl. at paras. 18, 51; see also *supra* n.201.

<sup>518</sup> BellSouth Varner Reply Aff. at paras. 160-61. Volumes dropped off substantially after May 2002 in Florida and Tennessee. In Florida, on average, from June-Sept., there were approximately 25 orders a month. In Tennessee, for these same months, there were approximately 7 orders a month, on average. See Florida/Tennessee B.1.12.6 (FOC Timeliness – Partially Mechanized – 10 hours, ISDN Loops (UDN, UDC)).

<sup>519</sup> BellSouth Varner Reply Aff. at para. 161.

<sup>520</sup> See AT&T Norris Decl. at paras. 20, 56; Florida B.2.5.6 (% Jeopardies - Mechanized, UNE ISDN) (out of parity in May-Sept.); Tennessee B.2.5.6 (% Jeopardies - Mechanized, UNE ISDN) (out of parity in May, July-Sept.).

<sup>521</sup> Jeopardy notices warn competitive LECs that BellSouth may miss an installation appointment. BellSouth Varner Aff., Ex. PM-2 at para. 141. In its reply, BellSouth points out that AT&T failed to mention that BellSouth met almost all of the % Missed Installation Appointment metrics and added that “the jeopardy percentage was not indicative of whether the appointment was actually made.” BellSouth Varner Reply Aff. at para. 129. BellSouth met or exceeded the missed installation appointment submetric with one minor exception in Florida. See Florida B.2.18.6.1.1 (% Missed Installation Appointments, UNE ISDN/<10 Circuits/Dispatch).

147. Finally, even though BellSouth's data reveal some performance disparities with respect to the maintenance and repair of ISDN loops, BellSouth's overall performance in this area complies with checklist item 4. Specifically, BellSouth was out of parity with respect to the customer trouble report rate for several months in Florida.<sup>522</sup> BellSouth states that a large proportion of the reported troubles were due to defective cable pairs or circuit cards that had to be "reseated."<sup>523</sup> BellSouth adds that with respect to the circuit cards, the problem may be attributable to a customer's defective modem or computer<sup>524</sup> and claims that its performance is excellent when viewing the metric from the converse perspective – trouble-free lines – which is 97 percent for both wholesale and retail customers.<sup>525</sup> The record shows that BellSouth has not identified any persistent problems and seeks ways to improve performance by holding monthly Outside Plant Improvement committees aimed at addressing these types of problems.<sup>526</sup> Moreover, the disparity between BellSouth retail and competitive LEC performance is small for this submetric.<sup>527</sup> Accordingly, we find that BellSouth's performance overall for ISDN loops warrants a finding of checklist compliance.

## B. Checklist Item 11 – Number Portability

148. Section 271(c)(2)(B)(xi) of the Act requires a BOC to comply with the number portability regulations adopted by the Commission pursuant to section 251.<sup>528</sup> Section 251(b)(2) requires all LECs "to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the Commission."<sup>529</sup> Based on the evidence in the

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<sup>522</sup> See Florida B.3.2.6.1 (Customer Trouble Report Rate, UNE ISDN/Dispatch) (out of parity May-Sept.). However, we note that BellSouth met or exceeded the parity standard for metrics measuring the percentage of missed repairs, maintenance average duration, and the percentage of repeat troubles with two minor exceptions. See Florida B.3.3.6.2 (Maintenance Average Duration, UNE ISDN/Non-Dispatch) (out of parity in June and September); Florida B.3.4.6.1 (% Repeat Troubles within 30 days, UNE ISDN/Dispatch) (out of parity in June).

<sup>523</sup> BellSouth Application at 95; BellSouth Varner Reply Aff. at para. 164; Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 2 (filed Nov. 12, 2002) (BellSouth Nov. 12 *Ex Parte* Letter). BellSouth explains that when a circuit card has to be "reseated" this means that a technician removes a plug-in card associated with an ISDN line and then reinserts that card into the same slot. BellSouth Nov. 12 *Ex Parte* Letter at 2.

<sup>524</sup> *Id.* According to BellSouth, a defective modem or computer may seize the line but does not release when the transmission is complete. *Id.* As a result, the line is unavailable. *Id.*

<sup>525</sup> BellSouth Varner Reply Aff. at para. 162.

<sup>526</sup> *Id.* at para. 164.

<sup>527</sup> Florida B.3.2.6.1 (Customer Trouble Report Rate, UNE ISDN/Dispatch) (generally equal to or less than 1.5% difference between BellSouth retail and wholesale performance).

<sup>528</sup> 47 U.S.C. § 271(c)(2)(B)(xi).

<sup>529</sup> 47 U.S.C. § 251(b)(2).



record, we find, as did the state commissions,<sup>530</sup> that BellSouth complies with the requirements of checklist item 11.<sup>531</sup>

149. We reject AT&T's claim that BellSouth has failed to comply with its number portability obligation because BellSouth will not process AT&T's order to port telephone numbers for certain larger businesses until AT&T provides clarification on the disposition of BellSouth's retail access facility.<sup>532</sup> AT&T states that it has escalated this issue to BellSouth's Vice President of Interconnection Services, but that BellSouth refuses to modify its policy.<sup>533</sup> In response, BellSouth states that it does not refuse to port any number.<sup>534</sup> Instead, BellSouth acknowledges that it seeks clarification for certain complex services involving direct inward dialing as part of the transfer of a customer's service from BellSouth to a competitive LEC.<sup>535</sup> BellSouth explains that this clarification is necessary to avoid unnecessary billing to the competitive LEC's new customer and to enable BellSouth to efficiently deploy its network facilities.<sup>536</sup> We find that the impact of BellSouth's number porting process on the competitive LEC appears to be limited to a relatively small percentage of orders placed.<sup>537</sup> Moreover, as AT&T was the only competitive LEC that complained about BellSouth's number porting policy, there is no evidence that this is a systemic problem. Accordingly, we find checklist compliance.

150. We reject Network Telephone's assertion that it has experienced delays in the porting of numbers and that this problem may result from BellSouth's interface with NeuStar, the vendor that operates the Number Portability Administration Center (NPAC).<sup>538</sup> Network Telephone believes that the problem may stem from BellSouth's interface, in spite of the fact that the NeuStar configuration is the same for BellSouth as for other incumbent LECs.<sup>539</sup> BellSouth explains that it is only involved in the first two steps of a five-step process whereby a

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<sup>530</sup> Florida Commission Comments – Hearing at 179; Tennessee Authority Comments at 39.

<sup>531</sup> BellSouth Reply at 43-44; BellSouth Ainsworth Reply Aff. at paras. 22-24 (describing BellSouth's compliance with this checklist item).

<sup>532</sup> AT&T Comments at 17-19; AT&T Berger Decl. at paras. 4-5; AT&T Reply at 33-34; AT&T Reply App., Tab B, Reply Declaration of Denise Berger (AT&T Berger Reply Decl.) paras. 12-16.

<sup>533</sup> AT&T Berger Decl. para. 10; AT&T Reply at 33-34; AT&T Berger Reply Decl. para. 19.

<sup>534</sup> BellSouth Reply at 43.

<sup>535</sup> *Id.*; BellSouth Ainsworth Reply Aff. at paras. 22-24 (outlining BellSouth's policy).

<sup>536</sup> BellSouth Reply at 43; BellSouth Ainsworth Reply Aff. at paras. 22-24 (explaining that the policy is in place to protect the end user from unnecessary inconvenience and potential billing disputes).

<sup>537</sup> Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Nov. 14, 2002) (BellSouth Nov. 14 *Ex Parte* Letter – #4) (*providing confidential information*).

<sup>538</sup> Network Telephone Comments at 8.

<sup>539</sup> *Id.*

number is ported from BellSouth to Network Telephone.<sup>540</sup> BellSouth posits that of the remaining three steps, which take place solely between Network Telephone and NeuStar, the problem seems to be occurring between steps four and five of this process.<sup>541</sup> Furthermore, Network Telephone has not provided documentation or specific examples of this problem, nor has any other competitive LEC raised this issue in the instant proceeding.<sup>542</sup> In addition, BellSouth states that, overall, Network Telephone's ports represent less than one percent of the total ports involving BellSouth and an even smaller percentage of the total records sent from the NPAC to BellSouth in any given month.<sup>543</sup> BellSouth also notes that NeuStar has publicly acknowledged experiencing capacity issues with NPAC, which may be relevant to Network Telephone's concern.<sup>544</sup> Based on the record before us, we conclude that Network Telephone's allegations do not undermine our overall finding of BellSouth's compliance with checklist item 11.

### C. Checklist Item 13 – Reciprocal Compensation

151. Section 271(c)(2)(B)(xiii) of the Act requires that a BOC enter into “[r]eciprocal compensation arrangements in accordance with the requirements of section 252(d)(2).”<sup>545</sup> In turn, section 252(d)(2)(A) specifies when a state commission may consider the terms and conditions for reciprocal compensation to be just and reasonable.<sup>546</sup> Based on the record, we conclude, as did the state commissions, that BellSouth demonstrates that it provides reciprocal compensation as required by checklist item 13.

152. KMC alleges that, beginning in June 2000, BellSouth has failed to pay reciprocal compensation for a “significant portion” of the traffic that KMC transported and terminated for BellSouth.<sup>547</sup> According to KMC, BellSouth owes KMC over \$6 million region-wide, including

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<sup>540</sup> BellSouth Stacy Reply Aff. at para. 213-14. In the affidavit, the process is described in the following order: 1) Network Telephone sends a LSR to BellSouth requesting a LNP transaction and sends a Create subscription Version transaction to NeuStar; 2) BellSouth processes this order, returns a FOC to Network Telephone, and sends a Subscription Version Concurrence to NeuStar; 3) the preparatory computer work has been done, and the control of the porting transaction is in Network Telephone's control; 4) on the due date for the port transaction, Network Telephone sends an Activate Port message to NeuStar; 5) NeuStar processes the activate message, and sends a port activation message to all LNP service providers in the region to update their databases, and begins routing the number to the Network Telephone switch. *Id.*

<sup>541</sup> *Id.*

<sup>542</sup> BellSouth Reply at 44; BellSouth Stacy Reply Aff. at para. 215.

<sup>543</sup> BellSouth Stacy Reply Aff. at para. 215.

<sup>544</sup> BellSouth Reply at 44; *see also* BellSouth Stacy Reply Aff. at para. 215. *See generally* BellSouth Stacy Reply Aff., Ex. WNS-32 (NeuStar documents dealing with NPAC capacity issues).

<sup>545</sup> 47 U.S.C. § 271(c)(2)(B)(xiii). *See* Appendix D at para. 66.

<sup>546</sup> 47 U.S.C. § 252(d)(2)(A).

<sup>547</sup> KMC Comments at 6. *See also* KMC Reply at 2-7.

Florida and Tennessee,<sup>548</sup> in unpaid reciprocal compensation.<sup>549</sup> The \$6 million figure represents 38 percent of the total amount of reciprocal compensation that KMC has billed to BellSouth; in Florida and Tennessee, the unpaid amounts represent 36 and 69 percent, respectively, of KMC's billings to BellSouth.<sup>550</sup> KMC claims that BellSouth is violating both the interconnection agreement and checklist item 13 by failing to make these payments.<sup>551</sup>

153. BellSouth responds that, beginning in March 2000, it invoked the dispute resolution provisions of the interconnection agreement to protest some of the reciprocal compensation monies claimed by KMC.<sup>552</sup> The interconnection agreement requires each party to notify the other upon the discovery of a billing dispute.<sup>553</sup> BellSouth noticed a discrepancy between the amount of BellSouth-originated usage that KMC invoiced and the amount that BellSouth's records showed as appropriate.<sup>554</sup> BellSouth identified two possible sources for the discrepancy: (1) double-billing for third-party originated traffic; and (2) transit traffic.<sup>555</sup> BellSouth asserts that it requested additional information about this traffic in May 2002 and that KMC has not provided it.<sup>556</sup> BellSouth also asserts that it has properly raised a legitimate billing dispute with KMC and that BellSouth is not obligated to pay KMC the disputed amounts until the traffic in the disputed invoices can be verified as originated by BellSouth.<sup>557</sup> In any event,

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<sup>548</sup> The specific monetary figure in dispute in Florida and Tennessee is confidential. See KMC Reply at 2 n.3. We consider KMC's allegations only to the extent that they concern Florida and Tennessee. The record in the other six BellSouth states is not before the Commission in this application, and it would therefore be inappropriate for us to consider KMC's allegations outside Florida and Tennessee.

<sup>549</sup> KMC Comments at 6 and n.16. See also BellSouth Ruscilli/Cox Reply Aff. at para. 29.

<sup>550</sup> KMC Reply at 3.

<sup>551</sup> KMC Comments at 5-8. KMC treats its allegations as separate violations of checklist items 1 and 13, see *id.* at 6-7 and KMC Reply at 7, but we discuss these claims as arising primarily under checklist item 13. For the same reasons that we find no violation of checklist item 13, we find that BellSouth has not violated checklist item 1.

<sup>552</sup> Letter from Glenn T. Reynolds, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket 02-37 (filed Oct. 18, 2002) (attaching Letter from Jerry Hendrix, Assistant Vice President, BellSouth, to Riley M. Murphy, Senior Vice President Legal Affairs, KMC (Oct. 18, 2002) (providing chronology of parties' communications and stating that "BellSouth has not withheld any monies owed to KMC," that "BellSouth has issued a formal written dispute addressing each unpaid amount," and that, "[t]o date, KMC has not submitted any documentation to support its \$8,020,954 claim").

<sup>553</sup> BellSouth Ruscilli/Cox Reply Aff. at para. 30 (citing Section 3.1.1 of Attach. 7 of the interconnection agreement).

<sup>554</sup> *Id.*

<sup>555</sup> *Id.* at paras. 31-32.

<sup>556</sup> *Id.* at para. 31. BellSouth seeks information from KMC to determine whether some of the traffic for which KMC seeks compensation is transit traffic. *Id.* at para. 34. In addition, BellSouth states that KMC has applied an incorrect factor or rate. Letter from Jerry Hendrix, Assistant Vice President, BellSouth, to Riley M. Murphy, Senior Vice President – Legal Affairs, KMC (filed Nov. 7, 2002) (BellSouth Nov. 7 Letter).

<sup>557</sup> BellSouth Ruscilli/Cox Reply Aff. at para. 34.

BellSouth argues that KMC's allegations do not amount to checklist violations but rather concern BellSouth's performance under the interconnection agreement.<sup>558</sup> According to BellSouth, disputes about whether a carrier is complying with an interconnection agreement should be handled by the state commissions in the first instance.<sup>559</sup>

154. In its reply, KMC contends that this is not a dispute about conflicting interpretations of an interconnection agreement. It is a simple violation of the statute, according to KMC. BellSouth has allegedly failed to provide interconnection "in accordance with the terms of the agreement," a violation of section 251(c)(2), and failed to pay KMC monies owed in reciprocal compensation in Florida and Tennessee, a violation of 252(d)(2). KMC argues that, because the Act establishes these obligations, any BellSouth failure to pay in accordance with the interconnection agreement violates the Act and prevents a finding of checklist compliance.

155. On the merits, we are not persuaded that BellSouth is obligated to pay reciprocal compensation for traffic that it is properly challenging pursuant to the dispute resolution provisions of the interconnection agreement. With regard to transit traffic, the Commission has not had occasion to determine whether incumbent LECs have a duty to provide transit service under section 251(c)(2), and we find no clear Commission precedent or rules declaring such a duty.<sup>560</sup> With regard to the third-party originated traffic, BellSouth states that it has requested more information to determine whether KMC has already received compensation.<sup>561</sup> We have not previously stated that an incumbent LEC forfeits any contractual right to dispute charges assessed by other carriers simply because it has applied for section 271 authority in a particular state. Indeed, in the *Verizon New Jersey Order*, we found that Verizon's challenge of certain reciprocal compensation bills from a competitive LEC did not preclude a finding of checklist compliance.<sup>562</sup> We note that KMC does not challenge BellSouth's assertion that two types of traffic form the basis of this dispute.<sup>563</sup> Nor does KMC contend that BellSouth has improperly invoked the dispute resolution provisions of the interconnection agreement. For these reasons, we cannot conclude that either state commission committed clear error when it found that

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<sup>558</sup> BellSouth Reply at 45.

<sup>559</sup> *Id.* at 46.

<sup>560</sup> *See BellSouth Multistate Order*, 17 FCC Rcd at 17719, para. 222 n.849.

<sup>561</sup> BellSouth Ruscilli/Cox Reply Aff. at para. 31.

<sup>562</sup> *Verizon New Jersey Order*, 17 FCC Rcd at 12354, para. 159.

<sup>563</sup> *See BellSouth Ruscilli/Cox Reply Aff.* at paras. 31-32. KMC argues instead that, because transit traffic represents only 4% of traffic traversing the relevant interconnection trunk group, BellSouth lacks a reasonably basis to withhold 38% of reciprocal compensation owed to KMC. *See KMC Reply, Attach. A* (Letter from Riley M. Murphy, Senior Vice President for Legal Affairs, KMC, to Jerry Hendrix, Assistant Vice President, BellSouth (Oct. 31, 2002) (KMC Oct. 31 Letter)).

BellSouth provides interconnection and reciprocal compensation in compliance with checklist items 1 and 13.<sup>564</sup>

156. Second, despite KMC's protestations, this dispute is indeed about compliance with an interconnection agreement.<sup>565</sup> BellSouth states that the interconnection agreement specifies the routing of specific types of traffic and which types of traffic are subject to reciprocal compensation.<sup>566</sup> KMC asserts that BellSouth has not routed traffic according to the terms of the interconnection agreement.<sup>567</sup> A state commission would normally be the first arbiter of such disputes, and we do not ordinarily interfere in such matters. Indeed, while KMC states that "this matter is not an interpretive dispute," KMC concedes that the dispute concerns BellSouth's "simple failure to comply with BellSouth's contractual obligations."<sup>568</sup> Whether one carrier is routing traffic pursuant to the terms of an interconnection agreement is a matter for a state commission to decide, and this Commission will not normally preempt a state commission's decisionmaking process.<sup>569</sup>

157. Accordingly, we reject KMC's allegations of error and find that BellSouth complies with checklist item 13.

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<sup>564</sup> KMC also argues that BellSouth has no factual basis to withhold the bulk of the monies at issue. According to KMC's interpretation of an April 2002 BellSouth document, BellSouth itself acknowledges that the companies' dispute is limited to 4% of the traffic that traverses a certain interconnection trunk group. *See* KMC Oct. 31 Letter at 1 ("BellSouth's own data shows that BellSouth has no basis for disputing . . . 96% of the total minutes of use billed by KMC during this period."). This document, KMC contends, belies BellSouth's contention that 38% of the traffic is in dispute. *See* KMC Reply at 2. KMC argues that BellSouth should immediately recompense KMC for the remaining 34% of traffic that is not in dispute. BellSouth challenges KMC's interpretation of BellSouth's traffic figures, stating, among other things, that KMC has applied an incorrect rate or factor to the usage data and that, in any event, the table shows only seven month's usage data and is therefore not representative of the amount in dispute since June 2000. *See* BellSouth Nov. 7 Letter. Resolving this dispute requires an interpretation of the language of the interconnection agreement in connection with the routing of and compensation for interconnection traffic. It is difficult to address the many unresolved factual questions presented in such a dispute in the 90-day period of this proceeding. These are matters for the state commissions to decide in the first instance.

<sup>565</sup> We also reject Ms. Arvanitas' allegations concerning reciprocal compensation because they concern disagreements about the terms of and performance under interconnection agreements. *See* Arvanitas Reply at 11-13.

<sup>566</sup> BellSouth Ruscilli/Cox Reply Aff. at para. 32.

<sup>567</sup> KMC Reply at 3-4. *See also* KMC Oct. 31 Letter at 2 ("BellSouth's apparently deliberate misrouting of this traffic for more than eighteen (18) months is a clear violation of the Agreement.").

<sup>568</sup> KMC Comments at 6.

<sup>569</sup> *See BellSouth Multistate Order*, 17 FCC Rcd at 17718, para. 220 n.843, 17723, para. 230 (allegations that a carrier refuses to perform according to the terms of an interconnection agreement should be addressed by the state commissions in the first instance). *Accord Verizon Pennsylvania Order*, 16 FCC Rcd at 17484, para. 118; *Verizon New Jersey Order*, 17 FCC Rcd at 12354, para. 159. KMC attempts to distinguish these orders on the basis of alleged factual differences, *see* KMC Reply at 5-7, but we find that any such differences, if they exist, are not legally significant.

#### D. Remaining Checklist Items (1, 3, 5, 6, 7, 8, 9, 10, 12, and 14)

158. In addition to showing that it is in compliance with the requirements discussed above, an applicant under section 271 must demonstrate that it complies with checklist item 1 (interconnection),<sup>570</sup> checklist item 3 (access to poles, ducts, and conduits),<sup>571</sup> item 5 (unbundled transport),<sup>572</sup> item 6 (unbundled local switching),<sup>573</sup> item 7 (911/E911 access and directory assistance/operator services),<sup>574</sup> item 8 (white pages directory listings),<sup>575</sup> item 9 (numbering administration),<sup>576</sup> item 10 (databases and associated signaling),<sup>577</sup> item 12 (local dialing parity),<sup>578</sup> and item 14 (resale).<sup>579</sup> Based on the evidence in the record, we conclude, as did the

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<sup>570</sup> 47 U.S.C. § 271(c)(2)(B)(i). We note that Supra claims that BellSouth terminated its access to LENS and, as a result, Supra is unable to provision service to new customers. Supra Comments at 4. BellSouth acknowledges that it terminated Supra's access to LENS but contends that it did so "to enforce the terms of the parties' arbitrated and approved interconnection agreement regarding disconnection of service for non-payment." BellSouth Ruscilli/Cox Reply Aff. at para. 8. As the Commission previously found, these claims are not indicative of BellSouth's ability to provide interconnection. *BellSouth MultiState Order*, 17 FCC Rcd at 17717, para. 218. Rather, these claims involve fact-specific disputes between Supra and BellSouth and are being handled by the Florida Commission. BellSouth Ruscilli/Cox Reply Aff. at para. 8. We note that in October 2002, Supra filed for Chapter 11 bankruptcy protection in Florida. Letter from Glenn T. Reynolds, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 1 (filed Oct. 28, 2002). On November 22, 2002, the United States Bankruptcy Court for the Southern District of Florida directed BellSouth to restore Supra's access to LENS by noon on Tuesday, November 26, 2002. Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 1 (filed Nov. 26, 2002). BellSouth complied with the Court's directive. *Id.* See also Arvanitas Reply. Ms. Arvanitas also argues that the ability of BellSouth to define local calling areas "impede[s] the competition of the [competitive LECs] by lack of joint agreement for portability and reciprocal compensation." Arvanitas Reply at 10. As we noted in the *BellSouth Multistate Order*, however, "state commissions have the authority to define the local calling area as they see fit." *BellSouth Multistate Order*, 17 FCC Rcd at 17723, para. 230 n.881 (citing *Local Competition Order*, 12 FCC Rcd at 16013, para. 1035).

<sup>571</sup> 47 U.S.C. § 271(c)(2)(B)(iii).

<sup>572</sup> 47 U.S.C. § 271(c)(2)(B)(v).

<sup>573</sup> 47 U.S.C. § 271(c)(2)(B)(vi).

<sup>574</sup> 47 U.S.C. § 271(c)(2)(B)(vii).

<sup>575</sup> 47 U.S.C. § 271(c)(2)(B)(viii).

<sup>576</sup> 47 U.S.C. § 271(c)(2)(B)(ix).

<sup>577</sup> 47 U.S.C. § 271(c)(2)(B)(x).

<sup>578</sup> 47 U.S.C. § 271(c)(2)(B)(xii).

<sup>579</sup> 47 U.S.C. § 271(c)(2)(B)(xiv). For a discussion of BellSouth's resale performance, see *supra* Part IV.B.2.

state commissions,<sup>580</sup> that BellSouth demonstrates that it is in compliance with these checklist items.<sup>581</sup> No parties objected to BellSouth's compliance with these checklist items.

## VI. SECTION 272 COMPLIANCE

159. Section 271(d)(3)(B) provides that the Commission shall not approve a BOC's application to provide interLATA services unless the BOC demonstrates that the "requested authorization will be carried out in accordance with the requirements of section 272."<sup>582</sup> Based on the record, we conclude that BellSouth has demonstrated that it will comply with the requirements of section 272.<sup>583</sup> BellSouth provides evidence that it maintains the same structural separation and nondiscrimination safeguards in Florida and Tennessee as it does in Alabama, Georgia, Kentucky, Louisiana, North Carolina, South Carolina, and Mississippi, states in which BellSouth has already received section 271 authority.<sup>584</sup>

160. We reject AT&T's argument that BellSouth has violated section 272 through its interstate and intrastate switched access (SWA) tariffs.<sup>585</sup> Section 272 prohibits a BOC from discriminating in favor of its section 272 long distance affiliate and requires that a BOC charge itself or its affiliate no less than the amount charged to any unaffiliated interexchange carrier (IXC) for access to its telephone exchange service.<sup>586</sup> A BOC "must make volume and term discounts available on a non-discriminatory basis to all unaffiliated [IXCs]."<sup>587</sup> Growth

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<sup>580</sup> Florida Commission Comments – Hearing at 34-77 (checklist item 1), 100-03 (checklist item 3), 124-28 (checklist item 5), 128-36 (checklist item 6), 136-45 (checklist item 7), 145-49 (checklist item 8), 149-54 (checklist item 9) (noting that "the specific obligations of Section 271(c)(2)(B)(ix) is, in effect, met by default or rendered moot"), 154-58 (checklist item 10), 179-83 (checklist item 12), 187-208 (checklist item 14); Tennessee Authority Comments at 26 (checklist item 1), 33 (checklist item 3), 34-35 (checklist item 5), 35-36 (checklist item 6), 36-37 (checklist item 7), 37 (checklist item 8), 38 (checklist item 9), 38-39 (checklist item 10), 39-40 (checklist item 12), 42-43 (checklist item 14).

<sup>581</sup> See BellSouth Application at 16-24 (checklist item 1), 82-83 (checklist item 3), 99-101 (checklist item 5), 101-02 (checklist item 6), 102-04 (checklist item 7), 104-05 (checklist item 8), 105-06 (checklist item 9), 106-07 (checklist item 10), 109-10 (checklist item 12), 111-13 (checklist item 14).

<sup>582</sup> 47 U.S.C. § 271(d)(3)(B).

<sup>583</sup> See BellSouth Application at 119-20 and App. A, Tab B, Affidavit of Pavan Bhalla at paras. 6-16; BellSouth Ruscilli/Cox Aff. at paras. 149-259.

<sup>584</sup> See BellSouth Ruscilli/Cox Aff. at paras. 149-253; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9177, para. 279; *BellSouth Multistate Order*, 17 FCC Rcd at 17748, para. 271.

<sup>585</sup> AT&T Comments at 26-37. We note that the Commission rejected this identical argument by AT&T in the *BellSouth Multistate Order*. See *BellSouth Multistate Order*, 17 FCC Rcd at 17748-50, paras. 271-74.

<sup>586</sup> 47 U.S.C. § 272(c)(1), (e)(3).

<sup>587</sup> *Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended*, CC Docket No. 96-149, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 21905, 22028-29, para. 257 (1996).

discounts violate this mandate because they offer reduced prices based on growth in interexchange traffic, and they therefore create “an artificial advantage for BOC long distance affiliates with no subscribers, relative to existing IXCs and other new entrants.”<sup>588</sup>

161. AT&T contends that BellSouth’s FCC Tariff No. 1 (FCC SWA Tariff)<sup>589</sup> and its intrastate switched access tariff in Florida<sup>590</sup> contain discriminatory discounts that favor BellSouth’s long-distance affiliate, BellSouth Long Distance, by offering reduced prices based on growth in the volume of switched access service purchased.<sup>591</sup>

162. BellSouth contends that there is no section 272 violation because BellSouth Long Distance is not eligible to take service under the tariffs at issue.<sup>592</sup> We agree. The federal tariff contains language expressly limiting its availability to customers that meet certain minimum usage requirements associated with switched access service.<sup>593</sup> It also requires that customers subscribe to the tariff within 30 days of its effective date.<sup>594</sup> The Florida contract tariff contains similar limiting language.<sup>595</sup> BellSouth Long Distance did not meet these minimum usage requirements and did not subscribe within 30 days of the tariffs’ effective dates.<sup>596</sup> BellSouth Long Distance is therefore ineligible for these tariffs. Because we find that BellSouth Long Distance is not eligible for service under these tariffs, we need not reach the question of whether the tariffs offer illegal growth discounts.

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<sup>588</sup> *Access Charge Reform*, CC Docket No. 96-262, Fifth Report and Order and Further Notice of Proposed Rulemaking, 14 FCC Rcd 14221, 14294, para. 134 (1999).

<sup>589</sup> BellSouth Telecommunications, Inc. (BSTI), Transmittal No. 637, F.C.C. Tariff No. 1, Section 26, SWA Contract Tariff No. 2002-01 (effective May 18, 2002).

<sup>590</sup> See Letter from Jodi S. Sirotnak, Regulatory Analyst, Federal Government Affairs, AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, CC Docket No. 02-307 (filed Oct. 23, 2002) (attaching BellSouth Florida SWA Contract Tariff FL2002-01 at E.26. (effective June 17, 2002)). BellSouth withdrew a similar SWA contract tariff for Tennessee on August 12, 2002. BellSouth Ruscilli/Cox Reply Aff. at para. 69.

<sup>591</sup> AT&T Comments at 26-37.

<sup>592</sup> BellSouth Reply at 47; BellSouth Ruscilli/Cox Reply Aff. at paras. 64, 70, and 74.

<sup>593</sup> FCC SWA Tariff at 26.1.5(B) (reflecting a minimum usage requirement of 3,385,697,632 minutes in year one and increasing in subsequent years).

<sup>594</sup> FCC SWA Tariff at Introduction (“[i]n order to take advantage of the volume and term discount plan in BellSouth SWA Contract Tariff No. 2002-01, customers must subscribe to the tariff within 30 days of the tariff’s effective date.”).

<sup>595</sup> See BellSouth Florida SWA Contract Tariff FL 2002-01 at E.26.1.5.B. (reflecting a minimum usage requirement of 1,054,830,619 minutes in year one and increasing in subsequent years). See also *id.* at E26.1.1.D (“A customer that is similarly situated may subscribe within a period of thirty (30) days following the effective date of the BellSouth SWA Contract Tariff No. FL2002-01.”).

<sup>596</sup> See BellSouth Ruscilli/Cox Reply Aff. at paras. 70, 74.



163. AT&T also contends that there is a section 272 violation because “there is no impediment” to BellSouth “entering into the same arrangement” with BellSouth Long Distance sometime in the future.<sup>597</sup> AT&T argues that, under the Commission’s pricing flexibility rules, BellSouth could potentially file a certification allowing BellSouth to enter into the same contract with BellSouth Long Distance and that such a contract would contain lower minimum usage requirements.<sup>598</sup> We reject AT&T’s contention that we should find a violation based on a hypothetical future contract with BellSouth Long Distance. Accordingly, we find that these BellSouth tariff offerings do not result in a section 272 violation.<sup>599</sup> We note, however, that if BellSouth Long Distance were eligible to obtain service under these or similar tariffs, we could then address allegations that such tariffs offer illegal growth discounts in violation of section 272.

## VII. PUBLIC INTEREST

164. Apart from determining whether a BOC satisfies the competitive checklist and will comply with section 272, Congress directed the Commission to assess whether the requested authorization would be consistent with the public interest, convenience, and necessity.<sup>600</sup> At the same time, section 271(d)(4) of the Act states in full that “[t]he Commission may not, by rule or otherwise, limit or extend the terms used in the competitive checklist set forth in subsection (c)(2)(B).”<sup>601</sup> Accordingly, although the Commission must make a separate determination that approval of a section 271 application is “consistent with the public interest, convenience, and necessity,” it may neither limit nor extend the terms of the competitive checklist of section 271(c)(2)(B). The Commission views the public interest requirement as an opportunity to review the circumstances presented by the application to ensure that no other relevant factors exist that would frustrate the congressional intent that markets be open, as required by the competitive checklist, and that entry will serve the public interest as Congress expected.

165. We conclude that approval of this application is consistent with the public interest. From our extensive review of the competitive checklist, which embodies the critical elements of market entry under the Act, we find that barriers to competitive entry in the local exchange markets have been removed and the local exchange markets in each state today are open to competition. We further find that the record confirms our view, as noted in prior section 271 orders, that BOC entry into the long distance market will benefit consumers and competition

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<sup>597</sup> AT&T Comments at 37.

<sup>598</sup> *Id.* See also 47 C.F.R. § 69.727(a)(2)(iii).

<sup>599</sup> Although our review in this instance is limited solely to section 271 compliance, AT&T’s allegations, if true, may be addressed through other avenues. For example, AT&T may pursue an action pursuant to sections 201, 202, or 208 of the Act, see 47 U.S.C. §§ 201, 202, 208, or through appropriate state proceedings.

<sup>600</sup> 47 U.S.C. § 271(d)(3)(C).

<sup>601</sup> 47 U.S.C. § 271(d)(4).

if the relevant local exchange market is open to competition consistent with the competitive checklist.<sup>602</sup>

166. We disagree with Sprint that we must, under our public interest standard, consider a variety of other factors as evidence that the local market is not yet truly open to competition, despite checklist compliance.<sup>603</sup> Sprint also argues that low levels of entry in the application states indicate that the application is not in the public interest.<sup>604</sup> We note that Congress specifically declined to adopt a market share or other similar test for BOC entry into long distance.<sup>605</sup> Given an affirmative showing that the competitive checklist has been satisfied, low customer volumes or the failure of any number of companies to enter the market in and of themselves do not necessarily undermine that showing. As the Commission has stated in previous section 271 orders, factors beyond the control of the BOC, such as individual competitive LEC entry strategies, can explain low levels of residential competition.<sup>606</sup>

#### A. Assurance of Future Compliance

167. As set forth below, we find that the existing Service Performance Measurements and Enforcement Mechanisms (SEEM) plans currently in place for Florida and Tennessee provide assurance that these local markets will remain open after BellSouth receives section 271 authorization.<sup>607</sup> The Florida Commission's and the Tennessee Authority's oversight and review of their respective plans and their performance metrics provide additional assurance that the local market will remain open.<sup>608</sup> In prior orders, the Commission has explained that one factor it may consider as part of its public interest analysis is whether a BOC would have adequate

<sup>602</sup> See *SWBT Texas Order*, 15 FCC Rcd at 18558-89, para. 419.

<sup>603</sup> Those factors include the level of competitive LEC market share, the weakening economy, the financial strength of competitive LECs, and the failure of other BOCs to enter the market in the two application states. See Sprint Comments at 4-12.

<sup>604</sup> Sprint Comments at 10.

<sup>605</sup> See, e.g., *Ameritech Michigan Order*, 12 FCC Rcd at 20585, para. 77; *Sprint v. FCC*, 274 F.3d at 553-54.

<sup>606</sup> See, e.g., *Verizon Pennsylvania Order*, 16 FCC Rcd 17487, para. 126.

<sup>607</sup> *Ameritech Michigan Order*, 12 FCC Rcd at 20748-50, paras. 393-98. We note that in all of the previous applications that we have granted to date, the applicant was subject to an enforcement plan administered by the relevant state commission to protect against backsliding after BOC entry into the long-distance market. See BellSouth Application App. E – Florida, Vol. 10, Tab 48, *Notice of Proposed Agency Action Order Implementing Change Request Metrics and Revising Due Date for Tier 1 and Tier 2 Payments (Florida SEEM Adoption Order)*; BellSouth Application App. H – Tennessee, Vol. 3, Tab 54, *Order Approving Settlement Agreement* at 4 (*Tennessee Settlement Agreement Order*). In Tennessee, the parties agreed to use the Georgia SEEM until BellSouth implemented the Florida SEEM on December 1, 2002. BellSouth Dec. 3 *Ex Parte* Letter – #1.

<sup>608</sup> BellSouth Application App. E – Florida, Vol. 7, Tab 22, *Final Order Requiring Performance Assessment Plan* at 137 (*Florida Performance Measures Order*). Through December 31, 2003, any changes to the Florida SEEM are automatically made to the Tennessee SEEM. After 2003, the Tennessee Authority may review the plan and change it. *Tennessee Settlement Agreement Order* at 4.

incentives to continue to satisfy the requirements of section 271 after entering the long distance market. Although it is not a requirement for section 271 authority that a BOC be subject to such performance assurance mechanisms, the Commission previously has found that the existence of a satisfactory performance monitoring and enforcement mechanism is probative evidence that the BOC will continue to meet its section 271 obligations after a grant of such authority.<sup>609</sup>

168. We conclude that the Florida and Tennessee SEEM plans provide sufficient incentives to foster post-entry checklist compliance. These plans were developed in open proceedings with participation by all sectors of the industry and all parties in the instant proceeding had the opportunity to raise their concerns to the Florida Commission and Tennessee Authority.<sup>610</sup> We note that the Florida and Tennessee plans, which are identical, are similar to the Georgia SEEM plan already reviewed and approved by this Commission.<sup>611</sup> No party commented on these differences.

169. As in prior section 271 orders, our conclusions are based on a review of several key elements in any performance assurance plan: total liability at risk in the plan; performance measurement and standards definitions; structure of the plan; self-executing nature of remedies in the plan; data validation and audit procedures in the plan; and accounting requirements.<sup>612</sup>

170. We have not mandated any particular penalty structure, and we recognize different structures can be equally effective.<sup>613</sup> We also recognize that the development and

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<sup>609</sup> See *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20806, paras. 363-64.

<sup>610</sup> See *BellSouth Varner Aff.* at para. 186; see also *Florida SEEM Adoption Order* at 7. In Tennessee, BellSouth reached an agreement with many competitive LECs to use the Florida SEEM. All competitive LECs that chose to participate in the Tennessee Authority's performance measurements proceeding were given the opportunity to conduct discovery, submit testimony and otherwise participate in the proceeding and to comment on SQM and SEEM proposals. *BellSouth Varner Reply Aff.* at para. 98.

<sup>611</sup> *BellSouth Application* at 118; see also *BellSouth Varner Aff.* at paras. 170-76. The primary differences between the Florida and Tennessee SEEM plans and the Georgia plan are that these plans have two tiers rather than three, the remedy calculations apply on a per-measure basis rather than a per transaction basis, and the financial liability is capped at 39% rather than 44%. See *BellSouth Varner Aff.* at paras. 158-76.

<sup>612</sup> The cap on BellSouth's financial liability is 39%. The SEEM plans are self-executing, have two tiers and provide for an annual audit. *BellSouth Varner Aff.* at para. 171 and Ex. PM-20; see e.g., *Verizon Massachusetts Order*, 16 FCC Rcd at 9121-25, paras. 240-47; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6377-81, paras. 273-78.

<sup>613</sup> *SWBT Texas Order*, 15 FCC Rcd at 18561, para. 423; *Bell Atlantic New York Order*, 15 FCC Rcd at 4166-67, para. 433. The Commission has previously found that the enforcement mechanisms developed in different plans by New York and Texas would be effective in practice. See, e.g., *Bell Atlantic New York Order*, 15 FCC Rcd at 4166-67, para. 433. We reached this conclusion based on these plans' having five important characteristics: potential liability that provides a meaningful and significant incentive to comply with the designated performance standards; clearly-articulated, pre-determined measures and standards, which encompass a comprehensive range of carrier-to-carrier performance; a reasonable structure that is designed to detect and sanction poor performance when it occurs; a self-executing mechanism that does not leave the door open unreasonably to litigation and appeal; and reasonable (continued...)

implementation of performance measures and appropriate remedies is an evolutionary process that requires changes to both measures and remedies over time. The Florida plan structure was developed with input from the Florida Commission's staff, BellSouth, and the competitive LECs.<sup>614</sup> We believe that competitive LECs had sufficient opportunity to raise any issues in the Florida proceeding, and that the issues were appropriately handled by the workshops and the Florida Commission. In Tennessee, the Florida SEEM plan was adopted by a settlement agreement between BellSouth and competitive LECs operating in Tennessee.<sup>615</sup> In addition, we note that both the Florida Commission and the Tennessee Authority have the ability to modify BellSouth's SEEMs.<sup>616</sup> We anticipate that the parties will continue to build on their own work and the work of other states to ensure that such measures and remedies to accurately reflect actual commercial performance in the local marketplace.

171. We do not agree with Mpower that we should seek supplemental competitive safeguards.<sup>617</sup> The Florida Commission and Tennessee Authority will continue to subject BellSouth's performance metrics to rigorous scrutiny in their on-going proceedings and audits in Florida and Tennessee; thus, it is not unreasonable for us to expect that the penalty structure could be modified if BellSouth's performance is deficient post approval.<sup>618</sup> We also stand ready to exercise our various statutory enforcement powers under section 271(d)(6) quickly and decisively to ensure that the local market remains open in Florida and Tennessee.

## **B. Allegations of Inappropriate Marketing**

172. We reject Supra's allegation that BellSouth violates Customer Proprietary Network Information (CPNI) requirements.<sup>619</sup> Specifically, Supra alleges that BellSouth uses its OSS to monitor competitive LEC completed orders.<sup>620</sup> BellSouth states, however, that it treats CPNI and Customer Proprietary Information (CPI) in a manner consistent with the requirements of the Commission's rules, Section 222 of the Act, and any applicable state or local

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assurances that the reported data are accurate. *Id.*; see also *SWBT Texas Order*, 15 FCC Rcd at 18558-59, para. 423.

<sup>614</sup> BellSouth Varner Aff. at para. 186.

<sup>615</sup> *Tennessee Settlement Agreement Order* at 4.

<sup>616</sup> As part of the six-month review, the Florida Commission has also received proposals from BellSouth and the competitive LECs to change the Florida SEEM. BellSouth Varner Aff. at para. 186; see also *supra* n.608.

<sup>617</sup> Mpower comments at 18-20. We similarly declined to require additional reporting measures in Georgia and Louisiana. *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9183, para. 300.

<sup>618</sup> *Florida Performance Measures Order* at 17. See *supra* n.608.

<sup>619</sup> Supra Comments at 21.

<sup>620</sup> *Id.*

requirements.<sup>621</sup> We find that Supra does not provide sufficient evidence to demonstrate a section 222(b) violation.<sup>622</sup>

### C. Other Issues

173. *Premature Long Distance Service.* BellSouth disclosed an instance of premature long distance service provisioning by BSLD in Florida and Tennessee.<sup>623</sup> According to BellSouth, from approximately October 1, 2002 to October 9, 2002, twenty-five customers selected BSLD as their interLATA provider. Twenty-two of these customers were in Tennessee, two customers were in Florida and one customer was in Alabama.<sup>624</sup> BellSouth states that it had specific software edits in place for the express purpose of preventing orders for BSLD service from being completed in pre-relief states, but starting October 1, 2002, those edits were unintentionally rendered ineffective by subsequent software updates that were implemented to solve other ordering problems.<sup>625</sup>

174. In response to BellSouth's disclosure, AT&T requested that the Commission deny the instant application on two grounds. First, AT&T claims that this incident demonstrates that

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<sup>621</sup> BellSouth Ruscilli/Cox Reply Aff. at para 60. See *Implementation of the Telecommunications Act of 1996, Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information, Implementation of the Non-Accounting Safeguards of Section 271 and 272 of the Communications Act of 1934, as amended*, CC Docket Nos. 96-115 and 96-149, Order on Reconsideration and Petitions for Forbearance, 14 FCC Rcd 14409, 14414, para. 7, 14443, para. 65, 14449, para. 77 (1999). See also *Implementation of the Telecommunications Act of 1996, Telecommunications Carriers' Use of Customer Proprietary Network Information, Implementation of the Non-Accounting Safeguards of Section 271 and 272 of the Communications Act of 1934, as amended, 2000 Biennial Review – Review of Policies and Rules Concerning Unauthorized Changes of Consumer's Long Distance Carriers*, CC Docket Nos. 96-115, 96-149, 00-257, Third Report and Order and Third Further Notice of Proposed Rulemaking, FCC 02-214 (rel. July 25, 2002) (*CPNI Third Report and Order*).

<sup>622</sup> We take comfort in the fact that BellSouth has adopted a region-wide policy that it will not engage in any winback activities based on CPNI information for ten calendar days from the date that service has been provided to a customer by a competitive LEC. Florida Commission Comments – Hearing at 16 n.1; Tennessee Comments at 45; BellSouth Ruscilli/Cox Aff. at para. 69. Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 1 (filed Nov. 15, 2002) (BellSouth Nov. 15 *Ex Parte* Letter – #1 ).

<sup>623</sup> BellSouth Oct. 29 *Ex Parte* Letter – #2; see also Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Oct. 30, 2002) (BellSouth Oct. 30 *Ex Parte* Letter – #2).

<sup>624</sup> BellSouth Oct. 30 *Ex Parte* Letter – #2 at 1.

<sup>625</sup> According to BellSouth, the updates were designed to allow customers living in post-relief states, such as Georgia, to use BSLD, even though those customers were served by switches located in a pre-relief state, such as Tennessee. BellSouth Oct. 29 *Ex Parte* Letter – #2 at 2. BellSouth states that most of the errors were corrected by Oct. 9, when BellSouth implemented an emergency release of its software edits. BellSouth avers that a remaining problem with the edits was corrected on Oct. 18, 2002. BellSouth Oct. 29 *Ex Parte* – #2 at 2.

BellSouth does not adequately test its software.<sup>626</sup> Second, AT&T points out that BellSouth had previously marketed long distance before it received section 271 authority and that this Commission warned BellSouth to exercise caution to ensure it did not market long distance services in jurisdictions in which it had not received section 271 authorization. AT&T states that the premature marketing and providing of interLATA services will continue until the Commission sends a message that such conduct will not be tolerated.<sup>627</sup>

175. Upon learning that customers had obtained long distance service, BellSouth took immediate corrective action, including removing BSLD as the customer's interLATA long distance provider and ensuring that the customers receive no billing for any usage, and it notified the Commission.<sup>628</sup> BellSouth implemented an emergency release of new software edits, effective on October 9, 2002, to correct the situation, and states that it is monitoring the edits to ensure they function properly. BellSouth also implemented a "desktop priority" message on the service representatives' monitors emphasizing that BellSouth is not yet authorized to provide interLATA service in Florida and Tennessee and that no sales of BSLD services are permitted to be made in those two states.<sup>629</sup>

176. We recognize that potential violations of federal telecommunications law could be relevant to the section 271 inquiry.<sup>630</sup> In view of the facts presented here, however, because the allegations do not relate to openness of the local telecommunications markets to competition, we reject AT&T's argument that we should deny or delay this application under the public interest standard.<sup>631</sup> Regardless of what enforcement action we may take in the future, BOCs should not provide long distance service in any in-region state prior to receiving section 271 approval from the Commission for that particular state, and they should implement controls to prevent such service from taking place. In response to AT&T's comments, we note that there is no evidence showing that the prior premature marketing incident disclosed to the Commission during the pendency of the *BellSouth Multistate Order*<sup>632</sup> is in any way connected to the

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<sup>626</sup> AT&T Reply at 46. We address AT&T's software testing claim as part of our discussion of BellSouth's change management process testing above in Part IV.B.2.g.

<sup>627</sup> AT&T Reply at 47. Neither incident reflects upon the openness of the local exchange market in the states at issue.

<sup>628</sup> BellSouth Oct. 29 *Ex Parte* Letter – #2 at 1.

<sup>629</sup> *Id.* at 2.

<sup>630</sup> See *Application by Verizon New England Inc., Verizon Delaware Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc., for Authorization To Provide In-Region, InterLATA Services in New Hampshire and Delaware*, WC Docket No. 02-157, Memorandum Opinion and Order, 17 FCC Rcd 18660, 18754-75, para. 168; see also *Verizon New Jersey Order*, 17 FCC Rcd at 12368, para. 190.

<sup>631</sup> See *BellSouth Multistate Order*, 17 FCC Rcd at 17763-65, paras. 299-301; see also *Verizon New Jersey Order*, 17 FCC Rcd at 12368, para. 190.

<sup>632</sup> During the pendency of BellSouth's multistate application, BellSouth disclosed that it sent a bucksliip describing long distance service offerings by BSLD to 130,000 customers in the five states plus Florida and (continued....)

BellSouth customers that ordered and were provisioned BSLD service in Florida and Tennessee in this instance.<sup>633</sup>

177. *Network Telephone's "Tying" Claims.* Network Telephone claims that BellSouth is improperly "tying" several of its services to basic local exchange service, resulting in an anticompetitive marketplace.<sup>634</sup> We find these claims to be meritless.<sup>635</sup> First, Network Telephone claims that BSLD refuses to provide service to competitive LEC customers unless the competitive LEC has an operational agreement in place with BSLD.<sup>636</sup> BellSouth states, however, that BSLD is willing to provide service to competitive LECs, and that it remains ready to provide service to Network Telephone's end users subject to Network Telephone's review of and concurrence with BSLD's operating procedures, and its completion of a questionnaire.<sup>637</sup> As we stated in the *BellSouth Multistate Order*, while we recognize the inconvenience this may have caused competitive LECs, absent further evidence on the record, we do not find that BellSouth's policy violates the public interest standard of section 271.<sup>638</sup>

178. Next, Network Telephone claims that BellSouth is "tying" its DSL-based high-speed Internet access service to BellSouth local exchange service.<sup>639</sup> As BellSouth points out, the Commission has repeatedly reviewed this same BellSouth policy and determined that it is not a bar to section 271 compliance.<sup>640</sup> Notably, Network Telephone did not present any new arguments in support of its general allegation. BellSouth is correct that we have previously

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Tennessee, but had not provided long distance service to any of them. *BellSouth Multistate Order*, 17 FCC Rcd at 17763-65, para. 299-301.

<sup>633</sup> Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 at 2 (filed Nov. 14, 2002) (BellSouth Nov. 14 *Ex Parte* Letter – #2).

<sup>634</sup> Network Telephone Comments at 7.

<sup>635</sup> A tying arrangement is a specific term of art and exists when a vendor or seller agrees to sell one product, the "tying" product, only on the condition that the vendee or purchaser also purchases another product, the "tied product." *Black's Law Dictionary* 790 (5<sup>th</sup> ed. 1983). Network Telephone has provided no evidence to support its very general "tying" allegations.

<sup>636</sup> Network Telephone Comments at 3-6.

<sup>637</sup> When competitive LECs first contacted BSLD about providing long distance to competitive LEC end users, BSLD requested that competitive LECs complete a questionnaire modeled after the ones used by other IXC's. *See* BellSouth Reply at 48. On October 9, 2002, BSLD asked Network Telephone to complete a simplified version of this questionnaire. *Id.*

<sup>638</sup> *See BellSouth Multistate Order*, 17 FCC Rcd at 17762-63, para. 298. If evidence becomes available to the Commission in the future sufficient to show that BellSouth's actions are in violation of the Act or a Commission Rule, we will pursue appropriate enforcement action.

<sup>639</sup> Network Telephone Comments at 7.

<sup>640</sup> BellSouth Reply at 49.

rejected this argument, and nothing in the record would cause us to reach a different determination here.<sup>641</sup>

179. Network Telephone also claims that BellSouth uses its relationship with its advertising company, BellSouth Advertising and Publishing Company (BAPCO), in a “tying” arrangement. Network Telephone claims that BellSouth improperly uses BAPCO as its sales agent to sell its Simple Solutions Promotion.<sup>642</sup> BellSouth states, however, that this test program has not been implemented in Florida or Tennessee and Network Telephone does not dispute this.<sup>643</sup> Accordingly, the alleged anticompetitiveness of BellSouth’s practice is not relevant to our analysis of the current application.<sup>644</sup>

180. Similarly, Network Telephone also briefly states that BellSouth’s Select Points program awards points that can be converted into cash and applied to current bills, for dollars spent with BAPCO.<sup>645</sup> BellSouth states that the points earned can be redeemed in a total of three ways, only one of which allows customers to apply points redeemed for cash towards a current bill.<sup>646</sup> BellSouth states that the program is tariffed in six states, including Tennessee. In Florida, BellSouth provides an untariffed version of this program. Though similar to the tariffed version, the untariffed version of this program differs in three ways.<sup>647</sup> We find that this issue is not

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<sup>641</sup> See *BellSouth Multistate Order*, 17 FCC Rcd at 17683, para 164; see also *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9100-02, paras. 157-58.

<sup>642</sup> Network Telephone Comments at 7.

<sup>643</sup> BellSouth Ruscilli/Cox Reply Aff. at para. 52.

<sup>644</sup> Network Telephone also claims that it has experienced problems with Cingular Wireless not loading Network Telephone’s NXXs into its system, preventing Network Telephone’s customers from receiving calls from Cingular Wireless customers. See Network Telephone Comments at 7. We agree with BellSouth that Cingular Wireless is a separate legal entity jointly owned by BellSouth and SBC Communications, Inc., that Cingular Wireless has a separate management structure, and that BellSouth does not exercise control over Cingular Wireless’s policies or its network management. In addition, BellSouth correctly states that because Cingular Wireless is not a party to this proceeding and the provision of wireless service is not an issue related to BellSouth’s compliance with sections 271 and 272, this issue should not be addressed in this proceeding. See BellSouth Ruscilli/Cox Reply Aff. at para. 53.

<sup>645</sup> Network Telephone Comments at 7.

<sup>646</sup> BellSouth states that the points can be redeemed in three ways: 1) the customer receives a BellSouth Select, Inc.-issued check when the customer subscribes to the new unregulated service (e.g., redeem points for a check for an amount equal to the charges for the first two months of service when subscribing to BellSouth’s FastAccess DSL service); 2) the customer can use points to earn products or service offered by BellSouth Partners (e.g., travel, computer equipment); or 3) the customer can redeem points for cash by requesting a check from BellSouth Select, Inc. Letter from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-307 (filed Nov. 8, 2002) (BellSouth Nov. 8 *Ex Parte* Letter – #2).

<sup>647</sup> The untariffed program requires participants to subscribe to a BellSouth unregulated service, limits the value of redemption to the cumulative spending of the participant on unregulated services, and that all costs incurred by BellSouth by participation in the program are charged against and recorded as unregulated expenses. See BellSouth Nov. 8 *Ex Parte* Letter –#2 at 2.



related to BellSouth's compliance with sections 271 and 272, and thus, is outside the scope of a section 271 proceeding. The issue is more appropriately handled at the state level. In fact, the state commissions in BellSouth's region have shown their willingness to deal with the issue.<sup>648</sup>

### VIII. SECTION 271(d)(6) ENFORCEMENT AUTHORITY

181. Section 271(d)(6) of the Act requires BellSouth to continue to satisfy the "conditions required for . . . approval" of its section 271 application after the Commission approves its application.<sup>649</sup> Thus, the Commission has a responsibility not only to ensure that BellSouth is in compliance with section 271 today, but also that it remains in compliance in the future. As the Commission has already described the post-approval enforcement framework and its section 271(d)(6) enforcement powers in detail in prior orders, it is unnecessary to do so again here.<sup>650</sup>

182. Working with each of the state commissions, we intend to closely monitor BellSouth's post-approval compliance to ensure that BellSouth does not "cease[] to meet any of the conditions required for [section 271] approval."<sup>651</sup> We stand ready to exercise our various statutory enforcement powers quickly and decisively in appropriate circumstances to ensure that the local market remains open in each of the states.

183. Consistent with prior section 271 orders, we require BellSouth to report to the Commission all Florida and Tennessee Monthly State Summary (MSS) reports and the MSS Charts, beginning with the first full month after the effective date of this Order, and for each month thereafter for one year, unless extended by the Commission. These results and reports will allow us to review BellSouth's performance on an ongoing basis to ensure continued compliance with the statutory requirements. We are confident that cooperative state and federal oversight and enforcement can address any backsliding that may arise with respect to BellSouth's entry into Florida and Tennessee.

### IX. CONCLUSION

184. For the reasons discussed above, we grant BellSouth's application for authorization under section 271 of the Act to provide in-region, interLATA services in the states of Florida and Tennessee.

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<sup>648</sup> BellSouth Ruscilli/Cox Reply Aff. at 51.

<sup>649</sup> 47 U.S.C. § 271(d)(6).

<sup>650</sup> See, e.g., *SWBT Texas Order*, 15 FCC Rcd at 18567-68, paras. 434-36.

<sup>651</sup> 47 U.S.C. § 271(d)(6)(A).

**X. ORDERING CLAUSES**

185. Accordingly, IT IS ORDERED that, pursuant to sections 4(i), 4(j), and 271 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j) and 271, BellSouth's application to provide in-region, interLATA service in the states of Florida and Tennessee, filed on September 20, 2002, IS GRANTED.

186. IT IS FURTHER ORDERED that this Order SHALL BECOME EFFECTIVE December 30, 2002.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary

**APPENDIX A****Commenters in WC Docket No. 02-307**

<b>Comments</b>	<b>Abbreviation</b>
Alliance for Public Technology	APT
AT&T Corp.	AT&T
Community Action Partnership	CAP
Covad Communications Company	Covad
Florida Public Service Commission	Florida Commission
KMC Telecom III LLC	KMC
Mpower Communications Corp.	Mpower
National Urban League	The League
Network Telephone Corporation	Network Telephone
Sprint Corporation	Sprint
Supra Telecommunications and Information Systems, Inc.	Supra
Tennessee Regulatory Authority	Tennessee Authority
WorldCom, Inc.	WorldCom

**Reply Commenters**

<b>Replies</b>	<b>Abbreviation</b>
AT&T Corp.	AT&T
BellSouth Corp.	Bellsouth
KMC Telecom III LLC	KMC
Peggy Arvanitas	Arvanitas

## **Appendix B**

### **Florida Performance Metrics**

Except where noted, the data included here is taken from the Florida Monthly State Summary (MSS) Reports provided by BellSouth, calculated according to the Florida Interim Service Quality Measurement (SQM) business rules. This table is provided as a reference tool for the convenience of the reader. No conclusions are to be drawn from the raw data contained in this table. Our analysis is based on the totality of the circumstances, such that we may use non-metric evidence, and may rely more heavily on some metrics more than others, in making our determination. The inclusion of these particular metrics in this table does not necessarily mean that we relied on all of these metrics, or that other metrics may not also be important in our analysis. Some metrics that we have relied on in the past and may rely on for a future application were not included here because there was no data provided for them (usually either because there was no activity, or because the metrics are still under development).

Metrics with no retail analog provided are usually compared with a benchmark. Note that for some metrics during the period provided there may be changes in the metric definition, or changes in the retail analog applied, making it difficult to compare data over time.

**PERFORMANCE METRIC CATEGORIES**

Metric	SQM No.	Metric Name
<b>RESALE</b>		
<b>Ordering</b>		
A.1.1	O-7	% Rejected Service Requests – Mech.
A.1.2	O-7	% Rejected Service Requests - Partially Mech.
A.1.3	O-7	% Rejected Service Requests - Non-Mech.
A.1.4	O-8	Reject Interval – Mech.
A.1.7	O-8	Reject Interval - Partially Mech. – 10 hours
A.1.8	O-8	Reject Interval - Non-Mech.
A.1.9	O-9	FOC Timeliness – Mech.
A.1.12	O-9	FOC Timeliness - Partially Mech. - 10 hours
A.1.13	O-9	FOC Timeliness - Non-Mech.
A.1.14	O-11	FOC & Reject Response Completeness - Mech.
A.1.15	O-11	FOC & Reject Response Completeness - Partially Mech.
A.1.16	O-11	FOC & Reject Response Completeness - Non-Mech.
<b>Provisioning</b>		
A.2.1	P-4	Order Completion Interval
A.2.4	P-2	% Jeopardies - Mech.
A.2.5	P-2	% Jeopardies - Non-Mech.
A.2.7	P-2	Average Jeopardy Notice Interval - Mech.
A.2.8	P-2	Average Jeopardy Notice Interval - Non-Mech.
A.2.9	P-2	% Jeopardy Notice >= 48 hours - Mech.
A.2.10	P-2	% Jeopardy Notice >= 48 hours - Non-Mech.
A.2.11	P-3	% Missed Installation Appointments
A.2.12	P-9	% Provisioning Troubles within 30 Days
A.2.14	P-5	Average Completion Notice Interval - Mech.
A.2.15	P-5	Average Completion Notice Interval - Non-Mech.
A.2.25	P-11	Service Order Accuracy
<b>Maintenance and Repair</b>		
A.3.1	M&R-1	Missed Repair Appointments
A.3.2	M&R-2	Customer Trouble Report Rate
A.3.3	M&R-3	Maintenance Average Duration
A.3.4	M&R-4	% Repeat Troubles within 30 Days

Metric	SQM No.	Metric Name
A.3.5	M&R-5	Out of Service > 24 hours
<b>Billing</b>		
A.4.1	B-1	Invoice Accuracy
A.4.2	B-2	Mean Time to Deliver Invoices – CRIS
<b>UNBUNDLED NETWORK ELEMENTS</b>		
<b>Ordering</b>		
B.1.1	O-7/O-13	% Rejected Service Requests – Mech.
B.1.2	O-7/O-13	% Rejected Service Requests - Partially Mech.
B.1.3	O-7/O-13	% Rejected Service Requests - Non-Mech.
B.1.4	O-8/O-14	Reject Interval – Mech.
B.1.7	O-8/O-14	Reject Interval - Partially Mech. - 10 hours
B.1.8	O-8/O-14	Reject Interval - Non-Mech.
B.1.9	O-9/O-15	FOC Timeliness – Mech.
B.1.12	O-9/O-15	FOC Timeliness - Partially Mech. - 10 hours
B.1.13	O-9/O-15	FOC Timeliness - Non-Mech.
B.1.14	O-11	FOC & Reject Response Completeness – Mech.
B.1.15	O-11	FOC & Reject Response Completeness – Partially Mech.
B.1.16	O-11	FOC & Reject Response Completeness – Non-Mech.
<b>Provisioning</b>		
B.2.1	P-4	Order Completion Interval
B.2.2	P-4	Order Completion Interval within X days - xDSL
B.2.5	P-2	% Jeopardies – Mech.
B.2.6	P-2	% Jeopardies - Non-Mech.
B.2.8	P-2	Average Jeopardy Notice Interval - Mech.
B.2.9	P-2	Average Jeopardy Notice Interval - Non-Mech.
B.2.10	P-2	% Jeopardy Notice >= 48 hours - Mech.
B.2.11	P-2	% Jeopardy Notice >= 48 hours - Non-Mech.
B.2.12	P-7	Coordinated Customers Conversions
B.2.13	P-7A	% Hot Cuts > 15 minutes Early
B.2.14	P-7A	Hot Cut Timeliness
B.2.15	P-7A	% Hot Cuts > 15 minutes Late
B.2.16	P-7B	Average Recovery Time – CCC

Metric	SQM No.	Metric Name
B.2.17	P-7C	% Provisioning Troubles within 7 Days - Hot Cuts
B.2.18	P-3/P-12	% Missed Installation Appointments
B.2.19	P-9	% Provisioning Troubles within 30 Days
B.2.21	P-5	Average Completion Notice Interval - Mech.
B.2.22	P-5	Average Completion Notice Interval - Non-Mech.
B.2.25	P-10	Total Service Order Cycle Time - Partially Mechanized
B.2.34	P-11	Service Order Accuracy
<b>Maintenance and Repair</b>		
B.3.1	M&R-1	Missed Repair Appointments
B.3.2	M&R-2	Customer Trouble Report Rate
B.3.3	M&R-3	Maintenance Average Duration
B.3.4	M&R-4	% Repeat Troubles within 30 Days
B.3.5	M&R-5	Out of Service > 24 hours
<b>Billing</b>		
B.4.1	B-1	Invoice Accuracy
B.4.2	B-2	Mean Time to Deliver Invoices - CRIS
<b>LOCAL INTERCONNECTION TRUNKS</b>		
<b>Ordering</b>		
C.1.1	O-7	% Rejected Service Requests
C.1.2	O-8	Reject Interval
C.1.3	O-9	FOC Timeliness
C.1.4	O-11	FOC & Reject Response Completeness
<b>Provisioning</b>		
C.2.1	P-4	Order Completion Interval
C.2.2	P-1	Held Orders
C.2.3	P-2	% Jeopardies
C.2.5	P-3	% Missed Installation Appointments
C.2.6	P-9	% Provisioning Troubles within 30 Days
C.2.7	P-5	Average Completion Notice Interval
C.2.8	P-10	Total Service Order Cycle Time
C.2.10	P-6	% Completions w/o Notice or < 24 hours
C.2.11	P-11	Service Order Accuracy
<b>Maintenance and Repair</b>		
C.3.1	M&R-1	Missed Repair Appointments
C.3.2	M&R-2	Customer Trouble Report Rate

Metric	SQM No.	Metric Name
C.3.3	M&R-3	Maintenance Average Duration
C.3.4	M&R-4	% Repeat Troubles within 30 Days
C.3.5	M&R-5	Out of Service > 24 hours
<b>Billing</b>		
C.4.1	B-1	Invoice Accuracy
C.4.2	B-2	Mean Time to Deliver Invoices - CABS
<b>Trunk Blocking</b>		
C.5.1	TGP-1	Trunk Group Performance - Aggregate
<b>OPERATIONS SUPPORT SYSTEMS</b>		
<b>Pre-Ordering</b>		
D.1.1	OSS-2	% Interface Availability - CLEC
D.1.2	OSS-2	% Interface Availability - BST & CLEC
D.1.3	OSS-1	Average Response Interval - CLEC (LENS)
D.1.4	OSS-1	Average Response Interval - CLEC (TAG)
<b>Maintenance and Repair</b>		
D.2.1	OSS-3	% Interface Availability - BST
D.2.2	OSS-3	% Interface Availability - CLEC
D.2.3	OSS-3	% Interface Availability - BST & CLEC
D.2.4	OSS-4	Average Response Interval <= 4 Seconds
D.2.5	OSS-4	Average Response Interval <= 10 Seconds
D.2.6	OSS-4	Average Response Interval > 10 Seconds
<b>COLLOCATION</b>		
<b>Collocation</b>		
E.1.1	C-1	Average Response Time
E.1.2	C-2	Average Arrangement Time
E.1.3	C-3	% Due Dates Missed
<b>GENERAL</b>		
<b>Flow Through</b>		
F.1.1	O-3	% Flow Through Service Requests
F.1.2	O-3	% Flow Through Service Requests - Achieved
F.1.3	O-3	% Flow Through Service Requests - LNP
<b>Pre-Ordering</b>		
F.2.1	PO-1	Loop Makeup Inquiry (Manual)
F.2.2	PO-2	Loop Makeup Inquiry (Electronic)

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Metric	SQM No.	Metric Name
<b>Ordering</b>		
F.4.1	O-12	Average Speed of Answer
<b>Maintenance Center</b>		
F.5.1	M&R-6	Average Answer Time
<b>Operator Services (Toll)</b>		
F.6.1	OS-1	Average Speed to Answer
F.6.2	OS-2	% Answered in 10 seconds
<b>Directory Assistance</b>		
F.7.1	DA-1	Average Speed to Answer
F.7.2	DA-2	% Answered in 10 seconds
<b>Billing</b>		
F.9.1	B-3	Usage Data Delivery Accuracy
F.9.2	B-5	Usage Data Delivery Timeliness
F.9.3	B-4	Usage Data Delivery Completeness
F.9.4	B-6	Mean Time to Deliver Usage
F.9.5	B-7	Recurring Charge Completeness
F.9.6	B-8	Non-Recurring Charge Completeness
<b>Change Management</b>		
F.10.1	CM-1	% Software Release Notices Sent On Time
F.10.3	CM-3A	% Change Management Documentation Sent On Time
F.10.6	CM-5	% CLEC Interface Outages Sent within 15 Minutes

Metric	SQM No.	Metric Name
F.10.5	CM-4	Average Documentation Release Delay Days
F.10.6	CM-5	% CLEC Interface Outages Sent within 15 Minutes
F.10.7	CM-6	% Software Errors Corrected within 10 Business Days
F.10.8	CM-6	% Software Errors Corrected within 30 Business Days
F.10.10	CM-7	% Change Requests Accepted or Rejected within 10 Business Days
F.10.11	CM-8	% Change Requests Rejected Within The Reporting Period
F.10.13	CM-9	Number of Severity 2 Defects (Type 6 CR) in a Production Release Implemented
F.10.14	CM-9	Number of Severity 3 Defects (Type 6 CR) in a Production Release Implemented
F.10.15	CM-10	% Test Deck Weight Failure in Production Release
<b>New Business Requests</b>		
F.11.1	BFR-1	% New Business Requests Processed in 30 Bus. Days
F.11.2	BFR-2A	% Quotes Provided within X Business Days
<b>Ordering</b>		
F.12.1	O-1	Acknowledgement Message Timeliness
F.12.2	O-2	Acknowledgement Message Completeness
<b>Database Updates</b>		
F.13.1	D-1	Average Database Update Interval
F.13.2	D-2	% Update Accuracy
F.13.3	D-3	% NXXs / LRNs Loaded by LERG Effective Date
<b>Network Outage Notification</b>		
F.14.1	M&R-7	Mean Time to Notify CLEC of Major Network Outages

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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
<b>Resale - Ordering</b>												
	<b>% Rejected Service Requests - Mechanized</b>											
A.1.1.1	Residence/FL (%)		17.80%		16.69%		17.66%		14.71%		11.11%	
A.1.1.2	Business/FL (%)		28.78%		26.39%		28.04%		24.50%		25.63%	
	<b>% Rejected Service Requests - Partially Mechanized</b>											
A.1.2.1	Residence/FL (%)		25.15%		29.05%		26.41%		29.82%		27.85%	
A.1.2.2	Business/FL (%)		38.64%		43.74%		40.40%		49.29%		46.12%	
A.1.2.4	PBX/FL (%)		50.00%		0.00%							1,2
A.1.2.6	ISDN/FL (%)				0.00%							2
	<b>% Rejected Service Requests - Non-Mechanized</b>											
A.1.3.1	Residence/FL (%)		41.42%		46.23%		46.46%		46.08%		47.86%	
A.1.3.2	Business/FL (%)		50.30%		49.31%		52.74%		54.42%		54.76%	
A.1.3.3	Design (Specials)/FL (%)		27.18%		31.18%		36.42%		34.71%		41.53%	
A.1.3.4	PBX/FL (%)		42.86%		45.45%		56.25%		55.56%		26.67%	
A.1.3.5	Centrex/FL (%)		40.91%		55.56%		58.33%		57.14%		61.54%	4
A.1.3.6	ISDN/FL (%)		16.67%		35.00%		20.00%		45.45%		41.03%	
	<b>Reject Interval - Mechanized</b>											
A.1.4.1	Residence/FL (%)		96.79%		97.60%		96.58%		95.82%		98.66%	
A.1.4.2	Business/FL (%)		96.83%		97.03%		96.74%		96.87%		98.61%	
	<b>Reject Interval - Partially Mechanized - 10 hours</b>											
A.1.7.1	Residence/FL (%)		84.55%		92.66%		96.12%		91.87%		97.56%	
A.1.7.2	Business/FL (%)		93.55%		98.01%		98.03%		96.83%		97.74%	
A.1.7.4	PBX/FL (%)		100.00%									1
	<b>Reject Interval - Non-Mechanized</b>											
A.1.8.1	Residence/FL (%)		98.62%		99.07%		95.96%		98.84%		95.58%	
A.1.8.2	Business/FL (%)		99.43%		97.61%		97.95%		98.57%		99.04%	
A.1.8.3	Design (Specials)/FL (%)		100.00%		96.88%		92.73%		93.02%		96.15%	
A.1.8.4	PBX/FL (%)		92.31%		100.00%		100.00%		80.00%		50.00%	2,3,5
A.1.8.5	Centrex/FL (%)		96.55%		90.00%		100.00%		83.33%		100.00%	4,5
A.1.8.6	ISDN/FL (%)		66.67%		100.00%		100.00%		83.33%		88.24%	1,2,3,4
	<b>FOC Timeliness - Mechanized</b>											
A.1.9.1	Residence/FL (%)		99.55%		98.18%		98.89%		98.45%		98.65%	
A.1.9.2	Business/FL (%)		99.79%		98.93%		99.36%		99.15%		99.28%	
	<b>FOC Timeliness - Partially Mechanized - 10 hours</b>											



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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.1.12.1	Residence/FL (%)		84.84%		86.84%		93.85%		87.32%		91.78%	
A.1.12.2	Business/FL (%)		86.58%		87.85%		93.01%		89.90%		91.61%	
A.1.12.4	PBX/FL (%)		50.00%		0.00%							1,2
A.1.12.6	ISDN/FL (%)				0.00%							2
	<b>FOC Timeliness - Non-Mechanized</b>											
A.1.13.1	Residence/FL (%)		97.88%		95.87%		96.81%		95.25%		91.82%	
A.1.13.2	Business/FL (%)		97.66%		98.32%		97.20%		98.96%		96.30%	
A.1.13.3	Design (Specials)/FL (%)		96.92%		96.49%		100.00%		93.75%		94.44%	
A.1.13.4	PBX/FL (%)		85.71%		85.71%		100.00%		87.50%		100.00%	2,3,4,5
A.1.13.5	Centrex/FL (%)		97.37%		88.89%		100.00%		100.00%		100.00%	2,3,4,5
A.1.13.6	ISDN/FL (%)		90.91%		92.31%		100.00%		100.00%		100.00%	3,4
	<b>FOC &amp; Reject Response Completeness - Mechanized</b>											
A.1.14.1.1	Residence/EDI/FL (%)		95.04%		100.00%		100.00%		98.21%		100.00%	
A.1.14.1.2	Residence/TAG/FL (%)		97.80%		99.95%		99.91%		99.88%		99.87%	
A.1.14.2.1	Business/EDI/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
A.1.14.2.2	Business/TAG/FL (%)		96.56%		99.10%		99.16%		99.80%		99.82%	
	<b>FOC &amp; Reject Response Completeness - Partially Mechanized</b>											
A.1.15.1.1	Residence/EDI/FL (%)		96.43%		96.43%		100.00%		100.00%		100.00%	
A.1.15.1.2	Residence/TAG/FL (%)		99.86%		99.73%		99.89%		99.87%		99.86%	
A.1.15.2.1	Business/EDI/FL (%)		88.24%		100.00%		100.00%		100.00%		100.00%	5
A.1.15.2.2	Business/TAG/FL (%)		99.74%		99.66%		99.48%		99.73%		99.55%	
A.1.15.4.2	PBX/TAG/FL (%)		100.00%		100.00%							1,2
A.1.15.6.2	ISDN/TAG/FL (%)				100.00%							2
	<b>FOC &amp; Reject Response Completeness - Non-Mechanized</b>											
A.1.16.1	Residence/FL (%)		94.82%		94.43%		95.51%		95.71%		92.74%	
A.1.16.2	Business/FL (%)		94.88%		94.92%		94.11%		96.26%		96.59%	
A.1.16.3	Design (Specials)/FL (%)		86.41%		95.70%		95.36%		85.95%		96.61%	
A.1.16.4	PBX/FL (%)		85.71%		90.91%		100.00%		100.00%		86.67%	
A.1.16.5	Centrex/FL (%)		93.94%		100.00%		91.67%		100.00%		92.31%	4
A.1.16.6	ISDN/FL (%)		100.00%		100.00%		90.00%		90.91%		97.44%	
	<b>Resale - Provisioning</b>											
	<b>Order Completion Interval</b>											
A.2.1.1.1.1	Residence/<10 circuits/Dispatch/FL (days)	4.44	3.73	4.36	3.86	4.91	4.60	4.39	4.13	4.67	4.15	

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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.1.1.1.2	Residence/<10 circuits/Non-Dispatch/FL (days)	0.86	0.70	0.84	0.88	0.83	0.83	0.81	0.77	1.00	0.73	
A.2.1.1.2.1	Residence/>=10 circuits/Dispatch/FL (days)	4.64	4.00	4.68	4.33	4.86	5.00	4.64	4.00	4.25	4.00	1,2,3,4,5
A.2.1.2.1.1	Business/<10 circuits/Dispatch/FL (days)	3.54	3.25	6.02	4.10	6.40	4.08	4.92	4.49	5.88	5.56	
A.2.1.2.1.2	Business/<10 circuits/Non-Dispatch/FL (days)	1.29	0.94	1.22	1.08	1.23	0.96	1.25	0.84	1.28	0.92	
A.2.1.2.2.1	Business/>=10 circuits/Dispatch/FL (days)	10.28	8.57	11.50	5.25	12.35	9.50	14.71	3.33	13.70	6.60	1,2,3,4,5
A.2.1.2.2.2	Business/>=10 circuits/Non-Dispatch/FL (days)	4.07	7.00	13.72	5.50	0.52		1.00	7.00	0.83		1,2,4
A.2.1.3.1.1	Design (Specials)/<10 circuits/Dispatch/FL (days)	21.96	10.11	23.01	6.62	23.84	12.49	26.81	10.74	23.69	2.50	1
A.2.1.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/FL (days)	10.98	4.13	8.45	4.50	8.97	3.58	7.29	4.56	8.04	2.61	1,2,4
A.2.1.4.1.1	PBX/<10 circuits/Dispatch/FL (days)	12.69	4.67	12.49	6.00	12.94		12.73	0.67	8.10	0.33	1,2,4,5
A.2.1.4.1.2	PBX/<10 circuits/Non-Dispatch/FL (days)	5.49	4.79	6.50	2.87	4.52	1.17	1.90	1.05	3.30	1.17	2,4,5
A.2.1.4.2.1	PBX/>=10 circuits/Dispatch/FL (days)	70.50		68.60		4.00		12.42		15.93		
A.2.1.4.2.2	PBX/>=10 circuits/Non-Dispatch/FL (days)	3.51	5.50	8.97		1.28	9.00	5.89	4.50	6.68	1.56	1,3,4,5
A.2.1.5.1.1	Centrex/<10 circuits/Dispatch/FL (days)	6.56	1.00	7.24		8.15		6.51		6.03		1
A.2.1.5.1.2	Centrex/<10 circuits/Non-Dispatch/FL (days)	1.43	3.04	2.18	1.55	4.18	0.89	5.83	2.00	3.72	5.00	1,3,4,5
A.2.1.5.2.1	Centrex/>=10 circuits/Dispatch/FL (days)	9.70		14.78		13.32		11.32		10.54		
A.2.1.5.2.2	Centrex/>=10 circuits/Non-Dispatch/FL (days)	3.94	1.17	4.08	0.94	2.71		2.30		3.57	1.42	1,5
A.2.1.6.1.1	ISDN/<10 circuits/Dispatch/FL (days)	22.03	11.80	17.78	8.33	21.29	10.00	5.68		11.51	12.00	1,2,3,5

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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	Notes
A.2.1.6.1.2	ISDN/<10 circuits/Non-Dispatch/FL (days)	2.20	1.20	2.52	1.44	3.23	5.78	2.86		2.61	2.10	2,3,5
A.2.1.6.2.1	ISDN/≥10 circuits/Dispatch/FL (days)	11.50		13.33		23.75		27.02	36.00	26.43	8.67	4,5
A.2.1.6.2.2	ISDN/≥10 circuits/Non-Dispatch/FL (days)	3.20		9.55		4.61	13.00	23.91		10.58	3.00	3,5
	<b>% Jeopardies - Mechanized</b>											
A.2.4.1	Residence/FL (%)	0.53%	0.24%	0.53%	0.29%	0.53%	0.22%	0.60%	0.31%	0.47%	0.27%	
A.2.4.2	Business/FL (%)	1.52%	0.68%	1.52%	0.38%	1.31%	0.83%	1.53%	1.32%	1.47%	1.39%	
A.2.4.3	Design (Specials)/FL (%)	15.49%	0.00%	15.35%		14.16%		17.51%	0.00%	13.95%	0.00%	1,4,5
A.2.4.4	PBX/FL (%)	5.63%	0.00%	4.95%	0.00%	6.57%	0.00%	4.94%	0.00%	4.49%	0.00%	1,2,3,4,5
A.2.4.5	Centrex/FL (%)	4.68%	0.00%	5.00%	0.00%	5.65%	0.00%	4.61%		3.48%	0.00%	1,2,3,5
A.2.4.6	ISDN/FL (%)	5.81%	0.00%	9.30%	0.00%	8.13%	0.00%	5.33%		6.44%		1,2,3
	<b>% Jeopardies - Non-Mechanized</b>											
A.2.5.1	Residence/FL (%)		0.41%		0.70%		1.00%		0.77%		0.57%	
A.2.5.2	Business/FL (%)		0.51%		0.22%		0.97%		1.27%		1.32%	
A.2.5.3	Design (Specials)/FL (%)		16.13%		12.90%		2.63%		9.09%		3.66%	
A.2.5.4	PBX/FL (%)		0.00%		0.00%		0.00%		0.00%		0.00%	2,3,4,5
A.2.5.5	Centrex/FL (%)		0.00%		0.00%		0.00%		0.00%		0.00%	4,5
A.2.5.6	ISDN/FL (%)		3.70%		9.09%		0.00%		0.00%		5.26%	
	<b>Average Jeopardy Notice Interval - Mechanized</b>											
A.2.7.1	Residence/FL (hours)		112.19		117.24		120.11		118.77		124.51	
A.2.7.2	Business/FL (hours)		128.07		167.60		107.22		117.12		199.57	2
	<b>Average Jeopardy Notice Interval - Non-Mechanized</b>											
A.2.8.1	Residence/FL (hours)		111.34		99.52		128.74		102.05		124.30	1,2,3,4,5
A.2.8.2	Business/FL (hours)		116.28		157.12		67.00		115.34		186.70	1,2,3,4,5
A.2.8.3	Design (Specials)/FL (hours)		349.37		267.71		215.08		270.86		215.76	1,2,3,4,5
A.2.8.6	ISDN/FL (hours)		510.07		175.00						346.60	1,2,5
	<b>% Jeopardy Notice ≥ 48 hours - Mechanized</b>											
A.2.9.1	Residence/FL (%)		95.12%		96.00%		93.10%		94.20%		97.30%	
A.2.9.2	Business/FL (%)		100.00%		100.00%		92.31%		95.24%		100.00%	2
	<b>% Jeopardy Notice ≥ 48 hours - Non-Mechanized</b>											
A.2.10.1	Residence/FL (%)		100.00%		100.00%		100.00%		80.00%		100.00%	1,2,3,4,5
A.2.10.2	Business/FL (%)		100.00%		100.00%		33.33%		100.00%		100.00%	1,2,3,4,5

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.10.3	Design (Specials)/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,2,3,4,5
A.2.10.6	ISDN/FL (%)		100.00%		100.00%						100.00%	1,2,5
	<i>% Missed Installation Appointments</i>											
A.2.11.1.1.1	Residence/<10 circuits/Dispatch/FL (%)	4.59%	2.99%	5.82%	4.67%	7.02%	5.32%	6.33%	3.79%	5.81%	4.14%	
A.2.11.1.1.2	Residence/<10 circuits/Non-Dispatch/FL (%)	0.10%	0.51%	0.02%	0.33%	0.02%	0.24%	0.02%	0.09%	0.15%	0.23%	
A.2.11.1.2.1	Residence/>=10 circuits/Dispatch/FL (%)	1.15%	0.00%	5.81%	0.00%	6.42%	0.00%	4.92%	0.00%	2.11%	14.29%	1,2,3,4,5
A.2.11.2.1.1	Business/<10 circuits/Dispatch/FL (%)	1.84%	1.74%	4.03%	3.85%	4.37%	4.84%	3.27%	3.08%	3.98%	4.14%	
A.2.11.2.1.2	Business/<10 circuits/Non-Dispatch/FL (%)	0.06%	0.69%	0.05%	0.82%	0.05%	0.22%	0.03%	0.39%	0.04%	0.24%	
A.2.11.2.2.1	Business/>=10 circuits/Dispatch/FL (%)	4.73%	11.11%	4.27%	20.00%	5.97%	20.00%	3.50%	0.00%	5.44%	0.00%	1,4,5
A.2.11.2.2.2	Business/>=10 circuits/Non-Dispatch/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%		1,2,3,4
A.2.11.3.1.1	Design (Specials)/<10 circuits/Dispatch/FL (%)	2.74%	0.00%	2.39%	0.00%	3.05%	3.70%	2.54%	6.25%	3.07%	3.33%	
A.2.11.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/FL (%)	0.56%	0.00%	0.81%	0.00%	0.17%	0.00%	0.35%	0.00%	0.74%	0.00%	
A.2.11.3.2.2	Design (Specials)/>=10 circuits/Non-Dispatch/FL (%)	0.00%		0.00%		0.00%		0.00%		0.00%		
A.2.11.4.1.1	PBX/<10 circuits/Dispatch/FL (%)	2.78%	0.00%	4.41%	0.00%	5.77%		6.76%	0.00%	10.53%	0.00%	1,2,4,5
A.2.11.4.1.2	PBX/<10 circuits/Non-Dispatch/FL (%)	0.82%	0.00%	1.10%	0.00%	0.53%	0.00%	0.00%	0.00%	0.46%	0.00%	2,4,5
A.2.11.4.2.1	PBX/>=10 circuits/Dispatch/FL (%)	0.00%		0.00%		0.00%		0.00%	0.00%	5.26%		4
A.2.11.4.2.2	PBX/>=10 circuits/Non-Dispatch/FL (%)	0.00%	0.00%	0.00%		0.00%	0.00%	0.00%	0.00%	3.13%	0.00%	1,3,4,5
A.2.11.5.1.1	Centrex/<10 circuits/Dispatch/FL (%)	3.55%	0.00%	8.49%		4.86%		3.02%		4.89%		1
A.2.11.5.1.2	Centrex/<10 circuits/Non-Dispatch/FL (%)	0.00%	0.00%	0.09%	0.00%	0.00%	0.00%	0.07%	0.00%	0.17%	0.00%	4,5

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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	Notes
A.2.11.5.2.1	Centrex/>=10 circuits/Dispatch/FL (%)	1.89%		31.34%		6.45%		0.00%		15.63%		
A.2.11.5.2.2	Centrex/>=10 circuits/Non-Dispatch/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1,3,4,5
A.2.11.6.1.1	ISDN/<10 circuits/Dispatch/FL (%)	1.57%	16.67%	3.11%	0.00%	2.77%	0.00%	0.96%	100.00%	1.52%	0.00%	1,2,3,4,5
A.2.11.6.1.2	ISDN/<10 circuits/Non-Dispatch/FL (%)	0.74%	0.00%	1.14%	0.00%	0.38%	0.00%	0.34%	0.00%	0.29%	0.00%	2,4
A.2.11.6.2.1	ISDN/>=10 circuits/Dispatch/FL (%)	0.00%		0.00%		0.00%		0.63%	0.00%	0.83%	0.00%	4,5
A.2.11.6.2.2	ISDN/>=10 circuits/Non-Dispatch/FL (%)	0.00%		0.00%		0.00%	0.00%	0.00%	0.00%	1.23%	0.00%	3,4,5
	<b>% Provisioning Troubles within 30 Days</b>											
A.2.12.1.1.1	Residence/<10 circuits/Dispatch/FL (%)	9.84%	6.33%	10.74%	8.24%	10.73%	8.79%	10.16%	9.33%	9.11%	8.77%	
A.2.12.1.1.2	Residence/<10 circuits/Non-Dispatch/FL (%)	3.18%	3.73%	3.19%	3.54%	3.71%	4.10%	3.95%	4.08%	3.80%	4.17%	
A.2.12.1.2.1	Residence/>=10 circuits/Dispatch/FL (%)	11.22%	20.00%	11.49%	0.00%	17.44%	0.00%	11.01%	0.00%	18.85%	25.00%	1,2,3,4,5
A.2.12.2.1.1	Business/<10 circuits/Dispatch/FL (%)	11.02%	12.35%	12.82%	10.45%	12.77%	14.56%	12.03%	12.35%	10.11%	8.15%	
A.2.12.2.1.2	Business/<10 circuits/Non-Dispatch/FL (%)	6.66%	5.70%	8.10%	4.79%	9.49%	6.87%	8.83%	5.44%	9.30%	6.58%	
A.2.12.2.2.1	Business/>=10 circuits/Dispatch/FL (%)	25.86%	23.08%	24.32%	0.00%	21.71%	20.00%	20.90%	10.00%	21.40%	33.33%	2,5
A.2.12.2.2.2	Business/>=10 circuits/Non-Dispatch/FL (%)	5.56%	50.00%	8.33%	0.00%	4.76%	50.00%	12.50%	0.00%	4.35%	0.00%	1,2,3,4,5
A.2.12.3.1.1	Design (Specials)/<10 circuits/Dispatch/FL (%)	6.60%	0.00%	5.30%	0.00%	5.77%	6.25%	7.61%	7.41%	6.08%	3.13%	
A.2.12.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/FL (%)	5.46%	1.21%	5.19%	13.33%	3.63%	0.00%	2.82%	1.96%	3.13%	4.76%	
A.2.12.3.2.2	Design (Specials)/>=10 circuits/Non-Dispatch/FL (%)	0.00%		0.00%		0.00%		0.00%		0.00%		
A.2.12.4.1.1	PBX/<10 circuits/Dispatch/FL (%)	7.14%	0.00%	4.17%	0.00%	1.47%	100.00%	1.92%		4.05%	0.00%	1,2,3,5

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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.12.4.1.2	PBX/<10 circuits/Non-Dispatch/FL (%)	2.03%	0.00%	3.29%	0.00%	3.31%	11.11%	1.60%	0.00%	5.20%	0.00%	3,5
A.2.12.4.2.1	PBX/>=10 circuits/Dispatch/FL (%)	0.00%		0.00%		0.00%		0.00%		0.00%	0.00%	5
A.2.12.4.2.2	PBX/>=10 circuits/Non-Dispatch/FL (%)	4.26%	0.00%	2.33%	0.00%	7.69%		0.00%	0.00%	1.59%	0.00%	1,2,4,5
A.2.12.5.1.1	Centrex/<10 circuits/Dispatch/FL (%)	11.06%	0.00%	8.49%	0.00%	10.57%		9.57%		10.71%		1,2
A.2.12.5.1.2	Centrex/<10 circuits/Non-Dispatch/FL (%)	8.18%	3.70%	8.04%	14.29%	9.38%	8.33%	8.72%	14.29%	7.15%	14.29%	5
A.2.12.5.2.1	Centrex/>=10 circuits/Dispatch/FL (%)	21.13%		20.75%		22.39%		6.45%		9.52%		
A.2.12.5.2.2	Centrex/>=10 circuits/Non-Dispatch/FL (%)	10.00%	0.00%	18.24%	33.33%	14.86%	9.09%	10.95%	0.00%	10.76%	50.00%	1,2,4,5
A.2.12.6.1.1	ISDN/<10 circuits/Dispatch/FL (%)	7.28%	0.00%	6.50%	33.33%	6.57%	0.00%	6.99%	33.33%	1.59%	0.00%	1,2,3,4,5
A.2.12.6.1.2	ISDN/<10 circuits/Non-Dispatch/FL (%)	0.62%	0.00%	0.74%	5.56%	0.91%	0.00%	0.66%	0.00%	0.86%	0.00%	3,5
A.2.12.6.2.1	ISDN/>=10 circuits/Dispatch/FL (%)	0.00%		0.00%		0.00%		0.00%		0.63%	0.00%	5
A.2.12.6.2.2	ISDN/>=10 circuits/Non-Dispatch/FL (%)	0.00%	0.00%	1.69%		0.00%		0.00%	0.00%	0.00%	0.00%	1,4,5
	<b>Average Completion Notice Interval - Mechanized</b>											
A.2.14.1.1.1	Residence/<10 circuits/Dispatch/FL (hours)	4.11	0.51	3.97	1.26	6.97	0.48	6.23	0.29	5.25	0.04	
A.2.14.1.1.2	Residence/<10 circuits/Non-Dispatch/FL (hours)	0.94	0.79	1.10	0.86	1.27	0.78	1.02	0.72	0.92	0.73	
A.2.14.1.2.1	Residence/>=10 circuits/Dispatch/FL (hours)	3.51	0.27	2.57	2.03	4.42	1.75	4.10	0.14	1.74	0.02	1,2,3,4,5
A.2.14.2.1.1	Business/<10 circuits/Dispatch/FL (hours)	3.00	1.07	5.32	0.76	5.18	0.43	3.97	0.40	3.92	0.03	
A.2.14.2.1.2	Business/<10 circuits/Non-Dispatch/FL (hours)	3.35	0.78	2.54	0.91	1.67	0.83	1.37	0.79	1.27	0.78	

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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.14.2.2.1	Business/>=10 circuits/Dispatch/FL (hours)	10.13	0.40	16.62	4.07	7.39	0.43	4.31	0.03	4.27	0.02	1,2,3,4,5
A.2.14.3.1.1	Design (Specials)/<10 circuits/Dispatch/FL (hours)	143.17		182.56		215.29		274.28		225.52		
A.2.14.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/FL (hours)	13.26	0.48	11.98		12.58		17.15	0.02	10.07	0.02	1,4,5
A.2.14.4.1.1	PBX/<10 circuits/Dispatch/FL (hours)	96.36	41.55	65.89		133.02		110.48		34.85		1
A.2.14.4.1.2	PBX/<10 circuits/Non-Dispatch/FL (hours)	7.57	0.08	11.67	0.35	23.61	1.02	6.21	4.24	4.67	0.19	1,2,3,4,5
A.2.14.4.2.1	PBX/>=10 circuits/Dispatch/FL (hours)	1.03		2.81		0.03		166.22	0.02	193.91		4
A.2.14.4.2.2	PBX/>=10 circuits/Non-Dispatch/FL (hours)	3.60		0.76		4.58		43.72		34.44	81.59	5
A.2.14.5.1.1	Centrex/<10 circuits/Dispatch/FL (hours)	10.97		7.27		9.72		6.77		11.28		
A.2.14.5.1.2	Centrex/<10 circuits/Non-Dispatch/FL (hours)	3.55	0.51	4.71		2.45	0.02	3.04		2.13	0.77	1,3,5
A.2.14.6.1.2	ISDN/<10 circuits/Non-Dispatch/FL (hours)	4.93	0.02	8.83	0.55	5.80	0.52	4.72		6.47		1,2,3
A.2.14.6.2.2	ISDN/>=10 circuits/Non-Dispatch/FL (hours)	2.03		0.70		1.60		99.44		74.67		
	<i>Average Completion Notice Interval - Non-Mechanized</i>											
A.2.15.1.1.1	Residence/<10 circuits/Dispatch/FL (hours)		14.20		14.63		10.63		16.15		15.24	
A.2.15.1.1.2	Residence/<10 circuits/Non-Dispatch/FL (hours)		10.30		5.79		7.82		8.22		3.41	
A.2.15.1.2.1	Residence/>=10 circuits/Dispatch/FL (hours)								19.25		9.13	4,5
A.2.15.2.1.1	Business/<10 circuits/Dispatch/FL (hours)		19.66		20.04		22.07		19.02		20.05	
A.2.15.2.1.2	Business/<10 circuits/Non-Dispatch/FL (hours)		15.06		14.02		12.53		14.24		12.42	
A.2.15.2.2.1	Business/>=10 circuits/Dispatch/FL (hours)		10.68		8.29		36.93		28.21		13.48	1,2,3,4,5

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.15.2.2.2	Business/>=10 circuits/Non-Dispatch/FL (hours)		18.94		14.00		0.03		17.83			1,2,3,4
A.2.15.3.1.1	Design (Specials)/<10 circuits/Dispatch/FL (hours)		51.18		96.20		192.70		49.93		36.38	
A.2.15.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/FL (hours)		36.03		33.68		37.43		31.94		39.01	
A.2.15.4.1.1	PBX/<10 circuits/Dispatch/FL (hours)		62.00						34.13		18.70	1,4,5
A.2.15.4.1.2	PBX/<10 circuits/Non-Dispatch/FL (hours)		36.18		34.43		33.58		23.06		0.72	2,3,4,5
A.2.15.4.2.2	PBX/>=10 circuits/Non-Dispatch/FL (hours)		14.00				14.00		30.04		6.90	1,3,4,5
A.2.15.5.1.1	Centrex/<10 circuits/Dispatch/FL (hours)		14.57									1
A.2.15.5.1.2	Centrex/<10 circuits/Non-Dispatch/FL (hours)		34.04		37.09		25.36		29.25		3.91	1,4,5
A.2.15.5.2.2	Centrex/>=10 circuits/Non-Dispatch/FL (hours)		9.34		14.00		12.89		19.33		49.09	1,3,4,5
A.2.15.6.1.1	ISDN/<10 circuits/Dispatch/FL (hours)		102.47		225.95		68.19		97.98		44.47	1,2,3,4,5
A.2.15.6.1.2	ISDN/<10 circuits/Non-Dispatch/FL (hours)		46.39		14.07		22.25		20.65		46.50	2,3,4
A.2.15.6.2.1	ISDN/>=10 circuits/Dispatch/FL (hours)								0.02		60.07	4,5
A.2.15.6.2.2	ISDN/>=10 circuits/Non-Dispatch/FL (hours)						14.00		23.25		14.00	3,4,5
	<b>Service Order Accuracy</b>											
A.2.25.1.1.1	Residence/<10 circuits/Dispatch/FL (%)		90.77%		98.86%		99.09%		98.80%		98.86%	
A.2.25.1.1.2	Residence/<10 circuits/Non-Dispatch/FL (%)		98.82%		98.56%		97.67%		99.00%		98.56%	
A.2.25.1.2.1	Residence/>=10 circuits/Dispatch/FL (%)		100.00%		100.00%		100.00%		93.33%		88.89%	2,5
A.2.25.2.1.1	Business/<10 circuits/Dispatch/FL (%)		88.82%		94.44%		93.33%		96.47%		94.12%	



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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.25.2.1.2	Business/<10 circuits/Non-Dispatch/FL (%)		96.11%		97.22%		96.47%		96.11%		95.56%	
A.2.25.2.2.1	Business/>=10 circuits/Dispatch/FL (%)		77.78%		76.92%		100.00%		81.25%		87.50%	
A.2.25.2.2.2	Business/>=10 circuits/Non-Dispatch/FL (%)		92.59%		91.89%		63.64%		85.71%		64.00%	
A.2.25.3.1.1	Design (Specials)/<10 circuits/Dispatch/FL (%)		80.49%		96.47%		91.67%		92.16%		86.11%	
A.2.25.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/FL (%)		91.43%		91.36%		96.61%		90.41%		97.44%	
A.2.25.3.2.1	Design (Specials)/>=10 circuits/Dispatch/FL (%)		100.00%		100.00%		100.00%				80.00%	1,2,3,5
A.2.25.3.2.2	Design (Specials)/>=10 circuits/Non-Dispatch/FL (%)		92.31%		88.89%		50.00%		100.00%		100.00%	2,3,4
<b>Resale - Maintenance and Repair</b>												
	<i>Missed Repair Appointments</i>											
A.3.1.1.1	Residence/Dispatch/FL (%)	6.85%	4.68%	10.47%	5.85%	12.06%	5.54%	10.47%	5.50%	9.66%	5.55%	
A.3.1.1.2	Residence/Non-Dispatch/FL (%)	0.92%	1.14%	0.91%	1.04%	0.82%	1.14%	0.77%	1.22%	1.04%	1.87%	
A.3.1.2.1	Business/Dispatch/FL (%)	7.73%	8.48%	10.38%	10.16%	10.30%	12.18%	10.98%	11.17%	10.36%	11.39%	
A.3.1.2.2	Business/Non-Dispatch/FL (%)	4.92%	1.16%	2.24%	2.23%	1.82%	2.36%	2.11%	5.37%	1.93%	0.74%	
A.3.1.3.1	Design (Specials)/Dispatch/FL (%)	1.77%	0.00%	1.19%	6.67%	1.76%	0.00%	2.16%	0.00%	1.81%	0.00%	
A.3.1.3.2	Design (Specials)/Non-Dispatch/FL (%)	0.37%	0.00%	0.33%	0.00%	0.59%	0.00%	0.58%	0.00%	0.21%	0.00%	
A.3.1.4.1	PBX/Dispatch/FL (%)	13.37%	9.09%	17.43%	2.50%	18.78%	7.69%	11.86%	0.00%	12.25%	25.00%	4,5
A.3.1.4.2	PBX/Non-Dispatch/FL (%)	1.46%	0.00%	0.96%	0.00%	1.17%	0.00%	3.64%	0.00%	1.57%	0.00%	3,4,5
A.3.1.5.1	Centrex/Dispatch/FL (%)	12.04%	0.00%	12.86%	75.00%	14.89%	36.36%	15.28%	0.00%	19.59%	0.00%	2,4,5
A.3.1.5.2	Centrex/Non-Dispatch/FL (%)	4.66%	0.00%	4.01%	0.00%	3.73%	0.00%	4.92%	0.00%	4.55%	0.00%	1,2,3,4,5
A.3.1.6.1	ISDN/Dispatch/FL (%)	5.28%	0.00%	4.48%	0.00%	3.58%	0.00%	4.45%	0.00%	2.16%	0.00%	1,2,3,4,5
A.3.1.6.2	ISDN/Non-Dispatch/FL (%)	0.72%	0.00%	0.00%	0.00%	1.72%	0.00%	0.86%	0.00%	0.00%	0.00%	1,2,3,4,5
	<i>Customer Trouble Report Rate</i>											
A.3.2.1.1	Residence/Dispatch/FL (%)	1.81%	2.06%	2.18%	3.13%	2.60%	2.66%	2.41%	2.66%	2.00%	2.03%	
A.3.2.1.2	Residence/Non-Dispatch/FL (%)	1.00%	0.90%	1.08%	1.02%	1.22%	0.86%	1.14%	0.78%	0.95%	0.52%	
A.3.2.2.1	Business/Dispatch/FL (%)	1.31%	1.59%	1.43%	1.70%	1.70%	2.01%	1.62%	2.34%	1.36%	1.58%	

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Florida Performance Metric Data

Metric	Metric Name [SQM Number] and Disaggregation	May		June		July		August		September		Notes
Number		BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.3.2.2.2	Business/Non-Dispatch/FL (%)	1.00%	0.99%	0.81%	0.76%	0.95%	0.94%	0.86%	0.58%	0.83%	0.60%	
A.3.2.3.1	Design (Specials)/Dispatch/FL (%)	1.42%	1.18%	1.54%	1.03%	1.90%	1.52%	1.94%	1.39%	0.42%	0.97%	
A.3.2.3.2	Design (Specials)/Non-Dispatch/FL (%)	1.92%	1.29%	1.49%	1.13%	1.68%	1.23%	1.70%	0.67%	0.45%	0.62%	
A.3.2.4.1	PBX/Dispatch/FL (%)	0.22%	0.24%	0.24%	1.00%	0.22%	0.33%	0.20%	0.24%	0.20%	0.09%	
A.3.2.4.2	PBX/Non-Dispatch/FL (%)	0.18%	0.60%	0.17%	0.48%	0.19%	0.05%	0.14%	0.03%	0.15%	0.04%	
A.3.2.5.1	Centrex/Dispatch/FL (%)	0.50%	1.16%	0.59%	0.41%	0.71%	1.66%	0.73%	0.55%	0.66%	0.16%	
A.3.2.5.2	Centrex/Non-Dispatch/FL (%)	0.51%	0.46%	0.39%	0.41%	0.38%	0.60%	0.45%	0.18%	0.38%	0.08%	
A.3.2.6.1	ISDN/Dispatch/FL (%)	0.08%	0.08%	0.07%	0.12%	0.08%	0.09%	0.10%	0.12%	0.10%	0.06%	
A.3.2.6.2	ISDN/Non-Dispatch/FL (%)	0.10%	0.22%	0.09%	0.06%	0.12%	0.19%	0.12%	0.22%	0.13%	0.09%	
	<b>Maintenance Average Duration</b>											
A.3.3.1.1	Residence/Dispatch/FL (hours)	16.13	14.45	22.93	19.11	28.66	22.53	23.51	19.48	23.18	17.79	
A.3.3.1.2	Residence/Non-Dispatch/FL (hours)	5.17	4.37	7.81	5.22	9.78	6.45	7.69	4.48	8.06	4.67	
A.3.3.2.1	Business/Dispatch/FL (hours)	12.32	10.50	15.97	15.23	19.27	15.61	15.93	13.13	16.06	13.18	
A.3.3.2.2	Business/Non-Dispatch/FL (hours)	5.37	2.54	4.65	5.11	5.12	4.46	5.38	10.35	4.52	3.07	
A.3.3.3.1	Design (Specials)/Dispatch/FL (hours)	5.82	3.60	5.61	6.01	5.52	5.34	6.67	3.85	5.04	5.64	
A.3.3.3.2	Design (Specials)/Non-Dispatch/FL (hours)	2.48	1.84	2.91	3.42	2.32	2.35	12.21	3.39	2.05	2.19	
A.3.3.4.1	PBX/Dispatch/FL (hours)	13.17	5.63	13.92	19.00	18.43	11.04	13.28	10.69	13.05	8.73	4,5
A.3.3.4.2	PBX/Non-Dispatch/FL (hours)	2.52	1.26	3.07	2.01	3.61	10.66	31.67	1.18	3.22	5.17	3,4,5
A.3.3.5.1	Centrex/Dispatch/FL (hours)	14.63	13.90	17.53	23.25	21.05	6.09	19.00	17.33	19.71	2.50	2,4,5
A.3.3.5.2	Centrex/Non-Dispatch/FL (hours)	4.93	4.75	5.02	1.75	4.65	17.50	4.50	1.00	5.01	5.00	1,2,3,4,5
A.3.3.6.1	ISDN/Dispatch/FL (hours)	6.77	2.18	6.52	2.85	7.26	3.27	6.44	3.53	5.72	5.68	1,2,3,4,5
A.3.3.6.2	ISDN/Non-Dispatch/FL (hours)	2.68	2.19	2.30	5.43	4.77	1.84	2.50	2.98	1.77	1.70	1,2,3,4,5
	<b>% Repeat Troubles within 30 Days</b>											
A.3.4.1.1	Residence/Dispatch/FL (%)	15.67%	11.00%	16.17%	10.73%	17.47%	9.82%	17.33%	11.15%	17.39%	11.73%	
A.3.4.1.2	Residence/Non-Dispatch/FL (%)	13.72%	11.60%	14.68%	10.26%	15.57%	8.64%	15.57%	11.42%	15.38%	12.13%	
A.3.4.2.1	Business/Dispatch/FL (%)	13.47%	9.57%	13.71%	11.75%	14.65%	9.41%	14.23%	26.00%	14.35%	8.61%	
A.3.4.2.2	Business/Non-Dispatch/FL (%)	12.44%	13.08%	13.86%	8.48%	14.36%	16.14%	13.21%	16.11%	13.30%	9.56%	
A.3.4.3.1	Design (Specials)/Dispatch/FL (%)	18.36%	17.14%	21.47%	20.00%	23.70%	19.05%	24.20%	14.29%	20.94%	16.00%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.3.4.3.2	Design (Specials)/Non-Dispatch/FL (%)	18.32%	15.79%	19.39%	24.24%	21.25%	35.29%	20.40%	11.76%	15.63%	12.50%	
A.3.4.4.1	PBX/Dispatch/FL (%)	12.38%	0.00%	11.47%	0.00%	15.23%	0.00%	14.12%	22.22%	15.10%	0.00%	4,5
A.3.4.4.2	PBX/Non-Dispatch/FL (%)	8.77%	10.71%	7.37%	0.00%	8.45%	0.00%	6.88%	0.00%	9.80%	0.00%	3,4,5
A.3.4.5.1	Centrex/Dispatch/FL (%)	11.79%	0.00%	12.86%	25.00%	12.86%	9.09%	17.32%	0.00%	13.06%	0.00%	2,4,5
A.3.4.5.2	Centrex/Non-Dispatch/FL (%)	13.88%	0.00%	12.47%	25.00%	13.33%	0.00%	15.52%	0.00%	11.02%	0.00%	1,2,3,4,5
A.3.4.6.1	ISDN/Dispatch/FL (%)	11.88%	0.00%	12.76%	25.00%	16.12%	0.00%	15.75%	0.00%	17.27%	0.00%	1,2,3,4,5
A.3.4.6.2	ISDN/Non-Dispatch/FL (%)	8.87%	25.00%	11.11%	0.00%	8.17%	0.00%	11.71%	28.57%	9.48%	0.00%	1,2,3,4,5
	<b>Out of Service &gt; 24 hours</b>											
A.3.5.1.1	Residence/Dispatch/FL (%)	11.57%	8.70%	24.21%	19.20%	34.02%	27.36%	24.36%	19.83%	22.35%	17.04%	
A.3.5.1.2	Residence/Non-Dispatch/FL (%)	3.09%	1.87%	10.67%	4.75%	14.99%	6.95%	9.32%	3.61%	10.92%	3.96%	
A.3.5.2.1	Business/Dispatch/FL (%)	7.48%	6.27%	14.99%	13.08%	21.44%	12.82%	14.07%	8.02%	14.43%	15.21%	
A.3.5.2.2	Business/Non-Dispatch/FL (%)	5.65%	0.00%	3.19%	3.13%	4.88%	5.44%	4.09%	1.19%	3.48%	1.30%	
A.3.5.3.1	Design (Specials)/Dispatch/FL (%)	1.77%	0.00%	1.19%	6.67%	1.76%	0.00%	2.16%	0.00%	1.81%	0.00%	
A.3.5.3.2	Design (Specials)/Non-Dispatch/FL (%)	0.37%	0.00%	0.33%	0.00%	0.59%	0.00%	0.58%	0.00%	0.21%	0.00%	
A.3.5.4.1	PBX/Dispatch/FL (%)	15.69%	9.09%	11.36%	21.43%	18.52%	8.33%	9.76%	14.29%	10.04%	33.33%	4,5
A.3.5.4.2	PBX/Non-Dispatch/FL (%)	1.14%	0.00%	0.88%	0.00%	5.32%	0.00%	3.96%	0.00%	1.44%	0.00%	3,4,5
A.3.5.5.1	Centrex/Dispatch/FL (%)	15.63%	0.00%	17.26%	50.00%	21.35%	0.00%	19.27%	0.00%	20.83%	0.00%	1,2,3,5
A.3.5.5.2	Centrex/Non-Dispatch/FL (%)	3.28%	0.00%	2.13%	0.00%	2.38%	0.00%	3.09%	0.00%	5.32%	0.00%	1,2,3,5
A.3.5.6.1	ISDN/Dispatch/FL (%)	5.61%	0.00%	4.48%	0.00%	3.92%	0.00%	4.45%	0.00%	2.16%	0.00%	1,2,3,4,5
A.3.5.6.2	ISDN/Non-Dispatch/FL (%)	0.72%	0.00%	0.00%	0.00%	1.72%	0.00%	0.86%	0.00%	0.00%	0.00%	1,2,3,4,5
<b>Resale - Billing</b>												
	<b>Invoice Accuracy</b>											
A.4.1	FL (%)	97.66%	99.97%	98.27%	98.90%	97.59%	99.69%	94.48%	99.64%	98.02%	98.59%	
	<b>Mean Time to Deliver Invoices - CRIS</b>											
A.4.2	Region (business days)	3.47	3.16	3.82	3.37	4.42	3.34	3.24	2.98	4.05	3.81	
<b>Unbundled Network Elements - Ordering</b>												
	<b>% Rejected Service Requests - Mechanized</b>											
B.1.1.3	Loop + Port Combinations/FL (%)		17.65%		15.14%		11.93%		16.23%		16.80%	
B.1.1.4	Combo Other/FL (%)				21.82%		100.00%		38.46%		42.11%	3
B.1.1.5	xDSL (ADSL, HDSL and UCL)/FL (%)		15.72%		14.51%		20.63%		25.42%		23.22%	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.1.6	ISDN Loop (UDN, UDC)/FL (%)		13.33%		9.86%		9.74%		5.94%		5.87%	
B.1.1.7	Line Sharing/FL (%)		34.69%		22.76%		23.66%		30.23%		26.23%	
B.1.1.8	2W Analog Loop Design/FL (%)		22.90%		22.65%		15.67%		19.67%		12.77%	
B.1.1.9	2W Analog Loop Non-Design/FL (%)		17.82%		16.07%		10.15%		14.19%		8.85%	
B.1.1.12	2W Analog Loop w/LNP Design/FL (%)		55.96%		44.19%		69.57%		62.86%		26.32%	
B.1.1.13	2W Analog Loop w/LNP Non-Design/FL (%)		59.14%		97.09%		98.97%		71.94%		81.58%	
B.1.1.14	Other Design/FL (%)		22.39%		16.39%		27.52%		26.59%		26.19%	
B.1.1.15	Other Non-Design/FL (%)		48.24%		48.16%		42.77%		29.55%		30.96%	
B.1.1.17	LNP Standalone/FL (%)		8.75%		9.14%		9.55%		9.84%		7.01%	
	<b>% Rejected Service Requests - Partially Mechanized</b>											
B.1.2.3	Loop + Port Combinations/FL (%)		28.09%		21.52%		28.06%		31.03%		43.30%	
B.1.2.4	Combo Other/FL (%)				33.33%		5.00%		16.95%		21.49%	2
B.1.2.5	xDSL (ADSL, HDSL and UCL)/FL (%)		6.98%		10.34%		3.92%		13.33%		20.45%	
B.1.2.6	ISDN Loop (UDN, UDC)/FL (%)		11.94%		26.67%		2.56%		0.00%		16.67%	
B.1.2.7	Line Sharing/FL (%)		37.07%		40.00%		30.30%		44.00%		45.90%	
B.1.2.8	2W Analog Loop Design/FL (%)		28.28%		22.63%		23.05%		24.79%		23.96%	
B.1.2.9	2W Analog Loop Non-Design/FL (%)		16.28%		16.80%		13.02%		11.10%		11.16%	
B.1.2.12	2W Analog Loop w/LNP Design/FL (%)		37.52%		32.98%		35.28%		31.03%		50.79%	
B.1.2.13	2W Analog Loop w/LNP Non-Design/FL (%)		24.97%		23.26%		22.45%		21.44%		24.50%	
B.1.2.14	Other Design/FL (%)		25.71%		16.78%		24.60%		25.94%		24.46%	
B.1.2.15	Other Non-Design/FL (%)		29.32%		41.21%		37.28%		37.51%		35.41%	
B.1.2.17	LNP Standalone/FL (%)		31.30%		29.47%		30.95%		34.77%		36.90%	
	<b>% Rejected Service Requests - Non-Mechanized</b>											
B.1.3.1	Switch Ports/FL (%)		50.00%		0.00%							1,2
B.1.3.2	Local Interoffice Transport/FL (%)		46.67%		11.11%		57.58%		61.54%		53.85%	2
B.1.3.3	Loop + Port Combinations/FL (%)		43.23%		41.32%		38.57%		38.75%		44.73%	
B.1.3.4	Combo Other/FL (%)		62.79%		51.20%		47.27%		45.03%		51.79%	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.3.5	xDSL (ADSL, HDSL and UCL)/FL (%)		26.86%		25.91%		20.00%		25.00%		32.29%	
B.1.3.6	ISDN Loop (UDN, UDC)/FL (%)		16.21%		19.19%		20.96%		21.28%		16.49%	
B.1.3.7	Line Sharing/FL (%)		35.09%		35.85%		25.00%		50.00%		43.14%	
B.1.3.8	2W Analog Loop Design/FL (%)		33.84%		27.38%		37.82%		42.53%		44.00%	
B.1.3.9	2W Analog Loop Non-Design/FL (%)		25.83%		25.93%		39.12%		37.50%		36.46%	
B.1.3.10	2W Analog Loop w/INP Design/FL (%)		33.33%				69.23%		0.00%			1,4
B.1.3.11	2W Analog Loop w/INP Non-Design/FL (%)		20.00%		44.44%		25.00%		0.00%		33.33%	1,2,4,5
B.1.3.12	2W Analog Loop w/LNP Design/FL (%)		61.32%		62.16%		52.94%		64.10%		64.52%	
B.1.3.13	2W Analog Loop w/LNP Non-Design/FL (%)		51.76%		43.18%		49.09%		46.94%		43.75%	
B.1.3.14	Other Design/FL (%)		29.30%		35.35%		38.81%		45.64%		42.67%	
B.1.3.15	Other Non-Design/FL (%)		38.26%		31.56%		28.52%		30.34%		33.83%	
B.1.3.16	INP Standalone/FL (%)		40.91%		35.62%		26.67%		36.36%		30.77%	
B.1.3.17	LNP Standalone/FL (%)		35.78%		40.32%		30.32%		33.48%		29.04%	
	<b>Reject Interval - Mechanized</b>											
B.1.4.3	Loop + Port Combinations/FL (%)		93.80%		95.49%		93.13%		96.39%		94.76%	
B.1.4.4	Combo Other/FL (%)				83.33%		100.00%		80.00%		100.00%	3,4,5
B.1.4.5	xDSL (ADSL, HDSL and UCL)/FL (%)		98.94%		98.63%		98.78%		97.78%		97.67%	
B.1.4.6	ISDN Loop (UDN, UDC)/FL (%)		80.00%		55.56%		85.71%		76.92%		95.65%	2
B.1.4.7	Line Sharing/FL (%)		83.91%		69.35%		79.25%		56.96%		75.94%	
B.1.4.8	2W Analog Loop Design/FL (%)		79.26%		77.60%		72.55%		74.88%		81.25%	
B.1.4.9	2W Analog Loop Non-Design/FL (%)		61.27%		64.29%		52.03%		64.14%		61.80%	
B.1.4.12	2W Analog Loop w/LNP Design/FL (%)		98.36%		94.74%		81.25%		90.91%		100.00%	5
B.1.4.13	2W Analog Loop w/LNP Non-Design/FL (%)		92.11%		96.00%		86.14%		98.00%		98.92%	
B.1.4.14	Other Design/FL (%)		58.97%		61.22%		55.56%		54.17%		78.48%	

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		BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.4.15	Other Non-Design/FL (%)		77.92%		73.90%		66.61%		56.80%		50.20%	
B.1.4.17	LNP Standalone/FL (%)		96.40%		96.06%		98.42%		98.32%		98.80%	
	<i>Reject Interval - Partially Mechanized - 10 hours</i>											
B.1.7.3	Loop + Port Combinations/FL (%)		86.71%		96.49%		96.93%		96.64%		97.63%	
B.1.7.5	xDSL (ADSL, HDSL and UCL)/FL (%)		83.33%		100.00%		100.00%		50.00%		100.00%	1,2,3,4
B.1.7.6	ISDN Loop (UDN, UDC)/FL (%)		60.00%		46.67%		100.00%				66.67%	3,5
B.1.7.7	Line Sharing/FL (%)		75.28%		84.85%		95.00%		88.89%		92.86%	
B.1.7.8	2W Analog Loop Design/FL (%)		84.52%		87.96%		90.24%		88.89%		94.20%	
B.1.7.9	2W Analog Loop Non-Design/FL (%)		64.71%		78.24%		76.78%		78.61%		79.08%	
B.1.7.12	2W Analog Loop w/LNP Design/FL (%)		74.23%		75.18%		72.80%		92.31%		94.95%	
B.1.7.13	2W Analog Loop w/LNP Non-Design/FL (%)		84.13%		85.30%		72.66%		88.14%		86.53%	
B.1.7.14	Other Design/FL (%)		86.36%		88.00%		89.25%		88.66%		86.75%	
B.1.7.15	Other Non-Design/FL (%)		97.46%		98.67%		99.04%		98.84%		97.24%	
B.1.7.17	LNP Standalone/FL (%)		91.00%		91.38%		89.06%		96.62%		93.75%	
	<i>Reject Interval - Non-Mechanized</i>											
B.1.8.1	Switch Ports/FL (%)		100.00%									1
B.1.8.2	Local Interoffice Transport/FL (%)		100.00%		100.00%		94.74%		100.00%		100.00%	2
B.1.8.3	Loop + Port Combinations/FL (%)		98.38%		98.50%		98.22%		97.57%		96.03%	
B.1.8.4	Combo Other/FL (%)		100.00%		98.48%		100.00%		95.40%		100.00%	
B.1.8.5	xDSL (ADSL, HDSL and UCL)/FL (%)		97.37%		100.00%		100.00%		100.00%		96.88%	
B.1.8.6	ISDN Loop (UDN, UDC)/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.8.7	Line Sharing/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.8.8	2W Analog Loop Design/FL (%)		98.90%		100.00%		100.00%		98.68%		98.72%	
B.1.8.9	2W Analog Loop Non-Design/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.8.10	2W Analog Loop w/INP Design/FL (%)		100.00%				100.00%					1,3
B.1.8.11	2W Analog Loop w/INP Non-Design/FL (%)		100.00%		100.00%		100.00%				100.00%	1,2,3,5

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.8.12	2W Analog Loop w/LNP Design/FL (%)		97.14%		95.83%		90.00%		100.00%		100.00%	
B.1.8.13	2W Analog Loop w/LNP Non-Design/FL (%)		97.83%		100.00%		100.00%		100.00%		100.00%	
B.1.8.14	Other Design/FL (%)		99.43%		99.30%		98.59%		97.87%		97.06%	
B.1.8.15	Other Non-Design/FL (%)		98.91%		98.94%		99.17%		98.42%		99.32%	
B.1.8.16	INP Standalone/FL (%)		100.00%		96.15%		100.00%		100.00%		100.00%	5
B.1.8.17	LNP Standalone/FL (%)		98.82%		98.44%		99.60%		99.03%		99.31%	
	<b>FOC Timeliness - Mechanized</b>											
B.1.9.3	Loop + Port Combinations/FL (%)		98.97%		98.62%		98.70%		98.67%		97.81%	
B.1.9.4	Combo Other/FL (%)				60.00%				66.67%			4
B.1.9.5	xDSL (ADSL, HDSL and UCL)/FL (%)		97.67%		92.54%		98.96%		98.14%		98.95%	
B.1.9.6	ISDN Loop (UDN, UDC)/FL (%)		97.92%		96.88%		76.28%		76.56%		95.42%	
B.1.9.7	Line Sharing/FL (%)		99.34%		97.74%		97.75%		97.98%		98.47%	
B.1.9.8	2W Analog Loop Design/FL (%)		97.88%		94.23%		94.60%		93.38%		95.63%	
B.1.9.9	2W Analog Loop Non-Design/FL (%)		99.21%		99.00%		98.42%		99.03%		99.32%	
B.1.9.12	2W Analog Loop w/LNP Design/FL (%)		100.00%		91.30%		80.00%		66.67%		66.67%	3,4,5
B.1.9.13	2W Analog Loop w/LNP Non-Design/FL (%)		100.00%		0.00%				96.55%			2
B.1.9.14	Other Design/FL (%)		96.05%		83.61%		83.24%		97.27%		97.62%	
B.1.9.15	Other Non-Design/FL (%)		93.88%		94.85%		96.30%		96.37%		98.92%	
B.1.9.17	LNP Standalone/FL (%)		95.95%		96.73%		98.27%		99.38%		99.34%	
	<b>FOC Timeliness - Partially Mechanized - 10 hours</b>											
B.1.12.3	Loop + Port Combinations/FL (%)		80.73%		92.68%		94.67%		91.83%		91.20%	
B.1.12.4	Combo Other/FL (%)				0.00%		58.82%		71.43%		82.72%	2
B.1.12.5	xDSL (ADSL, HDSL and UCL)/FL (%)		95.24%		88.89%		89.19%		81.82%		89.06%	
B.1.12.6	ISDN Loop (UDN, UDC)/FL (%)		94.01%		82.05%		70.83%		80.95%		83.33%	
B.1.12.7	Line Sharing/FL (%)		87.50%		88.89%		100.00%		96.36%		94.44%	
B.1.12.8	2W Analog Loop Design/FL (%)		83.64%		91.67%		91.70%		91.33%		94.87%	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.12.9	2W Analog Loop Non-Design/FL (%)		93.01%		91.53%		94.11%		95.09%		94.52%	
B.1.12.12	2W Analog Loop w/LNP Design/FL (%)		77.96%		65.57%		74.04%		69.80%		72.22%	
B.1.12.13	2W Analog Loop w/LNP Non-Design/FL (%)		92.92%		80.58%		65.43%		84.03%		81.88%	
B.1.12.14	Other Design/FL (%)		84.34%		84.84%		83.78%		91.07%		90.46%	
B.1.12.15	Other Non-Design/FL (%)		95.70%		96.82%		97.44%		96.47%		96.79%	
B.1.12.17	LNP Standalone/FL (%)		93.08%		94.08%		92.63%		95.23%		95.73%	
	<b>FOC Timeliness - Non-Mechanized</b>											
B.1.13.1	Switch Ports/FL (%)		100.00%		100.00%							1,2
B.1.13.2	Local Interoffice Transport/FL (%)		96.67%		100.00%		100.00%		88.24%		100.00%	2
B.1.13.3	Loop + Port Combinations/FL (%)		98.14%		98.23%		98.11%		97.41%		95.31%	
B.1.13.4	Combo Other/FL (%)		94.12%		100.00%		100.00%		99.06%		98.25%	
B.1.13.5	xDSL (ADSL, HDSL and UCL)/FL (%)		99.49%		99.50%		96.47%		96.92%		95.24%	
B.1.13.6	ISDN Loop (UDN, UDC)/FL (%)		99.48%		97.89%		100.00%		98.67%		98.91%	
B.1.13.7	Line Sharing/FL (%)		98.73%		100.00%		100.00%		100.00%		100.00%	
B.1.13.8	2W Analog Loop Design/FL (%)		100.00%		98.41%		96.97%		96.84%		97.96%	
B.1.13.9	2W Analog Loop Non-Design/FL (%)		99.04%		99.21%		98.58%		98.98%		98.88%	
B.1.13.10	2W Analog Loop w/INP Design/FL (%)		100.00%						100.00%			1,4
B.1.13.11	2W Analog Loop w/INP Non-Design/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,2,3,4,5
B.1.13.12	2W Analog Loop w/LNP Design/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	3
B.1.13.13	2W Analog Loop w/LNP Non-Design/FL (%)		97.30%		100.00%		100.00%		100.00%		100.00%	
B.1.13.14	Other Design/FL (%)		99.52%		98.81%		99.53%		100.00%		96.88%	
B.1.13.15	Other Non-Design/FL (%)		99.31%		98.94%		98.99%		99.80%		99.49%	
B.1.13.16	INP Standalone/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.13.17	LNP Standalone/FL (%)		99.61%		99.81%		99.48%		99.67%		98.85%	
	<b>FOC &amp; Reject Response Completeness - Mechanized</b>											



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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.14.3.1	Loop + Port Combinations/EDI/FL (%)		96.35%		99.53%		99.88%		99.42%		100.00%	
B.1.14.3.2	Loop + Port Combinations/TAG/FL (%)		96.45%		99.97%		99.97%		99.86%		99.84%	
B.1.14.4.1	Combo Other/EDI/FL (%)				62.50%		100.00%		50.00%		35.29%	2,3
B.1.14.5.1	xDSL (ADSL, HDSL and UCL)/EDI/FL (%)		97.00%		98.09%		99.07%		98.90%		96.94%	
B.1.14.5.2	xDSL (ADSL, HDSL and UCL)/TAG/FL (%)		86.15%		64.04%		85.75%		88.41%		93.30%	
B.1.14.6.1	ISDN Loop (UDN, UDC)/EDI/FL (%)		60.00%		100.00%		90.91%		90.91%		98.00%	1
B.1.14.6.2	ISDN Loop (UDN, UDC)/TAG/FL (%)		77.14%		100.00%		51.68%		62.02%		95.32%	
B.1.14.7.1	Line Sharing/EDI/FL (%)		95.21%		100.00%		100.00%		99.06%		100.00%	
B.1.14.7.2	Line Sharing/TAG/FL (%)		87.18%		100.00%		100.00%		97.83%		100.00%	
B.1.14.8.1	2W Analog Loop Design/EDI/FL (%)		91.77%		97.35%		93.36%		92.66%		95.53%	
B.1.14.8.2	2W Analog Loop Design/TAG/FL (%)		98.50%		98.78%		99.46%		99.63%		99.47%	
B.1.14.9.1	2W Analog Loop Non-Design/EDI/FL (%)						100.00%		100.00%		100.00%	3,4
B.1.14.9.2	2W Analog Loop Non-Design/TAG/FL (%)		96.61%		99.47%		99.36%		95.62%		98.96%	
B.1.14.12.1	2W Analog Loop w/LNP Design/EDI/FL (%)		86.46%		96.97%		95.24%		87.50%		70.00%	
B.1.14.12.2	2W Analog Loop w/LNP Design/TAG/FL (%)		92.31%		100.00%		100.00%		66.67%		44.44%	3,4,5
B.1.14.13.2	2W Analog Loop w/LNP Non-Design/TAG/FL (%)		88.72%		100.00%		98.97%		92.48%		81.82%	
B.1.14.14.1	Other Design/EDI/FL (%)		89.86%		93.10%		89.80%		90.98%		94.29%	
B.1.14.14.2	Other Design/TAG/FL (%)		98.48%		98.91%		99.38%		99.11%		98.41%	
B.1.14.15.1	Other Non-Design/EDI/FL (%)		97.02%		98.19%		98.01%		99.24%		99.96%	
B.1.14.15.2	Other Non-Design/TAG/FL (%)		87.13%		89.29%		90.71%		93.81%		99.47%	
B.1.14.17.1	LNP Standalone/EDI/FL (%)		99.31%		99.65%		99.46%		99.17%		99.85%	
B.1.14.17.2	LNP Standalone/TAG/FL (%)		97.10%		97.62%		99.46%		96.58%		98.05%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
	<b>FOC &amp; Reject Response Completeness - Partially Mechanized</b>											
B.1.15.3.1	Loop + Port Combinations/EDI/FL (%)		95.98%		99.44%		99.94%		99.75%		99.97%	
B.1.15.3.2	Loop + Port Combinations/TAG/FL (%)		99.83%		99.74%		99.77%		99.82%		99.96%	
B.1.15.4.1	Combo Other/EDI/FL (%)				100.00%		57.89%		83.78%		96.34%	2
B.1.15.5.1	xDSL (ADSL, HDSL and UCL)/EDI/FL (%)		73.58%		75.00%		100.00%		93.33%		86.67%	
B.1.15.5.2	xDSL (ADSL, HDSL and UCL)/TAG/FL (%)		78.79%		64.71%		46.15%		60.00%		77.59%	
B.1.15.6.1	ISDN Loop (UDN, UDC)/EDI/FL (%)		100.00%		50.00%				100.00%		100.00%	2,4,5
B.1.15.6.2	ISDN Loop (UDN, UDC)/TAG/FL (%)		99.60%		100.00%		66.67%		81.82%		100.00%	
B.1.15.7.1	Line Sharing/EDI/FL (%)		97.58%		100.00%		100.00%		100.00%		100.00%	
B.1.15.7.2	Line Sharing/TAG/FL (%)		98.15%		95.65%		100.00%		100.00%		100.00%	
B.1.15.8.1	2W Analog Loop Design/EDI/FL (%)		95.41%		99.72%		99.54%		99.32%		100.00%	
B.1.15.8.2	2W Analog Loop Design/TAG/FL (%)		100.00%		98.72%		100.00%		98.89%		98.77%	
B.1.15.9.1	2W Analog Loop Non-Design/EDI/FL (%)						100.00%		100.00%		100.00%	3
B.1.15.9.2	2W Analog Loop Non-Design/TAG/FL (%)		99.91%		99.71%		99.74%		99.70%		99.76%	
B.1.15.12.1	2W Analog Loop w/LNP Design/EDI/FL (%)		100.00%		99.65%		99.58%		100.00%		100.00%	
B.1.15.12.2	2W Analog Loop w/LNP Design/TAG/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.15.13.1	2W Analog Loop w/LNP Non-Design/EDI/FL (%)						100.00%		100.00%		100.00%	3
B.1.15.13.2	2W Analog Loop w/LNP Non-Design/TAG/FL (%)		100.00%		100.00%		99.91%		99.91%		100.00%	
B.1.15.14.1	Other Design/EDI/FL (%)		93.08%		99.12%		99.28%		99.61%		99.61%	
B.1.15.14.2	Other Design/TAG/FL (%)		100.00%		98.31%		100.00%		98.92%		100.00%	
B.1.15.15.1	Other Non-Design/EDI/FL (%)		94.81%		99.87%		99.83%		99.82%		99.86%	
B.1.15.15.2	Other Non-Design/TAG/FL (%)		96.37%		96.10%		95.99%		98.21%		99.81%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.15.17.1	LNP Standalone/EDI/FL (%)		99.87%		99.52%		100.00%		99.84%		100.00%	
B.1.15.17.2	LNP Standalone/TAG/FL (%)		99.49%		100.00%		100.00%		99.54%		100.00%	
	<b>FOC &amp; Reject Response Completeness - Non-Mechanized</b>											
B.1.16.1	Switch Ports/FL (%)		100.00%		100.00%							1,2
B.1.16.2	Local Interoffice Transport/FL (%)		100.00%		100.00%		96.97%		97.44%		100.00%	2
B.1.16.3	Loop + Port Combinations/FL (%)		91.41%		92.61%		92.69%		93.28%		96.49%	
B.1.16.4	Combo Other/FL (%)		95.35%		96.80%		94.55%		95.29%		97.32%	
B.1.16.5	xDSL (ADSL, HDSL and UCL)/FL (%)		94.70%		97.08%		96.00%		95.45%		94.79%	
B.1.16.6	ISDN Loop (UDN, UDC)/FL (%)		93.47%		97.67%		96.81%		93.58%		95.88%	
B.1.16.7	Line Sharing/FL (%)		99.12%		100.00%		97.92%		100.00%		98.04%	
B.1.16.8	2W Analog Loop Design/FL (%)		95.06%		98.21%		95.51%		95.40%		96.00%	
B.1.16.9	2W Analog Loop Non-Design/FL (%)		91.72%		97.02%		96.18%		95.13%		97.11%	
B.1.16.10	2W Analog Loop w/INP Design/FL (%)		66.67%				69.23%		50.00%			1,4
B.1.16.11	2W Analog Loop w/INP Non-Design/FL (%)		80.00%		77.78%		75.00%		100.00%		100.00%	1,2,4,5
B.1.16.12	2W Analog Loop w/LNP Design/FL (%)		95.28%		89.19%		94.12%		97.44%		93.55%	
B.1.16.13	2W Analog Loop w/LNP Non-Design/FL (%)		90.59%		95.45%		94.55%		97.96%		96.88%	
B.1.16.14	Other Design/FL (%)		95.40%		98.23%		96.32%		97.76%		95.26%	
B.1.16.15	Other Non-Design/FL (%)		96.71%		98.29%		98.21%		98.04%		98.73%	
B.1.16.16	INP Standalone/FL (%)		86.36%		86.30%		83.33%		90.91%		84.62%	
B.1.16.17	LNP Standalone/FL (%)		88.91%		97.20%		98.29%		96.50%		98.36%	
	<b>Unbundled Network Elements - Provisioning</b>											
	<b>Order Completion Interval</b>											
B.2.1.2.1.1	Local Interoffice Transport/<10 circuits/Dispatch/FL (days)	16.35	15.73	15.61	16.15	14.80	14.50	15.33	21.00	16.96	14.71	3,4
B.2.1.3.1.1	Loop + Port Combinations/<10 circuits/Dispatch/FL (days)	4.03	3.35	4.82	3.62	5.33	4.16	4.50	3.97	5.00	4.18	
B.2.1.3.1.2	Loop + Port Combinations/<10 circuits/Non-Dispatch/FL (days)	0.89	0.65	0.89	0.69	0.88	0.74	0.87	0.79	1.04	0.93	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.1.3.1.3	Loop + Port Combinations/<10 circuits/Switch Based Orders/FL (days)	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	
B.2.1.3.1.4	Loop + Port Combinations/<10 circuits/Dispatch In/FL (days)	1.61	1.20	1.54	1.18	1.61	1.23	1.55	1.23	1.90	1.38	
B.2.1.3.2.1	Loop + Port Combinations/>=10 circuits/Dispatch/FL (days)	10.00	5.06	11.41	4.20	10.61	5.36	11.32	3.37	11.16	3.33	1,4,5
B.2.1.3.2.2	Loop + Port Combinations/>=10 circuits/Non-Dispatch/FL (days)	3.38	0.44	7.04	7.00	3.10	4.11	2.67	6.50	3.89		1,2,3,4
B.2.1.3.2.4	Loop + Port Combinations/>=10 circuits/Dispatch In/FL (days)	4.98	1.00	8.77	7.00	3.81	6.00	4.27	6.50	5.95		1,2,3,4
B.2.1.4.1.1	Combo Other/<10 circuits/Dispatch/FL (days)	4.72	11.97	5.79	11.57	6.31	12.09	5.38	11.44	5.92	12.21	
B.2.1.6.3.1	UNE ISDN/<6 circuits/Dispatch/FL (days)	11.88	10.70	13.80	10.02	14.88	9.92	13.64	10.69	13.15	10.62	
B.2.1.6.4.1	UNE ISDN/6-13 circuits/Dispatch/FL (days)						12.00	12.00		11.00		3
B.2.1.7.3.1	Line Sharing/<6 circuits/Dispatch/FL (days)	3.77	6.30	2.80	4.87	2.75	6.69	2.58	3.45	2.73	3.54	
B.2.1.7.3.2	Line Sharing/<6 circuits/Non-Dispatch/FL (days)	3.49	3.81	2.32	3.77	2.33	3.65	2.20	2.16	2.38	2.20	
B.2.1.8.1.1	2W Analog Loop Design/<10 circuits/Dispatch/FL (days)	4.03	4.83	4.82	4.52	5.33	4.63	4.50	4.58	5.00	4.21	
B.2.1.8.2.1	2W Analog Loop Design/>=10 circuits/Dispatch/FL (days)	10.00	8.00	11.41	6.50	10.61	7.00	11.32	6.00	11.16	5.67	1,2,3,4,5
B.2.1.9.1.1	2W Analog Loop Non-Design/<10 circuits/Dispatch/FL (days)	4.01	3.64	4.81	3.73	5.31	4.29	4.54	3.75	5.01	3.76	
B.2.1.9.1.4	2W Analog Loop Non-Design/<10 circuits/Dispatch In/FL (days)	1.61	3.33	1.53	3.11	1.59	3.64	1.52	3.50	1.89	4.22	4,5
B.2.1.9.2.1	2W Analog Loop Non-Design/>=10 circuits/Dispatch/FL (days)	9.03	4.55	9.89	6.14	10.18	8.08	11.42	7.92	11.33	5.90	
B.2.1.11.1.4	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch In/FL (days)	1.61		1.53		1.59	4.00	1.52		1.89		3

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.1.12.1.1	2W Analog Loop w/LNP Design/<10 circuits/Dispatch/FL (days)	4.03	5.57	4.82	5.59	5.33	5.42	4.50	5.46	5.00	4.59	
B.2.1.12.2.1	2W Analog Loop w/LNP Design/>=10 circuits/Dispatch/FL (days)	10.00	8.38	11.41	6.50	10.61	6.33	11.32	9.00	11.16		1,2,3,4
B.2.1.13.1.1	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch/FL (days)	4.01	4.98	4.81	4.94	5.31	5.16	4.54	5.32	5.01	5.22	
B.2.1.13.1.4	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch In/FL (days)	1.61	4.96	1.53	5.16	1.59	5.30	1.52	5.27	1.89	5.20	
B.2.1.13.2.1	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch/FL (days)	9.03	7.74	9.89	7.35	10.18	7.67	11.42	8.31	11.33	10.33	5
B.2.1.13.2.4	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch In/FL (days)	5.00	7.00	16.40	7.00	1.00	7.36	2.43	7.25	2.00	7.50	1,2,4,5
B.2.1.14.1.1	Other Design/<10 circuits/Dispatch/FL (days)	21.96		22.71		23.53	17.00	25.42		22.68	20.67	3,5
B.2.1.15.1.1	Other Non-Design/<10 circuits/Dispatch/FL (days)	4.03	7.25	4.82	5.80	5.33	10.57	4.50	6.00	5.00	12.00	3,4,5
B.2.1.15.1.2	Other Non-Design/<10 circuits/Non-Dispatch/FL (days)	0.89		0.89		0.88		0.87		1.04		
B.2.1.16.1.2	INP (Standalone)/<10 circuits/Non-Dispatch/FL (days)	0.89		0.88		0.87		0.86		1.03		
B.2.1.17.1.1	LNP (Standalone)/<10 circuits/Dispatch/FL (days)	4.01	5.00	4.81	0.33	5.31	0.33	4.54	0.33	5.01		1,3,4
B.2.1.17.1.2	LNP (Standalone)/<10 circuits/Non-Dispatch/FL (days)	0.89	0.77	0.88	0.77	0.87	0.72	0.86	0.71	1.03	0.85	
B.2.1.17.2.2	LNP (Standalone)/>=10 circuits/Non-Dispatch/FL (days)	4.07	0.33	13.72	0.57	0.50	0.33	1.00	0.89	0.83	0.33	1,2,4,5
B.2.1.18.1.1	Digital Loop < DS1/<10 circuits/Dispatch/FL (days)	4.77	8.89	3.69	7.64	3.58	7.77	3.27	8.24	3.17	7.99	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.1.19.1.1	Digital Loop >= DS1/<10 circuits/Dispatch/FL (days)	28.05	6.29	20.86	6.00	21.80	6.70	7.42	6.42	13.70	6.55	
	<i>Order Completion Interval within X days</i>											
B.2.2.1	xDSL (ADSL, HDSL and UCL) Loop with Conditioning/<6 circuits/Dispatch/FL (days)		5.00									1
B.2.2.2	xDSL (ADSL, HDSL and UCL) Loop w/o Conditioning/<6 circuits/Dispatch/FL (days)		4.56		4.69		4.66		4.61		4.31	
	<i>% Jeopardies - Mechanized</i>											
B.2.5.3	Loop + Port Combinations/FL (%)	0.65%	0.15%	0.65%	0.17%	0.63%	0.13%	0.72%	0.18%	0.60%	0.15%	
B.2.5.4	Combo Other/FL (%)	7.20%	100.00%	8.99%	60.00%	8.37%	77.78%	8.87%	64.86%	8.59%	66.04%	1,2
B.2.5.5	xDSL (ADSL, HDSL and UCL)/FL (%)	7.96%		7.00%	5.33%	7.84%	4.40%	6.92%	4.32%	5.38%	5.08%	
B.2.5.6	UNE ISDN/FL (%)	8.71%	38.89%	13.86%	39.34%	11.94%	36.43%	7.68%	43.44%	10.43%	36.11%	
B.2.5.7	Line Sharing/FL (%)	7.96%	0.00%	7.00%	0.00%	7.84%	0.00%	6.92%	0.00%	5.38%	0.00%	1,2,3,4,5
B.2.5.8	2W Analog Loop Design/FL (%)	0.65%	16.84%	0.65%	13.98%	0.63%	19.08%	0.72%	18.67%	0.60%	19.79%	
B.2.5.9	2W Analog Loop Non-Design/FL (%)	1.17%	7.21%	1.21%	7.15%	1.23%	6.25%	1.38%	7.79%	1.15%	7.24%	
B.2.5.10	2W Analog Loop w/INP Design/FL (%)	0.65%		0.65%		0.63%		0.72%		0.60%		
B.2.5.12	2W Analog Loop w/LNP Design/FL (%)	0.65%	12.97%	0.65%	7.00%	0.63%	8.52%	0.72%	10.85%	0.60%	15.66%	
B.2.5.13	2W Analog Loop w/LNP Non-Design/FL (%)	1.17%	4.25%	1.21%	3.89%	1.23%	4.74%	1.38%	4.64%	1.15%	7.62%	
B.2.5.14	Other Design/FL (%)	16.39%		16.67%		15.68%		18.39%		16.01%		
B.2.5.15	Other Non-Design/FL (%)	0.65%		0.65%		0.63%	100.00%	0.72%		0.60%		3
B.2.5.16	INP (Standalone)/FL (%)	0.64%		0.64%		0.62%		0.72%		0.59%		
B.2.5.17	LNP (Standalone)/FL (%)	0.64%	0.00%	0.64%	0.00%	0.62%	0.00%	0.72%	0.00%	0.59%	0.00%	
B.2.5.18	Digital Loop < DS1/FL (%)	8.45%	38.89%	7.90%	21.13%	8.14%	24.55%	7.37%	21.51%	5.65%	19.23%	
B.2.5.19	Digital Loop >= DS1/FL (%)	8.27%	72.26%	10.03%	63.60%	13.08%	53.46%	10.18%	66.54%	10.33%	72.69%	
	<i>% Jeopardies - Non-Mechanized</i>											
B.2.6.2	Local Interoffice Transport/FL (%)		0.00%		0.00%		0.00%		0.00%		0.00%	3,4
B.2.6.3	Loop + Port Combinations/FL (%)		0.63%		1.84%		1.12%		1.24%		1.27%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.6.4	Combo Other/FL (%)		55.43%		54.46%		40.00%		41.82%		52.69%	
B.2.6.5	xDSL (ADSL, HDSL and UCL)/FL (%)		6.56%		10.32%		9.14%		11.36%		17.95%	
B.2.6.6	UNE ISDN/FL (%)		23.40%		20.29%		20.59%		29.51%		20.45%	
B.2.6.7	Line Sharing/FL (%)		0.45%		0.00%		0.00%		0.72%		0.00%	
B.2.6.8	2W Analog Loop Design/FL (%)		4.85%		7.02%		6.67%		10.53%		17.54%	
B.2.6.9	2W Analog Loop Non-Design/FL (%)		3.21%		2.73%		6.67%		3.64%		6.78%	
B.2.6.10	2W Analog Loop w/INP Design/FL (%)		0.00%				0.00%		0.00%			1,3,4
B.2.6.11	2W Analog Loop w/INP Non-Design/FL (%)		0.00%		33.33%		0.00%		0.00%		0.00%	1,2,3,4,5
B.2.6.12	2W Analog Loop w/LNP Design/FL (%)		8.00%		11.11%		0.00%		15.38%		0.00%	2,5
B.2.6.13	2W Analog Loop w/LNP Non-Design/FL (%)		5.56%		0.00%		7.41%		5.88%		0.00%	
B.2.6.14	Other Design/FL (%)						0.00%		0.00%		0.00%	3,4,5
B.2.6.15	Other Non-Design/FL (%)		3.13%		8.00%		0.00%		0.00%		0.00%	3,4,5
B.2.6.17	LNP (Standalone)/FL (%)		0.00%		0.00%		0.00%		0.00%		0.00%	
B.2.6.18	Digital Loop < DS1/FL (%)		15.33%		15.16%		14.67%		23.60%		18.85%	
B.2.6.19	Digital Loop >= DS1/FL (%)		45.97%		56.99%		49.43%		51.72%		45.35%	
	<b>Average Jeopardy Notice Interval - Mechanized</b>											
B.2.8.3	Loop + Port Combinations/FL (hours)		121.73		117.58		138.34		133.34		159.74	
B.2.8.4	Combo Other/FL (hours)		280.03		293.61		362.44		339.80		356.47	1,2
B.2.8.5	xDSL (ADSL, HDSL and UCL)/FL (hours)				95.37		76.45		118.06		96.99	2,3,4,5
B.2.8.6	UNE ISDN/FL (hours)		314.60		324.35		327.15		318.40		332.18	
B.2.8.8	2W Analog Loop Design/FL (hours)		200.55		147.19		173.25		173.69		184.88	
B.2.8.9	2W Analog Loop Non-Design/FL (hours)		113.61		99.83		153.12		111.21		127.21	
B.2.8.12	2W Analog Loop w/LNP Design/FL (hours)		163.91		178.08		153.69		141.32		176.90	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.8.13	2W Analog Loop w/LNP Non-Design/FL (hours)		149.60		112.94		150.39		120.06		158.49	
B.2.8.18	Digital Loop < DS1/FL (hours)		314.60		298.43		312.96		301.12		304.98	
B.2.8.19	Digital Loop >= DS1/FL (hours)		182.61		188.20		198.27		185.40		203.47	
	<i>Average Jeopardy Notice Interval - Non-Mechanized</i>											
B.2.9.3	Loop + Port Combinations/FL (hours)		196.35		149.99		137.32		126.05		168.22	
B.2.9.4	Combo Other/FL (hours)		317.51		339.52		366.99		382.68		339.44	
B.2.9.5	xDSL (ADSL, HDSL and UCL)/FL (hours)		126.33		174.12		195.53		121.84		238.78	4,5
B.2.9.6	UNE ISDN/FL (hours)		272.17		272.64		297.07		254.13		293.25	
B.2.9.8	2W Analog Loop Design/FL (hours)		101.24		90.25		226.85		106.08		203.11	1,2,3,4
B.2.9.9	2W Analog Loop Non-Design/FL (hours)		142.18		121.13		245.21		300.11		188.34	1,2,3,4,5
B.2.9.12	2W Analog Loop w/LNP Design/FL (hours)		127.73		206.80				138.84			1,2,4
B.2.9.18	Digital Loop < DS1/FL (hours)		246.40		248.58		277.03		243.50		291.21	
B.2.9.19	Digital Loop >= DS1/FL (hours)		221.03		257.18		219.12		246.22		325.73	
	<i>% Jeopardy Notice &gt;= 48 hours - Mechanized</i>											
B.2.10.3	Loop + Port Combinations/FL (%)		70.00%		88.71%		98.21%		98.68%		100.00%	
B.2.10.4	Combo Other/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,2
B.2.10.5	xDSL (ADSL, HDSL and UCL)/FL (%)				83.33%		100.00%		100.00%		87.50%	2,3,4,5
B.2.10.6	UNE ISDN/FL (%)		96.61%		97.87%		100.00%		100.00%		100.00%	
B.2.10.8	2W Analog Loop Design/FL (%)		93.62%		100.00%		96.36%		100.00%		100.00%	
B.2.10.9	2W Analog Loop Non-Design/FL (%)		96.20%		97.62%		98.18%		98.28%		92.16%	
B.2.10.12	2W Analog Loop w/LNP Design/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.2.10.13	2W Analog Loop w/LNP Non-Design/FL (%)		96.30%		100.00%		90.63%		100.00%		100.00%	
B.2.10.18	Digital Loop < DS1/FL (%)		96.61%		96.23%		100.00%		100.00%		98.31%	
B.2.10.19	Digital Loop >= DS1/FL (%)		100.00%		99.39%		99.41%		99.44%		100.00%	
	<i>% Jeopardy Notice &gt;= 48 hours - Non-Mechanized</i>											



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Metric Number	Metric Name [SQM Number] and Disaggregation	May		June		July		August		September		Notes
		BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.11.3	Loop + Port Combinations/FL (%)		100.00%		86.96%		92.31%		92.00%		91.67%	
B.2.11.4	Combo Other/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.2.11.5	xDSL (ADSL, HDSL and UCL)/FL (%)		82.35%		83.33%		92.31%		80.00%		100.00%	4,5
B.2.11.6	UNE ISDN/FL (%)		98.55%		95.83%		100.00%		96.97%		87.50%	
B.2.11.8	2W Analog Loop Design/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,2,3,4
B.2.11.9	2W Analog Loop Non-Design/FL (%)		83.33%		50.00%		80.00%		100.00%		100.00%	1,2,3,4,5
B.2.11.12	2W Analog Loop w/LNP Design/FL (%)		100.00%		100.00%				100.00%			1,2,4
B.2.11.18	Digital Loop < DS1/FL (%)		96.43%		93.75%		98.04%		94.29%		90.00%	
B.2.11.19	Digital Loop >= DS1/FL (%)		100.00%		100.00%		100.00%		100.00%		97.56%	
	<b>Coordinated Customers Conversions</b>											
B.2.12.2	Loops with LNP/FL (%)		99.84%		100.00%		100.00%		100.00%		99.95%	
	<b>% Hot Cuts &gt; 15 minutes Early</b>											
B.2.13.1	Time-Specific SL1/FL (%)		0.20%		0.49%		0.20%		0.00%		0.22%	
B.2.13.2	Time-Specific SL2/FL (%)		2.86%		0.00%		0.00%		6.25%		0.00%	5
B.2.13.3	Non-Time Specific SL1/FL (%)		0.00%		0.00%		0.00%		0.00%		0.00%	
B.2.13.4	Non-Time Specific SL2/FL (%)		0.00%		0.00%		0.00%		0.00%		0.00%	
	<b>Hot Cut Timeliness</b>											
B.2.14.1	Time-Specific SL1/FL (%)		98.58%		97.07%		99.80%		100.00%		99.78%	
B.2.14.2	Time-Specific SL2/FL (%)		97.14%		95.24%		100.00%		93.75%		100.00%	5
B.2.14.3	Non-Time Specific SL1/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.2.14.4	Non-Time Specific SL2/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
	<b>% Hot Cuts &gt; 15 minutes Late</b>											
B.2.15.1	Time-Specific SL1/FL (%)		1.22%		2.44%		0.00%		0.00%		0.00%	
B.2.15.2	Time-Specific SL2/FL (%)		0.00%		4.76%		0.00%		0.00%		0.00%	5
B.2.15.3	Non-Time Specific SL1/FL (%)		0.00%		0.00%		0.00%		0.00%		0.00%	
B.2.15.4	Non-Time Specific SL2/FL (%)		0.00%		0.00%		0.00%		0.00%		0.00%	
	<b>Average Recovery Time - CCC</b>											
B.2.16.2	Loops with LNP/FL (minutes)		454.23		553.91		661.27		284.27		322.00	
	<b>% Provisioning Troubles within 7 Days - Hot Cuts</b>											
B.2.17.1.1	UNE Loop Design/Dispatch/FL (%)		2.55%		2.70%		2.10%		4.09%		4.62%	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.17.2.1	UNE Loop Non-Design/Dispatch/FL (%)		1.22%		0.76%		1.18%		1.10%		0.86%	
B.2.17.2.2	UNE Loop Non-Design/Non-Dispatch/FL (%)		0.52%		0.27%		0.25%		0.40%		0.46%	
	<b>% Missed Installation Appointments</b>											
B.2.18.2.1.1	Local Interoffice Transport/<10 circuits/Dispatch/FL (%)	0.76%	0.00%	0.95%	0.00%	1.15%	0.00%	1.51%	0.00%	0.72%	0.00%	3,4
B.2.18.3.1.1	Loop + Port Combinations/<10 circuits/Dispatch/FL (%)	3.41%	3.67%	5.40%	4.08%	6.35%	5.39%	5.40%	5.06%	5.31%	6.14%	
B.2.18.3.1.2	Loop + Port Combinations/<10 circuits/Non-Dispatch/FL (%)	0.10%	0.20%	0.03%	0.13%	0.02%	0.09%	0.02%	0.19%	0.14%	0.09%	
B.2.18.3.1.3	Loop + Port Combinations/<10 circuits/Switch Based Orders/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
B.2.18.3.1.4	Loop + Port Combinations/<10 circuits/Dispatch In/FL (%)	0.19%	0.43%	0.06%	0.22%	0.05%	0.14%	0.04%	0.29%	0.28%	0.11%	
B.2.18.3.2.1	Loop + Port Combinations/>=10 circuits/Dispatch/FL (%)	3.63%	9.09%	8.64%	0.00%	6.11%	14.29%	3.35%	7.14%	5.37%	7.69%	
B.2.18.3.2.2	Loop + Port Combinations/>=10 circuits/Non-Dispatch/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.58%	25.00%	1,2,3,4,5
B.2.18.3.2.4	Loop + Port Combinations/>=10 circuits/Dispatch In/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.92%	25.00%	1,2,3,4,5
B.2.18.4.1.1	Combo Other/<10 circuits/Dispatch/FL (%)	3.38%	4.27%	5.26%	3.70%	6.19%	1.06%	5.30%	2.20%	5.20%	2.29%	
B.2.18.5.1.1	xDSL (ADSL, HDSL and UCL)/<10 circuits/Dispatch/FL (%)	3.32%	1.77%	4.67%	2.21%	5.51%	2.66%	3.10%	2.58%	4.17%	0.95%	
B.2.18.6.1.1	UNE ISDN/<10 circuits/Dispatch/FL (%)	2.66%	2.59%	7.00%	2.11%	5.48%	2.32%	3.47%	6.50%	3.11%	4.08%	
B.2.18.7.1.1	Line Sharing/<10 circuits/Dispatch/FL (%)	3.32%	12.86%	4.67%	5.41%	5.51%	8.57%	3.10%	0.00%	4.17%	2.22%	
B.2.18.7.1.2	Line Sharing/<10 circuits/Non-Dispatch/FL (%)	0.00%	0.00%	0.00%	0.00%	0.02%	0.00%	0.05%	0.00%	0.07%	0.36%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.18.8.1.1	2W Analog Loop Design/<10 circuits/Dispatch/FL (%)	3.41%	1.30%	5.40%	1.38%	6.35%	2.12%	5.40%	2.31%	5.31%	0.83%	
B.2.18.8.2.1	2W Analog Loop Design/>=10 circuits/Dispatch/FL (%)	3.63%	0.00%	8.64%	0.00%	6.11%	0.00%	3.35%	0.00%	5.37%	0.00%	1,2,3,4,5
B.2.18.9.1.1	2W Analog Loop Non-Design/<10 circuits/Dispatch/FL (%)	3.41%	2.47%	5.38%	2.30%	6.37%	1.90%	5.53%	1.46%	5.34%	1.82%	
B.2.18.9.1.4	2W Analog Loop Non-Design/<10 circuits/Dispatch In/FL (%)	0.19%	0.00%	0.06%	0.00%	0.05%	0.00%	0.04%	0.00%	0.28%	0.00%	4,5
B.2.18.9.2.1	2W Analog Loop Non-Design/>=10 circuits/Dispatch/FL (%)	3.92%	2.04%	4.63%	5.00%	6.10%	3.45%	3.96%	5.00%	4.63%	0.00%	
B.2.18.10.1.1	2W Analog Loop w/INP Design/<10 circuits/Dispatch/FL (%)	3.41%	0.00%	5.40%		6.35%	0.00%	5.40%	0.00%	5.31%		1,3,4
B.2.18.11.1.1	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch/FL (%)	3.41%	0.00%	5.38%	0.00%	6.37%		5.53%	0.00%	5.34%	0.00%	1,2,4,5
B.2.18.11.1.4	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch In/FL (%)	0.19%	0.00%	0.06%	0.00%	0.05%	0.00%	0.04%	0.00%	0.28%		1,2,3,4
B.2.18.12.1.1	2W Analog Loop w/LNP Design/<10 circuits/Dispatch/FL (%)	3.41%	0.27%	5.40%	1.22%	6.35%	0.54%	5.40%	0.81%	5.31%	1.22%	
B.2.18.12.2.1	2W Analog Loop w/LNP Design/>=10 circuits/Dispatch/FL (%)	3.63%	7.69%	8.64%	0.00%	6.11%	0.00%	3.35%	11.11%	5.37%	0.00%	4,5
B.2.18.13.1.1	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch/FL (%)	3.41%	0.36%	5.38%	0.23%	6.37%	0.24%	5.53%	0.70%	5.34%	1.15%	
B.2.18.13.1.4	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch In/FL (%)	0.19%	0.23%	0.06%	0.00%	0.05%	0.00%	0.04%	0.42%	0.28%	0.94%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.18.13.2.1	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch/FL (%)	3.92%	0.00%	4.63%	0.00%	6.10%	0.00%	3.96%	0.00%	4.63%	0.00%	
B.2.18.13.2.4	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch In/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1,2,4,5
B.2.18.14.1.1	Other Design/<10 circuits/Dispatch/FL (%)	2.55%		2.62%		3.09%	0.00%	2.75%		3.00%	0.00%	3,5
B.2.18.15.1.1	Other Non-Design/<10 circuits/Dispatch/FL (%)	3.41%	0.00%	5.40%	0.00%	6.35%	9.09%	5.40%	0.00%	5.31%	100.00%	4,5
B.2.18.15.1.2	Other Non-Design/<10 circuits/Non-Dispatch/FL (%)	0.10%		0.03%		0.02%		0.02%		0.14%		
B.2.18.16.1.2	INP (Standalone)/<10 circuits/Non-Dispatch/FL (%)	0.09%		0.03%		0.02%		0.02%		0.13%		
B.2.18.17.1.1	LNP (Standalone)/<10 circuits/Dispatch/FL (%)	3.41%	0.00%	5.38%	0.00%	6.37%	0.00%	5.53%	0.00%	5.34%	0.00%	1,3,4,5
B.2.18.17.1.2	LNP (Standalone)/<10 circuits/Non-Dispatch/FL (%)	0.09%	0.27%	0.03%	0.00%	0.02%	0.13%	0.02%	0.03%	0.13%	0.00%	
B.2.18.17.2.1	LNP (Standalone)/>=10 circuits/Dispatch/FL (%)	3.92%		4.63%		6.10%		3.96%		4.63%		
B.2.18.17.2.2	LNP (Standalone)/>=10 circuits/Non-Dispatch/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	5
B.2.18.18.1.1	Digital Loop < DS1/<10 circuits/Dispatch/FL (%)	3.36%	2.20%	4.72%	1.89%	5.45%	2.53%	3.10%	4.64%	4.14%	2.67%	
B.2.18.19.1.1	Digital Loop >= DS1/<10 circuits/Dispatch/FL (%)	0.60%	2.16%	0.00%	1.81%	1.30%	3.15%	0.69%	4.01%	1.33%	4.37%	
	<b>% Provisioning Troubles within 30 Days</b>											
B.2.19.2.1.1	Local Interoffice Transport/<10 circuits/Dispatch/FL (%)	7.41%	5.00%	7.36%	0.00%	6.25%	7.14%	8.37%	0.00%	6.67%	0.00%	4,5
B.2.19.3.1.1	Loop + Port Combinations/<10 circuits/Dispatch/FL (%)	10.41%	8.56%	11.60%	8.87%	11.21%	9.06%	10.60%	9.36%	9.22%	8.96%	
B.2.19.3.1.2	Loop + Port Combinations/<10 circuits/Non-Dispatch/FL (%)	3.41%	3.75%	3.54%	2.55%	4.28%	2.70%	4.44%	2.57%	4.38%	3.06%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.19.3.1.3	Loop + Port Combinations/<10 circuits/Switch Based Orders/FL (%)	3.81%	3.92%	3.83%	2.29%	4.30%	2.03%	4.34%	2.07%	4.12%	3.12%	
B.2.19.3.1.4	Loop + Port Combinations/<10 circuits/Dispatch In/FL (%)	2.98%	3.58%	3.24%	2.82%	4.26%	3.15%	4.55%	2.86%	4.68%	3.02%	
B.2.19.3.2.1	Loop + Port Combinations/>=10 circuits/Dispatch/FL (%)	21.66%	11.11%	21.09%	9.09%	20.68%	0.00%	16.29%	7.14%	18.53%	28.57%	1
B.2.19.3.2.2	Loop + Port Combinations/>=10 circuits/Non-Dispatch/FL (%)	5.65%	0.00%	11.85%	0.00%	7.56%	0.00%	5.99%	0.00%	6.51%	0.00%	1,2,3,4,5
B.2.19.3.2.3	Loop + Port Combinations/>=10 circuits/Switch Based Orders/FL (%)	7.25%		7.78%	0.00%	5.71%		5.36%	0.00%	6.67%		2,4
B.2.19.3.2.4	Loop + Port Combinations/>=10 circuits/Dispatch In/FL (%)	4.97%	0.00%	13.89%	0.00%	8.03%	0.00%	6.16%	0.00%	6.40%	0.00%	1,2,3,4,5
B.2.19.4.1.1	Combo Other/<10 circuits/Dispatch/FL (%)	10.27%	8.05%	11.39%	9.15%	10.96%	15.74%	10.44%	19.15%	9.09%	9.89%	
B.2.19.4.1.4	Combo Other/<10 circuits/Dispatch In/FL (%)	10.27%		11.39%		10.96%		10.44%		9.09%		
B.2.19.5.1.1	xDSL (ADSL, HDSL and UCL)/<10 circuits/Dispatch/FL (%)	4.32%	6.27%	4.56%	5.32%	4.95%	5.15%	4.52%	7.22%	3.99%	5.15%	
B.2.19.6.1.1	UNE ISDN/<10 circuits/Dispatch/FL (%)	7.84%	8.78%	6.08%	7.33%	9.73%	8.80%	10.37%	8.70%	3.27%	8.13%	
B.2.19.7.1.1	Line Sharing/<10 circuits/Dispatch/FL (%)	4.32%	25.00%	4.56%	32.86%	4.95%	27.03%	4.52%	37.14%	3.99%	28.00%	
B.2.19.7.1.2	Line Sharing/<10 circuits/Non-Dispatch/FL (%)	3.01%	11.57%	3.33%	11.54%	2.88%	10.08%	2.05%	16.07%	1.80%	10.87%	
B.2.19.8.1.1	2W Analog Loop Design/<10 circuits/Dispatch/FL (%)	10.41%	10.28%	11.60%	7.55%	11.21%	13.54%	10.60%	10.34%	9.22%	9.57%	
B.2.19.8.2.1	2W Analog Loop Design/>=10 circuits/Dispatch/FL (%)	21.66%	28.57%	21.09%	25.00%	20.68%	20.00%	16.29%	0.00%	18.53%	50.00%	1,2,3,4,5
B.2.19.9.1.1	2W Analog Loop Non-Design/<10 circuits/Dispatch/FL (%)	10.40%	6.53%	11.63%	7.61%	11.23%	10.00%	10.62%	12.18%	9.37%	8.96%	

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		BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.19.9.1.4	2W Analog Loop Non-Design/<10 circuits/Dispatch In/FL (%)	2.97%	11.90%	3.24%	12.00%	4.25%	6.45%	4.56%	6.67%	4.69%	22.22%	5
B.2.19.9.2.1	2W Analog Loop Non-Design/>=10 circuits/Dispatch/FL (%)	21.88%	20.00%	21.41%	20.41%	20.71%	10.00%	18.04%	17.24%	20.58%	15.00%	
B.2.19.10.1.1	2W Analog Loop w/INP Design/<10 circuits/Dispatch/FL (%)	10.41%	0.00%	11.60%	0.00%	11.21%		10.60%	0.00%	9.22%	0.00%	1,2,4,5
B.2.19.11.1.1	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch/FL (%)	10.40%	0.00%	11.63%	0.00%	11.23%	0.00%	10.62%		9.37%	100.00%	1,2,3,5
B.2.19.11.1.4	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch In/FL (%)	2.97%	0.00%	3.24%	0.00%	4.25%	0.00%	4.56%	0.00%	4.69%	0.00%	1,2,3,4,5
B.2.19.11.2.1	2W Analog Loop w/INP Non-Design/>=10 circuits/Dispatch/FL (%)	21.88%		21.41%		20.71%		18.04%		20.58%		
B.2.19.12.1.1	2W Analog Loop w/LNP Design/<10 circuits/Dispatch/FL (%)	10.41%	7.00%	11.60%	10.11%	11.21%	11.02%	10.60%	10.87%	9.22%	14.52%	
B.2.19.12.2.1	2W Analog Loop w/LNP Design/>=10 circuits/Dispatch/FL (%)	21.66%	16.67%	21.09%	30.77%	20.68%	0.00%	16.29%	30.00%	18.53%	44.44%	1,5
B.2.19.13.1.1	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch/FL (%)	10.40%	3.51%	11.63%	3.99%	11.23%	4.12%	10.62%	4.94%	9.37%	5.26%	
B.2.19.13.1.4	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch In/FL (%)	2.97%	3.36%	3.24%	3.18%	4.25%	3.65%	4.56%	3.79%	4.69%	3.38%	
B.2.19.13.2.1	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch/FL (%)	21.88%	8.33%	21.41%	19.35%	20.71%	12.50%	18.04%	5.88%	20.58%	5.56%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.19.13.2.4	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch In/FL (%)	0.00%	5.56%	10.00%	0.00%	5.56%	0.00%	0.00%	23.08%	12.50%	12.50%	2,3,5
B.2.19.14.1.1	Other Design/<10 circuits/Dispatch/FL (%)	6.62%	100.00%	5.42%		5.96%		7.41%	0.00%	5.95%		1,4
B.2.19.15.1.1	Other Non-Design/<10 circuits/Dispatch/FL (%)	10.41%	36.54%	11.60%	23.08%	11.21%	8.00%	10.60%	9.09%	9.22%	0.00%	5
B.2.19.15.1.2	Other Non-Design/<10 circuits/Non-Dispatch/FL (%)	3.41%	0.00%	3.54%		4.28%		4.44%		4.38%		1
B.2.19.15.2.1	Other Non-Design/>=10 circuits/Dispatch/FL (%)	21.66%		21.09%		20.68%		16.29%		18.53%		
B.2.19.16.1.2	INP (Standalone)/<10 circuits/Non-Dispatch/FL (%)	3.41%	100.00%	3.54%		4.28%		4.44%		4.38%		1
B.2.19.17.1.1	LNP (Standalone)/<10 circuits/Dispatch/FL (%)	10.40%	0.00%	11.63%	0.00%	11.23%	0.00%	10.62%	0.00%	9.37%	0.00%	1,2,4,5
B.2.19.17.1.2	LNP (Standalone)/<10 circuits/Non-Dispatch/FL (%)	3.41%	0.00%	3.54%	0.00%	4.28%	0.00%	4.44%	0.00%	4.38%	0.00%	
B.2.19.17.2.1	LNP (Standalone)/>=10 circuits/Dispatch/FL (%)	21.88%		21.41%		20.71%		18.04%		20.58%		
B.2.19.17.2.2	LNP (Standalone)/>=10 circuits/Non-Dispatch/FL (%)	5.00%	0.00%	8.33%	0.00%	4.76%	0.00%	11.11%	0.00%	4.35%	0.00%	
B.2.19.18.1.1	Digital Loop < DS1/<10 circuits/Dispatch/FL (%)	4.63%	7.22%	4.63%	6.61%	5.18%	6.99%	4.81%	8.28%	4.03%	6.96%	
B.2.19.19.1.1	Digital Loop >= DS1/<10 circuits/Dispatch/FL (%)	6.89%	11.17%	7.49%	9.31%	5.41%	10.57%	6.36%	9.93%	2.07%	12.04%	
	<b>Average Completion Notice Interval - Mechanized</b>											
B.2.21.3.1.1	Loop + Port Combinations/<10 circuits/Dispatch/FL (hours)	3.68	0.44	4.33	1.23	6.54	0.45	5.77	0.31	4.93	0.04	
B.2.21.3.1.2	Loop + Port Combinations/<10 circuits/Non-Dispatch/FL (hours)	1.12	0.75	1.25	0.83	1.32	0.79	1.07	0.68	0.96	0.63	
B.2.21.3.1.3	Loop + Port Combinations/<10 circuits/Switch Based Orders/FL (hours)	1.25	0.77	1.37	0.87	1.45	0.81	1.16	0.66	1.04	0.65	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	Notes
B.2.21.3.1.4	Loop + Port Combinations/<10 circuits/Dispatch In/FL (hours)	0.99	0.73	1.13	0.80	1.15	0.77	0.96	0.69	0.88	0.62	
B.2.21.3.2.1	Loop + Port Combinations/>=10 circuits/Dispatch/FL (hours)	8.15	2.21	13.65	0.37	8.63	2.00	9.59	0.23	4.07	0.02	1,2,3,5
B.2.21.3.2.2	Loop + Port Combinations/>=10 circuits/Non-Dispatch/FL (hours)	3.05		1.89	1.37	1.06	0.02	1.90	0.28	2.94	0.50	2,3,4,5
B.2.21.3.2.4	Loop + Port Combinations/>=10 circuits/Dispatch In/FL (hours)	3.14		2.05	1.37	1.16	0.02	0.79	0.28	1.84	0.50	2,3,4,5
B.2.21.4.1.1	Combo Other/<10 circuits/Dispatch/FL (hours)	8.74	65.88	12.80	217.28	16.21	76.88	14.99	46.41	14.40	58.23	1,2
B.2.21.5.1.1	xDSL (ADSL, HDSL and UCL)/<10 circuits/Dispatch/FL (hours)	9.17		6.40	13.28	4.08	21.89	3.96	14.79	4.65	15.16	
B.2.21.6.1.1	UNE ISDN/<10 circuits/Dispatch/FL (hours)	42.99	9.38	38.49	23.83	45.23	14.31	23.11	28.46	47.21	22.90	
B.2.21.7.1.1	Line Sharing/<10 circuits/Dispatch/FL (hours)	9.17	17.02	6.40		4.08	0.43	3.96		4.65	0.02	1,3,5
B.2.21.7.1.2	Line Sharing/<10 circuits/Non-Dispatch/FL (hours)	1.15	0.53	1.52	0.55	1.22	0.57	0.81	0.54	1.12	0.45	1,2,3,4,5
B.2.21.8.1.1	2W Analog Loop Design/<10 circuits/Dispatch/FL (hours)	3.68	10.03	4.33	8.32	6.54	20.82	5.77	12.93	4.93	14.31	
B.2.21.8.2.1	2W Analog Loop Design/>=10 circuits/Dispatch/FL (hours)	8.15	0.02	13.65	0.02	8.63	21.33	9.59	46.23	4.07	71.48	1,2,3,4,5
B.2.21.9.1.1	2W Analog Loop Non-Design/<10 circuits/Dispatch/FL (hours)	3.63	0.51	4.30	1.51	6.53	0.41	5.64	0.23	4.91	0.06	
B.2.21.9.1.4	2W Analog Loop Non-Design/<10 circuits/Dispatch In/FL (hours)	0.98	0.40	1.11	1.92	1.14	0.17	0.95	0.06	0.87	0.02	4,5
B.2.21.9.2.1	2W Analog Loop Non-Design/>=10 circuits/Dispatch/FL (hours)	8.62	1.01	13.37	2.48	6.53	0.39	4.24	0.41	3.65	0.03	
B.2.21.12.1.1	2W Analog Loop w/LNP Design/<10 circuits/Dispatch/FL (hours)	3.68	16.77	4.33	7.69	6.54	11.81	5.77	10.83	4.93	13.81	



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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.21.12.2.1	2W Analog Loop w/LNP Design/>=10 circuits/Dispatch/FL (hours)	8.15	23.35	13.65	0.56	8.63	0.02	9.59	18.32	4.07	356.47	3,4,5
B.2.21.13.1.1	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch/FL (hours)	3.63	0.99	4.30	1.58	6.53	0.47	5.64	0.22	4.91	0.04	
B.2.21.13.1.4	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch In/FL (hours)	0.98	1.01	1.11	1.39	1.14	0.29	0.95	0.17	0.87	0.03	
B.2.21.13.2.1	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch/FL (hours)	8.62	0.62	13.37	1.22	6.53	0.18	4.24	0.23	3.65	0.02	
B.2.21.13.2.4	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch In/FL (hours)	16.75	0.08	2.58	1.16	0.30	0.11	0.51	0.44	0.32	0.05	1,2,4,5
B.2.21.15.1.2	Other Non-Design/<10 circuits/Non-Dispatch/FL (hours)	1.12		1.25		1.32		1.07		0.96		
B.2.21.17.1.1	LNP (Standalone)<10 circuits/Dispatch/FL (hours)	3.63	0.02	4.30	4.21	6.53	0.81	5.64		4.91		1,2,3
B.2.21.17.1.2	LNP (Standalone)<10 circuits/Non-Dispatch/FL (hours)	1.11	0.72	1.24	0.67	1.31	0.62	1.06	0.60	0.96	0.60	
B.2.21.17.2.2	LNP (Standalone)>=10 circuits/Non-Dispatch/FL (hours)	14.07	1.23	2.60	0.44	0.71	0.62	15.58	0.50	0.35	0.55	1,2,3,4,5
B.2.21.18.1.1	Digital Loop < DS1/<10 circuits/Dispatch/FL (hours)	14.43	9.38	11.78	18.82	7.95	17.33	8.62	21.21	7.21	18.81	
B.2.21.19.1.1	Digital Loop >= DS1/<10 circuits/Dispatch/FL (hours)	259.55	24.59	278.46	25.71	207.20	41.38	65.83	28.24	137.11	51.59	
	<b>Average Completion Notice Interval - Non-Mechanized</b>											
B.2.22.2.1.1	Local Interoffice Transport/<10 circuits/Dispatch/FL (hours)		34.44		24.85		13.96		86.00		27.65	3,4
B.2.22.3.1.1	Loop + Port Combinations/<10 circuits/Dispatch/FL (hours)		17.07		15.87		45.16		17.79		20.94	
B.2.22.3.1.2	Loop + Port Combinations/<10 circuits/Non-Dispatch/FL (hours)		10.09		12.11		9.43		9.77		10.15	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.22.3.1.3	Loop + Port Combinations/<10 circuits/Switch Based Orders/FL (hours)		10.53		11.32		7.13		7.85		7.49	
B.2.22.3.1.4	Loop + Port Combinations/<10 circuits/Dispatch In/FL (hours)		8.93		13.70		13.93		13.72		14.72	
B.2.22.3.2.1	Loop + Port Combinations/>=10 circuits/Dispatch/FL (hours)		19.03		26.35		13.04		10.56		94.59	1,2,3,4,5
B.2.22.3.2.2	Loop + Port Combinations/>=10 circuits/Non-Dispatch/FL (hours)		6.09		8.06		10.99		28.43		223.47	1,2,3,4,5
B.2.22.3.2.4	Loop + Port Combinations/>=10 circuits/Dispatch In/FL (hours)		13.67		8.06		21.60		28.43		223.47	1,2,3,4,5
B.2.22.4.1.1	Combo Other/<10 circuits/Dispatch/FL (hours)		55.67		71.75		65.14		53.99		67.12	
B.2.22.5.1.1	xDSL (ADSL, HDSL and UCL)/<10 circuits/Dispatch/FL (hours)		27.78		30.12		22.19		32.08		30.20	
B.2.22.6.1.1	UNE ISDN/<10 circuits/Dispatch/FL (hours)		35.65		28.44		32.57		37.04		46.61	
B.2.22.7.1.1	Line Sharing/<10 circuits/Dispatch/FL (hours)		4.20		6.81		19.96		2.28		1.97	
B.2.22.7.1.2	Line Sharing/<10 circuits/Non-Dispatch/FL (hours)		0.73		0.68		1.06		2.37		2.13	
B.2.22.8.1.1	2W Analog Loop Design/<10 circuits/Dispatch/FL (hours)		27.00		26.59		33.77		82.30		28.60	
B.2.22.8.2.1	2W Analog Loop Design/>=10 circuits/Dispatch/FL (hours)		20.13		18.32				17.37		23.26	1,2,4,5
B.2.22.9.1.1	2W Analog Loop Non-Design/<10 circuits/Dispatch/FL (hours)		21.47		18.72		18.40		17.73		15.41	
B.2.22.9.1.4	2W Analog Loop Non-Design/<10 circuits/Dispatch In/FL (hours)		24.07		19.13		19.41		6.99		21.22	3,4,5
B.2.22.9.2.1	2W Analog Loop Non-Design/>=10 circuits/Dispatch/FL (hours)		7.06		6.08		12.56		0.04		0.02	2,4,5

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.22.10.1.1	2W Analog Loop w/INP Design/<10 circuits/Dispatch/FL (hours)		15.32				17.25		21.00			1,3,4
B.2.22.11.1.1	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch/FL (hours)		17.82		17.90				22.08		22.94	1,2,4,5
B.2.22.11.1.4	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch In/FL (hours)		15.83		14.62		21.05		20.75			1,2,3,4
B.2.22.12.1.1	2W Analog Loop w/LNP Design/<10 circuits/Dispatch/FL (hours)		25.88		43.16		36.89		55.29		55.73	4,5
B.2.22.12.2.1	2W Analog Loop w/LNP Design/>=10 circuits/Dispatch/FL (hours)		17.52				19.67		66.60			1,3,4
B.2.22.13.1.1	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch/FL (hours)		17.81		11.35		16.09		20.97		22.26	2
B.2.22.13.1.4	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch In/FL (hours)		18.22		18.66		14.99		19.98		14.87	2,4,5
B.2.22.13.2.1	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch/FL (hours)		30.66									1
B.2.22.14.1.1	Other Design/<10 circuits/Dispatch/FL (hours)						18.27				40.57	3,5
B.2.22.15.1.1	Other Non-Design/<10 circuits/Dispatch/FL (hours)		21.76		21.29		18.87		19.55		15.52	4,5
B.2.22.17.1.1	LNP (Standalone)/<10 circuits/Dispatch/FL (hours)				0.23		7.01		43.55		23.80	2,3,4,5
B.2.22.17.1.2	LNP (Standalone)/<10 circuits/Non-Dispatch/FL (hours)		4.12		4.34		4.24		3.16		1.80	
B.2.22.17.2.2	LNP (Standalone)/>=10 circuits/Non-Dispatch/FL (hours)		0.69		1.94		2.30		4.31		0.62	4,5
B.2.22.18.1.1	Digital Loop < DS1/<10 circuits/Dispatch/FL (hours)		32.20		29.48		27.96		35.60		42.39	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.22.19.1.1	Digital Loop >= DS1/<10 circuits/Dispatch/FL (hours)		55.06		37.91		76.16		73.78		51.31	
	<b>Service Order Accuracy</b>											
B.2.34.1.1.1	Design (Specials)/<10 circuits/Dispatch/FL (%)		100.00%		100.00%		100.00%		100.00%		99.55%	
B.2.34.1.1.2	Design (Specials)/<10 circuits/Non-Dispatch/FL (%)		67.07%		69.33%		84.42%		91.11%		99.01%	
B.2.34.1.2.1	Design (Specials)/>=10 circuits/Dispatch/FL (%)		100.00%		100.00%		96.00%		100.00%		100.00%	
B.2.34.1.2.2	Design (Specials)/>=10 circuits/Non-Dispatch/FL (%)		100.00%		90.91%		85.71%		94.12%		100.00%	1,3
B.2.34.2.1.1	Loops Non-Design/<10 circuits/Dispatch/FL (%)		96.00%		96.33%		97.33%		97.60%		99.00%	
B.2.34.2.1.2	Loops Non-Design/<10 circuits/Non-Dispatch/FL (%)		100.00%		98.02%		97.05%		99.43%		100.00%	
B.2.34.2.2.1	Loops Non-Design/>=10 circuits/Dispatch/FL (%)		97.90%		97.73%		91.30%		98.98%		97.30%	
B.2.34.2.2.2	Loops Non-Design/>=10 circuits/Non-Dispatch/FL (%)		98.73%		97.53%		98.57%		98.99%		97.67%	
<b>Unbundled Network Elements - Maintenance and Repair</b>												
	<b>Missed Repair Appointments</b>											
B.3.1.1.1	Switch Ports/Dispatch/FL (%)	7.00%		10.45%		11.79%		10.55%		9.77%		
B.3.1.1.2	Switch Ports/Non-Dispatch/FL (%)	1.79%		1.14%		1.00%		1.00%		1.22%		
B.3.1.2.1	Local Interoffice Transport/Dispatch/FL (%)	0.29%	0.00%	0.08%	0.00%	0.14%	0.00%	0.68%	0.00%	0.60%	0.00%	1,2,3,4,5
B.3.1.2.2	Local Interoffice Transport/Non-Dispatch/FL (%)	0.12%	0.00%	0.00%	0.00%	0.74%	0.00%	0.14%	0.00%	0.00%	0.00%	2,4
B.3.1.3.1	Loop + Port Combinations/Dispatch/FL (%)	7.09%	4.94%	10.52%	7.62%	11.85%	6.69%	10.63%	6.51%	9.94%	7.75%	
B.3.1.3.2	Loop + Port Combinations/Non-Dispatch/FL (%)	1.85%	1.08%	1.18%	0.71%	1.04%	1.03%	1.08%	0.86%	1.28%	1.55%	
B.3.1.4.1	Combo Other/Dispatch/FL (%)	6.97%	0.00%	10.31%	0.00%	11.62%	0.00%	10.44%	1.52%	9.77%	0.00%	
B.3.1.4.2	Combo Other/Non-Dispatch/FL (%)	6.97%	0.00%	10.31%	0.00%	11.62%	0.00%	10.44%	0.00%	9.77%	0.00%	

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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.1.5.1	xDSL (ADSL, HDSL and UCL)/Dispatch/FL (%)	32.70%	3.28%	38.52%	3.85%	43.96%	1.89%	37.21%	2.04%	34.00%	0.00%	
B.3.1.5.2	xDSL (ADSL, HDSL and UCL)/Non-Dispatch/FL (%)	1.97%	0.00%	1.46%	0.00%	1.82%	0.00%	2.04%	0.00%	1.92%	0.00%	
B.3.1.6.1	UNE ISDN/Dispatch/FL (%)	7.08%	1.02%	6.70%	1.63%	5.63%	1.97%	6.29%	2.94%	2.96%	1.61%	
B.3.1.6.2	UNE ISDN/Non-Dispatch/FL (%)	0.52%	0.00%	0.00%	0.00%	2.56%	0.00%	0.53%	0.00%	0.00%	0.00%	
B.3.1.7.1	Line Sharing/Dispatch/FL (%)	32.70%	18.18%	38.52%	21.43%	43.96%	17.65%	37.21%	11.11%	34.00%	13.51%	
B.3.1.7.2	Line Sharing/Non-Dispatch/FL (%)	1.97%	10.00%	1.46%	26.32%	1.82%	0.00%	2.04%	0.00%	1.92%	0.00%	
B.3.1.8.1	2W Analog Loop Design/Dispatch/FL (%)	7.09%	0.86%	10.52%	3.33%	11.85%	3.06%	10.63%	1.83%	9.94%	4.11%	
B.3.1.8.2	2W Analog Loop Design/Non-Dispatch/FL (%)	7.09%	0.00%	10.52%	0.43%	11.85%	0.00%	10.63%	0.00%	9.94%	1.68%	
B.3.1.9.1	2W Analog Loop Non-Design/Dispatch/FL (%)	6.98%	9.97%	10.44%	8.26%	11.77%	8.79%	10.53%	8.77%	9.75%	12.90%	
B.3.1.9.2	2W Analog Loop Non-Design/Non-Dispatch/FL (%)	1.75%	8.45%	1.05%	2.78%	0.91%	25.35%	0.94%	0.00%	1.04%	7.32%	
B.3.1.10.1	Other Design/Dispatch/FL (%)	2.61%	0.00%	1.89%	0.00%	2.10%	0.00%	2.45%	0.00%	1.98%	3.24%	2,3,4
B.3.1.10.2	Other Design/Non-Dispatch/FL (%)	0.46%	0.00%	0.34%	0.00%	0.78%	0.00%	0.79%	0.00%	0.25%	0.00%	2
B.3.1.11.1	Other Non-Design/Dispatch/FL (%)	7.09%	15.79%	10.52%	22.22%	11.85%	14.29%	10.63%	0.00%	9.94%	0.00%	2,3,4,5
B.3.1.11.2	Other Non-Design/Non-Dispatch/FL (%)	1.85%	0.00%	1.18%	0.00%	1.04%	0.00%	1.08%	0.00%	1.28%	0.00%	1,2,5
	<b>Customer Trouble Report Rate</b>											
B.3.2.1.1	Switch Ports/Dispatch/FL (%)	1.70%		2.02%		2.40%		2.24%		1.86%		
B.3.2.1.2	Switch Ports/Non-Dispatch/FL (%)	1.00%		1.02%		1.16%		1.08%		0.92%		
B.3.2.2.1	Local Interoffice Transport/Dispatch/FL (%)	1.86%	0.55%	2.15%	0.34%	2.57%	0.35%	2.33%	0.27%	1.75%	0.34%	
B.3.2.2.2	Local Interoffice Transport/Non-Dispatch/FL (%)	1.54%	0.69%	1.12%	0.21%	1.43%	0.69%	1.24%	0.62%	1.13%	0.68%	
B.3.2.3.1	Loop + Port Combinations/Dispatch/FL (%)	1.62%	1.27%	1.92%	1.41%	2.29%	1.69%	2.13%	1.54%	1.78%	1.27%	
B.3.2.3.2	Loop + Port Combinations/Non-Dispatch/FL (%)	0.96%	0.56%	0.98%	0.45%	1.11%	0.55%	1.04%	0.48%	0.89%	0.38%	

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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.2.4.1	Combo Other/Dispatch/FL (%)	1.43%	2.97%	1.69%	2.73%	2.02%	3.41%	1.92%	3.23%	1.60%	1.98%	
B.3.2.4.2	Combo Other/Non-Dispatch/FL (%)	1.43%	1.60%	1.69%	1.42%	2.02%	2.14%	1.92%	1.22%	1.60%	1.56%	
B.3.2.5.1	xDSL (ADSL, HDSL and UCL)/Dispatch/FL (%)	1.09%	1.15%	1.21%	1.00%	1.54%	1.01%	1.46%	0.94%	1.36%	0.82%	
B.3.2.5.2	xDSL (ADSL, HDSL and UCL)/Non-Dispatch/FL (%)	2.19%	0.36%	2.67%	0.41%	2.93%	0.27%	2.63%	0.42%	2.91%	0.38%	
B.3.2.6.1	UNE ISDN/Dispatch/FL (%)	0.82%	1.48%	0.70%	1.87%	0.85%	2.32%	0.82%	2.06%	0.95%	1.88%	
B.3.2.6.2	UNE ISDN/Non-Dispatch/FL (%)	0.75%	0.89%	0.83%	0.68%	0.94%	0.63%	0.89%	0.71%	0.82%	0.55%	
B.3.2.7.1	Line Sharing/Dispatch/FL (%)	1.09%	1.01%	1.21%	1.24%	1.54%	1.49%	1.46%	0.94%	1.36%	1.88%	
B.3.2.7.2	Line Sharing/Non-Dispatch/FL (%)	2.19%	1.84%	2.67%	0.84%	2.93%	0.92%	2.63%	1.10%	2.91%	2.03%	
B.3.2.8.1	2W Analog Loop Design/Dispatch/FL (%)	1.62%	0.96%	1.92%	1.17%	2.29%	1.28%	2.13%	1.22%	1.78%	0.97%	
B.3.2.8.2	2W Analog Loop Design/Non-Dispatch/FL (%)	1.62%	0.33%	1.92%	0.33%	2.29%	0.23%	2.13%	0.23%	1.78%	0.18%	
B.3.2.9.1	2W Analog Loop Non-Design/Dispatch/FL (%)	1.70%	2.42%	2.01%	2.94%	2.40%	2.61%	2.23%	2.80%	1.86%	2.28%	
B.3.2.9.2	2W Analog Loop Non-Design/Non-Dispatch/FL (%)	0.84%	0.16%	0.89%	0.09%	1.02%	0.18%	0.94%	0.07%	0.79%	0.11%	
B.3.2.10.1	Other Design/Dispatch/FL (%)	0.26%	0.00%	0.28%	1.11%	0.34%	1.11%	0.36%	1.15%	0.28%	3.02%	
B.3.2.10.2	Other Design/Non-Dispatch/FL (%)	0.35%	0.00%	0.28%	1.11%	0.32%	0.00%	0.33%	0.00%	0.31%	1.32%	
B.3.2.11.1	Other Non-Design/Dispatch/FL (%)	1.62%	3.32%	1.92%	1.60%	2.29%	1.25%	2.13%	0.18%	1.78%	0.37%	
B.3.2.11.2	Other Non-Design/Non-Dispatch/FL (%)	0.96%	0.17%	0.98%	0.18%	1.11%	0.00%	1.04%	0.00%	0.89%	0.18%	
	<b>Maintenance Average Duration</b>											
B.3.3.1.1	Switch Ports/Dispatch/FL (hours)	15.50		21.85		27.21		22.32		22.05		
B.3.3.1.2	Switch Ports/Non-Dispatch/FL (hours)	5.22		7.27		8.95		7.28		7.37		
B.3.3.2.1	Local Interoffice Transport/Dispatch/FL (hours)	3.49	1.24	3.49	4.60	3.79	5.32	3.87	2.35	3.91	1.97	1,2,3,4,5
B.3.3.2.2	Local Interoffice Transport/Non-Dispatch/FL (hours)	1.58	2.77	1.60	0.93	1.86	1.58	1.62	2.04	1.44	1.73	2,4

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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.3.3.1	Loop + Port Combinations/Dispatch/FL (hours)	15.48	13.81	21.79	18.13	27.13	21.65	22.26	16.21	22.00	16.68	
B.3.3.3.2	Loop + Port Combinations/Non-Dispatch/FL (hours)	5.20	4.00	7.22	4.94	8.89	5.40	7.23	4.22	7.32	4.16	
B.3.3.4.1	Combo Other/Dispatch/FL (hours)	15.24	3.53	21.41	4.17	26.62	4.68	21.91	6.41	21.64	5.11	
B.3.3.4.2	Combo Other/Non-Dispatch/FL (hours)	15.24	2.89	21.41	2.40	26.62	2.30	21.91	1.48	21.64	2.73	
B.3.3.5.1	xDSL (ADSL, HDSL and UCL)/Dispatch/FL (hours)	40.09	4.89	38.47	5.50	39.73	5.21	61.70	4.63	28.65	4.50	
B.3.3.5.2	xDSL (ADSL, HDSL and UCL)/Non-Dispatch/FL (hours)	2.80	2.11	2.10	1.28	4.06	1.16	8.03	1.37	1.66	1.71	
B.3.3.6.1	UNE ISDN/Dispatch/FL (hours)	8.07	4.25	7.46	4.76	8.53	5.43	7.13	8.74	6.25	4.38	
B.3.3.6.2	UNE ISDN/Non-Dispatch/FL (hours)	2.73	3.56	2.41	3.70	7.18	3.69	2.34	3.13	1.98	3.62	
B.3.3.7.1	Line Sharing/Dispatch/FL (hours)	40.09	31.32	38.47	30.54	39.73	32.06	61.70	35.44	28.65	18.70	
B.3.3.7.2	Line Sharing/Non-Dispatch/FL (hours)	2.80	10.43	2.10	14.37	4.06	6.86	8.03	9.19	1.66	7.10	
B.3.3.8.1	2W Analog Loop Design/Dispatch/FL (hours)	15.48	3.99	21.79	5.10	27.13	5.51	22.26	5.10	22.00	6.12	
B.3.3.8.2	2W Analog Loop Design/Non-Dispatch/FL (hours)	15.48	2.40	21.79	2.26	27.13	1.80	22.26	1.83	22.00	2.59	
B.3.3.9.1	2W Analog Loop Non-Design/Dispatch/FL (hours)	15.48	13.48	21.85	12.89	27.21	14.95	22.30	13.16	22.05	14.19	
B.3.3.9.2	2W Analog Loop Non-Design/Non-Dispatch/FL (hours)	5.39	7.03	7.79	6.08	9.65	12.10	7.60	7.37	7.79	9.02	
B.3.3.10.1	Other Design/Dispatch/FL (hours)	6.03	0.00	5.91	2.62	5.72	1.72	6.66	5.30	5.26	5.35	2,3,4
B.3.3.10.2	Other Design/Non-Dispatch/FL (hours)	2.52	0.00	2.85	2.88	2.44	0.00	13.22	0.00	2.05	1.35	2
B.3.3.11.1	Other Non-Design/Dispatch/FL (hours)	15.48	54.26	21.79	26.11	27.13	13.29	22.26	17.00	22.00	11.00	2,3,4,5
B.3.3.11.2	Other Non-Design/Non-Dispatch/FL (hours)	5.20	1.00	7.22	3.00	8.89	0.00	7.23	0.00	7.32	0.00	1,2,5
	<b>% Repeat Troubles within 30 Days</b>											
B.3.4.1.1	Switch Ports/Dispatch/FL (%)	15.30%		15.79%		17.04%		16.84%		16.91%		

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.4.1.2	Switch Ports/Non-Dispatch/FL (%)	13.44%		14.54%		15.35%		15.16%		14.97%		
B.3.4.2.1	Local Interoffice Transport/Dispatch/FL (%)	17.16%	12.50%	22.83%	20.00%	22.84%	80.00%	24.17%	0.00%	22.46%	60.00%	1,2,3,4,5
B.3.4.2.2	Local Interoffice Transport/Non-Dispatch/FL (%)	14.48%	10.00%	14.38%	33.33%	21.16%	0.00%	21.19%	22.22%	15.83%	20.00%	2,4
B.3.4.3.1	Loop + Port Combinations/Dispatch/FL (%)	15.25%	12.59%	15.74%	11.73%	16.98%	12.00%	16.84%	11.94%	16.85%	11.92%	
B.3.4.3.2	Loop + Port Combinations/Non-Dispatch/FL (%)	13.43%	11.47%	14.48%	11.05%	15.32%	11.20%	15.15%	12.21%	14.90%	11.19%	
B.3.4.4.1	Combo Other/Dispatch/FL (%)	15.30%	15.38%	15.84%	15.38%	17.11%	11.94%	16.98%	33.33%	16.91%	26.19%	
B.3.4.4.2	Combo Other/Non-Dispatch/FL (%)	15.30%	3.57%	15.84%	3.70%	17.11%	21.43%	16.98%	16.00%	16.91%	9.09%	
B.3.4.5.1	xDSL (ADSL, HDSL and UCL)/Dispatch/FL (%)	25.06%	11.48%	26.79%	11.54%	28.24%	9.43%	28.24%	10.20%	28.83%	7.32%	
B.3.4.5.2	xDSL (ADSL, HDSL and UCL)/Non-Dispatch/FL (%)	22.89%	0.00%	27.26%	14.29%	27.08%	0.00%	26.00%	9.09%	25.18%	21.05%	
B.3.4.6.1	UNE ISDN/Dispatch/FL (%)	11.32%	16.33%	12.29%	19.51%	15.96%	17.11%	15.43%	13.97%	17.73%	21.77%	
B.3.4.6.2	UNE ISDN/Non-Dispatch/FL (%)	13.92%	10.17%	14.15%	13.33%	9.83%	9.76%	13.16%	19.15%	10.92%	8.33%	
B.3.4.7.1	Line Sharing/Dispatch/FL (%)	25.06%	50.00%	26.79%	17.86%	28.24%	35.29%	28.24%	38.89%	28.83%	35.14%	
B.3.4.7.2	Line Sharing/Non-Dispatch/FL (%)	22.89%	37.50%	27.26%	10.53%	27.08%	33.33%	26.00%	33.33%	25.18%	35.00%	
B.3.4.8.1	2W Analog Loop Design/Dispatch/FL (%)	15.25%	6.87%	15.74%	9.24%	16.98%	9.99%	16.84%	9.38%	16.85%	8.85%	
B.3.4.8.2	2W Analog Loop Design/Non-Dispatch/FL (%)	15.25%	7.44%	15.74%	6.09%	16.98%	6.92%	16.84%	8.39%	16.85%	7.56%	
B.3.4.9.1	2W Analog Loop Non-Design/Dispatch/FL (%)	15.27%	14.77%	15.77%	12.57%	17.02%	7.91%	16.82%	9.51%	16.88%	8.11%	
B.3.4.9.2	2W Analog Loop Non-Design/Non-Dispatch/FL (%)	13.28%	12.68%	14.43%	8.33%	15.28%	9.86%	15.11%	7.41%	14.96%	9.76%	
B.3.4.10.1	Other Design/Dispatch/FL (%)	17.08%	0.00%	19.85%	0.00%	22.40%	0.00%	22.66%	0.00%	19.96%	25.00%	2,3,4
B.3.4.10.2	Other Design/Non-Dispatch/FL (%)	16.75%	0.00%	17.55%	0.00%	18.27%	0.00%	18.46%	0.00%	14.28%	11.70%	2
B.3.4.11.1	Other Non-Design/Dispatch/FL (%)	15.25%	10.53%	15.74%	44.44%	16.98%	0.00%	16.84%	0.00%	16.85%	0.00%	2,3,4,5



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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.4.11.2	Other Non-Design/Non-Dispatch/FL (%)	13.43%	0.00%	14.48%	0.00%	15.32%	0.00%	15.15%	0.00%	14.90%	0.00%	1,2,5
	<i>Out of Service &gt; 24 hours</i>											
B.3.5.1.1	Switch Ports/Dispatch/FL (%)	10.92%		22.85%		32.15%		22.78%		21.13%		
B.3.5.1.2	Switch Ports/Non-Dispatch/FL (%)	3.90%		9.09%		12.83%		8.16%		8.97%		
B.3.5.2.1	Local Interoffice Transport/Dispatch/FL (%)	0.29%	0.00%	0.08%	0.00%	0.14%	0.00%	0.68%	0.00%	0.60%	0.00%	1,2,3,4,5
B.3.5.2.2	Local Interoffice Transport/Non-Dispatch/FL (%)	0.12%	0.00%	0.00%	0.00%	0.74%	0.00%	0.14%	0.00%	0.00%	0.00%	2,4
B.3.5.3.1	Loop + Port Combinations/Dispatch/FL (%)	11.00%	8.71%	22.76%	16.67%	32.01%	22.87%	22.72%	12.04%	21.11%	14.12%	
B.3.5.3.2	Loop + Port Combinations/Non-Dispatch/FL (%)	3.87%	1.52%	8.91%	3.11%	12.63%	3.86%	8.01%	2.21%	8.85%	2.41%	
B.3.5.4.1	Combo Other/Dispatch/FL (%)	10.69%	0.00%	22.04%	0.00%	30.97%	0.00%	22.03%	1.52%	20.50%	0.00%	
B.3.5.4.2	Combo Other/Non-Dispatch/FL (%)	10.69%	0.00%	22.04%	0.00%	30.97%	0.00%	22.03%	0.00%	20.50%	0.00%	
B.3.5.5.1	xDSL (ADSL, HDSL and UCL)/Dispatch/FL (%)	32.70%	3.28%	38.52%	3.85%	43.96%	1.89%	37.21%	2.04%	34.00%	0.00%	
B.3.5.5.2	xDSL (ADSL, HDSL and UCL)/Non-Dispatch/FL (%)	1.97%	0.00%	1.46%	0.00%	1.82%	0.00%	2.04%	0.00%	1.92%	0.00%	
B.3.5.6.1	UNE ISDN/Dispatch/FL (%)	7.55%	1.02%	6.70%	1.63%	5.71%	1.97%	6.29%	2.94%	2.96%	1.61%	
B.3.5.6.2	UNE ISDN/Non-Dispatch/FL (%)	0.52%	0.00%	0.00%	0.00%	2.58%	0.00%	0.53%	0.00%	0.00%	0.00%	
B.3.5.7.1	Line Sharing/Dispatch/FL (%)	32.70%	0.00%	38.52%	100.00%	43.96%	0.00%	37.21%	0.00%	34.00%	0.00%	2,5
B.3.5.7.2	Line Sharing/Non-Dispatch/FL (%)	1.97%	0.00%	1.46%	0.00%	1.82%	0.00%	2.04%	0.00%	1.92%	0.00%	2,5
B.3.5.8.1	2W Analog Loop Design/Dispatch/FL (%)	11.00%	0.86%	22.76%	3.33%	32.01%	3.06%	22.72%	1.83%	21.11%	4.11%	
B.3.5.8.2	2W Analog Loop Design/Non-Dispatch/FL (%)	11.00%	0.00%	22.76%	0.43%	32.01%	0.00%	22.72%	0.00%	21.11%	1.68%	
B.3.5.9.1	2W Analog Loop Non-Design/Dispatch/FL (%)	10.91%	36.67%	22.85%	28.13%	32.14%	20.83%	22.77%	26.47%	21.13%	33.33%	
B.3.5.9.2	2W Analog Loop Non-Design/Non-Dispatch/FL (%)	3.90%	0.00%	9.09%	0.00%	12.85%	33.33%	8.17%	0.00%	8.95%	40.00%	1,2,3,4,5
B.3.5.10.1	Other Design/Dispatch/FL (%)	2.61%	0.00%	1.89%	0.00%	2.10%	0.00%	2.45%	0.00%	1.98%	3.24%	2,3,4

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.5.10.2	Other Design/Non-Dispatch/FL (%)	0.46%	0.00%	0.34%	0.00%	0.78%	0.00%	0.79%	0.00%	0.25%	0.00%	2
B.3.5.11.1	Other Non-Design/Dispatch/FL (%)	11.00%	33.33%	22.76%	33.33%	32.01%	0.00%	22.72%	0.00%	21.11%	0.00%	2,3,4,5
B.3.5.11.2	Other Non-Design/Non-Dispatch/FL (%)	3.87%	0.00%	8.91%	0.00%	12.63%	0.00%	8.01%	0.00%	8.85%	0.00%	1,2
<b>Unbundled Network Elements - Billing</b>												
<i>Invoice Accuracy</i>												
B.4.1	FL (%)	97.66%	99.67%	98.27%	99.97%	97.59%	95.04%	94.48%	99.82%	98.02%	98.73%	
<i>Mean Time to Deliver Invoices - CRIS</i>												
B.4.2	Region (business days)	3.47	3.77915	3.82	3.45794	4.42	3.86304	3.24	3.32341	4.05	3.63143	
<b>Local Interconnection Trunks - Ordering</b>												
<i>% Rejected Service Requests</i>												
C.1.1	Local Interconnection Trunks/FL (%)		46.33%		43.70%		39.50%		48.06%		35.96%	
<i>Reject Interval</i>												
C.1.2	Local Interconnection Trunks/FL (%)		99.01%		98.31%		100.00%		98.39%		100.00%	
<i>FOC Timeliness</i>												
C.1.3	Local Interconnection Trunks/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
<i>FOC &amp; Reject Response Completeness</i>												
C.1.4	Local Interconnection Trunks/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
<b>Local Interconnection Trunks - Provisioning</b>												
<i>Order Completion Interval</i>												
C.2.1	Local Interconnection Trunks/FL (days)	29.98	19.56	26.71	24.75	24.82	24.53	18.60	15.69	20.55	18.66	
<i>Held Orders</i>												
C.2.2	Local Interconnection Trunks/FL (days)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
<i>% Jeopardies</i>												
C.2.3	Local Interconnection Trunks/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
	<i>% Missed Installation Appointments</i>											
C.2.5	Local Interconnection Trunks/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.93%	1.23%	0.00%	0.00%	0.00%	
	<i>% Provisioning Troubles within 30 Days</i>											
C.2.6	Local Interconnection Trunks/FL (%)	0.44%	0.00%	1.38%	0.00%	1.62%	0.00%	0.00%	0.00%	1.38%	0.00%	
	<i>Average Completion Notice Interval</i>											
C.2.7	Local Interconnection Trunks/FL (hours)	206.93	20.91	37.64	17.46	81.01	13.86	61.98	12.70	133.30	25.00	
	<i>Total Service Order Cycle Time</i>											
C.2.8	Local Interconnection Trunks/FL (days)		20.00		21.79		24.00		17.61		17.78	
	<i>% Completions w/o Notice or &lt; 24 hours</i>											
C.2.10.1	Local Interconnection Trunks/Dispatch/FL (%)		0.00%		0.00%		0.00%		0.00%		0.00%	
	<i>Service Order Accuracy</i>											
C.2.11.1.1	Local Interconnection Trunks/<10 circuits/Dispatch/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
C.2.11.1.2	Local Interconnection Trunks/<10 circuits/Non-Dispatch/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
C.2.11.2.1	Local Interconnection Trunks/>=10 circuits/Dispatch/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	2,3,4
C.2.11.2.2	Local Interconnection Trunks/>=10 circuits/Non-Dispatch/FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
<b>Local Interconnection Trunks - Maintenance and Repair</b>												
	<i>Missed Repair Appointments</i>											
C.3.1.1	Local Interconnection Trunks/Dispatch/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
C.3.1.2	Local Interconnection Trunks/Non-Dispatch/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1,2,3,4,5
	<i>Customer Trouble Report Rate</i>											

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Metric	Metric Name [SQM Number]	May		June		July		August		September		
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	Notes
C.3.2.1	Local Interconnection Trunks/Dispatch/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
C.3.2.2	Local Interconnection Trunks/Non-Dispatch/FL (%)	0.05%	0.00%	0.02%	0.00%	0.06%	0.00%	0.03%	0.00%	0.05%	0.00%	
	<b>Maintenance Average Duration</b>											
C.3.3.1	Local Interconnection Trunks/Dispatch/FL (hours)	0.00	0.00	1.71	0.00	3.22	0.00	0.00	0.00	0.00	0.00	
C.3.3.2	Local Interconnection Trunks/Non-Dispatch/FL (hours)	0.16	0.05	1.85	0.83	1.08	1.78	0.66	0.05	0.48	2.70	1,2,3,4,5
	<b>% Repeat Troubles within 30 Days</b>											
C.3.4.1	Local Interconnection Trunks/Dispatch/FL (%)	0.00%	0.00%	0.00%	0.00%	4.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
C.3.4.2	Local Interconnection Trunks/Non-Dispatch/FL (%)	0.41%	0.00%	0.00%	0.00%	8.55%	0.00%	15.13%	0.00%	10.39%	0.00%	1,2,3,4,5
	<b>Out of Service &gt; 24 hours</b>											
C.3.5.1	Local Interconnection Trunks/Dispatch/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
C.3.5.2	Local Interconnection Trunks/Non-Dispatch/FL (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1,2,3,4,5
<b>Local Interconnection Trunks - Billing</b>												
	<b>Invoice Accuracy</b>											
C.4.1	FL (%)	97.66%	99.56%	98.27%	97.54%	97.59%	99.76%	94.48%	99.35%	98.02%	97.01%	
	<b>Mean Time to Deliver Invoices - CABS</b>											
C.4.2	Region (calendar days)	4.96	4.92	4.54	4.29	4.59	4.61	4.47	4.30	4.68	4.16	
<b>Local Interconnection Trunks - Trunk Blocking</b>												
	<b>Trunk Group Performance - Aggregate</b>											
C.5.1	Local Interconnection Trunks/FL (%)		1		0		0		0		0	
<b>Operations Support Systems - Pre-Ordering</b>												
	<b>% Interface Availability - CLEC</b>											
D.1.1.1	EDI/Region (%)		99.64%		100.00%		100.00%		100.00%		100.00%	
D.1.1.2	LENS/Region (%)		99.85%		99.76%		99.93%		99.96%		99.93%	
D.1.1.3	LEO/Region (%)		100.00%		100.00%		100.00%		100.00%		99.95%	
D.1.1.4	LESOG/Region (%)		100.00%		100.00%		100.00%		100.00%		100.00%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
D.1.1.6	PSIMS/Region (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
D.1.1.7	LNP Gateway/Region (%)		100.00%		99.86%		99.97%		100.00%		100.00%	
D.1.1.8	SGG/COG/Region (%)		100.00%		99.26%		99.87%		99.96%		99.99%	
	<b>% Interface Availability - BST &amp; CLEC</b>											
D.1.2.1	ATLAS/Region (%)		100.00%		99.99%		99.98%		100.00%		99.99%	
D.1.2.2	COFFI/Region (%)		100.00%		99.99%		99.98%		100.00%		99.99%	
D.1.2.3	BOCRIS/CRIS/Region (%)		99.96%		99.99%		99.98%		99.99%		99.99%	
D.1.2.4	DSAP/Region (%)		100.00%		99.98%		99.96%		99.31%		99.98%	
D.1.2.5	RSAG/Region (%)		100.00%		99.99%		99.97%		100.00%		99.98%	
D.1.2.6	SOCS/Region (%)		100.00%		99.99%		99.98%		100.00%		99.99%	
D.1.2.7	SONGS/Region (%)		100.00%		99.99%		99.98%		100.00%		99.99%	
D.1.2.8	DOE/Region (%)		99.99%		100.00%		100.00%		100.00%		100.00%	
	<b>Average Response Interval - CLEC (LENS) (BST Measure Includes Additional 2 Seconds)</b>											
D.1.3.1.1	RSAG, by TN/Region (seconds)	2.87	1.20	2.88	1.02	2.80	1.67	2.71	1.67	2.69	1.58	
D.1.3.1.2	RSAG, by TN/Region (seconds)	2.94	1.20	2.91	1.02	2.88	1.67	2.80	1.67	2.78	1.58	
D.1.3.2.1	RSAG, by ADDR/Region (seconds)	2.99	1.10	3.03	0.93	2.94	1.13	2.84	1.06	2.81	1.14	
D.1.3.2.2	RSAG, by ADDR/Region (seconds)	4.77	1.10	4.76	0.93	4.80	1.13	4.59	1.06	4.68	1.14	
D.1.3.3.1	ATLAS/Region (seconds)	2.95	0.88	3.01	0.80	2.93	1.07	2.77	1.03	2.78	1.21	
D.1.3.3.2	ATLAS/Region (seconds)	2.60	0.88	2.61	0.80	2.63	1.07	2.58	1.03	2.49	1.21	
D.1.3.4.1	DSAP/Region (seconds)	2.71	0.53	2.71	0.52	2.68	2.87	2.61	2.84	2.56	5.27	
D.1.3.4.2	DSAP/Region (seconds)	2.57	0.53	2.57	0.52	2.58	2.87	2.55	2.84	2.53	5.27	
D.1.3.5.1	CRSECSRL/Region (seconds)	3.21	2.12	3.24	1.14	3.20	2.01	3.07	1.76	3.01	1.13	
D.1.3.5.2	CRSECSRL/Region (seconds)	2.87	2.12	2.95	1.14	2.94	2.01	2.85	1.76	2.60	1.13	
D.1.3.6.1	COFFI/Region (seconds)	4.60	0.63	4.35	0.64	3.43	2.97	3.15	3.38	3.12	4.24	
D.1.3.6.2	COFFI/Region (seconds)	7.28	0.63	3.73	0.64	3.68	2.97	3.68	3.38	3.70	4.24	
D.1.3.7.1	PSIMS/ORB/Region (seconds)	4.60	0.04	4.35	0.04	3.43	0.63	3.15	0.58	3.12	0.35	
D.1.3.7.2	PSIMS/ORB/Region (seconds)	7.28	0.04	3.73	0.04	3.68	0.63	3.68	0.58	3.70	0.35	
	<b>Average Response Interval - CLEC (TAG) (BST Measure Includes Additional 2 Seconds)</b>											
D.1.4.1.1	RSAG, by TN/Region (seconds)	2.87	1.60	2.88	1.52	2.80	1.52	2.71	1.42	2.69	1.28	
D.1.4.1.2	RSAG, by TN/Region (seconds)	2.94	1.60	2.91	1.52	2.88	1.52	2.80	1.42	2.78	1.28	
D.1.4.2.1	RSAG, by ADDR/Region (seconds)	2.99	3.05	3.03	2.34	2.94	2.30	2.84	2.19	2.81	2.17	
D.1.4.2.2	RSAG, by ADDR/Region (seconds)	4.77	3.05	4.76	2.34	4.80	2.30	4.59	2.19	4.68	2.17	
D.1.4.4.1	ATLAS - DID/Region (seconds)		1.76		1.37		0.65		0.60		0.93	
D.1.4.4.2	ATLAS - DID/Region (seconds)		1.76		1.37		0.65		0.60		0.93	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
D.1.4.5.1	ATLAS - TN/Region (seconds)	2.95	1.86	3.01	1.89	2.93	1.74	2.77	1.54	2.78	1.69	
D.1.4.5.2	ATLAS - TN/Region (seconds)	2.60	1.86	2.61	1.89	2.63	1.74	2.58	1.54	2.49	1.69	
D.1.4.6.1	DSAP/Region (seconds)	2.71	1.74	2.71	1.83	2.68	0.93	2.61	0.89	2.56	1.06	
D.1.4.6.2	DSAP/Region (seconds)	2.57	1.74	2.57	1.83	2.58	0.93	2.55	0.89	2.53	1.06	
D.1.4.7.1	TAG/Region (seconds)	3.21	2.51	3.24	2.85	3.20	2.78	3.07	2.49	3.01	2.22	
D.1.4.7.2	TAG/Region (seconds)	2.87	2.51	2.95	2.85	2.94	2.78	2.85	2.49	2.60	2.22	
<b>Operations Support Systems - Maintenance and Repair</b>												
	<i>% Interface Availability - CLEC</i>											
D.2.2.1	CLEC TAFI/Region (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
D.2.2.2	ECTA/Region (%)		100.00%		99.86%		99.64%		99.94%		99.93%	
	<i>% Interface Availability - BST &amp; CLEC</i>											
D.2.3.1	CRIS/Region (%)		99.96%		99.99%		99.98%		99.99%		99.99%	
D.2.3.2	LMOS HOST/Region (%)		99.91%		100.00%		100.00%		99.75%		99.90%	
D.2.3.3	LNP/Region (%)		100.00%		99.91%		100.00%		99.90%		100.00%	
D.2.3.4	MARCH/Region (%)		100.00%		100.00%		99.96%		99.93%		100.00%	
D.2.3.5	OSPCM/Region (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
D.2.3.6	Predictor/Region (%)		100.00%		99.92%		100.00%		99.97%		99.82%	
D.2.3.7	SOCS/Region (%)		100.00%		99.99%		99.98%		100.00%		99.99%	
	<i>Average Response Interval &lt;= 4 Seconds</i>											
D.2.4.1	CRIS/Region (%)	95.12%	94.99%	94.95%	94.66%	95.57%	95.28%	96.26%	96.07%	95.37%	95.85%	
D.2.4.2	DLETH/Region (%)	3.16%	4.59%	2.58%	3.67%	1.95%	3.03%	2.49%	3.63%	2.00%	2.76%	
D.2.4.3	DLR/Region (%)	4.03%	3.36%	4.47%	7.51%	3.77%	7.42%	4.30%	8.61%	4.64%	7.41%	
D.2.4.4	LMOS/Region (%)	99.60%	99.60%	99.61%	99.58%	99.67%	99.60%	99.70%	99.66%	99.34%	99.63%	
D.2.4.5	LMOSupd/Region (%)	78.49%	66.19%	79.21%	66.24%	97.34%	97.09%	97.64%	97.39%	97.47%	97.21%	
D.2.4.6	LNP/Region (%)	99.68%	99.19%	99.65%	98.81%	99.79%	99.10%	99.26%	99.17%	98.69%	98.52%	
D.2.4.7	MARCH/Region (%)	28.04%	31.69%	28.10%	29.64%	28.94%	30.74%	27.91%	35.96%	29.49%	31.01%	
D.2.4.8	OSPCM/Region (%)	31.23%	24.50%	33.15%	21.43%	35.97%	26.46%	37.13%	22.75%	34.87%	26.82%	
D.2.4.9	Predictor/Region (%)	13.82%	19.61%	12.71%	21.73%	14.52%	24.35%	14.11%	22.26%	17.01%	24.44%	
D.2.4.10	SOCS/Region (%)	99.85%	99.88%	99.81%	99.86%	99.77%	99.85%	99.89%	99.94%	99.58%	99.90%	
D.2.4.11	NIW/Region (%)	84.01%	83.00%	82.83%	81.89%	84.21%	83.76%	86.40%	85.56%	82.12%	83.79%	
	<i>Average Response Interval &lt;= 10 Seconds</i>											
D.2.5.1	CRIS/Region (%)	99.05%	99.46%	99.02%	99.39%	99.05%	99.40%	99.15%	99.46%	98.98%	99.38%	
D.2.5.2	DLETH/Region (%)	79.20%	85.30%	77.66%	82.58%	76.79%	83.31%	76.03%	83.37%	75.40%	84.74%	
D.2.5.3	DLR/Region (%)	76.65%	88.18%	71.08%	41.67%	66.69%	40.80%	65.56%	43.46%	67.49%	40.45%	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
D.2.5.4	LMOS/Region (%)	99.79%	99.84%	99.80%	99.85%	99.82%	99.82%	99.83%	99.83%	99.65%	99.85%	
D.2.5.5	LMOSupd/Region (%)	90.04%	80.25%	90.59%	80.53%	99.77%	99.56%	99.82%	99.63%	99.80%	99.56%	
D.2.5.6	LNP/Region (%)	99.81%	99.63%	99.83%	99.52%	99.92%	99.77%	99.35%	99.44%	98.87%	98.79%	
D.2.5.7	MARCH/Region (%)	28.04%	31.69%	28.10%	29.64%	28.94%	30.74%	27.91%	35.96%	29.49%	31.01%	
D.2.5.8	OSPCM/Region (%)	97.81%	97.35%	98.41%	95.83%	98.65%	98.94%	99.29%	99.40%	99.40%	98.88%	
D.2.5.9	Predictor/Region (%)	13.82%	19.61%	12.71%	21.73%	14.52%	24.35%	14.11%	22.26%	17.01%	24.44%	
D.2.5.10	SOCS/Region (%)	99.98%	100.00%	99.98%	100.00%	99.98%	99.98%	99.99%	100.00%	99.82%	99.99%	
D.2.5.11	NIW/Region (%)	99.39%	99.21%	99.42%	99.25%	99.65%	99.51%	99.70%	99.58%	99.56%	99.45%	
	<i>Average Response Interval &gt; 10 Seconds</i>											
D.2.6.1	CRIS/Region (%)	0.95%	0.54%	0.98%	0.61%	0.95%	0.60%	0.85%	0.54%	1.02%	0.62%	
D.2.6.2	DLETH/Region (%)	20.80%	14.70%	22.34%	17.42%	23.21%	16.69%	23.97%	16.63%	24.60%	15.26%	
D.2.6.3	DLR/Region (%)	23.35%	11.82%	28.92%	58.33%	33.31%	59.20%	34.44%	56.54%	32.51%	59.55%	
D.2.6.4	LMOS/Region (%)	0.21%	0.16%	0.20%	0.15%	0.18%	0.18%	0.17%	0.17%	0.35%	0.15%	
D.2.6.5	LMOSupd/Region (%)	9.96%	19.75%	9.41%	19.47%	0.23%	0.44%	0.18%	0.37%	0.20%	0.44%	
D.2.6.6	LNP/Region (%)	0.19%	0.37%	0.17%	0.48%	0.08%	0.23%	0.65%	0.56%	1.13%	1.21%	
D.2.6.7	MARCH/Region (%)	71.96%	68.31%	71.90%	70.36%	71.06%	69.26%	72.09%	64.04%	70.51%	68.99%	
D.2.6.8	OSPCM/Region (%)	2.19%	2.65%	1.59%	4.17%	1.35%	1.06%	0.71%	0.60%	0.60%	1.12%	
D.2.6.9	Predictor/Region (%)	86.18%	80.39%	87.29%	78.27%	85.48%	75.65%	85.89%	77.74%	82.99%	75.56%	
D.2.6.10	SOCS/Region (%)	0.02%	0.00%	0.02%	0.00%	0.02%	0.02%	0.01%	0.00%	0.18%	0.01%	
D.2.6.11	NIW/Region (%)	0.61%	0.79%	0.58%	0.75%	0.35%	0.49%	0.30%	0.42%	0.44%	0.55%	
	<b>Collocation - Collocation</b>											
	<i>Average Response Time</i>											
E.1.1.1	Virtual/FL (calendar days)		5				5		5		6	1,3,4,5
E.1.1.2	Physical Caged/FL (calendar days)		5		3		7		5		6	1,5
E.1.1.3	Physical Cageless/FL (calendar days)		4		3		5		6		12	2
	<i>Average Arrangement Time</i>											
E.1.2.3	Virtual-Augments - Additional Space Required/FL (calendar days)		60									1
E.1.2.4	Physical Caged-Ordinary/FL (calendar days)		16				14					1,3
	<i>% Due Dates Missed</i>											
E.1.3.1	Virtual/FL (%)		0.00%		0.00%		0.00%		0.00%			1,2,3,4
E.1.3.2	Physical/FL (%)		0.00%		0.00%		0.00%		0.00%		0.00%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
<b>General - Flow Through</b>												
	<i>% Flow Through Service Requests</i>											
F.1.1.1	Summary/Region (%)		84.50%		85.96%		88.26%		88.47%		89.83%	
F.1.1.2	Aggregate/Region (%)		84.50%		85.96%		88.26%		88.47%		89.83%	
F.1.1.3	Residence/Region (%)		86.74%		88.58%		87.70%		89.52%		90.20%	
F.1.1.4	Business/Region (%)		69.54%		73.74%		73.23%		76.17%		77.80%	
F.1.1.5	UNE/Region (%)		82.57%		83.84%		89.13%		87.94%		89.81%	
	<i>% Flow Through Service Requests - Achieved</i>											
F.1.2.1	Summary/Region (%)		76.58%		78.96%		80.59%		81.19%		83.37%	
F.1.2.2	Aggregate/Region (%)		76.58%		78.96%		80.59%		81.19%		83.37%	
F.1.2.3	Residence/Region (%)		79.88%		81.68%		80.99%		82.63%		85.39%	
F.1.2.4	Business/Region (%)		51.58%		53.42%		45.85%		54.74%		57.73%	
F.1.2.5	UNE/Region (%)		74.12%		77.27%		81.53%		80.79%		82.60%	
	<i>% Flow Through Service Requests - LNP</i>											
F.1.3.1	Summary/Region (%)		89.75%		83.63%		88.50%		88.09%		88.81%	
F.1.3.2	Aggregate/Region (%)		89.75%		83.63%		88.50%		88.09%		88.81%	
<b>General - Pre-Ordering</b>												
	<i>Loop Makeup Inquiry (Manual)</i>											
F.2.1	Loops/FL (%)		71.43%		75.00%		62.50%		50.00%		20.00%	3,4,5
	<i>Loop Makeup Inquiry (Electronic)</i>											
F.2.2	Loops/FL (%)		92.80%		80.96%		99.09%		99.07%		98.90%	
<b>General - Ordering</b>												
	<i>Average Speed of Answer</i>											
F.4.1	Region (seconds)	194.86	35.16	259.48	58.19	269.17	29.60	282.45	40.05	315.73	22.08	
<b>General - Maintenance Center</b>												
	<i>Average Answer Time</i>											
F.5.1	Region (seconds)	64.68	25.99	52.80	28.04	84.66	27.23	53.70	24.35	66.71	26.57	
<b>General - Operator Services (Toll)</b>												
	<i>Average Speed to Answer</i>											
F.6.1	FL (seconds)		3.29		3.50		4.19		3.82		4.78	
	<i>% Answered in 30 seconds</i>											
F.6.2	FL (%)		98.70%		98.50%		97.60%		97.90%		96.90%	
<b>General - Directory Assistance</b>												
	<i>Average Speed to Answer</i>											



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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
F.7.1	FL (seconds)		6.26		6.53		5.85		5.03		5.79	
	<i>% Answered in 20 seconds</i>											
F.7.2	FL (%)		93.00%		92.20%		93.90%		95.60%		94.10%	
<b>General - Billing</b>												
	<i>Usage Data Delivery Accuracy</i>											
F.9.1	Region (%)	95.22%	100.00%	100.00%	100.00%	100.00%	100.00%	99.70%	99.34%	99.92%	100.00%	
	<i>Usage Data Delivery Timeliness</i>											
F.9.2	Region (%)	94.93%	97.64%	99.33%	99.38%	97.81%	99.56%	99.00%	97.94%	99.83%	99.64%	
	<i>Usage Data Delivery Completeness</i>											
F.9.3	Region (%)	97.21%	99.95%	99.92%	99.91%	99.10%	99.91%	99.65%	99.98%	99.92%	99.95%	
	<i>Mean Time to Deliver Usage</i>											
F.9.4	Region (days)	4.34	2.52	3.24	2.43	3.60	2.31	3.34	2.21	3.41	2.29	
	<i>Recurring Charge Completeness</i>											
F.9.5.1	Resale/FL (%)	85.73%	98.98%	84.97%	98.65%	83.76%	97.60%	84.93%	99.17%	83.39%	98.79%	
F.9.5.2	UNE/FL (%)		99.34%		95.67%		99.19%		95.17%		99.07%	
F.9.5.3	Interconnection/FL (%)		98.35%		97.59%		94.96%		77.21%		99.44%	
	<i>Non-Recurring Charge Completeness</i>											
F.9.6.1	Resale/FL (%)	93.06%	97.36%	93.44%	97.93%	91.22%	99.06%	89.56%	97.90%	92.93%	98.38%	
F.9.6.2	UNE/FL (%)		97.90%		96.77%		99.12%		98.71%		98.81%	
F.9.6.3	Interconnection/FL (%)		98.43%		98.55%		95.09%		93.09%		93.42%	
<b>General - Change Management</b>												
	<i>% Software Release Notices Sent On Time</i>											
F.10.1	FL (%)		100.00%				100.00%		100.00%			1,3,4
	<i>% Change Management Documentation Sent On Time</i>											
F.10.3	FL (%)				100.00%		100.00%					2,3
	<i>Average Documentation Release Delay Days</i>											
	<i>% CLEC Interface Outages Sent within 15 Minutes</i>											
F.10.6	FL (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
	<i>% Software Errors Corrected within 10 Business Days</i>											
F.10.7	Region (%)								100.00%		100.00%	4,5

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Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes	
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC		
	<i>% Software Errors Corrected within 30 Business Days</i>												
F.10.8	Region (%)											100.00%	5
	<i>% Change Requests Accepted or Rejected within 10 Business Days</i>												
F.10.10	Region (%)								100.00%			100.00%	4,5
	<i>% Change Requests Rejected Within The Reporting Period</i>												
F.10.11	Region (%)								71.43%			40.00%	4,5
	<i>Number of Severity 2 Defects (Type 6 CR) in a Production Release Implemented</i>												
F.10.13	Region (number)								300.00%				
	<i>Number of Severity 3 Defects (Type 6 CR) in a Production Release Implemented</i>												
F.10.14	Region (number)								400.00%				
	<i>% Test Deck Weight Failure in Production Release</i>												
F.10.15	Region (%)								0.00%				
<b>General - New Business Requests</b>													
	<i>% New Business Requests Processed within 30 Business Days</i>												
F.11.1	Region (%)		100.00%		100.00%				100.00%			100.00%	1,2,4,5
	<i>% Quotes Provided within X Business Days</i>												
F.11.2.1	Region (%)		100.00%										1
F.11.2.3	Region (%)		100.00%		100.00%								1,2
<b>General - Ordering</b>													
	<i>Acknowledgement Message Timeliness</i>												
F.12.1.1	EDI/Region (%)		100.00%		100.00%		100.00%		99.95%			100.00%	
F.12.1.2	TAG/Region (%)		100.00%		100.00%		100.00%		100.00%			100.00%	

Florida Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
	<b>Acknowledgement Message Completeness</b>											
F.12.2.1	EDI/Region (%)		100.00%		99.62%		99.97%		99.94%		100.00%	
F.12.2.2	TAG/Region (%)		99.99%		100.00%		100.00%		100.00%		100.00%	
<b>General - Database Updates</b>												
	Average Database Update Interval											
F.13.1.1	LIDB/FL (hours)	0.96	0.96	0.96	0.96	1.82	1.82	1.56	1.55	1.91	1.91	
F.13.1.2	Directory Listings/FL (hours)	0.10	0.10	0.11	0.11	0.09	0.09	0.08	0.08	0.07	0.07	
F.13.1.3	Directory Assistance/FL (hours)	4.08	4.05	5.90	5.90	3.69	3.66	4.59	4.59	3.60	3.59	
	<b>% Update Accuracy</b>											
F.13.2.1	LIDB/FL (%)		100.00%		93.48%		99.36%		99.48%		99.93%	
F.13.2.2	Directory Listings/FL (%)		99.79%		99.35%		99.18%		99.66%		99.76%	
F.13.2.3	Directory Assistance/FL (%)		97.87%		99.19%		98.10%		98.56%		99.38%	
	<b>% NXXs / LRNs Loaded by LERG Effective Date</b>											
F.13.3	Region (%)		100.00%		98.41%		100.00%		100.00%		100.00%	
<b>General - Network Outage Notification</b>												
	<b>Mean Time to Notify CLEC of Major Network Outages</b>											
F.14.1	Region (minutes)	154	123	791	602	47	40	379	289	127	120	1,2,3,4,5

Abbreviations:

blank cell = no data available

Notes:

1 = Sample Size under 10 in March

2 = Sample Size under 10 in April

2 = Sample Size under 10 in May

4 = Sample Size under 10 in June

## Appendix C

### Tennessee Performance Metrics

Except where noted, the data included here is taken from the Tennessee Monthly State Summary (MSS) Reports provided by BellSouth, calculated according to the Georgia Service Quality Measurement (SQM) business rules. This table is provided as a reference tool for the convenience of the reader. No conclusions are to be drawn from the raw data contained in this table. Our analysis is based on the totality of the circumstances, such that we may use non-metric evidence, and may rely more heavily on some metrics more than others, in making our determination. The inclusion of these particular metrics in this table does not necessarily mean that we relied on all of these metrics, or that other metrics may not also be important in our analysis. Some metrics that we have relied on in the past and may rely on for a future application were not included here because there was no data provided for them (usually either because there was no activity, or because the metrics are still under development).

Metrics with no retail analog provided are usually compared with a benchmark. Note that for some metrics during the period provided there may be changes in the metric definition, or changes in the retail analog applied, making it difficult to compare data over time.

**PERFORMANCE METRIC CATEGORIES**

Metric	SQM No.	Metric Name
<b>RESALE</b>		
<i>Ordering</i>		
A.1.1	O-7	% Rejected Service Requests – Mech.
A.1.2	O-7	% Rejected Service Requests - Partially Mech.
A.1.3	O-7	% Rejected Service Requests - Non-Mech.
A.1.4	O-8	Reject Interval – Mech.
A.1.7	O-8	Reject Interval - Partially Mech. – 10 hours
A.1.8	O-8	Reject Interval - Non-Mech.
A.1.9	O-9	FOC Timeliness – Mech.
A.1.12	O-9	FOC Timeliness - Partially Mech. - 10 hours
A.1.13	O-9	FOC Timeliness - Non-Mech.
A.1.14	O-11	FOC & Reject Response Completeness - Mech.
A.1.15	O-11	FOC & Reject Response Completeness - Partially Mech.
A.1.16	O-11	FOC & Reject Response Completeness - Non-Mech.
<i>Provisioning</i>		
A.2.1	P-4	Order Completion Interval
A.2.4	P-2	% Jeopardies - Mech.
A.2.5	P-2	% Jeopardies - Non-Mech.
A.2.7	P-2	Average Jeopardy Notice Interval - Mech.
A.2.8	P-2	Average Jeopardy Notice Interval - Non-Mech.
A.2.9	P-2	% Jeopardy Notice >= 48 hours - Mech.
A.2.10	P-2	% Jeopardy Notice >= 48 hours - Non-Mech.
A.2.11	P-3	% Missed Installation Appointments
A.2.12	P-9	% Provisioning Troubles within 30 Days
A.2.14	P-5	Average Completion Notice Interval - Mech.
A.2.15	P-5	Average Completion Notice Interval - Non-Mech.
A.2.25	P-11	Service Order Accuracy
<i>Maintenance and Repair</i>		
A.3.1	M&R-1	Missed Repair Appointments
A.3.2	M&R-2	Customer Trouble Report Rate
A.3.3	M&R-3	Maintenance Average Duration
A.3.4	M&R-4	% Repeat Troubles within 30 Days

Metric	SQM No.	Metric Name
A.3.5	M&R-5	Out of Service > 24 hours
<i>Billing</i>		
A.4.1	B-1	Invoice Accuracy
A.4.2	B-2	Mean Time to Deliver Invoices – CRIS
<b>UNBUNDLED NETWORK ELEMENTS</b>		
<i>Ordering</i>		
B.1.1	O-7/O-13	% Rejected Service Requests – Mech.
B.1.2	O-7/O-13	% Rejected Service Requests - Partially Mech.
B.1.3	O-7/O-13	% Rejected Service Requests - Non-Mech.
B.1.4	O-8/O-14	Reject Interval – Mech.
B.1.7	O-8/O-14	Reject Interval - Partially Mech. - 10 hours
B.1.8	O-8/O-14	Reject Interval - Non-Mech.
B.1.9	O-9/O-15	FOC Timeliness – Mech.
B.1.12	O-9/O-15	FOC Timeliness - Partially Mech. - 10 hours
B.1.13	O-9/O-15	FOC Timeliness - Non-Mech.
B.1.14	O-11	FOC & Reject Response Completeness – Mech.
B.1.15	O-11	FOC & Reject Response Completeness – Partially Mech.
B.1.16	O-11	FOC & Reject Response Completeness – Non-Mech.
<i>Provisioning</i>		
B.2.1	P-4	Order Completion Interval
B.2.2	P-4	Order Completion Interval within X days - xDSL
B.2.5	P-2	% Jeopardies – Mech.
B.2.6	P-2	% Jeopardies - Non-Mech.
B.2.8	P-2	Average Jeopardy Notice Interval - Mech.
B.2.9	P-2	Average Jeopardy Notice Interval - Non-Mech.
B.2.10	P-2	% Jeopardy Notice >= 48 hours - Mech.
B.2.11	P-2	% Jeopardy Notice >= 48 hours - Non-Mech.
B.2.12	P-7	Coordinated Customers Conversions
B.2.13	P-7A	% Hot Cuts > 15 minutes Early
B.2.14	P-7A	Hot Cut Timeliness
B.2.15	P-7A	% Hot Cuts > 15 minutes Late
B.2.16	P-7B	Average Recovery Time – CCC

Metric	SQM No.	Metric Name
B.2.17	P-7C	% Provisioning Troubles within 7 Days - Hot Cuts
B.2.18	P-3/P-12	% Missed Installation Appointments
B.2.19	P-9	% Provisioning Troubles within 30 Days
B.2.21	P-5	Average Completion Notice Interval - Mech.
B.2.22	P-5	Average Completion Notice Interval - Non-Mech.
B.2.25	P-10	Total Service Order Cycle Time - Partially Mechanized
B.2.34	P-11	Service Order Accuracy
<b>Maintenance and Repair</b>		
B.3.1	M&R-1	Missed Repair Appointments
B.3.2	M&R-2	Customer Trouble Report Rate
B.3.3	M&R-3	Maintenance Average Duration
B.3.4	M&R-4	% Repeat Troubles within 30 Days
B.3.5	M&R-5	Out of Service > 24 hours
<b>Billing</b>		
B.4.1	B-1	Invoice Accuracy
B.4.2	B-2	Mean Time to Deliver Invoices - CRIS
<b>LOCAL INTERCONNECTION TRUNKS</b>		
<b>Ordering</b>		
C.1.1	O-7	% Rejected Service Requests
C.1.2	O-8	Reject Interval
C.1.3	O-9	FOC Timeliness
C.1.4	O-11	FOC & Reject Response Completeness
<b>Provisioning</b>		
C.2.1	P-4	Order Completion Interval
C.2.2	P-1	Held Orders
C.2.3	P-2	% Jeopardies
C.2.5	P-3	% Missed Installation Appointments
C.2.6	P-9	% Provisioning Troubles within 30 Days
C.2.7	P-5	Average Completion Notice Interval
C.2.8	P-10	Total Service Order Cycle Time
C.2.10	P-6	% Completions w/o Notice or < 24 hours
C.2.11	P-11	Service Order Accuracy
<b>Maintenance and Repair</b>		
C.3.1	M&R-1	Missed Repair Appointments
C.3.2	M&R-2	Customer Trouble Report Rate

Metric	SQM No.	Metric Name
C.3.3	M&R-3	Maintenance Average Duration
C.3.4	M&R-4	% Repeat Troubles within 30 Days
C.3.5	M&R-5	Out of Service > 24 hours
<b>Billing</b>		
C.4.1	B-1	Invoice Accuracy
C.4.2	B-2	Mean Time to Deliver Invoices - CABS
<b>Trunk Blocking</b>		
C.5.1	TGP-1	Trunk Group Performance - Aggregate
<b>OPERATIONS SUPPORT SYSTEMS</b>		
<b>Pre-Ordering</b>		
D.1.1	OSS-2	% Interface Availability - CLEC
D.1.2	OSS-2	% Interface Availability - BST & CLEC
D.1.3	OSS-1	Average Response Interval - CLEC (LENS)
D.1.4	OSS-1	Average Response Interval - CLEC (TAG)
<b>Maintenance and Repair</b>		
D.2.1	OSS-3	% Interface Availability - BST
D.2.2	OSS-3	% Interface Availability - CLEC
D.2.3	OSS-3	% Interface Availability - BST & CLEC
D.2.4	OSS-4	Average Response Interval <= 4 Seconds
D.2.5	OSS-4	Average Response Interval <= 10 Seconds
D.2.6	OSS-4	Average Response Interval > 10 Seconds
<b>COLLOCATION</b>		
<b>Collocation</b>		
E.1.1	C-1	Average Response Time
E.1.2	C-2	Average Arrangement Time
E.1.3	C-3	% Due Dates Missed
<b>GENERAL</b>		
<b>Flow Through</b>		
F.1.1	O-3	% Flow Through Service Requests
F.1.2	O-3	% Flow Through Service Requests - Achieved
F.1.3	O-3	% Flow Through Service Requests - LNP
<b>Pre-Ordering</b>		
F.2.1	PO-1	Loop Makeup Inquiry (Manual)
F.2.2	PO-2	Loop Makeup Inquiry (Electronic)

Metric	SQM No.	Metric Name
<b>Ordering</b>		
F.4.1	O-12	Average Speed of Answer
<b>Maintenance Center</b>		
F.5.1	M&R-6	Average Answer Time
<b>Operator Services (Toll)</b>		
F.6.1	OS-1	Average Speed to Answer
F.6.2	OS-2	% Answered in 10 seconds
<b>Directory Assistance</b>		
F.7.1	DA-1	Average Speed to Answer
F.7.2	DA-2	% Answered in 10 seconds
<b>Billing</b>		
F.9.1	B-3	Usage Data Delivery Accuracy
F.9.2	B-5	Usage Data Delivery Timeliness
F.9.3	B-4	Usage Data Delivery Completeness
F.9.4	B-6	Mean Time to Deliver Usage
F.9.5	B-7	Recurring Charge Completeness
F.9.6	B-8	Non-Recurring Charge Completeness
<b>Change Management</b>		
F.10.1	CM-1	% Software Release Notices Sent On Time
F.10.3	CM-3A	% Change Management Documentation Sent On Time
F.10.4	CM-3B	% Change Management Documentation (Defects, Corrections, etc.) Sent On Time

Metric	SQM No.	Metric Name
F.10.6	CM-5	% CLEC Interface Outages Sent within 15 Minutes
F.10.7	CM-6	% Software Errors Corrected within 10 Business Days
F.10.8	CM-6	% Software Errors Corrected within 30 Business Days
F.10.10	CM-7	% Change Requests Accepted or Rejected within 10 Business Days
F.10.11	CM-8	% Change Requests Rejected Within The Reporting Period
F.10.13	CM-9	Number of Severity 2 Defects (Type 6 CR) in a Production Release Implemented
F.10.14	CM-9	Number of Severity 3 Defects (Type 6 CR) in a Production Release
F.10.15	CM-10	% Test Deck Weight Failure in Production Release
<b>New Business Requests</b>		
F.11.1	BFR-1	% New Business Requests Processed in 30 Bus. Days
F.11.2	BFR-2A	% Quotes Provided within X Business Days
<b>Ordering</b>		
F.12.1	O-1	Acknowledgement Message Timeliness
F.12.2	O-2	Acknowledgement Message Completeness
<b>Database Updates</b>		
F.13.1	D-1	Average Database Update Interval
F.13.2	D-2	% Update Accuracy
F.13.3	D-3	% NXXs / LRNs Loaded by LERG Effective Date
<b>Network Outage Notification</b>		
F.14.1	M&R-7	Mean Time to Notify CLEC of Major Network Outages

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
<b>Resale - Ordering</b>												
	<b>% Rejected Service Requests - Mechanized</b>											
A.1.1.1	Residence/TN (%)		6.49%		8.18%		6.51%		7.52%		8.78%	
A.1.1.2	Business/TN (%)		18.25%		25.79%		12.76%		22.77%		23.72%	
A.1.1.4	PBX/TN (%)						100.00%				0.00%	3,5
	<b>% Rejected Service Requests - Partially Mechanized</b>											
A.1.2.1	Residence/TN (%)		23.13%		33.80%		24.39%		23.31%		27.30%	
A.1.2.2	Business/TN (%)		50.00%		47.17%		53.68%		49.62%		37.62%	
A.1.2.4	PBX/TN (%)				0.00%		100.00%		75.00%		50.00%	2,3,4,5
A.1.2.6	ISDN/TN (%)		0.00%									1
	<b>% Rejected Service Requests - Non-Mechanized</b>											
A.1.3.1	Residence/TN (%)		45.34%		58.93%		48.89%		40.20%		43.21%	
A.1.3.2	Business/TN (%)		52.46%		43.16%		44.71%		53.21%		43.48%	
A.1.3.3	Design (Specials)/TN (%)		30.95%		37.50%		34.78%		33.90%		52.38%	
A.1.3.4	PBX/TN (%)		53.33%		75.00%		57.14%		45.45%		36.36%	3
A.1.3.5	Centrex/TN (%)		44.44%		50.00%		100.00%		66.67%		87.50%	1,2,3,4,5
A.1.3.6	ISDN/TN (%)		25.49%		40.00%		50.00%		46.88%		29.41%	
	<b>Reject Interval - Mechanized</b>											
A.1.4.1	Residence/TN (%)		96.46%		97.37%		96.37%		97.04%		98.08%	
A.1.4.2	Business/TN (%)		95.74%		96.49%		100.00%		93.48%		96.72%	
A.1.4.4	PBX/TN (%)						0.00%					3
	<b>Reject Interval - Partially Mechanized - 10 hours</b>											
A.1.7.1	Residence/TN (%)		84.08%		95.95%		93.58%		89.77%		97.69%	
A.1.7.2	Business/TN (%)		98.65%		98.68%		97.26%		95.52%		100.00%	
A.1.7.4	PBX/TN (%)						0.00%		33.33%		100.00%	3,4,5
	<b>Reject Interval - Non-Mechanized</b>											
A.1.8.1	Residence/TN (%)		98.67%		100.00%		100.00%		97.73%		100.00%	
A.1.8.2	Business/TN (%)		100.00%		100.00%		95.00%		100.00%		100.00%	
A.1.8.3	Design (Specials)/TN (%)		100.00%		90.00%		100.00%		95.45%		100.00%	3
A.1.8.4	PBX/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,2,3,4,5
A.1.8.5	Centrex/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,2,3,4,5
A.1.8.6	ISDN/TN (%)		100.00%		100.00%		100.00%		94.12%		100.00%	5
	<b>FOC Timeliness - Mechanized</b>											
A.1.9.1	Residence/TN (%)		99.11%		99.08%		99.67%		99.38%		99.14%	



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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.1.9.2	Business/TN (%)		98.97%		97.56%		99.42%		99.37%		99.49%	
A.1.9.4	PBX/TN (%)										50.00%	5
	<b>FOC Timeliness - Partially Mechanized - 10 hours</b>											
A.1.12.1	Residence/TN (%)		86.47%		84.58%		94.22%		89.53%		94.64%	
A.1.12.2	Business/TN (%)		92.94%		95.10%		90.28%		90.22%		97.14%	
A.1.12.4	PBX/TN (%)								100.00%		0.00%	4,5
A.1.12.6	ISDN/TN (%)		33.33%									1
	<b>FOC Timeliness - Non-Mechanized</b>											
A.1.13.1	Residence/TN (%)		100.00%		97.87%		98.51%		100.00%		100.00%	
A.1.13.2	Business/TN (%)		98.68%		100.00%		100.00%		100.00%		95.83%	
A.1.13.3	Design (Specials)/TN (%)		100.00%		100.00%		90.00%		95.00%		100.00%	5
A.1.13.4	PBX/TN (%)		87.50%		100.00%		100.00%		100.00%		87.50%	1,2,3,4,5
A.1.13.5	Centrex/TN (%)		66.67%				100.00%		100.00%		100.00%	1,3,4,5
A.1.13.6	ISDN/TN (%)		93.94%		95.24%		100.00%		88.24%		100.00%	
	<b>FOC &amp; Reject Response Completeness - Mechanized</b>											
A.1.14.1.1	Residence/EDI/TN (%)		96.28%		100.00%		100.00%		100.00%		100.00%	
A.1.14.1.2	Residence/TAG/TN (%)		99.47%		99.84%		99.95%		99.83%		99.72%	
A.1.14.2.1	Business/EDI/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,4,5
A.1.14.2.2	Business/TAG/TN (%)		95.08%		100.00%		100.00%		100.00%		100.00%	
A.1.14.4.2	PBX/TAG/TN (%)						100.00%				100.00%	3,5
	<b>FOC &amp; Reject Response Completeness - Partially Mechanized</b>											
A.1.15.1.1	Residence/EDI/TN (%)		95.83%		100.00%		100.00%		100.00%		100.00%	
A.1.15.1.2	Residence/TAG/TN (%)		100.00%		99.71%		99.80%		99.93%		99.86%	
A.1.15.2.1	Business/EDI/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	3,4,5
A.1.15.2.2	Business/TAG/TN (%)		99.19%		99.32%		99.24%		100.00%		98.95%	
A.1.15.4.2	PBX/TAG/TN (%)				0.00%		100.00%		100.00%		100.00%	2,3,4,5
A.1.15.6.2	ISDN/TAG/TN (%)		75.00%									1
	<b>FOC &amp; Reject Response Completeness - Non-Mechanized</b>											
A.1.16.1	Residence/TN (%)		93.79%		95.54%		97.78%		96.08%		91.36%	
A.1.16.2	Business/TN (%)		93.99%		95.79%		94.12%		100.00%		97.83%	
A.1.16.3	Design (Specials)/TN (%)		83.33%		91.67%		95.65%		94.92%		95.24%	
A.1.16.4	PBX/TN (%)		100.00%		91.67%		85.71%		90.91%		90.91%	3
A.1.16.5	Centrex/TN (%)		77.78%		50.00%		100.00%		100.00%		100.00%	1,2,3,4,5
A.1.16.6	ISDN/TN (%)		86.27%		96.67%		94.74%		96.88%		100.00%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
<b>Resale - Provisioning</b>												
	<i>Order Completion Interval</i>											
A.2.1.1.1.1	Residence/<10 circuits/Dispatch/TN (days)	5.39	4.71	5.58	4.59	5.93	5.12	5.85	5.10	6.05	5.13	
A.2.1.1.1.2	Residence/<10 circuits/Non-Dispatch/TN (days)	0.86	0.63	0.87	0.59	0.89	0.61	0.86	0.64	1.07	0.66	
A.2.1.1.2.1	Residence/>=10 circuits/Dispatch/TN (days)	7.62		6.50	5.00	5.77		5.92		6.20		2
A.2.1.2.1.1	Business/<10 circuits/Dispatch/TN (days)	3.58	3.47	5.13	5.56	4.90	4.14	6.43	2.85	5.47	4.74	
A.2.1.2.1.2	Business/<10 circuits/Non-Dispatch/TN (days)	1.53	0.98	1.15	1.03	1.18	0.62	1.57	0.70	1.27	0.57	
A.2.1.2.2.1	Business/>=10 circuits/Dispatch/TN (days)	12.42		22.92		11.47	8.00	13.76		11.99		3
A.2.1.2.2.2	Business/>=10 circuits/Non-Dispatch/TN (days)	0.73				0.33		1.42		0.33		
A.2.1.3.1.1	Design (Specials)/<10 circuits/Dispatch/TN (days)	22.19	7.25	23.09		23.30		26.36	8.44	30.07	7.00	1,4,5
A.2.1.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/TN (days)	5.42	1.50	6.44	2.67	12.57	3.00	14.70	7.33	15.08	3.60	1,2,3,4,5
A.2.1.4.1.1	PBX/<10 circuits/Dispatch/TN (days)	25.59		13.50		10.72	6.00	8.15	0.33	13.14		3,4
A.2.1.4.1.2	PBX/<10 circuits/Non-Dispatch/TN (days)	2.17	2.58	3.14	2.50	3.15	4.00	2.36	2.50	3.68	9.75	1,2,3,4,5
A.2.1.4.2.1	PBX/>=10 circuits/Dispatch/TN (days)							16.60		27.83		
A.2.1.4.2.2	PBX/>=10 circuits/Non-Dispatch/TN (days)	1.67	0.33	1.00		1.96	0.33	2.03	1.00	2.87		1,3,4
A.2.1.5.1.1	Centrex/<10 circuits/Dispatch/TN (days)	8.39	0.33	13.89		9.55		6.95		8.18		1
A.2.1.5.1.2	Centrex/<10 circuits/Non-Dispatch/TN (days)	3.40	4.00	2.43	0.33	1.39		2.25		3.07	10.00	1,2,5
A.2.1.5.2.1	Centrex/>=10 circuits/Dispatch/TN (days)	19.18		23.35		19.89		29.89		22.57		
A.2.1.5.2.2	Centrex/>=10 circuits/Non-Dispatch/TN (days)	4.33		8.77		9.56		6.21		12.48	10.00	5

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.1.6.1.1	ISDN/<10 circuits/Dispatch/TN (days)	15.19	10.14	15.50	7.00	17.28	10.00	10.91	8.50	15.47	10.00	1,2,3,4,5
A.2.1.6.1.2	ISDN/<10 circuits/Non-Dispatch/TN (days)	2.09	3.49	1.74	2.12	2.79	2.76	2.33	3.00	3.73	3.75	3,4,5
A.2.1.6.2.1	ISDN/>=10 circuits/Dispatch/TN (days)					28.50		32.19		21.65		
A.2.1.6.2.2	ISDN/>=10 circuits/Non-Dispatch/TN (days)	7.71		6.00		4.81		10.99		8.30		
	<b>% Jeopardies - Mechanized</b>											
A.2.4.1	Residence/TN (%)	0.34%	0.25%	0.34%	0.19%	0.31%	0.24%	0.42%	0.27%	0.32%	0.18%	
A.2.4.2	Business/TN (%)	1.52%	0.81%	1.35%	0.42%	1.42%	1.42%	1.34%	0.45%	1.47%	0.00%	
A.2.4.3	Design (Specials)/TN (%)	22.09%		31.56%		22.56%		24.83%		22.99%		
A.2.4.4	PBX/TN (%)	3.10%	0.00%	5.93%	0.00%	0.79%	0.00%	5.93%		4.76%	0.00%	1,2,3,5
A.2.4.5	Centrex/TN (%)	2.18%		8.09%	0.00%	0.94%		2.15%		3.22%	0.00%	2,5
A.2.4.6	ISDN/TN (%)	8.22%	0.00%	6.64%	0.00%	7.34%		6.37%		8.89%		1,2
	<b>% Jeopardies - Non-Mechanized</b>											
A.2.5.1	Residence/TN (%)		1.23%		1.22%		0.62%		0.00%		0.00%	
A.2.5.2	Business/TN (%)		0.00%		0.88%		0.00%		0.00%		0.00%	
A.2.5.3	Design (Specials)/TN (%)		15.38%		11.11%		12.50%		12.50%		15.00%	2,3
A.2.5.4	PBX/TN (%)		0.00%		0.00%		50.00%		0.00%		0.00%	1,2,3,4,5
A.2.5.5	Centrex/TN (%)		0.00%				0.00%				0.00%	1,5
A.2.5.6	ISDN/TN (%)		8.33%		0.00%		0.00%		7.14%		11.11%	3,5
	<b>Average Jeopardy Notice Interval - Mechanized</b>											
A.2.7.1	Residence/TN (hours)		150.24		151.48		171.76		156.13		176.20	
A.2.7.2	Business/TN (hours)		195.35		122.58		131.54		122.43			1,2,3,4
	<b>Average Jeopardy Notice Interval - Non-Mechanized</b>											
A.2.8.1	Residence/TN (hours)		55.07		58.02							1,2
A.2.8.2	Business/TN (hours)				132.27							2
A.2.8.3	Design (Specials)/TN (hours)		338.33		181.13		347.90		369.52		275.88	1,2,3,4,5
A.2.8.4	PBX/TN (hours)						131.28					3
A.2.8.6	ISDN/TN (hours)		263.08						99.28		347.75	1,4,5
	<b>% Jeopardy Notice &gt;= 48 hours - Mechanized</b>											
A.2.9.1	Residence/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
A.2.9.2	Business/TN (%)		100.00%		100.00%		100.00%		100.00%			1,2,3,4

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
	<b>% Jeopardy Notice &gt;= 48 hours - Non-Mechanized</b>											
A.2.10.1	Residence/TN (%)		100.00%		100.00%							1,2
A.2.10.2	Business/TN (%)				100.00%							2
A.2.10.3	Design (Specials)/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,2,3,4,5
A.2.10.4	PBX/TN (%)						100.00%					3
A.2.10.6	ISDN/TN (%)		100.00%						100.00%		100.00%	1,4,5
	<b>% Missed Installation Appointments</b>											
A.2.11.1.1.1	Residence/<10 circuits/Dispatch/TN (%)	7.73%	3.24%	7.44%	3.05%	9.39%	5.06%	6.93%	3.79%	7.53%	4.17%	
A.2.11.1.1.2	Residence/<10 circuits/Non-Dispatch/TN (%)	0.03%	0.08%	0.02%	0.11%	0.04%	0.04%	0.04%	0.07%	0.08%	0.02%	
A.2.11.1.2.1	Residence/>=10 circuits/Dispatch/TN (%)	14.29%		6.67%	0.00%	7.14%		8.70%		6.25%		2
A.2.11.2.1.1	Business/<10 circuits/Dispatch/TN (%)	2.56%	1.02%	4.64%	0.00%	5.58%	5.32%	3.72%	1.23%	3.82%	1.54%	
A.2.11.2.1.2	Business/<10 circuits/Non-Dispatch/TN (%)	0.02%	0.00%	0.01%	0.00%	0.02%	0.46%	0.03%	0.43%	0.04%	0.00%	
A.2.11.2.2.1	Business/>=10 circuits/Dispatch/TN (%)	7.46%		1.82%		13.33%	0.00%	7.58%		6.35%		3
A.2.11.2.2.2	Business/>=10 circuits/Non-Dispatch/TN (%)	0.00%				0.00%		0.00%		0.00%		
A.2.11.3.1.1	Design (Specials)/<10 circuits/Dispatch/TN (%)	3.52%	0.00%	4.43%	0.00%	4.36%	0.00%	4.46%	0.00%	2.38%	0.00%	1,2,3,5
A.2.11.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/TN (%)	0.00%	0.00%	0.30%	0.00%	0.00%	0.00%	1.64%	0.00%	0.00%	0.00%	1,2,3,4
A.2.11.3.2.2	Design (Specials)/>=10 circuits/Non-Dispatch/TN (%)	0.00%						0.00%	0.00%	0.00%		4
A.2.11.4.1.1	PBX/<10 circuits/Dispatch/TN (%)	0.00%	0.00%	4.65%		6.06%	0.00%	0.00%	0.00%	7.50%		1,3,4
A.2.11.4.1.2	PBX/<10 circuits/Non-Dispatch/TN (%)	0.00%	0.00%	0.00%	0.00%	1.10%	0.00%	2.82%	0.00%	0.00%	25.00%	1,2,3,4,5
A.2.11.4.2.1	PBX/>=10 circuits/Dispatch/TN (%)							20.00%		0.00%		
A.2.11.4.2.2	PBX/>=10 circuits/Non-Dispatch/TN (%)	0.00%	0.00%	0.00%		0.00%	0.00%	0.00%	0.00%	0.00%		1,3,4

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.11.5.1.1	Centrex/<10 circuits/Dispatch/TN (%)	2.59%	0.00%	1.93%	0.00%	4.86%	0.00%	2.32%		3.66%		1,2,3
A.2.11.5.1.2	Centrex/<10 circuits/Non-Dispatch/TN (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%		0.00%	0.00%	1,2,3,5
A.2.11.5.2.1	Centrex/>=10 circuits/Dispatch/TN (%)	0.00%		6.82%		0.00%		5.56%		0.00%		
A.2.11.5.2.2	Centrex/>=10 circuits/Non-Dispatch/TN (%)	0.00%		0.00%		0.00%	0.00%	0.00%		0.00%	0.00%	3,5
A.2.11.6.1.1	ISDN/<10 circuits/Dispatch/TN (%)	5.91%	0.00%	4.74%	0.00%	5.01%	0.00%	3.34%	0.00%	5.28%	0.00%	1,2,3,4,5
A.2.11.6.1.2	ISDN/<10 circuits/Non-Dispatch/TN (%)	0.82%	5.88%	1.17%	0.00%	1.03%	0.00%	0.16%	0.00%	0.86%	0.00%	3,4,5
A.2.11.6.2.1	ISDN/>=10 circuits/Dispatch/TN (%)					0.00%		4.44%		2.50%		
A.2.11.6.2.2	ISDN/>=10 circuits/Non-Dispatch/TN (%)	0.00%		0.00%		0.00%		0.00%		0.00%		
	<b>% Provisioning Troubles within 30 Days</b>											
A.2.12.1.1.1	Residence/<10 circuits/Dispatch/TN (%)	10.74%	9.65%	11.31%	10.32%	11.83%	10.98%	11.09%	9.55%	10.15%	10.79%	
A.2.12.1.1.2	Residence/<10 circuits/Non-Dispatch/TN (%)	3.14%	3.98%	3.04%	3.27%	3.23%	3.72%	3.38%	4.17%	3.29%	4.07%	
A.2.12.1.2.1	Residence/>=10 circuits/Dispatch/TN (%)	5.56%		8.57%		6.67%	0.00%	10.71%		0.00%		3
A.2.12.2.1.1	Business/<10 circuits/Dispatch/TN (%)	11.03%	5.22%	11.53%	4.08%	12.35%	4.39%	12.33%	11.70%	11.07%	7.41%	
A.2.12.2.1.2	Business/<10 circuits/Non-Dispatch/TN (%)	6.23%	7.86%	6.33%	5.47%	7.90%	2.54%	8.58%	6.39%	8.22%	7.33%	
A.2.12.2.2.1	Business/>=10 circuits/Dispatch/TN (%)	19.67%		26.87%		20.00%		13.33%	0.00%	21.21%		4
A.2.12.2.2.2	Business/>=10 circuits/Non-Dispatch/TN (%)		0.00%	0.00%				0.00%		0.00%		1
A.2.12.3.1.1	Design (Specials)/<10 circuits/Dispatch/TN (%)	6.87%	0.00%	5.28%	25.00%	5.90%	16.67%	4.61%	0.00%	5.48%	11.76%	1,2,3,4
A.2.12.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/TN (%)	5.22%	8.89%	5.37%	0.00%	4.26%	0.00%	0.66%	33.33%	3.28%	0.00%	2,3,4,5

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.12.3.2.2	Design (Specials)/>=10 circuits/Non-Dispatch/TN (%)			0.00%						0.00%	100.00%	5
A.2.12.4.1.1	PBX/<10 circuits/Dispatch/TN (%)	12.00%	100.00%	0.00%	0.00%	4.65%		0.00%	0.00%	0.00%	0.00%	1,2,4,5
A.2.12.4.1.2	PBX/<10 circuits/Non-Dispatch/TN (%)	3.85%	25.00%	0.00%	0.00%	4.69%	0.00%	0.00%	0.00%	0.00%	0.00%	1,2,3,4,5
A.2.12.4.2.1	PBX/>=10 circuits/Dispatch/TN (%)	0.00%								0.00%		
A.2.12.4.2.2	PBX/>=10 circuits/Non-Dispatch/TN (%)	0.00%		0.00%	0.00%	0.00%		0.00%	0.00%	0.00%	0.00%	2,4,5
A.2.12.5.1.1	Centrex/<10 circuits/Dispatch/TN (%)	7.88%	0.00%	17.24%	0.00%	14.29%	0.00%	11.81%	0.00%	7.34%		1,2,3,4
A.2.12.5.1.2	Centrex/<10 circuits/Non-Dispatch/TN (%)	4.55%	0.00%	3.65%	0.00%	6.71%	0.00%	5.74%	0.00%	6.13%		1,2,3,4
A.2.12.5.2.1	Centrex/>=10 circuits/Dispatch/TN (%)	24.14%		36.36%		22.73%		33.33%		44.44%		
A.2.12.5.2.2	Centrex/>=10 circuits/Non-Dispatch/TN (%)	28.00%		13.51%		10.00%		19.05%	0.00%	24.14%		4
A.2.12.6.1.1	ISDN/<10 circuits/Dispatch/TN (%)	6.88%	0.00%	8.13%	12.50%	5.69%	0.00%	6.38%	0.00%	5.69%	14.29%	1,2,3,4,5
A.2.12.6.1.2	ISDN/<10 circuits/Non-Dispatch/TN (%)	0.87%	5.26%	0.65%	11.76%	0.73%	0.00%	0.64%	0.00%	0.49%	0.00%	4,5
A.2.12.6.2.1	ISDN/>=10 circuits/Dispatch/TN (%)	0.00%						0.00%		0.00%		
A.2.12.6.2.2	ISDN/>=10 circuits/Non-Dispatch/TN (%)	0.00%		0.00%		0.00%		6.67%		0.00%		
<b>Average Completion Notice Interval - Mechanized</b>												
A.2.14.1.1.1	Residence/<10 circuits/Dispatch/TN (hours)	0.82	0.09	1.07	0.02	2.75	0.25	2.40	0.10	2.51	0.04	
A.2.14.1.1.2	Residence/<10 circuits/Non-Dispatch/TN (hours)	0.83	0.79	0.88	0.81	1.16	0.86	1.17	0.85	0.93	0.78	
A.2.14.1.2.1	Residence/>=10 circuits/Dispatch/TN (hours)	0.48		0.02	0.02	3.39		5.06		0.02		2
A.2.14.2.1.1	Business/<10 circuits/Dispatch/TN (hours)	1.44	0.20	1.72	0.02	2.48	0.51	1.59	0.24	1.72	0.06	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.14.2.1.2	Business/<10 circuits/Non-Dispatch/TN (hours)	2.84	0.64	2.23	0.69	1.58	0.73	1.62	1.10	1.29	0.47	
A.2.14.2.2.1	Business/>=10 circuits/Dispatch/TN (hours)	2.54		0.45		3.57	0.02	1.29		5.25		3
A.2.14.3.1.1	Design (Specials)/<10 circuits/Dispatch/TN (hours)	156.94		177.09		206.82		246.50		316.87		
A.2.14.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/TN (hours)	19.34		6.35		9.42		16.61		11.72		
A.2.14.4.1.1	PBX/<10 circuits/Dispatch/TN (hours)	470.88	0.02	32.48		70.09		53.15		54.94		1
A.2.14.4.1.2	PBX/<10 circuits/Non-Dispatch/TN (hours)	2.77	0.02	9.22	0.18	5.22		17.97		11.11	3.46	1,2,5
A.2.14.4.2.1	PBX/>=10 circuits/Dispatch/TN (hours)							68.77		124.51		
A.2.14.4.2.2	PBX/>=10 circuits/Non-Dispatch/TN (hours)	0.70		0.81		0.64	0.60	0.49		11.22		3
A.2.14.5.1.1	Centrex/<10 circuits/Dispatch/TN (hours)	5.33		17.39		4.25		7.22		8.64		
A.2.14.5.1.2	Centrex/<10 circuits/Non-Dispatch/TN (hours)	1.28		3.85	0.02	1.45		3.16		3.29	0.80	2,5
A.2.14.6.1.2	ISDN/<10 circuits/Non-Dispatch/TN (hours)	4.93	4.33	4.31	0.99	7.85		2.58		2.55		1,2
A.2.14.6.2.2	ISDN/>=10 circuits/Non-Dispatch/TN (hours)	0.71		74.77		0.72		11.50		13.03		
	<b>Average Completion Notice Interval - Non-Mechanized</b>											
A.2.15.1.1.1	Residence/<10 circuits/Dispatch/TN (hours)		12.01		11.43		20.37		11.39		18.98	
A.2.15.1.1.2	Residence/<10 circuits/Non-Dispatch/TN (hours)		8.27		6.08		7.37		6.19		2.40	
A.2.15.2.1.1	Business/<10 circuits/Dispatch/TN (hours)		29.86		30.68		29.90		24.96		29.60	
A.2.15.2.1.2	Business/<10 circuits/Non-Dispatch/TN (hours)		11.88		10.61		9.03		10.57		9.96	
A.2.15.3.1.1	Design (Specials)/<10 circuits/Dispatch/TN (hours)		199.06		320.15		641.39		70.04		40.46	1,2,3,5

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.15.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/TN (hours)		23.98		20.33		323.97		50.13		128.47	1,2,3,4
A.2.15.3.2.2	Design (Specials)/>=10 circuits/Non-Dispatch/TN (hours)								0.02			4
A.2.15.4.1.1	PBX/<10 circuits/Dispatch/TN (hours)						23.23		18.78			3,4
A.2.15.4.1.2	PBX/<10 circuits/Non-Dispatch/TN (hours)		24.08		52.72		47.53		19.25		103.95	1,2,3,4,5
A.2.15.4.2.2	PBX/>=10 circuits/Non-Dispatch/TN (hours)		14.00						14.00			1,4
A.2.15.5.1.1	Centrex/<10 circuits/Dispatch/TN (hours)		16.40		20.40		61.45					1,2,3
A.2.15.5.1.2	Centrex/<10 circuits/Non-Dispatch/TN (hours)		16.99				26.57				18.80	1,3,5
A.2.15.5.2.2	Centrex/>=10 circuits/Non-Dispatch/TN (hours)						14.00				14.00	3,5
A.2.15.6.1.1	ISDN/<10 circuits/Dispatch/TN (hours)		33.94		61.35		38.83		41.78		78.35	1,2,3,4,5
A.2.15.6.1.2	ISDN/<10 circuits/Non-Dispatch/TN (hours)		27.68		19.67		31.85		27.41		10.40	3,4,5
A.2.15.6.2.2	ISDN/>=10 circuits/Non-Dispatch/TN (hours)		0.02									1
	<b>Service Order Accuracy</b>											
A.2.25.1.1.1	Residence/<10 circuits/Dispatch/TN (%)		90.77%		98.86%		99.09%		98.80%		98.86%	
A.2.25.1.1.2	Residence/<10 circuits/Non-Dispatch/TN (%)		98.82%		98.56%		97.67%		99.00%		98.56%	
A.2.25.1.2.1	Residence/>=10 circuits/Dispatch/TN (%)		100.00%		100.00%		100.00%		93.33%		88.89%	2,5
A.2.25.2.1.1	Business/<10 circuits/Dispatch/TN (%)		88.82%		94.44%		93.33%		96.47%		94.12%	
A.2.25.2.1.2	Business/<10 circuits/Non-Dispatch/TN (%)		96.11%		97.22%		96.47%		96.11%		95.56%	
A.2.25.2.2.1	Business/>=10 circuits/Dispatch/TN (%)		77.78%		76.92%		100.00%		81.25%		87.50%	
A.2.25.2.2.2	Business/>=10 circuits/Non-Dispatch/TN (%)		92.59%		91.89%		63.64%		85.71%		64.00%	



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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.2.25.3.1.1	Design (Specials)/<10 circuits/Dispatch/TN (%)		80.49%		96.47%		91.67%		92.16%		86.11%	
A.2.25.3.1.2	Design (Specials)/<10 circuits/Non-Dispatch/TN (%)		91.43%		91.36%		96.61%		90.41%		97.44%	
A.2.25.3.2.1	Design (Specials)/>=10 circuits/Dispatch/TN (%)		100.00%		100.00%		100.00%				80.00%	1,2,3,5
A.2.25.3.2.2	Design (Specials)/>=10 circuits/Non-Dispatch/TN (%)		92.31%		88.89%		50.00%		100.00%		100.00%	2,3,4
<b>Resale - Maintenance and Repair</b>												
	<i>Missed Repair Appointments</i>											
A.3.1.1.1	Residence/Dispatch/TN (%)	5.61%	2.14%	5.76%	1.88%	8.07%	3.42%	6.49%	2.35%	9.17%	4.59%	
A.3.1.1.2	Residence/Non-Dispatch/TN (%)	0.94%	0.00%	0.69%	0.00%	1.00%	0.51%	0.84%	0.59%	1.39%	2.17%	
A.3.1.2.1	Business/Dispatch/TN (%)	7.72%	10.23%	6.90%	8.75%	8.45%	4.85%	8.15%	10.39%	11.12%	14.06%	
A.3.1.2.2	Business/Non-Dispatch/TN (%)	2.31%	3.13%	2.28%	0.00%	3.19%	4.55%	2.78%	0.00%	1.53%	0.00%	
A.3.1.3.1	Design (Specials)/Dispatch/TN (%)	1.30%	8.33%	0.72%	0.00%	1.77%	0.00%	2.83%	0.00%	2.03%	0.00%	
A.3.1.3.2	Design (Specials)/Non-Dispatch/TN (%)	0.62%	0.00%	0.22%	0.00%	0.36%	0.00%	0.87%	0.00%	0.66%	0.00%	1,2
A.3.1.4.1	PBX/Dispatch/TN (%)	2.22%	0.00%	2.60%	0.00%	4.65%	0.00%	6.80%	0.00%	13.04%	0.00%	1,3,4,5
A.3.1.4.2	PBX/Non-Dispatch/TN (%)	2.90%	0.00%	0.00%	0.00%	1.12%	0.00%	7.06%	0.00%	5.71%	0.00%	2,3,5
A.3.1.5.1	Centrex/Dispatch/TN (%)	6.38%	0.00%	7.34%	0.00%	10.44%	0.00%	10.17%	0.00%	9.92%	0.00%	5
A.3.1.5.2	Centrex/Non-Dispatch/TN (%)	2.93%	0.00%	3.61%	0.00%	4.55%	0.00%	5.46%	0.00%	3.14%	0.00%	1,3
A.3.1.6.1	ISDN/Dispatch/TN (%)	14.15%	0.00%	9.14%	0.00%	20.44%	0.00%	12.07%	0.00%	21.05%	0.00%	1,2,3,4,5
A.3.1.6.2	ISDN/Non-Dispatch/TN (%)	1.92%	0.00%	1.83%	0.00%	2.99%	0.00%	3.54%	0.00%	4.24%	0.00%	1,2,3,4,5
	<i>Customer Trouble Report Rate</i>											
A.3.2.1.1	Residence/Dispatch/TN (%)	2.14%	2.24%	2.08%	2.23%	2.64%	2.92%	2.51%	3.01%	2.31%	2.52%	
A.3.2.1.2	Residence/Non-Dispatch/TN (%)	1.09%	0.56%	0.98%	0.50%	1.26%	0.66%	1.10%	0.57%	1.06%	0.48%	
A.3.2.2.1	Business/Dispatch/TN (%)	1.23%	1.45%	1.20%	1.39%	1.47%	1.94%	1.33%	1.60%	1.32%	1.52%	
A.3.2.2.2	Business/Non-Dispatch/TN (%)	0.55%	0.53%	0.48%	0.38%	0.61%	0.41%	0.64%	0.23%	0.63%	0.50%	
A.3.2.3.1	Design (Specials)/Dispatch/TN (%)	1.59%	0.13%	1.93%	0.15%	2.28%	0.19%	2.19%	0.21%	0.53%	0.17%	
A.3.2.3.2	Design (Specials)/Non-Dispatch/TN (%)	1.68%	0.08%	1.57%	0.08%	1.93%	0.22%	2.07%	0.16%	0.39%	0.14%	
A.3.2.4.1	PBX/Dispatch/TN (%)	0.12%	0.28%	0.10%	0.00%	0.18%	0.50%	0.14%	0.17%	0.16%	0.12%	
A.3.2.4.2	PBX/Non-Dispatch/TN (%)	0.09%	0.00%	0.10%	0.31%	0.12%	0.66%	0.12%	0.00%	0.10%	0.12%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.3.2.5.1	Centrex/Dispatch/TN (%)	0.52%	0.00%	0.43%	0.00%	0.55%	0.00%	0.59%	0.00%	0.45%	0.30%	
A.3.2.5.2	Centrex/Non-Dispatch/TN (%)	0.38%	1.54%	0.30%	0.00%	0.38%	0.76%	0.43%	0.00%	0.35%	0.00%	
A.3.2.6.1	ISDN/Dispatch/TN (%)	0.23%	0.29%	0.21%	0.14%	0.24%	0.30%	0.30%	0.15%	0.24%	0.69%	
A.3.2.6.2	ISDN/Non-Dispatch/TN (%)	0.19%	0.29%	0.20%	0.36%	0.18%	0.07%	0.21%	0.23%	0.16%	0.15%	
	<b>Maintenance Average Duration</b>											
A.3.3.1.1	Residence/Dispatch/TN (hours)	31.71	28.98	27.50	23.07	36.50	30.09	30.51	28.37	33.12	28.89	
A.3.3.1.2	Residence/Non-Dispatch/TN (hours)	12.61	7.39	10.18	6.49	14.45	9.00	11.79	5.94	16.08	8.88	
A.3.3.2.1	Business/Dispatch/TN (hours)	11.41	7.50	10.88	10.79	11.80	9.83	10.44	8.82	11.48	12.22	
A.3.3.2.2	Business/Non-Dispatch/TN (hours)	4.34	4.34	4.13	4.36	4.41	2.18	3.28	1.36	3.07	2.67	
A.3.3.3.1	Design (Specials)/Dispatch/TN (hours)	4.78	4.92	4.80	6.50	5.49	4.24	5.90	8.99	5.80	5.52	
A.3.3.3.2	Design (Specials)/Non-Dispatch/TN (hours)	2.12	5.82	2.20	2.49	2.23	0.86	2.48	2.55	2.28	3.40	1,2
A.3.3.4.1	PBX/Dispatch/TN (hours)	6.52	1.88	6.75	0.00	7.29	5.69	9.18	14.95	11.84	4.73	1,3,4,5
A.3.3.4.2	PBX/Non-Dispatch/TN (hours)	3.93	0.00	2.96	4.33	3.47	2.61	4.39	0.00	5.32	5.95	2,3,5
A.3.3.5.1	Centrex/Dispatch/TN (hours)	11.46	0.00	12.00	0.00	11.17	0.00	12.11	0.00	12.44	2.00	5
A.3.3.5.2	Centrex/Non-Dispatch/TN (hours)	5.41	1.50	4.01	0.00	3.36	2.00	5.72	0.00	2.38	0.00	1,3
A.3.3.6.1	ISDN/Dispatch/TN (hours)	13.52	3.59	11.16	4.95	15.26	2.64	12.36	1.65	16.25	6.41	1,2,3,4,5
A.3.3.6.2	ISDN/Non-Dispatch/TN (hours)	2.66	2.62	3.46	5.98	4.11	0.30	4.06	3.21	4.11	3.35	1,2,3,4,5
	<b>% Repeat Troubles within 30 Days</b>											
A.3.4.1.1	Residence/Dispatch/TN (%)	18.57%	12.55%	17.81%	10.85%	19.56%	14.69%	19.19%	14.00%	18.40%	11.27%	
A.3.4.1.2	Residence/Non-Dispatch/TN (%)	15.42%	12.50%	14.26%	7.10%	15.05%	10.66%	15.41%	10.06%	14.30%	13.04%	
A.3.4.2.1	Business/Dispatch/TN (%)	14.29%	17.05%	12.78%	12.50%	13.41%	11.65%	13.47%	14.29%	13.86%	10.94%	
A.3.4.2.2	Business/Non-Dispatch/TN (%)	11.57%	6.25%	10.97%	40.91%	11.65%	9.09%	10.80%	27.27%	10.25%	0.00%	
A.3.4.3.1	Design (Specials)/Dispatch/TN (%)	19.24%	8.33%	22.72%	14.29%	25.64%	37.50%	28.15%	6.25%	24.59%	7.69%	
A.3.4.3.2	Design (Specials)/Non-Dispatch/TN (%)	18.60%	0.00%	16.48%	0.00%	20.53%	21.05%	17.05%	16.67%	17.40%	27.27%	1,2
A.3.4.4.1	PBX/Dispatch/TN (%)	7.78%	50.00%	3.90%	0.00%	5.43%	33.33%	16.50%	0.00%	8.70%	0.00%	1,3,4,5
A.3.4.4.2	PBX/Non-Dispatch/TN (%)	5.80%	0.00%	1.41%	0.00%	3.37%	0.00%	8.24%	0.00%	5.71%	100.00%	2,3,5
A.3.4.5.1	Centrex/Dispatch/TN (%)	14.89%	0.00%	14.97%	0.00%	14.44%	0.00%	16.80%	0.00%	12.12%	0.00%	5
A.3.4.5.2	Centrex/Non-Dispatch/TN (%)	12.70%	50.00%	10.04%	0.00%	7.79%	0.00%	8.91%	0.00%	12.54%	0.00%	1,3
A.3.4.6.1	ISDN/Dispatch/TN (%)	17.87%	0.00%	25.13%	0.00%	25.05%	25.00%	20.27%	0.00%	22.22%	11.11%	1,2,3,4,5

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
A.3.4.6.2	ISDN/Non-Dispatch/TN (%)	18.90%	25.00%	16.49%	0.00%	19.46%	0.00%	18.65%	0.00%	14.41%	0.00%	1,2,3,4,5
	<i>Out of Service &gt; 24 hours</i>											
A.3.5.1.1	Residence/Dispatch/TN (%)	42.57%	40.49%	34.46%	32.49%	48.79%	47.12%	41.04%	42.98%	44.59%	42.07%	
A.3.5.1.2	Residence/Non-Dispatch/TN (%)	21.96%	12.22%	16.27%	9.46%	28.16%	14.81%	21.79%	8.25%	34.41%	20.55%	
A.3.5.2.1	Business/Dispatch/TN (%)	7.17%	3.85%	7.15%	5.56%	9.25%	2.82%	7.39%	12.24%	10.72%	10.87%	
A.3.5.2.2	Business/Non-Dispatch/TN (%)	1.41%	0.00%	2.70%	0.00%	4.78%	0.00%	1.45%	0.00%	1.28%	0.00%	3,4
A.3.5.3.1	Design (Specials)/Dispatch/TN (%)	1.30%	8.33%	0.72%	0.00%	1.77%	0.00%	2.83%	0.00%	2.03%	0.00%	
A.3.5.3.2	Design (Specials)/Non-Dispatch/TN (%)	0.62%	0.00%	0.22%	0.00%	0.36%	0.00%	0.87%	0.00%	0.66%	0.00%	1,2
A.3.5.4.1	PBX/Dispatch/TN (%)	2.35%	0.00%	2.74%	0.00%	3.36%	0.00%	6.86%	0.00%	13.33%	0.00%	1,3,4,5
A.3.5.4.2	PBX/Non-Dispatch/TN (%)	3.45%	0.00%	0.00%	0.00%	1.45%	0.00%	5.26%	0.00%	1.61%	0.00%	2,3,5
A.3.5.5.1	Centrex/Dispatch/TN (%)	9.49%	0.00%	8.64%	0.00%	8.37%	0.00%	10.47%	0.00%	10.37%	0.00%	5
A.3.5.5.2	Centrex/Non-Dispatch/TN (%)	2.03%	0.00%	2.19%	0.00%	1.69%	0.00%	2.42%	0.00%	0.68%	0.00%	3
A.3.5.6.1	ISDN/Dispatch/TN (%)	13.72%	0.00%	9.14%	0.00%	20.44%	0.00%	11.85%	0.00%	21.11%	0.00%	1,2,3,4,5
A.3.5.6.2	ISDN/Non-Dispatch/TN (%)	1.92%	0.00%	1.84%	0.00%	3.00%	0.00%	3.54%	0.00%	4.24%	0.00%	1,2,3,4,5
<b>Resale - Billing</b>												
	<i>Invoice Accuracy</i>											
A.4.1	TN (%)	98.50%	99.55%	98.14%	99.41%	97.89%	99.94%	91.42%	99.02%	97.04%	94.67%	
	<i>Mean Time to Deliver Invoices - CRIS</i>											
A.4.2	Region (business days)	3.47	3.16	3.82	3.37	4.42	3.34	3.24	2.98	4.05	3.81	
<b>Unbundled Network Elements - Ordering</b>												
	<i>% Rejected Service Requests - Mechanized</i>											
B.1.1.3	Loop + Port Combinations/TN (%)		29.84%		17.45%		14.48%		14.62%		15.07%	
B.1.1.4	Combo Other/TN (%)				3.23%							
B.1.1.5	xDSL (ADSL, HDSL and UCL)/TN (%)		26.18%		14.53%		21.43%		23.08%		18.46%	
B.1.1.6	ISDN Loop (UDN, UDC)/TN (%)		9.76%		10.17%		8.70%		15.09%		3.61%	
B.1.1.7	Line Sharing/TN (%)		17.07%		22.37%		27.66%		17.65%		19.42%	
B.1.1.8	2W Analog Loop Design/TN (%)		18.64%		15.64%		13.00%		22.15%		20.21%	
B.1.1.9	2W Analog Loop Non-Design/TN (%)		2.27%		10.42%		6.12%		13.21%		3.33%	
B.1.1.12	2W Analog Loop w/LNP Design/TN (%)		35.00%		64.71%		36.36%		45.45%		11.11%	5

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.1.14	Other Design/TN (%)		12.00%		8.49%		10.18%		13.64%		19.02%	
B.1.1.15	Other Non-Design/TN (%)		26.91%		22.67%		22.26%		13.07%		9.88%	
B.1.1.17	LNP Standalone/TN (%)		12.04%		7.87%		14.14%		8.43%		4.04%	
	<b>% Rejected Service Requests - Partially Mechanized</b>											
B.1.2.3	Loop + Port Combinations/TN (%)		40.87%		36.28%		32.73%		32.30%		34.83%	
B.1.2.4	Combo Other/TN (%)				33.33%		0.00%				50.00%	2,3,5
B.1.2.5	xDSL (ADSL, HDSL and UCL)/TN (%)		3.57%		28.57%		8.00%		13.33%		16.00%	2
B.1.2.6	ISDN Loop (UDN, UDC)/TN (%)		4.88%		0.00%		0.00%		10.00%		0.00%	2,3,5
B.1.2.7	Line Sharing/TN (%)		61.54%		36.84%		34.48%		45.00%		41.94%	
B.1.2.8	2W Analog Loop Design/TN (%)		25.62%		17.33%		17.65%		25.58%		11.29%	
B.1.2.9	2W Analog Loop Non-Design/TN (%)		0.00%		33.33%		26.32%		29.63%		33.33%	1
B.1.2.12	2W Analog Loop w/LNP Design/TN (%)		18.06%		20.83%		13.43%		13.49%		30.28%	
B.1.2.14	Other Design/TN (%)		28.77%		13.51%		22.89%		19.32%		21.74%	
B.1.2.15	Other Non-Design/TN (%)		36.43%		35.14%		28.00%		35.16%		39.01%	
B.1.2.17	LNP Standalone/TN (%)		32.52%		11.18%		17.33%		21.88%		37.17%	
	<b>% Rejected Service Requests - Non-Mechanized</b>											
B.1.3.1	Switch Ports/TN (%)				0.00%							2
B.1.3.2	Local Interoffice Transport/TN (%)		57.69%						100.00%			4
B.1.3.3	Loop + Port Combinations/TN (%)		47.74%		47.57%		50.30%		55.99%		48.79%	
B.1.3.4	Combo Other/TN (%)		57.14%		42.50%		28.07%		28.85%		41.03%	
B.1.3.5	xDSL (ADSL, HDSL and UCL)/TN (%)		29.55%		14.29%		33.33%		12.50%		18.18%	4
B.1.3.6	ISDN Loop (UDN, UDC)/TN (%)		24.00%		21.74%		29.41%		0.00%		0.00%	4
B.1.3.7	Line Sharing/TN (%)		30.00%		28.57%		60.00%		100.00%		0.00%	2,3,4,5
B.1.3.8	2W Analog Loop Design/TN (%)		31.37%		31.91%		43.64%		45.83%		29.63%	
B.1.3.9	2W Analog Loop Non-Design/TN (%)		47.14%		64.10%		56.52%		48.98%		55.00%	
B.1.3.10	2W Analog Loop w/INP Design/TN (%)								50.00%		0.00%	4,5
B.1.3.11	2W Analog Loop w/INP Non-Design/TN (%)				100.00%				33.33%			2,4
B.1.3.12	2W Analog Loop w/LNP Design/TN (%)		28.57%		36.36%		43.75%		40.91%		41.94%	
B.1.3.13	2W Analog Loop w/LNP Non-Design/TN (%)						71.43%		66.67%			3,4

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		BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.3.14	Other Design/TN (%)		30.11%		38.06%		28.57%		36.96%		38.36%	
B.1.3.15	Other Non-Design/TN (%)		31.96%		25.04%		34.89%		32.81%		35.69%	
B.1.3.16	INP Standalone/TN (%)		26.67%		33.33%		16.67%		16.22%		33.33%	
B.1.3.17	LNP Standalone/TN (%)		26.67%		20.60%		22.33%		22.69%		13.89%	
	<b>Reject Interval - Mechanized</b>											
B.1.4.3	Loop + Port Combinations/TN (%)		95.75%		93.78%		93.54%		95.90%		96.08%	
B.1.4.4	Combo Other/TN (%)				0.00%							2
B.1.4.5	xDSL (ADSL, HDSL and UCL)/TN (%)		100.00%		97.67%		93.94%		97.44%		100.00%	
B.1.4.6	ISDN Loop (UDN, UDC)/TN (%)		0.00%		85.71%		100.00%		87.50%		66.67%	1,2,3,4,5
B.1.4.7	Line Sharing/TN (%)		71.43%		58.82%		84.62%		58.33%		76.19%	
B.1.4.8	2W Analog Loop Design/TN (%)		78.91%		65.93%		75.00%		73.53%		81.01%	
B.1.4.9	2W Analog Loop Non-Design/TN (%)		50.00%		16.67%		75.00%		71.43%		100.00%	1,2,3,4,5
B.1.4.12	2W Analog Loop w/LNP Design/TN (%)		71.43%		100.00%		25.00%		60.00%		100.00%	1,3,4,5
B.1.4.14	Other Design/TN (%)		71.43%		50.00%		66.67%		77.78%		72.50%	
B.1.4.15	Other Non-Design/TN (%)		79.55%		75.00%		85.33%		68.18%		72.09%	
B.1.4.17	LNP Standalone/TN (%)		100.00%		100.00%		82.76%		100.00%		100.00%	5
	<b>Reject Interval - Partially Mechanized - 10 hours</b>											
B.1.7.3	Loop + Port Combinations/TN (%)		76.27%		97.57%		96.70%		96.30%		96.19%	
B.1.7.5	xDSL (ADSL, HDSL and UCL)/TN		100.00%		50.00%		100.00%		100.00%		50.00%	1,2,3,4,5
B.1.7.6	ISDN Loop (UDN, UDC)/TN (%)		100.00%						100.00%			1,4
B.1.7.7	Line Sharing/TN (%)		75.00%		75.00%		90.00%		91.67%		100.00%	1,2
B.1.7.8	2W Analog Loop Design/TN (%)		100.00%		84.62%		77.78%		73.91%		100.00%	3,5
B.1.7.9	2W Analog Loop Non-Design/TN (%)				60.00%		100.00%		87.50%		100.00%	2,3,4,5
B.1.7.12	2W Analog Loop w/LNP Design/TN (%)		96.15%		92.00%		100.00%		100.00%		93.94%	
B.1.7.14	Other Design/TN (%)		76.19%		100.00%		95.00%		85.00%		92.31%	
B.1.7.15	Other Non-Design/TN (%)		94.12%		100.00%		97.14%		97.83%		94.59%	
B.1.7.17	LNP Standalone/TN (%)		94.34%		74.07%		85.71%		90.91%		92.86%	
	<b>Reject Interval - Non-Mechanized</b>											
B.1.8.2	Local Interoffice Transport/TN (%)		100.00%						100.00%			4
B.1.8.3	Loop + Port Combinations/TN (%)		95.69%		93.08%		96.45%		96.93%		97.64%	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.8.4	Combo Other/TN (%)		100.00%		94.12%		100.00%		100.00%		100.00%	1
B.1.8.5	xDSL (ADSL, HDSL and UCL)/TN		100.00%		100.00%		100.00%		100.00%		100.00%	2,3,4,5
B.1.8.6	ISDN Loop (UDN, UDC)/TN (%)		100.00%		100.00%		100.00%					1,2,3
B.1.8.7	Line Sharing/TN (%)		100.00%		100.00%		100.00%		100.00%			1,2,3,4
B.1.8.8	2W Analog Loop Design/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	5
B.1.8.9	2W Analog Loop Non-Design/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.8.10	2W Analog Loop w/INP Design/TN (%)								100.00%			4
B.1.8.11	2W Analog Loop w/INP Non-Design/TN (%)				100.00%				100.00%			2,4
B.1.8.12	2W Analog Loop w/LNP Design/TN (%)		100.00%		91.67%		100.00%		100.00%		100.00%	3,4
B.1.8.13	2W Analog Loop w/LNP Non-Design/TN (%)						100.00%		75.00%			3,4
B.1.8.14	Other Design/TN (%)		98.11%		100.00%		100.00%		100.00%		100.00%	
B.1.8.15	Other Non-Design/TN (%)		99.60%		98.75%		100.00%		99.15%		99.16%	
B.1.8.16	INP Standalone/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,2,3,4,5
B.1.8.17	LNP Standalone/TN (%)		98.92%		100.00%		100.00%		100.00%		97.14%	
	<b>FOC Timeliness - Mechanized</b>											
B.1.9.3	Loop + Port Combinations/TN (%)		99.24%		97.21%		98.89%		98.20%		98.91%	
B.1.9.4	Combo Other/TN (%)				25.00%							2
B.1.9.5	xDSL (ADSL, HDSL and UCL)/TN (%)		97.83%		94.23%		98.25%		96.88%		93.55%	
B.1.9.6	ISDN Loop (UDN, UDC)/TN (%)		100.00%		96.15%		98.77%		95.00%		97.22%	
B.1.9.7	Line Sharing/TN (%)		98.57%		96.77%		100.00%		100.00%		100.00%	
B.1.9.8	2W Analog Loop Design/TN (%)		98.90%		98.99%		99.44%		97.55%		96.86%	
B.1.9.9	2W Analog Loop Non-Design/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.9.12	2W Analog Loop w/LNP Design/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	2,3,4,5
B.1.9.14	Other Design/TN (%)		98.63%		99.48%		99.34%		98.21%		99.39%	
B.1.9.15	Other Non-Design/TN (%)		75.42%		71.70%		78.24%		87.22%		98.42%	
B.1.9.17	LNP Standalone/TN (%)		95.51%		96.52%		98.82%		100.00%		95.81%	
	<b>FOC Timeliness - Partially Mechanized - 10 hours</b>											
B.1.12.3	Loop + Port Combinations/TN (%)		76.14%		89.96%		93.33%		91.23%		91.60%	
B.1.12.4	Combo Other/TN (%)				100.00%		100.00%				100.00%	2,3,5

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.12.5	xDSL (ADSL, HDSL and UCL)/TN (%)		96.00%		100.00%		100.00%		92.86%		95.65%	2
B.1.12.6	ISDN Loop (UDN, UDC)/TN (%)		92.59%		81.82%		80.00%		100.00%		100.00%	3,4,5
B.1.12.7	Line Sharing/TN (%)		87.50%		92.31%		94.44%		91.67%		100.00%	1
B.1.12.8	2W Analog Loop Design/TN (%)		95.70%		98.51%		100.00%		92.96%		100.00%	
B.1.12.9	2W Analog Loop Non-Design/TN (%)		100.00%		100.00%		93.33%		95.65%		90.00%	1,2
B.1.12.12	2W Analog Loop w/LNP Design/TN (%)		92.62%		95.74%		96.49%		96.43%		85.71%	
B.1.12.14	Other Design/TN (%)		96.15%		95.38%		95.38%		93.33%		91.58%	
B.1.12.15	Other Non-Design/TN (%)		65.56%		75.68%		71.43%		86.36%		92.37%	
B.1.12.17	LNP Standalone/TN (%)		90.09%		87.42%		89.92%		92.90%		90.67%	
	<b>FOC Timeliness - Non-Mechanized</b>											
B.1.13.1	Switch Ports/TN (%)				100.00%							2
B.1.13.2	Local Interoffice Transport/TN (%)		100.00%									
B.1.13.3	Loop + Port Combinations/TN (%)		99.15%		97.08%		97.39%		95.85%		96.18%	
B.1.13.4	Combo Other/TN (%)		100.00%		96.00%		100.00%		91.89%		100.00%	1
B.1.13.5	xDSL (ADSL, HDSL and UCL)/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	4,5
B.1.13.6	ISDN Loop (UDN, UDC)/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	4
B.1.13.7	Line Sharing/TN (%)		100.00%		100.00%		100.00%				100.00%	1,2,3,5
B.1.13.8	2W Analog Loop Design/TN (%)		100.00%		93.55%		100.00%		100.00%		100.00%	
B.1.13.9	2W Analog Loop Non-Design/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.13.10	2W Analog Loop w/INP Design/TN (%)								100.00%			4
B.1.13.11	2W Analog Loop w/INP Non-Design/TN (%)								100.00%			4
B.1.13.12	2W Analog Loop w/LNP Design/TN		96.43%		100.00%		100.00%		91.67%		100.00%	3
B.1.13.13	2W Analog Loop w/LNP Non-Design/TN (%)						100.00%		66.67%			3,4
B.1.13.14	Other Design/TN (%)		100.00%		98.82%		100.00%		100.00%		100.00%	
B.1.13.15	Other Non-Design/TN (%)		99.24%		99.58%		99.77%		99.79%		100.00%	
B.1.13.16	INP Standalone/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.13.17	LNP Standalone/TN (%)		99.60%		99.68%		100.00%		99.70%		99.53%	
	<b>FOC &amp; Reject Response Completeness - Mechanized</b>											
B.1.14.3.1	Loop + Port Combinations/EDI/TN (%)		98.02%		99.85%		99.95%		99.50%		99.89%	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.14.3.2	Loop + Port Combinations/TAG/TN		97.73%		99.77%		99.93%		99.90%		99.80%	
B.1.14.4.1	Combo Other/EDI/TN (%)				16.13%							
B.1.14.5.1	xDSL (ADSL, HDSL and UCL)/EDI/TN (%)		98.05%		94.61%		95.90%		100.00%		100.00%	
B.1.14.5.2	xDSL (ADSL, HDSL and UCL)/TAG/TN (%)		91.89%		71.32%		93.75%		94.12%		35.32%	
B.1.14.6.1	ISDN Loop (UDN, UDC)/EDI/TN (%)		96.88%		96.55%		100.00%		100.00%		100.00%	
B.1.14.6.2	ISDN Loop (UDN, UDC)/TAG/TN (%)		44.44%		100.00%		94.00%		83.33%		87.10%	1,2
B.1.14.7.1	Line Sharing/EDI/TN (%)		98.65%		100.00%		100.00%		100.00%		97.75%	
B.1.14.7.2	Line Sharing/TAG/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1
B.1.14.8.1	2W Analog Loop Design/EDI/TN (%)		96.47%		99.55%		99.08%		99.28%		98.82%	
B.1.14.8.2	2W Analog Loop Design/TAG/TN (%)		98.55%		97.58%		98.35%		98.31%		99.24%	
B.1.14.9.2	2W Analog Loop Non-Design/TAG/TN (%)		97.73%		100.00%		100.00%		98.11%		95.00%	
B.1.14.12.1	2W Analog Loop w/LNP Design/EDI/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	3,4,5
B.1.14.12.2	2W Analog Loop w/LNP Design/TAG/TN (%)		100.00%		100.00%		100.00%		66.67%		50.00%	1,2,3,4,5
B.1.14.14.1	Other Design/EDI/TN (%)		92.08%		96.99%		98.73%		98.96%		99.24%	
B.1.14.14.2	Other Design/TAG/TN (%)		97.30%		100.00%		100.00%		96.08%		97.30%	
B.1.14.15.1	Other Non-Design/EDI/TN (%)		97.97%		100.00%		100.00%		98.09%		100.00%	
B.1.14.15.2	Other Non-Design/TAG/TN (%)		91.06%		88.89%		91.63%		93.41%		100.00%	
B.1.14.17.1	LNP Standalone/EDI/TN (%)		91.36%		100.00%		100.00%		98.94%		99.22%	
B.1.14.17.2	LNP Standalone/TAG/TN (%)		100.00%		95.83%		98.63%		97.22%		100.00%	
	<b><i>FOC &amp; Reject Response Completeness - Partially Mechanized</i></b>											
B.1.15.3.1	Loop + Port Combinations/EDI/TN (%)		98.10%		99.44%		99.91%		99.79%		100.00%	
B.1.15.3.2	Loop + Port Combinations/TAG/TN (%)		99.85%		99.82%		99.89%		99.80%		99.95%	
B.1.15.4.1	Combo Other/EDI/TN (%)				100.00%		100.00%				100.00%	2,3,5
B.1.15.5.1	xDSL (ADSL, HDSL and		86.96%		75.00%		87.50%		100.00%		100.00%	2



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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.15.5.2	xDSL (ADSL, HDSL and UCL)/TAG/TN (%)		100.00%		66.67%		66.67%		100.00%		100.00%	1,2,3,4,5
B.1.15.6.1	ISDN Loop (UDN, UDC)/EDI/TN (%)		96.30%		100.00%		33.33%		100.00%		100.00%	2,3,4,5
B.1.15.6.2	ISDN Loop (UDN, UDC)/TAG/TN (%)		100.00%		100.00%		83.33%		50.00%		100.00%	2,3,4,5
B.1.15.7.1	Line Sharing/EDI/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1
B.1.15.7.2	Line Sharing/TAG/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,2,3,4,5
B.1.15.8.1	2W Analog Loop Design/EDI/TN (%)		96.59%		100.00%		100.00%		100.00%		100.00%	
B.1.15.8.2	2W Analog Loop Design/TAG/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.15.9.2	2W Analog Loop Non-Design/TAG/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1
B.1.15.12.1	2W Analog Loop w/LNP Design/EDI/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.15.12.2	2W Analog Loop w/LNP Design/TAG/TN (%)		100.00%		98.04%		98.95%		100.00%		100.00%	
B.1.15.14.1	Other Design/EDI/TN (%)		94.29%		100.00%		97.56%		100.00%		100.00%	
B.1.15.14.2	Other Design/TAG/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.1.15.15.1	Other Non-Design/EDI/TN (%)		90.74%		100.00%		100.00%		100.00%		100.00%	
B.1.15.15.2	Other Non-Design/TAG/TN (%)		95.35%		96.10%		93.10%		97.94%		99.38%	
B.1.15.17.1	LNP Standalone/EDI/TN (%)		99.07%		100.00%		100.00%		100.00%		100.00%	
B.1.15.17.2	LNP Standalone/TAG/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
	<b><i>FOC &amp; Reject Response Completeness - Non-Mechanized</i></b>											
B.1.16.1	Switch Ports/TN (%)				100.00%							2
B.1.16.2	Local Interoffice Transport/TN (%)		100.00%						100.00%			4
B.1.16.3	Loop + Port Combinations/TN (%)		92.59%		97.00%		94.24%		95.21%		97.58%	
B.1.16.4	Combo Other/TN (%)		100.00%		100.00%		98.25%		94.23%		100.00%	
B.1.16.5	xDSL (ADSL, HDSL and UCL)/TN (%)		100.00%		100.00%		95.83%		100.00%		90.91%	4
B.1.16.6	ISDN Loop (UDN, UDC)/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	4
B.1.16.7	Line Sharing/TN (%)		90.00%		100.00%		100.00%		100.00%		100.00%	2,3,4,5
B.1.16.8	2W Analog Loop Design/TN (%)		98.04%		100.00%		96.36%		100.00%		88.89%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.1.16.9	2W Analog Loop Non-Design/TN (%)		84.29%		94.87%		100.00%		89.80%		97.50%	
B.1.16.10	2W Analog Loop w/INP Design/TN (%)								100.00%		0.00%	4,5
B.1.16.11	2W Analog Loop w/INP Non-Design/TN (%)				100.00%				66.67%			2,4
B.1.16.12	2W Analog Loop w/LNP Design/TN (%)		92.86%		90.91%		100.00%		95.45%		93.55%	
B.1.16.13	2W Analog Loop w/LNP Non-Design/TN (%)						100.00%		100.00%			3,4
B.1.16.14	Other Design/TN (%)		97.16%		98.51%		97.14%		100.00%		95.89%	
B.1.16.15	Other Non-Design/TN (%)		97.20%		99.19%		98.94%		98.44%		97.89%	
B.1.16.16	INP Standalone/TN (%)		93.33%		90.48%		94.44%		78.38%		88.89%	
B.1.16.17	LNP Standalone/TN (%)		94.78%		98.51%		99.26%		98.61%		98.02%	
<b>Unbundled Network Elements - Provisioning</b>												
	<i>Order Completion Interval</i>											
B.2.1.2.1.1	Local Interoffice Transport/<10 circuits/Dispatch/TN (days)	18.13	11.00	17.01		23.98		21.31		45.60		1
B.2.1.3.1.1	Loop + Port Combinations/<10 circuits/Dispatch/TN (days)	4.75	2.96	5.57	3.09	5.72	3.14	6.01	2.87	5.92	2.98	
B.2.1.3.1.2	Loop + Port Combinations/<10 circuits/Non-Dispatch/TN (days)	0.90	0.64	0.89	0.67	0.91	0.70	0.91	0.94	1.10	0.83	
B.2.1.3.1.3	Loop + Port Combinations/<10 circuits/Switch Based Orders/TN (days)	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	
B.2.1.3.1.4	Loop + Port Combinations/<10 circuits/Dispatch In/TN (days)	1.49	1.25	1.46	1.29	1.51	1.33	1.50	1.49	1.80	1.43	
B.2.1.3.2.1	Loop + Port Combinations/>=10 circuits/Dispatch/TN (days)	11.74	3.50	21.18	2.67	9.77	0.33	13.56	4.50	12.66	3.00	1,2,3,4,5
B.2.1.3.2.2	Loop + Port Combinations/>=10 circuits/Non-Dispatch/TN (days)	4.49	3.00	6.44		6.08		7.01	4.00	7.18		1,4
B.2.1.3.2.4	Loop + Port Combinations/>=10 circuits/Dispatch In/TN (days)	5.47	3.00	10.05		7.76		8.84	4.00	9.62		1,4
B.2.1.4.1.1	Combo Other/<10 circuits/Dispatch/TN (days)	5.91	11.30	7.06	11.89	7.24	11.67	7.29	11.38	7.40	12.14	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.1.6.3.1	UNE ISDN/<6 circuits/Dispatch/TN (days)	13.95	10.70	14.65	10.96	15.91	10.77	13.56	11.37	14.72	9.68	
B.2.1.6.4.1	UNE ISDN/6-13 circuits/Dispatch/TN (days)					25.00		11.00				
B.2.1.7.3.1	Line Sharing/<6 circuits/Dispatch/TN (days)	4.04	4.20	2.86	2.80	2.87	4.29	2.70	3.00	2.67	2.00	1,2,3,4,5
B.2.1.7.3.2	Line Sharing/<6 circuits/Non-Dispatch/TN (days)	3.66	3.98	2.49	3.70	2.45	3.77	2.32	2.24	2.42	1.73	
B.2.1.8.1.1	2W Analog Loop Design/<10 circuits/Dispatch/TN (days)	4.75	4.60	5.57	4.75	5.72	5.04	6.01	5.48	5.92	5.13	
B.2.1.8.2.1	2W Analog Loop Design/>=10 circuits/Dispatch/TN (days)	11.74		21.18		9.77		13.56		12.66		
B.2.1.9.1.1	2W Analog Loop Non-Design/<10 circuits/Dispatch/TN (days)	4.71	4.50	5.46	4.08	5.69	3.74	6.01	3.59	5.91	3.71	1
B.2.1.9.1.4	2W Analog Loop Non-Design/<10 circuits/Dispatch In/TN (days)	1.48		1.46		1.50		1.49	4.00	1.79		4
B.2.1.9.2.1	2W Analog Loop Non-Design/>=10 circuits/Dispatch/TN (days)	10.76		19.63		9.06		11.45		10.75		
B.2.1.11.1.4	2W Analog Loop w/INP Non-	1.48		1.46		1.50		1.49		1.79		
B.2.1.12.1.1	2W Analog Loop w/LNP Design/<10	4.75	5.59	5.57	5.00	5.72	5.80	6.01	5.00	5.92	4.71	
B.2.1.12.2.1	2W Analog Loop w/LNP Design/>=10 circuits/Dispatch/TN (days)	11.74		21.18		9.77		13.56		12.66		
B.2.1.13.1.1	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch/TN (days)	4.71		5.46		5.69		6.01		5.91	4.00	5
B.2.1.13.1.4	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch In/TN (days)	1.48		1.46		1.50	4.00	1.49		1.79		3
B.2.1.13.2.1	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch/TN (days)	10.76		19.63		9.06		11.45		10.75		

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.1.13.2.4	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch In/TN (days)	1.00						2.50				
B.2.1.14.1.1	Other Design/<10 circuits/Dispatch/TN (days)	21.07		21.88		22.32		23.50		26.79		
B.2.1.15.1.1	Other Non-Design/<10 circuits/Dispatch/TN (days)	4.75	6.00	5.57		5.72		6.01		5.92		1
B.2.1.15.1.2	Other Non-Design/<10 circuits/Non-Dispatch/TN (days)	0.90		0.89		0.91		0.91		1.10		
B.2.1.16.1.2	INP (Standalone)/<10 circuits/Non-Dispatch/TN (days)	0.89		0.89		0.91		0.91	1.11	1.09		4
B.2.1.17.1.1	LNP (Standalone)/<10 circuits/Dispatch/TN (days)	4.71		5.46		5.69	1.00	6.01	0.33	5.91		3,4
B.2.1.17.1.2	LNP (Standalone)/<10 circuits/Non-Dispatch/TN (days)	0.89	0.51	0.89	0.49	0.91	0.52	0.91	0.50	1.09	0.46	
B.2.1.17.2.2	LNP (Standalone)/>=10 circuits/Non-Dispatch/TN (days)	0.73	0.33		0.67	0.33	0.56	1.42	0.33	0.33		1,2,3,4
B.2.1.18.1.1	Digital Loop < DS1/<10	6.92	7.20	6.50	7.23	5.71	6.97	5.44	7.27	4.94	5.61	
B.2.1.19.1.1	Digital Loop >= DS1/<10 circuits/Dispatch/TN (days)	19.05	6.10	18.83	6.47	17.35	6.60	19.39	6.37	22.21	6.40	
	<b>Order Completion Interval within X days</b>											
B.2.2.1	xDSL (ADSL, HDSL and UCL) Loop with Conditioning/<6 circuits/Dispatch/TN (days)										4.50	5
B.2.2.2	xDSL (ADSL, HDSL and UCL) Loop w/o Conditioning/<6 circuits/Dispatch/TN (days)		4.41		4.74		4.52		5.31		4.68	
	<b>% Jeopardies - Mechanized</b>											
B.2.5.3	Loop + Port Combinations/TN (%)	0.42%	0.24%	0.43%	0.22%	0.39%	0.09%	0.49%	0.11%	0.41%	0.14%	
B.2.5.4	Combo Other/TN (%)	7.27%		9.49%	100.00%	7.76%	100.00%	9.13%		8.12%	100.00%	2,3,5
B.2.5.5	xDSL (ADSL, HDSL and UCL)/TN (%)	6.52%		4.61%	4.11%	3.80%	0.00%	3.13%	0.00%	2.88%	2.02%	
B.2.5.6	UNE ISDN/TN (%)	7.97%	20.45%	6.36%	4.55%	7.04%	19.51%	5.52%	16.13%	8.53%	26.09%	
B.2.5.7	Line Sharing/TN (%)	6.52%	0.00%	4.61%		3.80%		3.13%	0.00%	2.88%		1,4
B.2.5.8	2W Analog Loop Design/TN (%)	0.42%	8.48%	0.43%	7.50%	0.39%	5.79%	0.49%	9.82%	0.41%	8.65%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.5.9	2W Analog Loop Non-Design/TN (%)	0.77%	7.14%	0.76%	13.89%	0.71%	8.16%	0.90%	8.16%	0.72%	11.76%	
B.2.5.10	2W Analog Loop w/INP Design/TN (%)	0.42%		0.43%		0.39%		0.49%		0.41%		
B.2.5.12	2W Analog Loop w/LNP Design/TN (%)	0.42%	0.00%	0.43%	3.61%	0.39%	2.44%	0.49%	1.18%	0.41%	7.81%	
B.2.5.13	2W Analog Loop w/LNP Non-Design/TN (%)	0.77%		0.76%		0.71%		0.90%		0.72%		
B.2.5.14	Other Design/TN (%)	21.61%		29.07%		21.95%		23.28%		23.73%		
B.2.5.15	Other Non-Design/TN (%)	0.42%		0.43%		0.39%		0.49%		0.41%		
B.2.5.16	INP (Standalone)/TN (%)	0.42%		0.41%		0.39%		0.49%		0.40%		
B.2.5.17	LNP (Standalone)/TN (%)	0.42%	0.00%	0.41%	0.00%	0.39%	0.00%	0.49%	0.00%	0.40%	0.00%	
B.2.5.18	Digital Loop < DS1/TN (%)	7.85%	20.45%	7.13%	4.55%	4.77%	10.39%	4.53%	5.62%	4.42%	7.21%	
B.2.5.19	Digital Loop >= DS1/TN (%)	30.70%	70.27%	29.62%	71.43%	21.81%	64.79%	29.17%	72.78%	23.96%	81.37%	
	<b>% Jeopardies - Non-Mechanized</b>											
B.2.6.2	Local Interoffice Transport/TN (%)		0.00%									
B.2.6.3	Loop + Port Combinations/TN (%)		1.51%		0.31%		2.09%		2.75%		1.51%	
B.2.6.4	Combo Other/TN (%)		72.09%		45.16%		50.00%		43.33%		60.53%	
B.2.6.5	xDSL (ADSL, HDSL and UCL)/TN (%)		4.40%		7.84%		2.56%		13.33%		0.00%	5
B.2.6.6	UNE ISDN/TN (%)		0.00%		10.00%		8.70%		0.00%		16.67%	4,5
B.2.6.7	Line Sharing/TN (%)		0.00%		0.00%		0.00%		0.00%		0.00%	
B.2.6.8	2W Analog Loop Design/TN (%)		5.88%		0.00%		0.00%		7.69%		0.00%	
B.2.6.9	2W Analog Loop Non-Design/TN (%)						0.00%		0.00%		0.00%	3,4,5
B.2.6.11	2W Analog Loop w/INP Non-Design/TN (%)								0.00%			4
B.2.6.12	2W Analog Loop w/LNP Design/TN (%)		0.00%		0.00%		0.00%		0.00%		6.67%	3,4
B.2.6.13	2W Analog Loop w/LNP Non-Design/TN (%)						0.00%		0.00%		0.00%	3,4,5
B.2.6.15	Other Non-Design/TN (%)		0.00%									1
B.2.6.16	INP (Standalone)/TN (%)								0.00%			4
B.2.6.17	LNP (Standalone)/TN (%)		0.00%		0.00%		0.00%		0.00%		0.00%	
B.2.6.18	Digital Loop < DS1/TN (%)		3.92%		7.55%		5.00%		11.11%		10.00%	
B.2.6.19	Digital Loop >= DS1/TN (%)		66.67%		61.29%		58.14%		46.15%		43.33%	
	<b>Average Jeopardy Notice Interval - Mechanized</b>											

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.8.3	Loop + Port Combinations/TN (hours)		178.62		114.13		218.82		102.07		168.73	2,3
B.2.8.4	Combo Other/TN (hours)				365.78		485.08				342.08	2,3,5
B.2.8.5	xDSL (ADSL, HDSL and UCL)/TN (hours)				181.60						149.46	2,5
B.2.8.6	UNE ISDN/TN (hours)		321.73		181.88		274.56		389.49		347.27	1,2,3,4,5
B.2.8.8	2W Analog Loop Design/TN (hours)		187.30		224.62		298.61		222.31		162.35	3,5
B.2.8.9	2W Analog Loop Non-Design/TN (hours)		239.77		147.40		179.35		155.29		213.12	1,2,3,4,5
B.2.8.12	2W Analog Loop w/LNP Design/TN (hours)				189.39		161.76		168.52		200.61	2,3,4,5
B.2.8.18	Digital Loop < DS1/TN (hours)		321.73		181.71		274.56		389.49		297.82	1,2,3,4,5
B.2.8.19	Digital Loop >= DS1/TN (hours)		194.06		185.46		178.73		193.13		196.97	
<b><i>Average Jeopardy Notice Interval - Non-Mechanized</i></b>												
B.2.9.3	Loop + Port Combinations/TN (hours)		107.76		57.55		121.35		181.11		204.23	1,2,3,4,5
B.2.9.4	Combo Other/TN (hours)		318.76		338.82		319.24		332.52		335.91	
B.2.9.5	xDSL (ADSL, HDSL and UCL)/TN (hours)		170.69		167.58		443.60		211.18			1,2,3,4
B.2.9.6	UNE ISDN/TN (hours)				323.43		341.93				366.90	2,3,5
B.2.9.8	2W Analog Loop Design/TN (hours)		84.57						132.03			1,4
B.2.9.12	2W Analog Loop w/LNP Design/TN (hours)										156.65	5
B.2.9.18	Digital Loop < DS1/TN (hours)		170.69		206.55		375.82		211.18		366.90	1,2,3,4,5
B.2.9.19	Digital Loop >= DS1/TN (hours)		294.42		200.89		254.59		201.67		215.56	
<b><i>% Jeopardy Notice &gt;= 48 hours - Mechanized</i></b>												
B.2.10.3	Loop + Port Combinations/TN (%)		100.00%		100.00%		100.00%		100.00%		95.00%	2,3
B.2.10.4	Combo Other/TN (%)				100.00%		100.00%				100.00%	2,3,5
B.2.10.5	xDSL (ADSL, HDSL and UCL)/TN (%)				100.00%						100.00%	2,5
B.2.10.6	UNE ISDN/TN (%)		100.00%		50.00%		100.00%		100.00%		100.00%	1,2,3,4,5
B.2.10.8	2W Analog Loop Design/TN (%)		100.00%		100.00%		100.00%		81.82%		100.00%	3,5
B.2.10.9	2W Analog Loop Non-Design/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,2,3,4,5
B.2.10.12	2W Analog Loop w/LNP Design/TN (%)				100.00%		100.00%		100.00%		100.00%	2,3,4,5
B.2.10.18	Digital Loop < DS1/TN (%)		100.00%		80.00%		100.00%		100.00%		100.00%	1,2,3,4,5

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Metric Number	Metric Name [SQM Number] and Disaggregation	May		June		July		August		September		Notes
		BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.10.19	Digital Loop >= DS1/TN (%)		100.00%		100.00%		100.00%		100.00%		99.23%	
	<b>% Jeopardy Notice &gt;= 48 hours - Non-Mechanized</b>											
B.2.11.3	Loop + Port Combinations/TN (%)		75.00%		100.00%		100.00%		66.67%		100.00%	1,2,3,4,5
B.2.11.4	Combo Other/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
B.2.11.5	xDSL (ADSL, HDSL and UCL)/TN (%)		100.00%		100.00%		100.00%		100.00%			1,2,3,4
B.2.11.6	UNE ISDN/TN (%)				100.00%		100.00%				100.00%	2,3,5
B.2.11.8	2W Analog Loop Design/TN (%)		100.00%						100.00%			1,4
B.2.11.12	2W Analog Loop w/LNP Design/TN (%)										100.00%	5
B.2.11.18	Digital Loop < DS1/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	1,2,3,4,5
B.2.11.19	Digital Loop >= DS1/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
	<b>Coordinated Customers Conversions</b>											
B.2.12.2	Loops with LNP/TN (%)		100.00%		100.00%		100.00%		96.76%		99.58%	
	<b>% Hot Cuts &gt; 15 minutes Early</b>											
B.2.13.2	Time-Specific SL2/TN (%)		2.99%		0.00%		0.00%		0.00%		0.00%	
B.2.13.4	Non-Time Specific SL2/TN (%)		0.00%		0.00%		0.00%		0.00%		0.00%	4
	<b>Hot Cut Timeliness</b>											
B.2.14.2	Time-Specific SL2/TN (%)		97.01%		97.50%		100.00%		100.00%		100.00%	
B.2.14.4	Non-Time Specific SL2/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	4
	<b>% Hot Cuts &gt; 15 minutes Late</b>											
B.2.15.2	Time-Specific SL2/TN (%)		0.00%		2.50%		0.00%		0.00%		0.00%	
B.2.15.4	Non-Time Specific SL2/TN (%)		0.00%		0.00%		0.00%		0.00%		0.00%	4
	<b>Average Recovery Time - CCC</b>											
B.2.16.2	Loops with LNP/TN (minutes)				38.67		34.50		117.20		106.50	2,3,4,5
	<b>% Provisioning Troubles within 7 Days - Hot Cuts</b>											
B.2.17.1.1	UNE Loop Design/Dispatch/TN (%)		3.14%		1.75%		6.27%		1.37%		3.66%	
B.2.17.2.1	UNE Loop Non-Design/Dispatch/TN (%)										0.00%	5
B.2.17.2.2	UNE Loop Non-Design/Non-Dispatch/TN (%)								0.00%		0.00%	4,5
	<b>% Missed Installation Appointments</b>											
B.2.18.2.1.1	Local Interoffice Transport/<10 circuits/Dispatch/TN (%)	1.46%	0.00%	0.76%		1.96%		1.37%		2.23%		
B.2.18.3.1.1	Loop + Port Combinations/<10 circuits/Dispatch/TN (%)	5.88%	4.87%	6.67%	3.95%	8.45%	4.97%	6.00%	5.35%	6.58%	3.65%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.18.3.1.2	Loop + Port Combinations/<10 circuits/Non-Dispatch/TN (%)	0.03%	0.09%	0.02%	0.03%	0.04%	0.05%	0.04%	0.05%	0.07%	0.13%	
B.2.18.3.1.3	Loop + Port Combinations/<10 circuits/Switch Based Orders/TN (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
B.2.18.3.1.4	Loop + Port Combinations/<10 circuits/Dispatch In/TN (%)	0.05%	0.14%	0.05%	0.05%	0.08%	0.07%	0.08%	0.06%	0.14%	0.16%	
B.2.18.3.2.1	Loop + Port Combinations/>=10 circuits/Dispatch/TN (%)	8.85%	14.29%	4.39%	0.00%	9.88%	0.00%	7.62%	0.00%	5.15%	0.00%	1,2,3,4,5
B.2.18.3.2.2	Loop + Port Combinations/>=10 circuits/Non-Dispatch/TN (%)	0.00%	0.00%	0.00%		0.00%		0.00%	0.00%	0.00%		1,4
B.2.18.3.2.4	Loop + Port Combinations/>=10 circuits/Dispatch In/TN (%)	0.00%	0.00%	0.00%		0.00%		0.00%	0.00%	0.00%		1,4
B.2.18.4.1.1	Combo Other/<10 circuits/Dispatch/TN (%)	5.78%	2.44%	6.52%	8.33%	8.13%	10.53%	5.92%	0.00%	6.38%	10.53%	
B.2.18.5.1.1	xDSL (ADSL, HDSL and UCL)/<10 circuits/Dispatch/TN (%)	4.24%	1.12%	5.56%	0.00%	6.77%	0.00%	5.12%	1.35%	4.53%	0.99%	
B.2.18.6.1.1	UNE ISDN/<10 circuits/Dispatch/TN (%)	7.23%	4.84%	6.34%	3.64%	7.80%	4.84%	4.11%	2.86%	6.93%	9.09%	
B.2.18.7.1.1	Line Sharing/<10 circuits/Dispatch/TN (%)	4.24%	20.00%	5.56%	0.00%	6.77%	0.00%	5.12%	0.00%	4.53%	0.00%	1,2,3,4,5
B.2.18.7.1.2	Line Sharing/<10 circuits/Non-Dispatch/TN (%)	0.00%	0.00%	0.00%	2.63%	0.00%	0.00%	0.00%	1.96%	0.04%	0.00%	
B.2.18.8.1.1	2W Analog Loop Design/<10 circuits/Dispatch/TN (%)	5.88%	2.40%	6.67%	2.20%	8.45%	2.31%	6.00%	0.86%	6.58%	2.73%	
B.2.18.8.1.2	2W Analog Loop Design/<10 circuits/Non-Dispatch/TN (%)	5.88%		6.67%		8.45%		6.00%		6.58%		
B.2.18.8.2.1	2W Analog Loop Design/>=10 circuits/Dispatch/TN (%)	8.85%		4.39%		9.88%		7.62%		5.15%		
B.2.18.8.2.2	2W Analog Loop Design/>=10 circuits/Non-Dispatch/TN (%)	8.85%		4.39%		9.88%		7.62%		5.15%		
B.2.18.9.1.1	2W Analog Loop Non-Design/<10 circuits/Dispatch/TN (%)	5.93%	7.14%	6.79%	5.56%	8.52%	4.08%	6.13%	2.00%	6.64%	5.77%	
B.2.18.9.1.4	2W Analog Loop Non-Design/<10 circuits/Dispatch In/TN (%)	0.05%		0.04%		0.08%		0.08%	0.00%	0.14%		4



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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.18.9.2.1	2W Analog Loop Non-Design/>=10 circuits/Dispatch/TN (%)	9.80%		2.86%		10.96%		7.87%		6.33%		
B.2.18.9.2.4	2W Analog Loop Non-Design/>=10 circuits/Dispatch In/TN (%)	0.00%						0.00%				
B.2.18.10.1.1	2W Analog Loop w/INP Design/<10 circuits/Dispatch/TN (%)	5.88%		6.67%		8.45%		6.00%		6.58%		
B.2.18.11.1.1	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch/TN (%)	5.93%		6.79%		8.52%		6.13%		6.64%		
B.2.18.11.1.4	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch In/TN (%)	0.05%		0.04%		0.08%		0.08%	0.00%	0.14%		4
B.2.18.12.1.1	2W Analog Loop w/LNP Design/<10 circuits/Dispatch/TN (%)	5.88%	0.00%	6.67%	0.00%	8.45%	0.00%	6.00%	1.14%	6.58%	0.00%	
B.2.18.12.2.1	2W Analog Loop w/LNP Design/>=10 circuits/Dispatch/TN (%)	8.85%		4.39%		9.88%		7.62%		5.15%		
B.2.18.13.1.1	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch/TN (%)	5.93%		6.79%		8.52%		6.13%	0.00%	6.64%	0.00%	4,5
B.2.18.13.1.4	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch In/TN (%)	0.05%		0.04%		0.08%	0.00%	0.08%		0.14%		3
B.2.18.13.2.1	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch/TN (%)	9.80%		2.86%		10.96%		7.87%		6.33%		
B.2.18.13.2.4	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch In/TN (%)	0.00%						0.00%				

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.18.14.1.1	Other Design/<10 circuits/Dispatch/TN (%)	4.22%		4.88%		4.64%		4.80%		3.47%		
B.2.18.15.1.1	Other Non-Design/<10 circuits/Dispatch/TN (%)	5.88%	0.00%	6.67%		8.45%		6.00%		6.58%		1
B.2.18.15.1.2	Other Non-Design/<10 circuits/Non-Dispatch/TN (%)	0.03%		0.02%		0.04%		0.04%		0.07%		
B.2.18.16.1.2	INP (Standalone)/<10 circuits/Non-Dispatch/TN (%)	0.03%		0.02%		0.04%		0.04%	0.00%	0.07%		4
B.2.18.17.1.1	LNP (Standalone)/<10 circuits/Dispatch/TN (%)	5.93%		6.79%		8.52%		6.13%	0.00%	6.64%		4
B.2.18.17.1.2	LNP (Standalone)/<10 circuits/Non-Dispatch/TN (%)	0.03%	0.57%	0.02%	0.00%	0.04%	0.43%	0.04%	0.00%	0.07%	0.00%	
B.2.18.17.2.1	LNP (Standalone)/>=10 circuits/Dispatch/TN (%)	9.80%		2.86%		10.96%		7.87%		6.33%		
B.2.18.17.2.2	LNP (Standalone)/>=10 circuits/Non-Dispatch/TN (%)	0.00%	0.00%		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%		1,2,3,4
B.2.18.18.1.1	Digital Loop < DS1/<10 circuits/Dispatch/TN (%)	4.78%	2.74%	6.01%	1.30%	6.74%	2.21%	4.77%	1.92%	4.67%	2.44%	
B.2.18.19.1.1	Digital Loop >= DS1/<10 circuits/Dispatch/TN (%)	2.93%	6.77%	4.22%	9.17%	4.77%	7.03%	3.14%	7.25%	1.98%	6.38%	
	<b>% Provisioning Troubles within 30 Days</b>											
B.2.19.2.1.1	Local Interoffice Transport/<10 circuits/Dispatch/TN (%)	8.67%	0.00%	8.00%	0.00%	8.32%		8.34%		7.33%		
B.2.19.3.1.1	Loop + Port Combinations/<10 circuits/Dispatch/TN (%)	10.79%	14.46%	11.42%	12.03%	11.94%	12.16%	11.35%	14.33%	10.21%	16.31%	
B.2.19.3.1.2	Loop + Port Combinations/<10 circuits/Non-Dispatch/TN (%)	3.27%	4.27%	3.18%	3.69%	3.51%	3.88%	3.68%	3.39%	3.60%	3.00%	
B.2.19.3.1.3	Loop + Port Combinations/<10 circuits/Switch Based Orders/TN (%)	3.20%	4.03%	3.01%	3.86%	3.22%	3.58%	3.37%	3.15%	3.18%	4.40%	
B.2.19.3.1.4	Loop + Port Combinations/<10 circuits/Dispatch In/TN (%)	3.34%	4.55%	3.33%	3.61%	3.78%	4.04%	3.97%	3.49%	3.98%	2.79%	
B.2.19.3.2.1	Loop + Port Combinations/>=10 circuits/Dispatch/TN (%)	16.54%	28.57%	22.12%	14.29%	19.30%	0.00%	14.81%	0.00%	20.95%	50.00%	1,2,3,4,5

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.19.3.2.2	Loop + Port Combinations/>=10 circuits/Non-Dispatch/TN (%)	15.56%	0.00%	7.69%	0.00%	5.71%		10.64%		10.61%	0.00%	1,2,5
B.2.19.3.2.3	Loop + Port Combinations/>=10 circuits/Switch Based Orders/TN (%)	11.11%	0.00%	8.33%		0.00%		20.00%		14.29%		1
B.2.19.3.2.4	Loop + Port Combinations/>=10 circuits/Dispatch In/TN (%)	16.67%	0.00%	7.55%	0.00%	9.09%		8.11%		9.62%	0.00%	1,2,5
B.2.19.4.1.1	Combo Other/<10 circuits/Dispatch/TN (%)	10.54%	8.57%	11.08%	14.63%	11.46%	22.22%	10.83%	15.79%	9.95%	16.67%	
B.2.19.4.1.4	Combo Other/<10 circuits/Dispatch In/TN (%)	10.54%		11.08%		11.46%		10.83%		9.95%		
B.2.19.5.1.1	xDSL (ADSL, HDSL and UCL)/<10 circuits/Dispatch/TN (%)	3.69%	4.88%	4.05%	4.49%	4.14%	2.65%	4.65%	3.66%	3.32%	4.05%	
B.2.19.6.1.1	UNE ISDN/<10 circuits/Dispatch/TN (%)	8.49%	15.94%	7.53%	11.29%	7.46%	16.36%	7.45%	8.06%	6.16%	11.43%	
B.2.19.7.1.1	Line Sharing/<10 circuits/Dispatch/TN (%)	3.69%	20.00%	4.05%	0.00%	4.14%	40.00%	4.65%	14.29%	3.32%	0.00%	2,3,4,5
B.2.19.7.1.2	Line Sharing/<10 circuits/Non-Dispatch/TN (%)	1.70%	4.35%	3.27%	6.67%	3.18%	13.16%	2.24%	22.92%	2.64%	23.53%	
B.2.19.8.1.1	2W Analog Loop Design/<10 circuits/Dispatch/TN (%)	10.79%	6.57%	11.42%	8.38%	11.94%	10.99%	11.35%	3.85%	10.21%	11.21%	
B.2.19.8.1.2	2W Analog Loop Design/<10 circuits/Non-Dispatch/TN (%)	10.79%		11.42%		11.94%		11.35%		10.21%		
B.2.19.8.2.1	2W Analog Loop Design/>=10 circuits/Dispatch/TN (%)	16.54%		22.12%		19.30%		14.81%		20.95%		
B.2.19.8.2.2	2W Analog Loop Design/>=10 circuits/Non-Dispatch/TN (%)	16.54%		22.12%		19.30%		14.81%		20.95%		
B.2.19.9.1.1	2W Analog Loop Non-Design/<10 circuits/Dispatch/TN (%)	10.86%	0.00%	11.38%	0.00%	11.95%	5.56%	11.37%	6.12%	10.38%	6.00%	
B.2.19.9.1.4	2W Analog Loop Non-Design/<10 circuits/Dispatch In/TN (%)	3.34%		3.33%		3.78%		3.97%		3.99%	0.00%	5
B.2.19.9.2.1	2W Analog Loop Non-Design/>=10 circuits/Dispatch/TN (%)	14.43%		20.59%		17.14%		12.33%		15.73%		
B.2.19.9.2.4	2W Analog Loop Non-Design/>=10 circuits/Dispatch In/TN			0.00%						0.00%		

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.19.10.1.1	2W Analog Loop w/INP Design/<10 circuits/Dispatch/TN (%)	10.79%		11.42%		11.94%		11.35%		10.21%		
B.2.19.11.1.1	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch/TN (%)	10.86%		11.38%		11.95%		11.37%		10.38%		
B.2.19.11.1.4	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch In/TN (%)	3.34%		3.33%		3.78%		3.97%		3.99%	0.00%	5
B.2.19.11.2.1	2W Analog Loop w/INP Non-Design/>=10 circuits/Dispatch/TN (%)	14.43%		20.59%		17.14%		12.33%		15.73%		
B.2.19.12.1.1	2W Analog Loop w/LNP Design/<10 circuits/Dispatch/TN (%)	10.79%	8.99%	11.42%	10.31%	11.94%	11.54%	11.35%	6.90%	10.21%	10.23%	
B.2.19.12.2.1	2W Analog Loop w/LNP Design/>=10 circuits/Dispatch/TN (%)	16.54%		22.12%		19.30%		14.81%		20.95%		
B.2.19.13.1.1	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch/TN (%)	10.86%		11.38%		11.95%		11.37%		10.38%	0.00%	5
B.2.19.13.1.4	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch In/TN (%)	3.34%		3.33%		3.78%		3.97%	0.00%	3.99%		4
B.2.19.13.2.1	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch/TN (%)	14.43%		20.59%		17.14%		12.33%		15.73%		
B.2.19.13.2.4	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch	0.00%								0.00%		
B.2.19.14.1.1	Other Design/<10 circuits/Dispatch/TN (%)	7.20%		6.22%		6.03%		5.13%		6.33%		
B.2.19.15.1.1	Other Non-Design/<10 circuits/Dispatch/TN (%)	10.79%	100.00%	11.42%	0.00%	11.94%		11.35%		10.21%		1,2
B.2.19.15.1.2	Other Non-Design/<10 circuits/Non-Dispatch/TN (%)	3.27%		3.18%		3.51%		3.68%		3.60%		

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.19.15.2.1	Other Non-Design/>=10 circuits/Dispatch/TN (%)	16.54%		22.12%		19.30%		14.81%		20.95%		
B.2.19.16.1.2	INP (Standalone)/<10 circuits/Non-Dispatch/TN (%)	3.28%	0.00%	3.18%		3.51%		3.68%		3.60%	0.00%	1,5
B.2.19.17.1.1	LNP (Standalone)/<10 circuits/Dispatch/TN (%)	10.86%	0.00%	11.38%		11.95%		11.37%	0.00%	10.38%	0.00%	1,4,5
B.2.19.17.1.2	LNP (Standalone)/<10 circuits/Non-Dispatch/TN (%)	3.28%	0.00%	3.18%	0.00%	3.51%	0.00%	3.68%	0.00%	3.60%	0.00%	
B.2.19.17.2.1	LNP (Standalone)/>=10 circuits/Dispatch/TN (%)	14.43%		20.59%		17.14%		12.33%		15.73%		
B.2.19.17.2.2	LNP (Standalone)/>=10 circuits/Non-Dispatch/TN (%)		0.00%	0.00%	0.00%		0.00%	0.00%	0.00%	0.00%	0.00%	1,2,3,4,5
B.2.19.18.1.1	Digital Loop < DS1/<10 circuits/Dispatch/TN (%)	4.34%	9.72%	4.39%	7.53%	4.87%	7.14%	5.09%	5.88%	4.12%	6.73%	
B.2.19.19.1.1	Digital Loop >= DS1/<10 circuits/Dispatch/TN (%)	5.51%	19.23%	10.24%	14.58%	6.63%	14.41%	3.52%	18.92%	3.92%	16.58%	
	<b>Average Completion Notice Interval - Mechanized</b>											
B.2.21.3.1.1	Loop + Port Combinations/<10 circuits/Dispatch/TN (hours)	1.09	0.09	1.49	0.02	2.72	0.13	2.25	0.24	2.40	0.04	
B.2.21.3.1.2	Loop + Port Combinations/<10 circuits/Non-Dispatch/TN (hours)	0.92	0.96	0.97	0.93	1.18	1.06	1.20	0.83	0.95	0.67	
B.2.21.3.1.3	Loop + Port Combinations/<10 circuits/Switch Based Orders/TN (hours)	1.01	0.83	0.99	0.84	1.25	0.94	1.29	0.76	1.05	0.64	
B.2.21.3.1.4	Loop + Port Combinations/<10 circuits/Dispatch In/TN (hours)	0.84	1.01	0.95	0.98	1.12	1.10	1.12	0.84	0.87	0.67	
B.2.21.3.2.1	Loop + Port Combinations/>=10 circuits/Dispatch/TN (hours)	8.73	0.02	0.26	0.02	3.16	0.02	2.44	0.02	3.41	0.02	1,2,3,4,5
B.2.21.3.2.2	Loop + Port Combinations/>=10 circuits/Non-Dispatch/TN (hours)	0.76	0.90	15.56		0.81		1.80		0.60		1
B.2.21.3.2.4	Loop + Port Combinations/>=10 circuits/Dispatch In/TN (hours)	0.77	0.90	24.29		0.78		0.78		0.64		1
B.2.21.4.1.1	Combo Other/<10 circuits/Dispatch/TN (hours)	9.87		14.18	32.31	16.32	18.59	15.65		18.74		2,3

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.21.5.1.1	xDSL (ADSL, HDSL and UCL)/<10 circuits/Dispatch/TN (hours)	8.33		5.11	7.35	5.56	14.14	5.20	11.15	4.83	9.74	
B.2.21.6.1.1	UNE ISDN/<10 circuits/Dispatch/TN (hours)	34.80	25.62	50.04	10.34	32.08	15.36	18.85	26.09	45.56	47.82	
B.2.21.7.1.1	Line Sharing/<10 circuits/Dispatch/TN (hours)	8.33	55.33	5.11		5.56		5.20		4.83		1
B.2.21.7.1.2	Line Sharing/<10 circuits/Non-Dispatch/TN (hours)	1.00		1.23		1.46		0.96	1.07	0.86		4
B.2.21.8.1.1	2W Analog Loop Design/<10 circuits/Dispatch/TN (hours)	1.09	18.02	1.49	28.89	2.72	20.87	2.25	26.78	2.40	27.31	
B.2.21.8.2.1	2W Analog Loop Design/>=10 circuits/Dispatch/TN (hours)	8.73		0.26		3.16		2.44		3.41		
B.2.21.9.1.1	2W Analog Loop Non-Design/<10 circuits/Dispatch/TN (hours)	1.03	0.02	1.22	0.02	2.69	0.06	2.20	0.24	2.32	0.06	
B.2.21.9.1.4	2W Analog Loop Non-Design/<10 circuits/Dispatch In/TN (hours)	0.84		0.94		1.12		1.12	0.02	0.87		4
B.2.21.9.2.1	2W Analog Loop Non-Design/>=10 circuits/Dispatch/TN (hours)	1.82		0.35		3.50		2.27		4.18		
B.2.21.12.1.1	2W Analog Loop w/LNP Design/<10 circuits/Dispatch/TN (hours)	1.09	14.98	1.49	6.92	2.72	20.43	2.25	12.75	2.40	4.57	
B.2.21.12.2.1	2W Analog Loop w/LNP Design/>=10 circuits/Dispatch/TN (hours)	8.73		0.26		3.16		2.44		3.41		
B.2.21.13.1.1	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch/TN (hours)	1.03		1.22		2.69		2.20		2.32		
B.2.21.13.1.4	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch In/TN (hours)	0.84		0.94		1.12		1.12		0.87		

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Tennessee Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.21.13.2.1	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch/TN (hours)	1.82		0.35		3.50		2.27		4.18		
B.2.21.13.2.4	2W Analog Loop w/LNP Non-Design/>=10 circuits/Dispatch In/TN (hours)	0.48						0.63				
B.2.21.15.1.2	Other Non-Design/<10 circuits/Non-Dispatch/TN (hours)	0.92		0.97		1.18		1.20		0.95		
B.2.21.17.1.1	LNP (Standalone)<10 circuits/Dispatch/TN (hours)	1.03		1.22		2.69		2.20	0.16	2.32		4
B.2.21.17.1.2	LNP (Standalone)<10 circuits/Non-Dispatch/TN (hours)	0.92	0.66	0.96	0.67	1.18	0.71	1.20	0.71	0.95	0.63	
B.2.21.17.2.2	LNP (Standalone)>=10 circuits/Non-Dispatch/TN (hours)	0.55			0.43	0.83	0.82	23.62	0.75	0.43		2,3,4
B.2.21.18.1.1	Digital Loop < DS1/<10 circuits/Dispatch/TN (hours)	16.86	25.62	18.69	8.83	15.83	14.05	16.28	16.68	12.55	17.23	
B.2.21.19.1.1	Digital Loop >= DS1/<10 circuits/Dispatch/TN (hours)	82.12	32.58	134.39	34.84	119.68	43.98	128.70	38.86	164.60	57.80	
	<b>Average Completion Notice Interval - Non-Mechanized</b>											
B.2.22.2.1.1	Local Interoffice Transport/<10 circuits/Dispatch/TN (hours)		16.46									
B.2.22.3.1.1	Loop + Port Combinations/<10 circuits/Dispatch/TN (hours)		14.64		16.49		22.49		20.09		23.82	
B.2.22.3.1.2	Loop + Port Combinations/<10 circuits/Non-Dispatch/TN (hours)		4.18		9.31		8.10		6.78		8.64	
B.2.22.3.1.3	Loop + Port Combinations/<10 circuits/Switch Based Orders/TN (hours)		2.04		7.56		4.38		4.97		6.17	
B.2.22.3.1.4	Loop + Port Combinations/<10 circuits/Dispatch In/TN (hours)		11.69		14.06		17.18		12.98		13.45	
B.2.22.3.2.1	Loop + Port Combinations/>=10 circuits/Dispatch/TN (hours)				17.24				40.73		17.92	2,4,5
B.2.22.3.2.2	Loop + Port Combinations/>=10 circuits/Non-Dispatch/TN (hours)		14.00						27.10			1,4

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Tennessee Performance Metric Data

Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.2.22.3.2.4	Loop + Port Combinations/>=10 circuits/Dispatch In/TN (hours)		14.00						27.10			1,4
B.2.22.4.1.1	Combo Other/<10 circuits/Dispatch/TN (hours)		70.76		59.51		37.58		48.50		49.73	
B.2.22.5.1.1	xDSL (ADSL, HDSL and UCL)/<10 circuits/Dispatch/TN (hours)		11.93		16.37		11.46		19.99		23.63	5
B.2.22.6.1.1	UNE ISDN/<10 circuits/Dispatch/TN (hours)		31.47		92.87		7.64		33.79		34.32	4,5
B.2.22.7.1.1	Line Sharing/<10 circuits/Dispatch/TN (hours)		0.34		0.02		0.02		0.02		4.83	1,2,3,4,5
B.2.22.7.1.2	Line Sharing/<10 circuits/Non-Dispatch/TN (hours)		0.68		0.78		0.77		3.77		0.67	
B.2.22.8.1.1	2W Analog Loop Design/<10 circuits/Dispatch/TN (hours)		46.98		52.85		54.78		90.47		36.76	5
B.2.22.9.1.1	2W Analog Loop Non-Design/<10 circuits/Dispatch/TN (hours)								17.82		8.64	4,5
B.2.22.11.1.4	2W Analog Loop w/INP Non-Design/<10 circuits/Dispatch In/TN (hours)								13.80			4
B.2.22.12.1.1	2W Analog Loop w/LNP Design/<10 circuits/Dispatch/TN (hours)		53.77		21.19		167.62		17.55		21.20	1,3,4
B.2.22.13.1.1	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch/TN (hours)								0.02		31.33	4,5
B.2.22.13.1.4	2W Analog Loop w/LNP Non-Design/<10 circuits/Dispatch In/TN (hours)						13.77					3
B.2.22.15.1.1	Other Non-Design/<10 circuits/Dispatch/TN (hours)		20.40									1
B.2.22.16.1.2	INP (Standalone)/<10 circuits/Non-Dispatch/TN (hours)								55.68			4
B.2.22.17.1.1	LNP (Standalone)/<10 circuits/Dispatch/TN (hours)						0.02		0.02			3,4
B.2.22.17.1.2	LNP (Standalone)/<10 circuits/Non-Dispatch/TN (hours)		3.17		2.69		3.57		3.48		3.60	
B.2.22.17.2.2	LNP (Standalone)/>=10 circuits/Non-Dispatch/TN (hours)		0.74		0.86		3.99		0.71			1,2,3,4
B.2.22.18.1.1	Digital Loop < DS1/<10 circuits/Dispatch/TN (hours)		14.54		24.62		9.77		24.33		30.77	5
B.2.22.19.1.1	Digital Loop >= DS1/<10 circuits/Dispatch/TN (hours)		49.90		48.03		48.27		54.95		46.44	



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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
	<b>Service Order Accuracy</b>											
B.2.34.1.1.1	Design (Specials)/<10 circuits/Dispatch/TN (%)		100.00%		100.00%		100.00%		100.00%		99.55%	
B.2.34.1.1.2	Design (Specials)/<10 circuits/Non-Dispatch/TN (%)		67.07%		69.33%		84.42%		91.11%		99.01%	
B.2.34.1.2.1	Design (Specials)/>=10 circuits/Dispatch/TN (%)		100.00%		100.00%		96.00%		100.00%		100.00%	
B.2.34.1.2.2	Design (Specials)/>=10 circuits/Non-Dispatch/TN (%)		100.00%		90.91%		85.71%		94.12%		100.00%	1,3
B.2.34.2.1.1	Loops Non-Design/<10 circuits/Dispatch/TN (%)		96.00%		96.33%		97.33%		97.60%		99.00%	
B.2.34.2.1.2	Loops Non-Design/<10 circuits/Non-Dispatch/TN (%)		100.00%		98.02%		97.05%		99.43%		100.00%	
B.2.34.2.2.1	Loops Non-Design/>=10 circuits/Dispatch/TN (%)		97.90%		97.73%		91.30%		98.98%		97.30%	
B.2.34.2.2.2	Loops Non-Design/>=10 circuits/Non-Dispatch/TN (%)		98.73%		97.53%		98.57%		98.99%		97.67%	
<b>Unbundled Network Elements - Maintenance and Repair</b>												
	<b>Missed Repair Appointments</b>											
B.3.1.1.1	Switch Ports/Dispatch/TN (%)	5.85%		5.89%		8.11%		6.67%		9.39%		
B.3.1.1.2	Switch Ports/Non-Dispatch/TN (%)	1.08%		0.85%		1.21%		1.06%		1.41%		
B.3.1.2.1	Local Interoffice Transport/Dispatch/TN (%)	0.00%	0.00%	0.99%	0.00%	0.96%	0.00%	0.00%	0.00%	1.00%	0.00%	2
B.3.1.2.2	Local Interoffice Transport/Non-Dispatch/TN (%)	0.00%	0.00%	0.42%	0.00%	0.35%	0.00%	0.35%	0.00%	0.38%	0.00%	1
B.3.1.3.1	Loop + Port	5.86%	4.87%	5.91%	6.62%	8.13%	6.61%	6.70%	7.49%	9.42%	10.45%	
B.3.1.3.2	Loop + Port Combinations/Non-Dispatch/TN (%)	1.10%	4.52%	0.88%	4.08%	1.24%	2.58%	1.13%	1.88%	1.44%	2.46%	
B.3.1.4.1	Combo Other/Dispatch/TN (%)	5.84%	0.00%	5.80%	0.00%	8.07%	2.63%	6.66%	0.00%	9.33%	3.33%	
B.3.1.4.2	Combo Other/Non-Dispatch/TN (%)	5.84%	0.00%	5.80%	0.00%	8.07%	0.00%	6.66%	0.00%	9.33%	0.00%	1,2
B.3.1.5.1	xDSL (ADSL, HDSL and UCL)/Dispatch/TN (%)	49.03%	0.00%	40.16%	5.56%	45.25%	0.00%	39.61%	6.67%	41.79%	0.00%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.1.5.2	xDSL (ADSL, HDSL and UCL)/Non-Dispatch/TN (%)	3.83%	0.00%	2.10%	0.00%	2.43%	12.50%	2.38%	0.00%	1.92%	0.00%	2,3,4,5
B.3.1.6.1	UNE ISDN/Dispatch/TN (%)	16.44%	5.88%	10.12%	7.41%	23.77%	0.00%	14.13%	6.06%	23.96%	11.54%	
B.3.1.6.2	UNE ISDN/Non-Dispatch/TN (%)	1.90%	0.00%	2.27%	0.00%	3.75%	0.00%	4.01%	0.00%	5.43%	0.00%	2,4,5
B.3.1.7.1	Line Sharing/Dispatch/TN (%)	49.03%	16.67%	40.16%	30.00%	45.25%	22.22%	39.61%	0.00%	41.79%	20.00%	1,3,4,5
B.3.1.7.2	Line Sharing/Non-Dispatch/TN (%)	3.83%	14.29%	2.10%	16.67%	2.43%	16.67%	2.38%	16.67%	1.92%	0.00%	1,2
B.3.1.8.1	2W Analog Loop Design/Dispatch/TN (%)	5.86%	4.41%	5.91%	9.74%	8.13%	4.61%	6.70%	2.04%	9.42%	11.80%	
B.3.1.8.2	2W Analog Loop Design/Non-Dispatch/TN (%)	5.86%	0.00%	5.91%	1.35%	8.13%	0.00%	6.70%	0.00%	9.42%	1.45%	
B.3.1.9.1	2W Analog Loop Non-	5.83%	0.00%	5.87%	0.00%	8.08%	0.00%	6.65%	0.00%	9.38%	11.11%	1,2,3,4,5
B.3.1.9.2	2W Analog Loop Non-Design/Non-	0.85%	0.00%	0.78%	0.00%	1.20%	0.00%	1.07%	0.00%	1.26%	0.00%	
B.3.1.10.1	Other Design/Dispatch/TN (%)	5.09%	0.00%	2.77%	0.00%	6.37%	0.00%	5.55%	0.00%	6.34%	0.66%	1,2,3
B.3.1.10.2	Other Design/Non-Dispatch/TN (%)	1.07%	0.00%	0.73%	0.00%	1.05%	0.00%	1.82%	0.00%	1.52%	0.00%	2
B.3.1.11.1	Other Non-Design/Dispatch/TN (%)	5.86%	0.00%	5.91%	0.00%	8.13%	0.00%	6.70%	0.00%	9.42%	0.00%	
B.3.1.11.2	Other Non-Design/Non-Dispatch/TN (%)	1.10%	0.00%	0.88%	0.00%	1.24%	0.00%	1.13%	0.00%	1.44%	0.00%	1
B.3.1.12.1	LNP (Standalone)/Dispatch/TN (%)	5.85%		5.89%		8.11%		6.67%		9.39%		
B.3.1.12.2	LNP (Standalone)/Non-Dispatch/TN (%)	1.08%		0.85%		1.21%		1.06%		1.41%		
	<b>Customer Trouble Report Rate</b>											
B.3.2.1.1	Switch Ports/Dispatch/TN (%)	1.98%		1.92%		2.43%		2.30%		2.13%		
B.3.2.1.2	Switch Ports/Non-Dispatch/TN (%)	0.99%		0.89%		1.15%		1.02%		0.98%		
B.3.2.2.1	Local Interoffice Transport/Dispatch/TN (%)	2.03%	0.00%	2.28%	1.97%	2.77%	0.00%	2.33%	0.00%	2.18%	0.00%	
B.3.2.2.2	Local Interoffice Transport/Non-Dispatch/TN (%)	1.26%	1.03%	1.06%	0.00%	1.27%	0.00%	1.26%	0.00%	1.16%	0.00%	
B.3.2.3.1	Loop + Port	1.89%	1.42%	1.84%	1.34%	2.33%	1.58%	2.20%	1.64%	2.04%	1.63%	
B.3.2.3.2	Loop + Port Combinations/Non-Dispatch/TN (%)	0.95%	0.42%	0.85%	0.47%	1.10%	0.45%	0.98%	0.47%	0.95%	0.41%	
B.3.2.4.1	Combo Other/Dispatch/TN (%)	1.66%	2.87%	1.61%	5.71%	2.04%	9.03%	1.96%	7.88%	1.81%	6.15%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.2.4.2	Combo Other/Non-Dispatch/TN (%)	1.66%	1.72%	1.61%	2.08%	2.04%	4.51%	1.96%	3.28%	1.81%	2.87%	
B.3.2.5.1	xDSL (ADSL, HDSL and UCL)/Dispatch/TN (%)	1.34%	0.48%	1.17%	0.86%	1.74%	0.75%	1.41%	1.39%	1.30%	0.50%	
B.3.2.5.2	xDSL (ADSL, HDSL and UCL)/Non-Dispatch/TN (%)	1.99%	0.44%	2.19%	0.14%	2.72%	0.38%	2.27%	0.23%	2.60%	0.05%	
B.3.2.6.1	UNE ISDN/Dispatch/TN (%)	1.54%	1.67%	1.46%	1.32%	1.67%	1.42%	1.77%	1.61%	1.38%	1.28%	
B.3.2.6.2	UNE ISDN/Non-Dispatch/TN (%)	1.31%	0.88%	1.30%	0.39%	1.16%	0.59%	1.30%	0.29%	0.88%	0.34%	
B.3.2.7.1	Line Sharing/Dispatch/TN (%)	1.34%	0.82%	1.17%	1.33%	1.74%	1.17%	1.41%	0.57%	1.30%	0.76%	
B.3.2.7.2	Line Sharing/Non-Dispatch/TN (%)	1.99%	0.95%	2.19%	0.80%	2.72%	3.13%	2.27%	1.72%	2.60%	2.14%	
B.3.2.8.1	2W Analog Loop Design/Dispatch/TN (%)	1.89%	0.65%	1.84%	0.64%	2.33%	0.89%	2.20%	0.83%	2.04%	0.83%	
B.3.2.8.2	2W Analog Loop Design/Non-Dispatch/TN (%)	1.89%	0.15%	1.84%	0.18%	2.33%	0.19%	2.20%	0.12%	2.04%	0.17%	
B.3.2.9.1	2W Analog Loop Non-	1.97%	1.23%	1.91%	2.44%	2.42%	1.20%	2.29%	0.81%	2.12%	1.68%	
B.3.2.9.2	2W Analog Loop Non-Design/Non-	0.90%	0.00%	0.81%	0.00%	1.05%	0.00%	0.93%	0.00%	0.90%	0.00%	
B.3.2.10.1	Other Design/Dispatch/TN (%)	0.34%	2.05%	0.37%	0.35%	0.44%	0.35%	0.44%	0.00%	0.40%	3.09%	
B.3.2.10.2	Other Design/Non-Dispatch/TN (%)	0.32%	0.00%	0.32%	0.35%	0.35%	0.00%	0.38%	0.00%	0.28%	1.39%	
B.3.2.11.1	Other Non-Design/Dispatch/TN (%)	1.89%	0.00%	1.84%	0.00%	2.33%	0.00%	2.20%	0.00%	2.04%	0.00%	
B.3.2.11.2	Other Non-Design/Non-Dispatch/TN (%)	0.95%	0.08%	0.85%	0.00%	1.10%	0.00%	0.98%	0.00%	0.95%	0.00%	
	<b>Maintenance Average Duration</b>											
B.3.3.1.1	Switch Ports/Dispatch/TN (hours)	29.39		25.61		33.78		28.40		30.68		
B.3.3.1.2	Switch Ports/Non-Dispatch/TN (hours)	11.78		9.58		13.47		10.81		14.57		
B.3.3.2.1	Local Interoffice Transport/Dispatch/TN (hours)	3.91	0.00	4.07	3.28	4.12	0.00	3.79	0.00	4.47	0.00	2
B.3.3.2.2	Local Interoffice Transport/Non-Dispatch/TN (hours)	1.70	5.88	1.94	0.00	1.97	0.00	1.74	0.00	1.96	0.00	1
B.3.3.3.1	Loop + Port Combinations/Dispatch/TN (hours)	29.24	11.03	25.51	12.26	33.60	14.01	28.25	14.62	30.55	18.32	
B.3.3.3.2	Loop + Port Combinations/Non-Dispatch/TN (hours)	11.69	5.91	9.51	4.46	13.35	4.46	10.73	3.68	14.41	5.91	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.3.4.1	Combo Other/Dispatch/TN (hours)	28.57	3.72	24.84	4.47	32.76	4.99	27.63	4.63	29.88	5.87	
B.3.3.4.2	Combo Other/Non-Dispatch/TN (hours)	28.57	2.22	24.84	1.27	32.76	2.96	27.63	0.83	29.88	4.03	1,2
B.3.3.5.1	xDSL (ADSL, HDSL and UCL)/Dispatch/TN (hours)	48.16	5.25	33.22	6.89	38.62	6.99	31.51	11.11	32.60	10.43	
B.3.3.5.2	xDSL (ADSL, HDSL and UCL)/Non-Dispatch/TN (hours)	5.03	1.55	1.92	0.58	2.45	7.55	2.20	2.36	1.63	3.53	2,3,4,5
B.3.3.6.1	UNE ISDN/Dispatch/TN (hours)	15.00	7.10	11.90	8.51	16.82	7.83	13.49	9.60	17.83	8.84	
B.3.3.6.2	UNE ISDN/Non-Dispatch/TN (hours)	2.67	4.07	3.46	3.39	4.35	8.22	4.17	2.33	4.65	3.06	2,4,5
B.3.3.7.1	Line Sharing/Dispatch/TN (hours)	48.16	43.33	33.22	43.50	38.62	49.22	31.51	12.00	32.60	44.80	1,3,4,5
B.3.3.7.2	Line Sharing/Non-Dispatch/TN (hours)	5.03	27.43	1.92	15.50	2.45	33.17	2.20	21.75	1.63	5.43	1,2
B.3.3.8.1	2W Analog Loop Design/Dispatch/TN (hours)	29.24	8.07	25.51	10.04	33.60	7.85	28.25	7.69	30.55	10.83	
B.3.3.8.2	2W Analog Loop Design/Non-Dispatch/TN (hours)	29.24	2.94	25.51	3.65	33.60	3.16	28.25	2.15	30.55	3.93	
B.3.3.9.1	2W Analog Loop Non-Design/Dispatch/TN (hours)	29.37	2.00	25.59	6.67	33.79	5.00	28.41	11.75	30.69	5.44	1,2,3,4,5
B.3.3.9.2	2W Analog Loop Non-Design/Non-Dispatch/TN (hours)	12.15	0.00	10.12	0.00	14.27	0.00	11.45	0.00	15.41	0.00	
B.3.3.10.1	Other Design/Dispatch/TN (hours)	7.33	4.47	6.36	3.38	7.93	7.32	7.77	0.00	8.21	4.85	1,2,3
B.3.3.10.2	Other Design/Non-Dispatch/TN (hours)	2.35	0.00	2.66	2.38	2.75	0.00	3.04	0.00	2.83	2.02	2
B.3.3.11.1	Other Non-Design/Dispatch/TN (hours)	29.24	0.00	25.51	0.00	33.60	0.00	28.25	0.00	30.55	0.00	
B.3.3.11.2	Other Non-Design/Non-Dispatch/TN (hours)	11.69	1.00	9.51	0.00	13.35	0.00	10.73	0.00	14.41	0.00	1
B.3.3.12.1	LNP (Standalone)/Dispatch/TN (hours)	29.39		25.61		33.78		28.40		30.68		
B.3.3.12.2	LNP (Standalone)/Non-Dispatch/TN (hours)	11.78		9.58		13.47		10.81		14.57		
	<b>% Repeat Troubles within 30 Days</b>											
B.3.4.1.1	Switch Ports/Dispatch/TN (%)	18.09%		17.23%		18.89%		18.59%		17.89%		

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.4.1.2	Switch Ports/Non-Dispatch/TN (%)	15.03%		13.94%		14.72%		14.88%		13.83%		
B.3.4.2.1	Local Interoffice Transport/Dispatch/TN (%)	23.77%	0.00%	23.91%	0.00%	22.65%	0.00%	22.70%	0.00%	21.64%	0.00%	2
B.3.4.2.2	Local Interoffice Transport/Non-Dispatch/TN (%)	18.12%	0.00%	19.07%	0.00%	20.91%	0.00%	25.00%	0.00%	20.30%	0.00%	1
B.3.4.3.1	Loop + Port Combinations/Dispatch/TN (%)	18.05%	10.32%	17.22%	9.88%	18.85%	12.79%	18.57%	12.22%	17.84%	12.68%	
B.3.4.3.2	Loop + Port Combinations/Non-Dispatch/TN (%)	15.00%	8.39%	13.87%	12.77%	14.62%	12.63%	14.80%	10.46%	13.82%	10.04%	
B.3.4.4.1	Combo Other/Dispatch/TN (%)	18.06%	10.00%	17.39%	31.82%	19.02%	26.32%	18.78%	52.78%	17.99%	36.67%	
B.3.4.4.2	Combo Other/Non-Dispatch/TN (%)	18.06%	16.67%	17.39%	37.50%	19.02%	15.79%	18.78%	33.33%	17.99%	28.57%	1,2
B.3.4.5.1	xDSL (ADSL, HDSL and UCL)/Dispatch/TN (%)	24.44%	0.00%	29.02%	5.56%	29.85%	12.50%	27.55%	6.67%	28.85%	9.09%	
B.3.4.5.2	xDSL (ADSL, HDSL and UCL)/Non-Dispatch/TN (%)	24.60%	10.00%	27.71%	0.00%	28.88%	12.50%	28.05%	0.00%	25.53%	0.00%	2,3,4,5
B.3.4.6.1	UNE ISDN/Dispatch/TN (%)	18.87%	14.71%	26.59%	3.70%	23.77%	10.34%	21.07%	21.21%	23.96%	19.23%	
B.3.4.6.2	UNE ISDN/Non-Dispatch/TN (%)	20.00%	16.67%	18.45%	25.00%	20.97%	33.33%	18.61%	0.00%	16.85%	14.29%	2,4,5
B.3.4.7.1	Line Sharing/Dispatch/TN (%)	24.44%	50.00%	29.02%	40.00%	29.85%	33.33%	27.55%	50.00%	28.85%	60.00%	1,3,4,5
B.3.4.7.2	Line Sharing/Non-Dispatch/TN (%)	24.60%	0.00%	27.71%	33.33%	28.88%	37.50%	28.05%	33.33%	25.53%	35.71%	1,2
B.3.4.8.1	2W Analog Loop Design/Dispatch/TN (%)	18.05%	6.25%	17.22%	6.37%	18.85%	8.13%	18.57%	9.04%	17.84%	7.37%	
B.3.4.8.2	2W Analog Loop Design/Non-Dispatch/TN (%)	18.05%	7.81%	17.22%	12.16%	18.85%	6.41%	18.57%	6.12%	17.84%	1.45%	
B.3.4.9.1	2W Analog Loop Non-Design/Dispatch/TN (%)	18.07%	25.00%	17.22%	22.22%	18.87%	0.00%	18.58%	0.00%	17.87%	0.00%	1,2,3,4,5
B.3.4.9.2	2W Analog Loop Non-Design/Non-Dispatch/TN (%)	15.20%	0.00%	14.17%	0.00%	14.95%	0.00%	15.11%	0.00%	13.98%	0.00%	
B.3.4.10.1	Other Design/Dispatch/TN (%)	18.23%	0.00%	22.26%	0.00%	24.27%	0.00%	25.24%	0.00%	23.09%	21.19%	1,2,3
B.3.4.10.2	Other Design/Non-Dispatch/TN (%)	18.04%	0.00%	15.96%	0.00%	19.61%	0.00%	16.72%	0.00%	15.78%	16.18%	2
B.3.4.11.1	Other Non-Design/Dispatch/TN (%)	18.05%	0.00%	17.22%	0.00%	18.85%	0.00%	18.57%	0.00%	17.84%	0.00%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.4.11.2	Other Non-Design/Non-Dispatch/TN (%)	15.00%	0.00%	13.87%	0.00%	14.62%	0.00%	14.80%	0.00%	13.82%	0.00%	1
B.3.4.12.1	LNP (Standalone)/Dispatch/TN (%)	18.09%		17.23%		18.89%		18.59%		17.89%		
B.3.4.12.2	LNP (Standalone)/Non-Dispatch/TN (%)	15.03%		13.94%		14.72%		14.88%		13.83%		
	<i>Out of Service &gt; 24 hours</i>											
B.3.5.1.1	Switch Ports/Dispatch/TN (%)	38.78%		31.57%		44.76%		37.68%		41.05%		
B.3.5.1.2	Switch Ports/Non-Dispatch/TN (%)	19.68%		14.81%		25.61%		19.03%		30.31%		
B.3.5.2.1	Local Interoffice Transport/Dispatch/TN (%)	0.00%	0.00%	0.99%	0.00%	0.96%	0.00%	0.00%	0.00%	1.00%	0.00%	2
B.3.5.2.2	Local Interoffice Transport/Non-Dispatch/TN (%)	0.00%	0.00%	0.42%	0.00%	0.35%	0.00%	0.35%	0.00%	0.38%	0.00%	1
B.3.5.3.1	Loop + Port Combinations/Dispatch/TN (%)	38.53%	6.65%	31.42%	10.10%	44.52%	12.63%	37.45%	14.05%	40.85%	23.57%	
B.3.5.3.2	Loop + Port Combinations/Non-Dispatch/TN (%)	19.40%	0.56%	14.58%	1.17%	25.22%	3.08%	18.70%	2.70%	29.80%	7.87%	
B.3.5.4.1	Combo Other/Dispatch/TN (%)	36.96%	0.00%	29.94%	0.00%	42.65%	2.63%	35.98%	0.00%	39.32%	3.33%	
B.3.5.4.2	Combo Other/Non-Dispatch/TN (%)	36.96%	0.00%	29.94%	0.00%	42.65%	0.00%	35.98%	0.00%	39.32%	0.00%	1,2
B.3.5.5.1	xDSL (ADSL, HDSL and UCL)/Dispatch/TN (%)	49.03%	0.00%	40.16%	5.56%	45.25%	0.00%	39.61%	6.67%	41.79%	0.00%	
B.3.5.5.2	xDSL (ADSL, HDSL and UCL)/Non-Dispatch/TN (%)	3.83%	0.00%	2.10%	0.00%	2.43%	12.50%	2.38%	0.00%	1.92%	0.00%	2,3,4,5
B.3.5.6.1	UNE ISDN/Dispatch/TN (%)	15.95%	5.88%	10.12%	7.41%	23.77%	0.00%	13.87%	6.06%	24.04%	11.54%	
B.3.5.6.2	UNE ISDN/Non-Dispatch/TN (%)	1.91%	0.00%	2.27%	0.00%	3.75%	0.00%	4.01%	0.00%	5.43%	0.00%	2,4,5
B.3.5.7.1	Line Sharing/Dispatch/TN (%)	49.03%	0.00%	40.16%	0.00%	45.25%	0.00%	39.61%	0.00%	41.79%	0.00%	
B.3.5.7.2	Line Sharing/Non-Dispatch/TN (%)	3.83%	0.00%	2.10%	0.00%	2.43%	0.00%	2.38%	0.00%	1.92%	0.00%	
B.3.5.8.1	2W Analog Loop Design/Dispatch/TN (%)	38.53%	4.41%	31.42%	9.74%	44.52%	4.61%	37.45%	2.04%	40.85%	11.80%	
B.3.5.8.2	2W Analog Loop Design/Non-Dispatch/TN (%)	38.53%	0.00%	31.42%	1.35%	44.52%	0.00%	37.45%	0.00%	40.85%	1.45%	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
B.3.5.9.1	2W Analog Loop Non-Design/Dispatch/TN (%)	38.77%	0.00%	31.58%	0.00%	44.76%	0.00%	37.69%	0.00%	41.05%	0.00%	
B.3.5.9.2	2W Analog Loop Non-Design/Non-Dispatch/TN (%)	19.69%	0.00%	14.82%	0.00%	25.60%	0.00%	19.04%	0.00%	30.28%	0.00%	
B.3.5.10.1	Other Design/Dispatch/TN (%)	5.09%	0.00%	2.77%	0.00%	6.37%	0.00%	5.55%	0.00%	6.34%	0.66%	1,2,3
B.3.5.10.2	Other Design/Non-Dispatch/TN (%)	1.07%	0.00%	0.73%	0.00%	1.05%	0.00%	1.82%	0.00%	1.52%	0.00%	2
B.3.5.11.1	Other Non-Design/Dispatch/TN (%)	38.53%	0.00%	31.42%	0.00%	44.52%	0.00%	37.45%	0.00%	40.85%	0.00%	
B.3.5.11.2	Other Non-Design/Non-Dispatch/TN (%)	19.40%	0.00%	14.58%	0.00%	25.22%	0.00%	18.70%	0.00%	29.80%	0.00%	1
B.3.5.12.1	LNP (Standalone)/Dispatch/TN (%)	38.78%		31.57%		44.76%		37.68%		41.05%		
B.3.5.12.2	LNP (Standalone)/Non-Dispatch/TN (%)	19.68%		14.81%		25.61%		19.03%		30.31%		
<b>Unbundled Network Elements - Billing</b>												
	<i>Invoice Accuracy</i>											
B.4.1	TN (%)	98.50%	99.53%	98.14%	99.99%	97.89%	99.92%	91.42%	99.98%	97.04%	99.54%	
<i>Mean Time to Deliver Invoices - CRIS</i>												
B.4.2	Region (business days)	3.47	3.78	3.82	3.46	4.42	3.86	3.24	3.32	4.05	3.63	
<b>Local Interconnection Trunks - Ordering</b>												
	<i>% Rejected Service Requests</i>											
C.1.1	Local Interconnection Trunks/TN (%)		61.90%		56.76%		83.87%		66.67%		30.77%	
	<i>Reject Interval</i>											
C.1.2	Local Interconnection Trunks/TN (%)		100.00%		100.00%		96.15%		100.00%		75.00%	5
	<i>FOC Timeliness</i>											
C.1.3	Local Interconnection Trunks/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
	<i>FOC &amp; Reject Response Completeness</i>											
C.1.4	Local Interconnection Trunks/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
<b>Local Interconnection Trunks - Provisioning</b>												

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
	<b>Order Completion Interval</b>											
C.2.1	Local Interconnection Trunks/TN (days)	23.02	23.33	27.13	10.56	22.59	15.50	21.70	12.95	26.51	14.15	
	<b>Held Orders</b>											
C.2.2	Local Interconnection Trunks/TN (days)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	<b>% Jeopardies</b>											
C.2.3	Local Interconnection Trunks/TN (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	<b>% Missed Installation Appointments</b>											
C.2.5	Local Interconnection Trunks/TN (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.13%	0.00%	2.44%	0.00%	
	<b>% Provisioning Troubles within 30 Days</b>											
C.2.6	Local Interconnection Trunks/TN (%)	0.00%	0.00%	0.00%	0.00%	1.49%	0.00%	0.00%	0.00%	0.00%	0.00%	
	<b>Average Completion Notice Interval</b>											
C.2.7	Local Interconnection Trunks/TN (hours)	131.42	20.01	136.50	17.60	122.61	38.43	103.65	63.76	88.41	222.14	
	<b>Total Service Order Cycle Time</b>											
C.2.8	Local Interconnection Trunks/TN (days)		24.48		12.29		17.05		13.73		13.51	
	<b>% Completions w/o Notice or &lt; 24 hours</b>											
C.2.10.1	Local Interconnection Trunks/Dispatch/TN (%)		0.00%		0.00%		0.00%		0.00%		0.00%	
	<b>Service Order Accuracy</b>											
C.2.11.1.1	Local Interconnection Trunks/<10 circuits/Dispatch/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
C.2.11.1.2	Local Interconnection Trunks/<10 circuits/Non-Dispatch/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
C.2.11.2.1	Local Interconnection Trunks/>=10 circuits/Dispatch/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	2,3,4



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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
C.2.11.2.2	Local Interconnection Trunks/>=10 circuits/Non-Dispatch/TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
<b>Local Interconnection Trunks - Maintenance and Repair</b>												
	<i>Missed Repair Appointments</i>											
C.3.1.1	Local Interconnection Trunks/Dispatch/TN (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
C.3.1.2	Local Interconnection Trunks/Non-Dispatch/TN (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1,4,5
	<i>Customer Trouble Report Rate</i>											
C.3.2.1	Local Interconnection Trunks/Dispatch/TN (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
C.3.2.2	Local Interconnection Trunks/Non-Dispatch/TN (%)	0.08%	0.00%	0.01%	0.00%	0.02%	0.00%	0.00%	0.00%	0.01%	0.01%	
	<i>Maintenance Average Duration</i>											
C.3.3.1	Local Interconnection Trunks/Dispatch/TN (hours)	1.82	0.00	6.06	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
C.3.3.2	Local Interconnection Trunks/Non-Dispatch/TN (hours)	0.60	0.42	0.36	0.00	4.24	0.00	0.66	6.65	1.02	1.59	1,4,5
	<i>% Repeat Troubles within 30 Days</i>											
C.3.4.1	Local Interconnection Trunks/Dispatch/TN (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
C.3.4.2	Local Interconnection Trunks/Non-Dispatch/TN (%)	0.66%	0.00%	0.00%	0.00%	26.67%	0.00%	11.11%	0.00%	0.00%	0.00%	1,4,5
	<i>Out of Service &gt; 24 hours</i>											
C.3.5.1	Local Interconnection Trunks/Dispatch/TN (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
C.3.5.2	Local Interconnection Trunks/Non-Dispatch/TN (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1,4,5
<b>Local Interconnection Trunks - Billing</b>												
	<i>Invoice Accuracy</i>											
C.4.1	TN (%)	98.50%	98.15%	98.14%	99.90%	97.89%	99.83%	91.42%	99.38%	97.04%	90.65%	
	Mean Time to Deliver Invoices - CABS											
C.4.2	Region (calendar days)	4.96	4.92	4.54	4.29	4.59	4.61	4.47	4.30	4.68	4.16	
<b>Local Interconnection Trunks - Trunk Blocking</b>												

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
	<b>Trunk Group Performance - Aggregate</b>											
C.5.1	Local Interconnection Trunks/TN (%)		0		0		0		0		0	
	<b>Operations Support Systems - Pre-Ordering</b>											
	<b>% Interface Availability - CLEC</b>											
D.1.1.1	EDI/Region (%)		99.64%		100.00%		100.00%		100.00%		100.00%	
D.1.1.2	LENS/Region (%)		99.85%		99.76%		99.93%		99.96%		99.93%	
D.1.1.3	LEO/Region (%)		100.00%		100.00%		100.00%		100.00%		99.95%	
D.1.1.4	LESOG/Region (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
D.1.1.6	PSIMS/Region (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
D.1.1.7	LNP Gateway/Region (%)		100.00%		99.86%		99.97%		100.00%		100.00%	
D.1.1.8	SGG/COG/Region (%)		100.00%		99.26%		99.87%		99.96%		99.99%	
	<b>% Interface Availability - BST &amp; CLEC</b>											
D.1.2.1	ATLAS/Region (%)		100.00%		99.99%		99.98%		100.00%		99.99%	
D.1.2.2	COFFI/Region (%)		100.00%		99.99%		99.98%		100.00%		99.99%	
D.1.2.3	BOCRIS/CRIS/Region (%)		99.96%		99.99%		99.98%		99.99%		99.99%	
D.1.2.4	DSAP/Region (%)		100.00%		99.98%		99.96%		99.31%		99.98%	
D.1.2.5	RSAG/Region (%)		100.00%		99.99%		99.97%		100.00%		99.98%	
D.1.2.6	SOCS/Region (%)		100.00%		99.99%		99.98%		100.00%		99.99%	
D.1.2.7	SONGS/Region (%)		100.00%		99.99%		99.98%		100.00%		99.99%	
D.1.2.8	DOE/Region (%)		99.99%		100.00%		100.00%		100.00%		100.00%	
	<b>Average Response Interval - CLEC (LENS) (BST Measure Includes Additional 2 Seconds)</b>											
D.1.3.1.1	RSAG, by TN/Region (seconds)	2.87	1.20	2.88	1.02	2.80	1.67	2.71	1.67	2.69	1.58	
D.1.3.1.2	RSAG, by TN/Region (seconds)	2.94	1.20	2.91	1.02	2.88	1.67	2.80	1.67	2.78	1.58	
D.1.3.2.1	RSAG, by ADDR/Region (seconds)	2.99	1.10	3.03	0.93	2.94	1.13	2.84	1.06	2.81	1.14	
D.1.3.2.2	RSAG, by ADDR/Region (seconds)	4.77	1.10	4.76	0.93	4.80	1.13	4.59	1.06	4.68	1.14	
D.1.3.3.1	ATLAS/Region (seconds)	2.95	0.88	3.01	0.80	2.93	1.07	2.77	1.03	2.78	1.21	
D.1.3.3.2	ATLAS/Region (seconds)	2.60	0.88	2.61	0.80	2.63	1.07	2.58	1.03	2.49	1.21	
D.1.3.4.1	DSAP/Region (seconds)	2.71	0.53	2.71	0.52	2.68	2.87	2.61	2.84	2.56	5.27	
D.1.3.4.2	DSAP/Region (seconds)	2.57	0.53	2.57	0.52	2.58	2.87	2.55	2.84	2.53	5.27	
D.1.3.5.1	CRSECSRL/Region (seconds)	3.21	2.12	3.24	1.14	3.20	2.01	3.07	1.76	3.01	1.13	
D.1.3.5.2	CRSECSRL/Region (seconds)	2.87	2.12	2.95	1.14	2.94	2.01	2.85	1.76	2.60	1.13	
D.1.3.6.1	COFFI/Region (seconds)	4.60	0.63	4.35	0.64	3.43	2.97	3.15	3.38	3.12	4.24	
D.1.3.6.2	COFFI/Region (seconds)	7.28	0.63	3.73	0.64	3.68	2.97	3.68	3.38	3.70	4.24	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
D.1.3.7.1	PSIMS/ORB/Region (seconds)	4.60	0.04	4.35	0.04	3.43	0.63	3.15	0.58	3.12	0.35	
D.1.3.7.2	PSIMS/ORB/Region (seconds)	7.28	0.04	3.73	0.04	3.68	0.63	3.68	0.58	3.70	0.35	
	<i>Average Response Interval - CLEC (TAG) (BST Measure Includes Additional 2 Seconds)</i>											
D.1.4.1.1	RSAG, by TN/Region (seconds)	2.87	1.60	2.88	1.52	2.80	1.52	2.71	1.42	2.69	1.28	
D.1.4.1.2	RSAG, by TN/Region (seconds)	2.94	1.60	2.91	1.52	2.88	1.52	2.80	1.42	2.78	1.28	
D.1.4.2.1	RSAG, by ADDR/Region (seconds)	2.99	3.05	3.03	2.34	2.94	2.30	2.84	2.19	2.81	2.17	
D.1.4.2.2	RSAG, by ADDR/Region (seconds)	4.77	3.05	4.76	2.34	4.80	2.30	4.59	2.19	4.68	2.17	
D.1.4.4.1	ATLAS - DID/Region (seconds)		1.76		1.37		0.65		0.60		0.93	
D.1.4.4.2	ATLAS - DID/Region (seconds)		1.76		1.37		0.65		0.60		0.93	
D.1.4.5.1	ATLAS - TN/Region (seconds)	2.95	1.86	3.01	1.89	2.93	1.74	2.77	1.54	2.78	1.69	
D.1.4.5.2	ATLAS - TN/Region (seconds)	2.60	1.86	2.61	1.89	2.63	1.74	2.58	1.54	2.49	1.69	
D.1.4.6.1	DSAP/Region (seconds)	2.71	1.74	2.71	1.83	2.68	0.93	2.61	0.89	2.56	1.06	
D.1.4.6.2	DSAP/Region (seconds)	2.57	1.74	2.57	1.83	2.58	0.93	2.55	0.89	2.53	1.06	
D.1.4.7.1	TAG/Region (seconds)	3.21	2.51	3.24	2.85	3.20	2.78	3.07	2.49	3.01	2.22	
D.1.4.7.2	TAG/Region (seconds)	2.87	2.51	2.95	2.85	2.94	2.78	2.85	2.49	2.60	2.22	
<b>Operations Support Systems - Maintenance and Repair</b>												
	<i>% Interface Availability - CLEC</i>											
D.2.2.1	CLEC TAFI/Region (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
D.2.2.2	ECTA/Region (%)		100.00%		99.86%		99.64%		99.94%		99.93%	
	<i>% Interface Availability - BST &amp; CLEC</i>											
D.2.3.1	CRIS/Region (%)		99.96%		99.99%		99.98%		99.99%		99.99%	
D.2.3.2	LMOS HOST/Region (%)		99.91%		100.00%		100.00%		99.75%		99.90%	
D.2.3.3	LNP/Region (%)		100.00%		99.91%		100.00%		99.90%		100.00%	
D.2.3.4	MARCH/Region (%)		100.00%		100.00%		99.96%		99.93%		100.00%	
D.2.3.5	OSPCM/Region (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
D.2.3.6	Predictor/Region (%)		100.00%		99.92%		100.00%		99.97%		99.82%	
D.2.3.7	SOCS/Region (%)		100.00%		99.99%		99.98%		100.00%		99.99%	
	<i>Average Response Interval &lt;= 4 Seconds</i>											
D.2.4.1	CRIS/Region (%)	95.12%	94.99%	94.95%	94.66%	95.57%	95.28%	96.26%	96.07%	95.37%	95.85%	
D.2.4.2	DLETH/Region (%)	3.16%	4.59%	2.58%	3.67%	1.95%	3.03%	2.49%	3.63%	2.00%	2.76%	
D.2.4.3	DLR/Region (%)	4.03%	3.36%	4.47%	7.51%	3.77%	7.42%	4.30%	8.61%	4.64%	7.41%	
D.2.4.4	LMOS/Region (%)	99.60%	99.60%	99.61%	99.58%	99.67%	99.60%	99.70%	99.66%	99.34%	99.63%	
D.2.4.5	LMOSupd/Region (%)	78.49%	66.19%	79.21%	66.24%	97.34%	97.09%	97.64%	97.39%	97.47%	97.21%	
D.2.4.6	LNP/Region (%)	99.68%	99.19%	99.65%	98.81%	99.79%	99.10%	99.26%	99.17%	98.69%	98.52%	

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
D.2.4.7	MARCH/Region (%)	28.04%	31.69%	28.10%	29.64%	28.94%	30.74%	27.91%	35.96%	29.49%	31.01%	
D.2.4.8	OSPCM/Region (%)	31.23%	24.50%	33.15%	21.43%	35.97%	26.46%	37.13%	22.75%	34.87%	26.82%	
D.2.4.9	Predictor/Region (%)	13.82%	19.61%	12.71%	21.73%	14.52%	24.35%	14.11%	22.26%	17.01%	24.44%	
D.2.4.10	SOCS/Region (%)	99.85%	99.88%	99.81%	99.86%	99.77%	99.85%	99.89%	99.94%	99.58%	99.90%	
D.2.4.11	NIW/Region (%)	84.01%	83.00%	82.83%	81.89%	84.21%	83.76%	86.40%	85.56%	82.12%	83.79%	
	<i>Average Response Interval &lt;= 10 Seconds</i>											
D.2.5.1	CRIS/Region (%)	99.05%	99.46%	99.02%	99.39%	99.05%	99.40%	99.15%	99.46%	98.98%	99.38%	
D.2.5.2	DLETH/Region (%)	79.20%	85.30%	77.66%	82.58%	76.79%	83.31%	76.03%	83.37%	75.40%	84.74%	
D.2.5.3	DLR/Region (%)	76.65%	88.18%	71.08%	41.67%	66.69%	40.80%	65.56%	43.46%	67.49%	40.45%	
D.2.5.4	LMOS/Region (%)	99.79%	99.84%	99.80%	99.85%	99.82%	99.82%	99.83%	99.83%	99.65%	99.85%	
D.2.5.5	LMOSupd/Region (%)	90.04%	80.25%	90.59%	80.53%	99.77%	99.56%	99.82%	99.63%	99.80%	99.56%	
D.2.5.6	LNP/Region (%)	99.81%	99.63%	99.83%	99.52%	99.92%	99.77%	99.35%	99.44%	98.87%	98.79%	
D.2.5.7	MARCH/Region (%)	28.04%	31.69%	28.10%	29.64%	28.94%	30.74%	27.91%	35.96%	29.49%	31.01%	
D.2.5.8	OSPCM/Region (%)	97.81%	97.35%	98.41%	95.83%	98.65%	98.94%	99.29%	99.40%	99.40%	98.88%	
D.2.5.9	Predictor/Region (%)	13.82%	19.61%	12.71%	21.73%	14.52%	24.35%	14.11%	22.26%	17.01%	24.44%	
D.2.5.10	SOCS/Region (%)	99.98%	100.00%	99.98%	100.00%	99.98%	99.98%	99.99%	100.00%	99.82%	99.99%	
D.2.5.11	NIW/Region (%)	99.39%	99.21%	99.42%	99.25%	99.65%	99.51%	99.70%	99.58%	99.56%	99.45%	
	<i>Average Response Interval &gt; 10 Seconds</i>											
D.2.6.1	CRIS/Region (%)	0.95%	0.54%	0.98%	0.61%	0.95%	0.60%	0.85%	0.54%	1.02%	0.62%	
D.2.6.2	DLETH/Region (%)	20.80%	14.70%	22.34%	17.42%	23.21%	16.69%	23.97%	16.63%	24.60%	15.26%	
D.2.6.3	DLR/Region (%)	23.35%	11.82%	28.92%	58.33%	33.31%	59.20%	34.44%	56.54%	32.51%	59.55%	
D.2.6.4	LMOS/Region (%)	0.21%	0.16%	0.20%	0.15%	0.18%	0.18%	0.17%	0.17%	0.35%	0.15%	
D.2.6.5	LMOSupd/Region (%)	9.96%	19.75%	9.41%	19.47%	0.23%	0.44%	0.18%	0.37%	0.20%	0.44%	
D.2.6.6	LNP/Region (%)	0.19%	0.37%	0.17%	0.48%	0.08%	0.23%	0.65%	0.56%	1.13%	1.21%	
D.2.6.7	MARCH/Region (%)	71.96%	68.31%	71.90%	70.36%	71.06%	69.26%	72.09%	64.04%	70.51%	68.99%	
D.2.6.8	OSPCM/Region (%)	2.19%	2.65%	1.59%	4.17%	1.35%	1.06%	0.71%	0.60%	0.60%	1.12%	
D.2.6.9	Predictor/Region (%)	86.18%	80.39%	87.29%	78.27%	85.48%	75.65%	85.89%	77.74%	82.99%	75.56%	
D.2.6.10	SOCS/Region (%)	0.02%	0.00%	0.02%	0.00%	0.02%	0.02%	0.01%	0.00%	0.18%	0.01%	
D.2.6.11	NIW/Region (%)	0.61%	0.79%	0.58%	0.75%	0.35%	0.49%	0.30%	0.42%	0.44%	0.55%	
	<b>Collocation - Collocation</b>											
	<i>Average Response Time</i>											
E.1.1.1	Virtual/TN (calendar days)		3									1
E.1.1.2	Physical Caged/TN (calendar days)		15		8		5		10		9	1,2,3,4

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
E.1.1.3	Physical Cageless/TN (calendar days)		6		8		5		5		4	1,2,3,4,5
	<i>Average Arrangement Time</i>											
E.1.2.3	Physical Caged-Ordinary/TN (calendar days)		66		18		13		6		3	1,2,3,4,5
E.1.2.4	Physical Cageless-Ordinary/TN (calendar days)				5		0		5		10	2,3,4,5
	<i>% Due Dates Missed</i>											
E.1.3.2	Physical/TN (%)		0.00%		0.00%		0.00%		0.00%		0.00%	1,3,4,5
<b>General - Flow Through</b>												
	<i>% Flow Through Service Requests</i>											
F.1.1.1	Summary/Region (%)		84.50%		85.96%		88.26%		88.47%		89.83%	
F.1.1.2	Aggregate/Region (%)		84.50%		85.96%		88.26%		88.47%		89.83%	
F.1.1.3	Residence/Region (%)		86.74%		88.58%		87.70%		89.52%		90.20%	
F.1.1.4	Business/Region (%)		69.54%		73.74%		73.23%		76.17%		77.80%	
F.1.1.5	UNE/Region (%)		82.57%		83.84%		89.13%		87.94%		89.81%	
	<i>% Flow Through Service Requests - Achieved</i>											
F.1.2.1	Summary/Region (%)		76.58%		78.96%		80.59%		81.19%		83.37%	
F.1.2.2	Aggregate/Region (%)		76.58%		78.96%		80.59%		81.19%		83.37%	
F.1.2.3	Residence/Region (%)		79.88%		81.68%		80.99%		82.63%		85.39%	
F.1.2.4	Business/Region (%)		51.58%		53.42%		45.85%		54.74%		57.73%	
F.1.2.5	UNE/Region (%)		74.12%		77.27%		81.53%		80.79%		82.60%	
	<i>% Flow Through Service Requests - LNP</i>											
F.1.3.1	Summary/Region (%)		89.75%		83.63%		88.50%		88.09%		88.81%	
F.1.3.2	Aggregate/Region (%)		89.75%		83.63%		88.50%		88.09%		88.81%	
<b>General - Pre-Ordering</b>												
	<i>Loop Makeup Inquiry (Manual)</i>											
F.2.1	Loops/TN (%)				10.00%		14.29%		0.00%		40.00%	3,4,5
	<i>Loop Makeup Inquiry (Electronic)</i>											
F.2.2	Loops/TN (%)		99.84%		80.51%		99.61%		99.52%		99.89%	
<b>General - Ordering</b>												
	<i>Average Speed of Answer</i>											
F.4.1	Region (seconds)	194.86	35.16	259.48	58.19	269.17	29.60	282.45	40.05	315.73	22.08	
<b>General - Maintenance Center</b>												
	<i>Average Answer Time</i>											

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Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
F.5.1	Region (seconds)	64.68	25.99	52.80	28.04	84.66	27.23	53.70	24.35	66.71	26.57	
<b>General - Operator Services (Toll)</b>												
	<i>Average Speed to Answer</i>											
F.6.1	TN (seconds)		6.00		5.53		5.51		4.26		4.42	
	<i>% Answered in 10 seconds</i>											
F.6.2	TN (%)		76.80%		78.80%		78.60%		84.20%		83.30%	
<b>General - Directory Assistance</b>												
	<i>Average Speed to Answer</i>											
F.7.1	TN (seconds)		5.06		4.54		3.83		4.42		4.69	
	<i>% Answered in 10 seconds</i>											
F.7.2	TN (%)		83.50%		86.10%		89.70%		86.60%		85.60%	
<b>General - Billing</b>												
	<i>Usage Data Delivery Accuracy</i>											
F.9.1	Region (%)	95.22%	100.00%	100.00%	100.00%	100.00%	100.00%	99.70%	99.34%	99.92%	100.00%	
	<i>Usage Data Delivery Timeliness</i>											
F.9.2	Region (%)	94.93%	97.64%	99.33%	99.38%	97.81%	99.56%	99.00%	97.94%	99.83%	99.64%	

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
	<b>Usage Data Delivery Completeness</b>											
F.9.3	Region (%)	97.21%	99.95%	99.92%	99.91%	99.10%	99.91%	99.65%	99.98%	99.92%	99.95%	
	<b>Mean Time to Deliver Usage</b>											
F.9.4	Region (days)	4.34	2.52	3.24	2.43	3.60	2.31	3.34	2.21	3.41	2.29	
	<b>Recurring Charge Completeness</b>											
F.9.5.1	Resale/TN (%)	79.15%	98.84%	79.55%	98.60%	76.44%	98.63%	82.56%	99.20%	82.30%	87.85%	
F.9.5.2	UNE/TN (%)		96.50%		98.13%		99.55%		98.56%		99.16%	
F.9.5.3	Interconnection/TN (%)		99.62%		99.36%		99.95%		98.54%		92.88%	
	<b>Non-Recurring Charge Completeness</b>											
F.9.6.1	Resale/TN (%)	85.35%	97.05%	84.98%	98.53%	87.70%	99.10%	84.67%	98.73%	87.60%	97.75%	
F.9.6.2	UNE/TN (%)		80.93%		98.63%		99.52%		98.46%		97.68%	
F.9.6.3	Interconnection/TN (%)		98.95%		56.16%		95.19%		98.78%		98.58%	
	<b>General - Change Management</b>											
	<b>% Software Release Notices Sent On Time</b>											
F.10.1	TN (%)		100.00%				100.00%		100.00%			1,3,4
	<b>% Change Management Documentation Sent On Time</b>											
F.10.3	TN (%)				100.00%		100.00%					2,3
	<b>% Change Management Documentation (Defects, Corrections, etc.) Sent On Time</b>											
F.10.4	TN (%)						100.00%		100.00%			3,4
	<b>Average Documentation Release Delay Days</b>											
	<b>% CLEC Interface Outages Sent within 15 Minutes</b>											
F.10.6	TN (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
	<b>% Software Errors Corrected within 10 Business Days</b>											
F.10.7	Region (%)								100.00%		100.00%	4,5
	<b>% Software Errors Corrected within 30 Business Days</b>											
F.10.8	Region (%)										100.00%	5
	<b>% Change Requests Accepted or Rejected within 10 Business Days</b>											
F.10.10	Region (%)								100.00%		100.00%	4,5

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Metric	Metric Name [SQM Number]	May		June		July		August		September		Notes
Number	and Disaggregation	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
	<b>% Change Requests Rejected Within The Reporting Period</b>											
F.10.11	Region (%)								71.43%		40.00%	4,5
	<b>Number of Severity 2 Defects (Type 6 CR) in a Production Release Implemented</b>											
F.10.13	Region (number)								300.00%			
	<b>Number of Severity 3 Defects (Type 6 CR) in a Production Release Implemented</b>											
F.10.14	Region (number)								400.00%			
	<b>% Test Deck Weight Failure in Production Release</b>											
F.10.15	Region (%)								0.00%			
<b>General - New Business Requests</b>												
	<b>% New Business Requests Processed within 30 Business Days</b>											
F.11.1	Region (%)		100.00%		100.00%				100.00%		100.00%	1,2,4,5
	<b>% Quotes Provided within X Business Days</b>											
F.11.2.1	Region (%)		100.00%									1
F.11.2.3	Region (%)		100.00%		100.00%							1,2
<b>General - Ordering</b>												
	<b>Acknowledgement Message Timeliness</b>											
F.12.1.1	EDI/Region (%)		100.00%		100.00%		100.00%		99.95%		100.00%	
F.12.1.2	TAG/Region (%)		100.00%		100.00%		100.00%		100.00%		100.00%	
	<b>Acknowledgement Message Completeness</b>											
F.12.2.1	EDI/Region (%)		100.00%		99.62%		99.97%		99.94%		100.00%	
F.12.2.2	TAG/Region (%)		99.99%		100.00%		100.00%		100.00%		100.00%	
<b>General - Database Updates</b>												
	<b>Average Database Update Interval</b>											
F.13.1.1	LIDB/TN (hours)	0.47	0.47	0.51	0.51	0.57	0.57	0.51	0.51	0.56	0.56	



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Metric Number	Metric Name [SQM Number] and Disaggregation	May		June		July		August		September		Notes
		BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	BST	CLEC	
F.13.1.2	Directory Listings/TN (hours)	0.10	0.10	0.11	0.11	0.09	0.09	0.08	0.08	0.07	0.07	
F.13.1.3	Directory Assistance/TN (hours)	4.70	3.79	6.46	5.54	4.11	3.31	4.20	4.13	3.27	3.29	
	<i>% Update Accuracy</i>											
F.13.2.1	LIDB/TN (%)		100.00%		93.48%		99.36%		99.48%		99.93%	
F.13.2.2	Directory Listings/TN (%)		99.79%		99.35%		99.18%		99.66%		99.76%	
F.13.2.3	Directory Assistance/TN (%)		97.87%		99.19%		98.10%		98.56%		99.38%	
	<i>% NXXs / LRNs Loaded by LERG Effective Date</i>											
F.13.3	Region (%)		100.00%		98.41%		100.00%		100.00%		100.00%	
<b>General - Network Outage Notification</b>												
	<i>Mean Time to Notify CLEC of Major Network Outages</i>											
F.14.1	Region (minutes)	154	123	791	602	47	40	379	289	127	120	1,2,3,4,5

**Abbreviations:**

blank cell = no data available

**Notes:**

- 1 = Sample Size under 10 in March
- 2 = Sample Size under 10 in April
- 2 = Sample Size under 10 in May
- 4 = Sample Size under 10 in June

## Appendix D Statutory Requirements

### I. STATUTORY FRAMEWORK

1. The 1996 Act conditions BOC entry into the market for provision of in-region interLATA services on compliance with certain provisions of section 271.<sup>1</sup> BOCs must apply to the Federal Communications Commission (Commission or FCC) for authorization to provide interLATA services originating in any in-region state.<sup>2</sup> The Commission must issue a written determination on each application no later than 90 days after receiving such application.<sup>3</sup> Section 271(d)(2)(A) requires the Commission to consult with the Attorney General before making any determination approving or denying a section 271 application. The Attorney General is entitled to evaluate the application “using any standard the Attorney General considers appropriate,” and the Commission is required to “give substantial weight to the Attorney General’s evaluation.”<sup>4</sup>

2. In addition, the Commission must consult with the relevant state commission to verify that the BOC has one or more state-approved interconnection agreements with a facilities-

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<sup>1</sup> For purposes of section 271 proceedings, the Commission uses the definition of the term “Bell Operating Company” contained in 47 U.S.C. § 153(4).

<sup>2</sup> 47 U.S.C. § 271(d)(1). For purposes of section 271 proceedings, the Commission utilizes the definition of the term “in-region state” that is contained in 47 U.S.C. § 271(i)(1). Section 271(j) provides that a BOC’s in-region services include 800 service, private line service, or their equivalents that terminate in an in-region state of that BOC and that allow the called party to determine the interLATA carrier, even if such services originate out-of-region. *Id.* § 271(j). The 1996 Act defines “interLATA services” as “telecommunications between a point located in a local access and transport area and a point located outside such area.” *Id.* § 153(21). Under the 1996 Act, a “local access and transport area” (LATA) is “a contiguous geographic area (A) established before the date of enactment of the [1996 Act] by a [BOC] such that no exchange area includes points within more than 1 metropolitan statistical area, consolidated metropolitan statistical area, or State, except as expressly permitted under the AT&T Consent Decree; or (B) established or modified by a [BOC] after such date of enactment and approved by the Commission.” *Id.* § 153(25). LATAs were created as part of the Modification of Final Judgment’s (MFJ) “plan of reorganization.” *United States v. Western Elec. Co.*, 569 F. Supp. 1057 (D.D.C. 1983), *aff’d sub nom. California v. United States*, 464 U.S. 1013 (1983). Pursuant to the MFJ, “all [BOC] territory in the continental United States [was] divided into LATAs, generally centering upon a city or other identifiable community of interest.” *United States v. Western Elec. Co.*, 569 F. Supp. 990, 993-94 (D.D.C. 1983).

<sup>3</sup> 47 U.S.C. § 271(d)(3).

<sup>4</sup> *Id.* § 271(d)(2)(A).

based competitor, or a Statement of Generally Available Terms and Conditions (SGAT), and that either the agreement(s) or general statement satisfy the “competitive checklist.”<sup>5</sup> Because the Act does not prescribe any standard for the consideration of a state commission’s verification under section 271(d)(2)(B), the Commission has discretion in each section 271 proceeding to determine the amount of weight to accord the state commission’s verification.<sup>6</sup> The Commission has held that, although it will consider carefully state determinations of fact that are supported by a detailed and extensive record, it is the FCC’s role to determine whether the factual record supports the conclusion that particular requirements of section 271 have been met.<sup>7</sup>

3. Section 271 requires the Commission to make various findings before approving BOC entry. In order for the Commission to approve a BOC’s application to provide in-region, interLATA services, a BOC must first demonstrate, with respect to each state for which it seeks authorization, that it satisfies the requirements of either section 271(c)(1)(A) (Track A) or 271(c)(1)(B) (Track B).<sup>8</sup> In order to obtain authorization under section 271, the BOC must also show that: (1) it has “fully implemented the competitive checklist” contained in section 271(c)(2)(B);<sup>9</sup> (2) the requested authorization will be carried out in accordance with the requirements of section 272;<sup>10</sup> and (3) the BOC’s entry into the in-region interLATA market is

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<sup>5</sup> *Id.* § 271(d)(2)(B).

<sup>6</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3962, para. 20; *Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended*, CC Docket No. 97-137, 12 FCC Rcd 20543, 20559-60 (1997) (*Ameritech Michigan Order*). As the D.C. Circuit has held, “[a]lthough the Commission must consult with the state commissions, the statute does not require the Commission to give State Commissions’ views any particular weight.” *SBC Communications Inc. v. FCC*, 138 F.3d 410, 416 (D.C. Cir. 1998).

<sup>7</sup> *Ameritech Michigan Order*, 12 FCC Rcd at 20560; *SBC Communications v. FCC*, 138 F.3d at 416-17.

<sup>8</sup> 47 U.S.C. § 271(d)(3)(A). *See* Section III, *infra*, for a complete discussion of Track A and Track B requirements.

<sup>9</sup> *Id.* §§ 271(c)(2)(B), 271(d)(3)(A)(i).

<sup>10</sup> *Id.* § 272; *see Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended*, CC Docket No. 96-149, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 21905 (1996) (*Non-Accounting Safeguards Order*), *recon.*, Order on Reconsideration, 12 FCC Rcd 2297 (1997), *review pending sub nom.*, *SBC Communications v. FCC*, No. 97-1118 (D.C. Cir., filed Mar. 6, 1997) (held in abeyance pursuant to court order filed May 7, 1997), *remanded in part sub nom.*, *Bell Atlantic Telephone Companies v. FCC*, No. 97-1067 (D.C. Cir., filed Mar. 31, 1997), *on remand*, Second Order on Reconsideration, FCC 97-222 (rel. June 24, 1997), *petition for review denied sub nom.* *Bell Atlantic Telephone Companies v. FCC*, 113 F.3d 1044 (D.C. Cir. 1997); *Implementation of* (continued....)

“consistent with the public interest, convenience, and necessity.”<sup>11</sup> The statute specifies that, unless the Commission finds that these criteria have been satisfied, the Commission “shall not approve” the requested authorization.<sup>12</sup>

## II. PROCEDURAL AND ANALYTICAL FRAMEWORK

4. To determine whether a BOC applicant has met the prerequisites for entry into the long distance market, the Commission evaluates its compliance with the competitive checklist, as developed in the FCC’s local competition rules and orders in effect at the time the application was filed. Despite the comprehensiveness of these rules, there will inevitably be, in any section 271 proceeding, disputes over an incumbent LEC’s precise obligations to its competitors that FCC rules have not addressed and that do not involve *per se* violations of self-executing requirements of the Act. As explained in prior orders, the section 271 process simply could not function as Congress intended if the Commission were required to resolve all such disputes as a precondition to granting a section 271 application.<sup>13</sup> In the context of section 271’s adjudicatory framework, the Commission has established certain procedural rules governing BOC section 271 applications.<sup>14</sup> The Commission has explained in prior orders the procedural rules it has developed to facilitate the review process.<sup>15</sup> Here we describe how the Commission considers the evidence of compliance that the BOC presents in its application.

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*the Telecommunications Act of 1996; Accounting Safeguards Under the Telecommunications Act of 1996*, Report and Order, 11 FCC Rcd 17539 (1996).

<sup>11</sup> 47 U.S.C. § 271(d)(3)(C).

<sup>12</sup> *Id.* § 271(d)(3); *see SBC Communications, Inc. v. FCC*, 138 F.3d at 416.

<sup>13</sup> *See SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6246, para. 19; *see also American Tel. & Tel. Co. v. FCC*, 220 F.3d 607, 631 (D.C. Cir. 2000).

<sup>14</sup> *See Procedures for Bell Operating Company Applications Under New Section 271 of the Communications Act*, Public Notice, 11 FCC Rcd 19708, 19711 (1996); *Revised Comment Schedule For Ameritech Michigan Application, as amended, for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLATA Services in the State of Michigan*, Public Notice, DA 97-127 (rel. Jan. 17, 1997); *Revised Procedures for Bell Operating Company Applications Under Section 271 of the Communications Act*, Public Notice, 13 FCC Rcd 17457 (1997); *Updated Filing Requirements for Bell Operating Company Applications Under Section 271 of the Communications Act*, Public Notice, DA 99-1994 (rel. Sept. 28, 1999); *Updated Filing Requirements for Bell Operating Company Applications Under Section 271 of the Communications Act*, Public Notice, DA 01-734 (CCB rel. Mar. 23, 2001) (collectively “271 Procedural Public Notices”).

<sup>15</sup> *See, e.g., SWBT Kansas/Oklahoma Order* 16 FCC Rcd at 6247-50, paras. 21-27; *SWBT Texas Order*, 15 FCC Rcd at 18370-73, paras. 34-42; *Bell Atlantic New York Order*, 15 FCC Rcd at 3968-71, paras. 32-42.

5. As part of the determination that a BOC has satisfied the requirements of section 271, the Commission considers whether the BOC has fully implemented the competitive checklist in subsection (c)(2)(B). The BOC at all times bears the burden of proof of compliance with section 271, even if no party challenges its compliance with a particular requirement.<sup>16</sup> In demonstrating its compliance, a BOC must show that it has a concrete and specific legal obligation to furnish the item upon request pursuant to state-approved interconnection agreements that set forth prices and other terms and conditions for each checklist item, and that it is currently furnishing, or is ready to furnish, the checklist items in quantities that competitors may reasonably demand and at an acceptable level of quality.<sup>17</sup> In particular, the BOC must demonstrate that it is offering interconnection and access to network elements on a nondiscriminatory basis.<sup>18</sup> Previous Commission orders addressing section 271 applications have elaborated on this statutory standard.<sup>19</sup> First, for those functions the BOC provides to competing carriers that are analogous to the functions a BOC provides to itself in connection with its own retail service offerings, the BOC must provide access to competing carriers in “substantially the same time and manner” as it provides to itself.<sup>20</sup> Thus, where a retail analogue exists, a BOC must provide access that is equal to (i.e., substantially the same as) the level of access that the BOC provides itself, its customers, or its affiliates, in terms of quality, accuracy, and timeliness.<sup>21</sup> For those functions that have no retail analogue, the BOC must demonstrate that the access it provides to competing carriers would offer an efficient carrier a “meaningful opportunity to compete.”<sup>22</sup>

6. The determination of whether the statutory standard is met is ultimately a judgment the Commission must make based on its expertise in promoting competition in local markets and in telecommunications regulation generally.<sup>23</sup> The Commission has not established,

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<sup>16</sup> See *SWBT Texas Order*, 15 FCC Rcd at 18374, para. 46; *Bell Atlantic New York Order*, 15 FCC Rcd at 3972, para. 46.

<sup>17</sup> See *Bell Atlantic New York Order*, 15 FCC Rcd at 3973-74, para. 52.

<sup>18</sup> See 47 U.S.C. § 271(c)(2)(B)(i), (ii).

<sup>19</sup> See *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6250-51, paras. 28-29; *Bell Atlantic New York Order*, 15 FCC Rcd at 3971-72, paras. 44-46.

<sup>20</sup> *SWBT Texas Order*, 15 FCC Rcd at 18373, para. 44; *Bell Atlantic New York Order*, 15 FCC Rcd at 3971, para. 44.

<sup>21</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3971, para. 44; *Ameritech Michigan Order*, 12 FCC Rcd at 20618-19.

<sup>22</sup> *Id.*

<sup>23</sup> *SWBT Texas Order*, 15 FCC Rcd at 18374, para. 46; *Bell Atlantic New York Order*, 15 FCC Rcd at 3972, para. 46.

nor does it believe it appropriate to establish, specific objective criteria for what constitutes “substantially the same time and manner” or a “meaningful opportunity to compete.”<sup>24</sup> Whether this legal standard is met can only be decided based on an analysis of specific facts and circumstances. Therefore, the Commission looks at each application on a case-by-case basis and considers the totality of the circumstances, including the origin and quality of the information in the record, to determine whether the nondiscrimination requirements of the Act are met.

#### A. Performance Data

7. As established in prior section 271 orders, the Commission has found that performance measurements provide valuable evidence regarding a BOC’s compliance or noncompliance with individual checklist items. The Commission expects that, in its *prima facie* case in the initial application, a BOC relying on performance data will:

- a) provide sufficient performance data to support its contention that the statutory requirements are satisfied;
- b) identify the facial disparities between the applicant’s performance for itself and its performance for competitors;
- c) explain why those facial disparities are anomalous, caused by forces beyond the applicant’s control (e.g., competing carrier-caused errors), or have no meaningful adverse impact on a competing carrier’s ability to obtain and serve customers; and
- d) provide the underlying data, analysis, and methodologies necessary to enable the Commission and commenters meaningfully to evaluate and contest the validity of the applicant’s explanations for performance disparities, including, for example, carrier specific carrier-to-carrier performance data.

8. The Commission has explained in prior orders that parity and benchmark standards established by state commissions do not represent absolute maximum or minimum levels of performance necessary to satisfy the competitive checklist. Rather, where these standards are developed through open proceedings with input from both the incumbent and competing carriers, these standards can represent informed and reliable attempts to objectively approximate whether competing carriers are being served by the incumbent in substantially the same time and manner, or in a way that provides them a meaningful opportunity to compete.<sup>25</sup> Thus, to the extent there is no statistically significant difference between a BOC’s provision of service to competing carriers and its own retail customers, the Commission generally need not look any further. Likewise, if a BOC’s provision of service to competing carriers satisfies the

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<sup>24</sup> *Id.*

<sup>25</sup> See *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6252, para. 31; *SWBT Texas Order*, 15 FCC Rcd at 18377, para. 55 & n.102.

performance benchmark, the analysis is usually done. Otherwise, the Commission will examine the evidence further to make a determination whether the statutory nondiscrimination requirements are met.<sup>26</sup> Thus, the Commission will examine the explanations that a BOC and others provide about whether these data accurately depict the quality of the BOC's performance. The Commission also may examine how many months a variation in performance has existed and what the recent trend has been. The Commission may find that statistically significant differences exist, but conclude that such differences have little or no competitive significance in the marketplace. In such cases, the Commission may conclude that the differences are not meaningful in terms of statutory compliance. Ultimately, the determination of whether a BOC's performance meets the statutory requirements necessarily is a contextual decision based on the totality of the circumstances and information before the Commission.

9. Where there are multiple performance measures associated with a particular checklist item, the Commission would consider the performance demonstrated by all the measurements as a whole. Accordingly, a disparity in performance for one measure, by itself, may not provide a basis for finding noncompliance with the checklist. The Commission may also find that the reported performance data are affected by factors beyond a BOC's control, a finding that would make it less likely to hold the BOC wholly accountable for the disparity. This is not to say, however, that performance discrepancies on a single performance metric are unimportant. Indeed, under certain circumstances, disparity with respect to one performance measurement may support a finding of statutory noncompliance, particularly if the disparity is substantial or has endured for a long time, or if it is accompanied by other evidence of discriminatory conduct or evidence that competing carriers have been denied a meaningful opportunity to compete.

10. In sum, the Commission does not use performance measurements as a substitute for the 14-point competitive checklist. Rather, it uses performance measurements as valuable evidence with which to inform the judgment as to whether a BOC has complied with the checklist requirements. Although performance measurements add necessary objectivity and predictability to the review, they cannot wholly replace the Commission's own judgment as to whether a BOC has complied with the competitive checklist.

## **B. Relevance of Previous Section 271 Approvals**

11. In some section 271 applications, the volumes of the BOC's commercial orders may be significantly lower than they were in prior proceedings. In certain instances, volumes may be so low as to render the performance data inconsistent and inconclusive.<sup>27</sup> Performance

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<sup>26</sup> See *Bell Atlantic New York Order*, 15 FCC Rcd at 3970, para. 59.

<sup>27</sup> The Commission has never required, however, an applicant to demonstrate that it processes and provisions a substantial commercial volume of orders, or has achieved a specific market share in its service area, as a prerequisite for satisfying the competitive checklist. See *Ameritech Michigan Order*, 12 FCC Rcd at 20585, para. 77 (explaining that Congress had considered and (continued....))

data based on low volumes of orders or other transactions are not as reliable an indicator of checklist compliance as performance based on larger numbers of observations. Indeed, where performance data are based on a low number of observations, small variations in performance may produce wide swings in the reported performance data. It is thus not possible to place the same evidentiary weight upon – and to draw the same types of conclusions from – performance data where volumes are low, as for data based on more robust activity.

12. In such cases, findings in prior, related section 271 proceedings may be a relevant factor in the Commission’s analysis. Where a BOC provides evidence that a particular system reviewed and approved in a prior section 271 proceeding is also used in the proceeding at hand, the Commission’s review of the same system in the current proceeding will be informed by the findings in the prior one. Indeed, to the extent that issues have already been briefed, reviewed and resolved in a prior section 271 proceeding, and absent new evidence or changed circumstances, an application for a related state should not be a forum for re-litigating and reconsidering those issues. Appropriately employed, such a practice can give us a fuller picture of the BOC’s compliance with the section 271 requirements while avoiding, for all parties involved in the section 271 process, the delay and expense associated with redundant and unnecessary proceedings and submissions.

13. However, the statute requires the Commission to make a separate determination of checklist compliance for each state and, accordingly, we do not consider any finding from previous section 271 orders to be dispositive of checklist compliance in current proceedings. While the Commission’s review may be informed by prior findings, the Commission will consider all relevant evidence in the record, including state-specific factors identified by commenting parties, the states, the Department of Justice. However, the Commission has always held that an applicant’s performance towards competing carriers in an actual commercial environment is the best evidence of nondiscriminatory access to OSS and other network elements.<sup>28</sup> Thus, the BOC’s actual performance in the applicant state may be relevant to the analysis and determinations with respect to the 14 checklist items. Evidence of satisfactory performance in another state cannot trump convincing evidence that an applicant fails to provide nondiscriminatory access to a network element in the applicant state.

14. Moreover, because the Commission’s review of a section 271 application must be based on a snapshot of a BOC’s recent performance at the time an application is filed, the Commission cannot simply rely on findings relating to an applicant’s performance in an anchor state at the time it issued the determination for that state. The performance in that state could change due to a multitude of factors, such as increased order volumes or shifts in the mix of the types of services or UNEs requested by competing carriers. Thus, even when the applicant  
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rejected language that would have imposed a “market share” requirement in section 271(c)(1)(A)).

<sup>28</sup> See *SWBT Texas Order*, 15 FCC Rcd at 18376, para. 53; *Bell Atlantic New York Order*, 15 FCC Rcd at 3974, para. 53.



makes a convincing showing of the relevance of anchor state data, the Commission must examine how recent performance in that state compares to performance at the time it approved that state's section 271 application, in order to determine if the systems and processes continue to perform at acceptable levels.

### III. COMPLIANCE WITH ENTRY REQUIREMENTS – SECTIONS 271(c)(1)(A) & 271(c)(1)(B)

15. As noted above, in order for the Commission to approve a BOC's application to provide in-region, interLATA services, a BOC must first demonstrate that it satisfies the requirements of either section 271(c)(1)(A) (Track A) or 271(c)(1)(B) (Track B).<sup>29</sup> To qualify for Track A, a BOC must have interconnection agreements with one or more competing providers of "telephone exchange service . . . to residential and business subscribers."<sup>30</sup> The Act states that "such telephone service may be offered . . . either exclusively over [the competitor's] own telephone exchange service facilities or predominantly over [the competitor's] own telephone exchange facilities in combination with the resale of the telecommunications services of another carrier."<sup>31</sup> The Commission concluded in the *Ameritech Michigan Order* that section 271(c)(1)(A) is satisfied if one or more competing providers collectively serve residential and business subscribers.<sup>32</sup>

16. As an alternative to Track A, Section 271(c)(1)(B) permits BOCs to obtain authority to provide in-region, interLATA services if, after 10 months from the date of enactment, no facilities-based provider, as described in subparagraph (A), has requested the access and interconnection arrangements described therein (referencing one or more binding agreements approved under Section 252), but the state has approved an SGAT that satisfies the competitive checklist of subsection (c)(2)(B). Under section 271(d)(3)(A)(ii), the Commission shall not approve such a request for in-region, interLATA service unless the BOC demonstrates that, "with respect to access and interconnection generally offered pursuant to [an SGAT], such statement offers all of the items included in the competitive checklist."<sup>33</sup> Track B, however, is

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<sup>29</sup> See 47 U.S.C. § 271(d)(3)(A).

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> See *Ameritech Michigan Order*, 12 FCC Rcd at 20589, para. 85; see also *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20633-35, paras. 46-48.

<sup>33</sup> 47 U.S.C. § 271(d)(3)(A)(ii).

not available to a BOC if it has already received a request for access and interconnection from a prospective competing provider of telephone exchange service.<sup>34</sup>

#### IV. COMPLIANCE WITH THE COMPETITIVE CHECKLIST – SECTION 271(c)(2)(B)

##### A. Checklist Item 1 – Interconnection

17. Section 271(c)(2)(B)(i) of the Act requires a section 271 applicant to provide “[i]nterconnection in accordance with the requirements of sections 251(c)(2) and 252(d)(1).”<sup>35</sup> Section 251(c)(2) imposes a duty on incumbent LECs “to provide, for the facilities and equipment of any requesting telecommunications carrier, interconnection with the local exchange carrier’s network . . . for the transmission and routing of telephone exchange service and exchange access.”<sup>36</sup> In the *Local Competition First Report and Order*, the Commission concluded that interconnection referred “only to the physical linking of two networks for the mutual exchange of traffic.”<sup>37</sup> Section 251 contains three requirements for the provision of interconnection. First, an incumbent LEC must provide interconnection “at any technically feasible point within the carrier’s network.”<sup>38</sup> Second, an incumbent LEC must provide interconnection that is “at least equal in quality to that provided by the local exchange carrier to itself.”<sup>39</sup> Finally, the incumbent LEC must provide interconnection “on rates, terms, and conditions that are just, reasonable, and nondiscriminatory, in accordance with the terms of the agreement and the requirements of [section 251] and section 252.”<sup>40</sup>

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<sup>34</sup> See *Ameritech Michigan Order*, 12 FCC Rcd at 20561-62, para. 34. Nevertheless, the above-mentioned foreclosure of Track B as an option is subject to limited exceptions. See 47 U.S.C. § 271(c)(1)(B); see also *Ameritech Michigan Order*, 12 FCC Rcd at 20563-64, paras. 37-38.

<sup>35</sup> 47 U.S.C. § 271(c)(2)(B)(i); see *Bell Atlantic New York Order*, 15 FCC Rcd at 3977-78, para. 63; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20640, para. 61; *Ameritech Michigan Order*, 12 FCC Rcd at 20662, para. 222.

<sup>36</sup> 47 U.S.C. § 251(c)(2)(A).

<sup>37</sup> *Implementation of the Local Competition Provisions in the Telecommunications Act of 1996*, First Report and Order, 11 FCC Rcd 15499, 15590, para. 176 (1996) (*Local Competition First Report and Order*). Transport and termination of traffic are therefore excluded from the Commission’s definition of interconnection. See *id.*

<sup>38</sup> 47 U.S.C. § 251(c)(2)(B). In the *Local Competition First Report and Order*, the Commission identified a minimum set of technically feasible points of interconnection. See *Local Competition First Report and Order*, 11 FCC Rcd at 15607-09, paras. 204-11.

<sup>39</sup> 47 U.S.C. § 251(c)(2)(C).

<sup>40</sup> *Id.* § 251(c)(2)(D).

18. To implement the equal-in-quality requirement in section 251, the Commission's rules require an incumbent LEC to design and operate its interconnection facilities to meet "the same technical criteria and service standards" that are used for the interoffice trunks within the incumbent LEC's network.<sup>41</sup> In the *Local Competition First Report and Order*, the Commission identified trunk group blockage and transmission standards as indicators of an incumbent LEC's technical criteria and service standards.<sup>42</sup> In prior section 271 applications, the Commission concluded that disparities in trunk group blockage indicated a failure to provide interconnection to competing carriers equal-in-quality to the interconnection the BOC provided to its own retail operations.<sup>43</sup>

19. In the *Local Competition First Report and Order*, the Commission concluded that the requirement to provide interconnection on terms and conditions that are "just, reasonable, and nondiscriminatory" means that an incumbent LEC must provide interconnection to a competitor in a manner no less efficient than the way in which the incumbent LEC provides the comparable function to its own retail operations.<sup>44</sup> The Commission's rules interpret this obligation to include, among other things, the incumbent LEC's installation time for interconnection service<sup>45</sup> and its provisioning of two-way trunking arrangements.<sup>46</sup> Similarly, repair time for troubles affecting interconnection trunks is useful for determining whether a BOC

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<sup>41</sup> *Local Competition First Report and Order*, 11 FCC Rcd at 15613-15, paras. 221-225; see *Bell Atlantic New York Order*, 15 FCC Rcd at 3978, para. 64; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20641-42, paras. 63-64.

<sup>42</sup> *Local Competition First Report and Order*, 11 FCC Rcd at 15614-15, paras. 224-25.

<sup>43</sup> See *Bell Atlantic New York Order*, 15 FCC Rcd at 3978, para. 64; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20648-50, paras. 74-77; *Ameritech Michigan Order*, 12 FCC Rcd at 20671-74, paras. 240-45. The Commission has relied on trunk blockage data to evaluate a BOC's interconnection performance. Trunk group blockage indicates that end users are experiencing difficulty completing or receiving calls, which may have a direct impact on the customer's perception of a competitive LEC's service quality.

<sup>44</sup> *Local Competition First Report and Order*, 11 FCC Rcd at 15612, para. 218; see also *Bell Atlantic New York Order*, 15 FCC Rcd at 3978, para. 65; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20642, para. 65.

<sup>45</sup> 47 C.F.R. § 51.305(a)(5).

<sup>46</sup> The Commission's rules require an incumbent LEC to provide two-way trunking upon request, wherever two-way trunking arrangements are technically feasible. 47 C.F.R. § 51.305(f); see also *Bell Atlantic New York Order*, 15 FCC Rcd at 3978-79, para. 65; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20642, para. 65; *Local Competition First Report and Order*, 11 FCC Rcd 15612-13, paras. 219-20.

provides interconnection service under “terms and conditions that are no less favorable than the terms and conditions” the BOC provides to its own retail operations.<sup>47</sup>

20. Competing carriers may choose any method of technically feasible interconnection at a particular point on the incumbent LEC’s network.<sup>48</sup> Incumbent LEC provision of interconnection trunking is one common means of interconnection. Technically feasible methods also include, but are not limited to, physical and virtual collocation and meet point arrangements.<sup>49</sup> The provision of collocation is an essential prerequisite to demonstrating compliance with item 1 of the competitive checklist.<sup>50</sup> In the *Advanced Services First Report and Order*, the Commission revised its collocation rules to require incumbent LECs to include shared cage and cageless collocation arrangements as part of their physical collocation offerings.<sup>51</sup> In response to a remand from the D.C. Circuit, the Commission adopted the *Collocation Remand Order*, establishing revised criteria for equipment for which incumbent LECs must permit collocation, requiring incumbent LECs to provide cross-connects between collocated carriers, and establishing principles for physical collocation space and configuration.<sup>52</sup> To show compliance with its collocation obligations, a BOC must have processes and procedures in place to ensure that all applicable collocation arrangements are available on terms and conditions that are “just, reasonable, and nondiscriminatory” in accordance with section

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<sup>47</sup> 47 C.F.R. § 51.305(a)(5).

<sup>48</sup> *Local Competition First Report and Order*, 11 FCC Rcd at 15779, paras. 549-50; see *Bell Atlantic New York Order*, 15 FCC Rcd at 3979, para. 66; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20640-41, para. 61.

<sup>49</sup> 47 C.F.R. § 51.321(b); *Local Competition First Report and Order*, 11 FCC Rcd at 15779-82, paras. 549-50; see also *Bell Atlantic New York Order*, 15 FCC Rcd at 3979, para. 66; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20640-41, para. 62.

<sup>50</sup> 47 U.S.C. § 251(c)(6) (requiring incumbent LECs to provide physical collocation); *Bell Atlantic New York Order*, 15 FCC Rcd at 3979, para. 66; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20640-41, paras. 61-62.

<sup>51</sup> *Deployment of Wireline Services offering Advanced Telecommunications Capability*, First Report and Order and Further Notice of Proposed Rulemaking, 14 FCC Rcd 4761, 4784-86, paras. 41-43 (1999), *aff’d in part and vacated and remanded in part sub nom. GTE Service Corp. v. FCC*, 205 F.3d 416 (D.C. Cir. 2000), *on recon.*, *Collocation Reconsideration Order*, 15 FCC Rcd 17806 (2000); *on remand*, *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, Fourth Report and Order, 16 FCC Rcd 15435 (2001) (*Collocation Remand Order*), *petition for recon. pending*.

<sup>52</sup> See *Collocation Remand Order*, 16 FCC Rcd at 15441-42, para. 12.

251(c)(6) and the FCC's implementing rules.<sup>53</sup> Data showing the quality of procedures for processing applications for collocation space, as well as the timeliness and efficiency of provisioning collocation space, help the Commission evaluate a BOC's compliance with its collocation obligations.<sup>54</sup>

21. As stated above, checklist item 1 requires a BOC to provide "interconnection in accordance with the requirements of sections 251(c)(2) and 252(d)(1)."<sup>55</sup> Section 252(d)(1) requires state determinations regarding the rates, terms, and conditions of interconnection to be based on cost and to be nondiscriminatory, and allows the rates to include a reasonable profit.<sup>56</sup> The Commission's pricing rules require, among other things, that in order to comply with its collocation obligations, an incumbent LEC provide collocation based on TELRIC.<sup>57</sup>

22. To the extent pricing disputes arise, the Commission will not duplicate the work of the state commissions. As noted in the *SWBT Texas Order*, the Act authorizes the state commissions to resolve specific carrier-to-carrier disputes arising under the local competition provisions, and it authorizes the federal district courts to ensure that the results of the state arbitration process are consistent with federal law.<sup>58</sup> Although the Commission has an independent statutory obligation to ensure compliance with the checklist, section 271 does not compel us to preempt the orderly disposition of intercarrier disputes by the state commissions, particularly now that the Supreme Court has restored the Commission's pricing jurisdiction and has thereby directed the state commissions to follow FCC pricing rules in their disposition of those disputes.<sup>59</sup>

23. Consistent with the Commission's precedent, the mere presence of interim rates will not generally threaten a section 271 application so long as: (1) an interim solution to a

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<sup>53</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3979, para. 66; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20643, para. 66; *BellSouth Carolina Order*, 13 FCC Rcd at 649-51, para. 62.

<sup>54</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3979, para. 66; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20640-41, paras. 61-62.

<sup>55</sup> 47 U.S.C. § 271(c)(2)(B)(i) (emphasis added).

<sup>56</sup> *Id.* § 252(d)(1).

<sup>57</sup> See 47 C.F.R. §§ 51.501-07, 51.509(g); *Local Competition First Report and Order*, 11 FCC Rcd at 15812-16, 15844-61, 15874-76, 15912, paras. 618-29, 674-712, 743-51, 826.

<sup>58</sup> See *SWBT Texas Order*, 15 FCC Rcd at 18394, para. 88; see also 47 U.S.C. §§ 252(c), (e)(6); *American Tel. & Tel Co. v. Iowa Utils. Bd.*, 525 U.S. 366 (1999) (*AT&T v. Iowa Utils. Bd.*).

<sup>59</sup> *SWBT Texas Order*, 15 FCC Rcd at 18394, para. 88; *AT&T Corp. v. Iowa Utils. Bd.*, 525 U.S. at 377-86.

particular rate dispute is reasonable under the circumstances; (2) the state commission has demonstrated its commitment to the Commission's pricing rules; and (3) provision is made for refunds or true-ups once permanent rates are set.<sup>60</sup> In addition, the Commission has determined that rates contained within an approved section 271 application, including those that are interim, are reasonable starting points for interim rates for the same carrier in an adjoining state.<sup>61</sup>

24. Although the Commission has been willing to grant a section 271 application with a limited number of interim rates where the above-mentioned three-part test is met, it is clearly preferable to analyze a section 271 application on the basis of rates derived from a permanent rate proceeding.<sup>62</sup> At some point, states will have had sufficient time to complete these proceedings. The Commission will, therefore, become more reluctant to continue approving section 271 applications containing interim rates. It would not be sound policy for interim rates to become a substitute for completing these significant proceedings.

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<sup>60</sup> *SWBT Texas Order*, 15 FCC Rcd at 18394, para. 88; *see also Bell Atlantic New York Order*, 15 FCC Rcd at 4091, para. 258 (explaining the Commission's case-by-case review of interim prices).

<sup>61</sup> *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6359-60, para. 239.

<sup>62</sup> *See Bell Atlantic New York Order*, 15 FCC Rcd at 4091, para. 260.

**B. Checklist Item 2 – Unbundled Network Elements<sup>63</sup>****1. Access to Operations Support Systems**

25. Incumbent LECs use a variety of systems, databases, and personnel (collectively referred to as OSS) to provide service to their customers.<sup>64</sup> The Commission consistently has found that nondiscriminatory access to OSS is a prerequisite to the development of meaningful local competition.<sup>65</sup> For example, new entrants must have access to the functions performed by the incumbent's OSS in order to formulate and place orders for network elements or resale services, to install service to their customers, to maintain and repair network facilities, and to bill customers.<sup>66</sup> The Commission has determined that without nondiscriminatory access to the BOC's OSS, a competing carrier "will be severely disadvantaged, if not precluded altogether, from fairly competing" in the local exchange market.<sup>67</sup>

26. Section 271 requires the Commission to determine whether a BOC offers nondiscriminatory access to OSS functions. Section 271(c)(2)(B)(ii) requires a BOC to provide

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<sup>63</sup> We note that the United States Court of Appeals for the District of Columbia Circuit recently opined in two relevant Commission decisions, *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, 15 FCC Rcd 3696 (1999) (*Local Competition Order*) and *Deployment of Wireline Services Offering Advanced Telecommunications Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order in CC Doc. No. 98-147 and Fourth Report and Order in CC Doc. No. 96-98, 14 FCC Rcd 20912 (1999) (*Line Sharing Order*). *USTA v. FCC*, 290 F.3d 415 (D. C. Cir. 2002), *petition for rehearing and suggestion for rehearing en banc denied Sept. 4, 2002*. The court's decision addressed both our UNE rules and our line sharing rules. The Commission is currently reviewing its UNE rules, *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, 16 FCC Rcd 22781 (2001) (*Triennial Review Notice*). Further, the court stated that "the *Line Sharing Order* must be vacated and remanded." *USTA v. FCC*, 290 F.3d at 429. The court also stated that it "grant[ed] the petitions for review[] and remand[ed] the *Line Sharing Order* and the *Local Competition Order* to the Commission for further consideration in accordance with the principles outlined." *Id.* at 430. On September 4, 2002, the D.C. Circuit denied petitions for rehearing filed by the Commission and others. *See Order*, Nos. 00-1012 and 00-1015 (D.C. Circuit, filed Sept. 4, 2002).

<sup>64</sup> *Id.* at 3989-90, para. 83; *BellSouth South Carolina Order*, 13 FCC Rcd at 585.

<sup>65</sup> *See Bell Atlantic New York Order*, 15 FCC Rcd at 3990, para. 83; *BellSouth South Carolina Order*, 13 FCC Rcd at 547-48, 585; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20653.

<sup>66</sup> *See Bell Atlantic New York Order*, 15 FCC Rcd at 3990, para. 83.

<sup>67</sup> *Id.*

“nondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1).”<sup>68</sup> The Commission has determined that access to OSS functions falls squarely within an incumbent LEC’s duty under section 251(c)(3) to provide unbundled network elements (UNEs) under terms and conditions that are nondiscriminatory and just and reasonable, and its duty under section 251(c)(4) to offer resale services without imposing any limitations or conditions that are discriminatory or unreasonable.<sup>69</sup> The Commission must therefore examine a BOC’s OSS performance to evaluate compliance with section 271(c)(2)(B)(ii) and (xiv).<sup>70</sup> In addition, the Commission has also concluded that the duty to provide nondiscriminatory access to OSS functions is embodied in other terms of the competitive checklist as well.<sup>71</sup> Consistent with prior orders, the Commission examines a BOC’s OSS performance directly under checklist items 2 and 14, as well as other checklist terms.<sup>72</sup>

27. As part of its statutory obligation to provide nondiscriminatory access to OSS functions, a BOC must provide access that sufficiently supports each of the three modes of competitive entry envisioned by the 1996 Act – competitor-owned facilities, UNEs, and resale.<sup>73</sup> For OSS functions that are analogous to those that a BOC provides to itself, its customers or its affiliates, the nondiscrimination standard requires the BOC to offer requesting carriers access that is equivalent in terms of quality, accuracy, and timeliness.<sup>74</sup> The BOC must provide access that permits competing carriers to perform these functions in “substantially the same time and manner” as the BOC.<sup>75</sup> The Commission has recognized in prior orders that there may be situations in which a BOC contends that, although equivalent access has not been achieved for

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<sup>68</sup> 47 U.S.C. § 271(c)(2)(B)(ii).

<sup>69</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3990, para. 84.

<sup>70</sup> *Id.*

<sup>71</sup> *Id.* As part of a BOC’s demonstration that it is “providing” a checklist item (*e.g.*, unbundled loops, unbundled local switching, resale services), it must demonstrate that it is providing nondiscriminatory access to the systems, information, and personnel that support that element or service. An examination of a BOC’s OSS performance is therefore integral to the determination of whether a BOC is offering all of the items contained in the competitive checklist. *Id.*

<sup>72</sup> *Id.* at 3990-91, para. 84.

<sup>73</sup> *Id.* at 3991, para. 85.

<sup>74</sup> *Id.*

<sup>75</sup> *Id.* For example, the Commission would not deem an incumbent LEC to be providing nondiscriminatory access to OSS if limitations on the processing of information between the interface and the back office systems prevented a competitor from performing a specific function in substantially the same time and manner as the incumbent performs that function for itself.



an analogous function, the access that it provides is nonetheless nondiscriminatory within the meaning of the statute.<sup>76</sup>

28. For OSS functions that have no retail analogue, the BOC must offer access “sufficient to allow an efficient competitor a meaningful opportunity to compete.”<sup>77</sup> In assessing whether the quality of access affords an efficient competitor a meaningful opportunity to compete, the Commission will examine, in the first instance, whether specific performance standards exist for those functions.<sup>78</sup> In particular, the Commission will consider whether appropriate standards for measuring OSS performance have been adopted by the relevant state commission or agreed upon by the BOC in an interconnection agreement or during the implementation of such an agreement.<sup>79</sup> If such performance standards exist, the Commission will evaluate whether the BOC’s performance is sufficient to allow an efficient competitor a meaningful opportunity to compete.<sup>80</sup>

29. The Commission analyzes whether a BOC has met the nondiscrimination standard for each OSS function using a two-step approach. First, the Commission determines “whether the BOC has deployed the necessary systems and personnel to provide sufficient access to each of the necessary OSS functions and whether the BOC is adequately assisting competing carriers to understand how to implement and use all of the OSS functions available to them.”<sup>81</sup> The Commission next assesses “whether the OSS functions that the BOC has deployed are operationally ready, as a practical matter.”<sup>82</sup>

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<sup>76</sup> *See id.*

<sup>77</sup> *Id.* at 3991, para. 86.

<sup>78</sup> *Id.*

<sup>79</sup> *Id.* As a general proposition, specific performance standards adopted by a state commission in an arbitration decision would be more persuasive evidence of commercial reasonableness than a standard unilaterally adopted by the BOC outside of its interconnection agreement. *Id.* at 20619-20.

<sup>80</sup> *See id.* at 3991-92, para. 86.

<sup>81</sup> *Id.* at 3992, para. 87; *Ameritech Michigan Order*, 12 FCC Rcd at 20616; *see also Second BellSouth Louisiana Order*, 13 FCC Rcd at 20654; *BellSouth South Carolina Order*, 13 FCC Rcd at 592-93. In making this determination, the Commission “consider[s] all of the automated and manual processes a BOC has undertaken to provide access to OSS functions,” including the interface (or gateway) that connects the competing carrier’s own operations support systems to the BOC; any electronic or manual processing link between that interface and the BOC’s OSS (including all necessary back office systems and personnel); and all of the OSS that a BOC uses in providing network elements and resale services to a competing carrier. *Ameritech Michigan* (continued....)

30. Under the first inquiry, a BOC must demonstrate that it has developed sufficient electronic (for functions that the BOC accesses electronically) and manual interfaces to allow competing carriers equivalent access to all of the necessary OSS functions.<sup>83</sup> For example, a BOC must provide competing carriers with the specifications necessary for carriers to design or modify their systems in a manner that will enable them to communicate with the BOC's systems and any relevant interfaces.<sup>84</sup> In addition, a BOC must disclose to competing carriers any internal business rules<sup>85</sup> and other formatting information necessary to ensure that a carrier's requests and orders are processed efficiently.<sup>86</sup> Finally, a BOC must demonstrate that its OSS is designed to accommodate both current demand and projected demand for competing carriers' access to OSS functions.<sup>87</sup> Although not a prerequisite, the Commission continues to encourage the use of industry standards as an appropriate means of meeting the needs of a competitive local exchange market.<sup>88</sup>

31. Under the second inquiry, the Commission examines performance measurements and other evidence of commercial readiness to ascertain whether the BOC's OSS is handling current demand and will be able to handle reasonably foreseeable future volumes.<sup>89</sup> The most

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*Order*, 12 FCC Rcd at 20615; *see also Second BellSouth Louisiana Order*, 13 FCC Rcd at 20654 n.241.

<sup>82</sup> *See Bell Atlantic New York Order*, 15 FCC Rcd at 3992, para. 88.

<sup>83</sup> *Id.* at 3992, para. 87; *see also Ameritech Michigan Order*, 12 FCC Rcd at 20616, para. 136 (The Commission determines "whether the BOC has deployed the necessary systems and personnel to provide sufficient access to each of the necessary OSS functions and whether the BOC is adequately assisting competing carriers to understand how to implement and use all of the OSS functions available to them."). For example, a BOC must provide competing carriers the specifications necessary to design their systems interfaces and business rules necessary to format orders, and demonstrate that systems are scalable to handle current and projected demand. *Id.*

<sup>84</sup> *Id.*

<sup>85</sup> Business rules refer to the protocols that a BOC uses to ensure uniformity in the format of orders and include information concerning ordering codes such as universal service ordering codes (USOCs) and field identifiers (FIDs). *Id.*; *see also Ameritech Michigan Order*, 12 FCC Rcd at 20617 n.335.

<sup>86</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3992, para. 88.

<sup>87</sup> *Id.*

<sup>88</sup> *See id.*

<sup>89</sup> *Id.* at 3993, para. 89.

probative evidence that OSS functions are operationally ready is actual commercial usage.<sup>90</sup> Absent sufficient and reliable data on commercial usage, the Commission will consider the results of carrier-to-carrier testing, independent third-party testing, and internal testing in assessing the commercial readiness of a BOC's OSS.<sup>91</sup> Although the Commission does not require OSS testing, a persuasive test will provide us with an objective means by which to evaluate a BOC's OSS readiness where there is little to no evidence of commercial usage, or may otherwise strengthen an application where the BOC's evidence of actual commercial usage is weak or is otherwise challenged by competitors. The persuasiveness of a third-party review, however, is dependent upon the qualifications, experience and independence of the third party and the conditions and scope of the review itself.<sup>92</sup> If the review is limited in scope or depth or is not independent and blind, the Commission will give it minimal weight. As noted above, to the extent the Commission reviews performance data, it looks at the totality of the circumstances and generally does not view individual performance disparities, particularly if they are isolated and slight, as dispositive of whether a BOC has satisfied its checklist obligations.<sup>93</sup> Individual performance disparities may, nevertheless, result in a finding of checklist noncompliance, particularly if the disparity is substantial or has endured for a long time, or if it is accompanied by other evidence of discriminatory conduct or evidence that competing carriers have been denied a meaningful opportunity to compete.

**a. Relevance of a BOC's Prior Section 271 Orders**

32. The *SWBT Kansas/Oklahoma Order* specifically outlined a non-exhaustive evidentiary showing that must be made in the initial application when a BOC seeks to rely on evidence presented in another application.<sup>94</sup> First, a BOC's application must explain the extent to which the OSS are "the same" – that is, whether it employs the shared use of a single OSS, or the use of systems that are identical, but separate.<sup>95</sup> To satisfy this inquiry, the Commission looks to whether the relevant states utilize a common set of processes, business rules, interfaces,

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<sup>90</sup> *Id.*

<sup>91</sup> *Id.*

<sup>92</sup> *See id.*; *Ameritech Michigan Order*, 12 FCC Rcd at 20659 (emphasizing that a third-party review should encompass the entire obligation of the incumbent LEC to provide nondiscriminatory access, and, where applicable, should consider the ability of actual competing carriers in the market to operate using the incumbent's OSS access).

<sup>93</sup> *See SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6301-02, para. 138.

<sup>94</sup> *See id.* at 6286-91, paras. 107-18

<sup>95</sup> *See id.* at 6288, para. 111.

systems and, in many instances, even personnel.<sup>96</sup> The Commission will also carefully examine third party reports that demonstrate that the BOC's OSS are the same in each of the relevant states.<sup>97</sup> Finally, where a BOC has discernibly separate OSS, it must demonstrate that its OSS reasonably can be expected to behave in the same manner.<sup>98</sup> Second, unless an applicant seeks to establish only that certain discrete components of its OSS are the same, an applicant must submit evidence relating to *all* aspects of its OSS, including those OSS functions performed by BOC personnel.

### **b. Pre-Ordering**

33. A BOC must demonstrate that: (i) it offers nondiscriminatory access to OSS pre-ordering functions associated with determining whether a loop is capable of supporting xDSL advanced technologies; (ii) competing carriers successfully have built and are using application-to-application interfaces to perform pre-ordering functions and are able to integrate pre-ordering and ordering interfaces;<sup>99</sup> and (iii) its pre-ordering systems provide reasonably prompt response times and are consistently available in a manner that affords competitors a meaningful opportunity to compete.<sup>100</sup>

34. The pre-ordering phase of OSS generally includes those activities that a carrier undertakes to gather and verify the information necessary to place an order.<sup>101</sup> Given that pre-

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<sup>96</sup> The Commission has consistently held that a BOC's OSS includes both mechanized systems and manual processes, and thus the OSS functions performed by BOC personnel have been part of the FCC's OSS functionality and commercial readiness reviews.

<sup>97</sup> See *SWBT Kansas/Oklahoma Order*, *id.* at 6287, para. 108.

<sup>98</sup> See *id.* at 6288, para. 111.

<sup>99</sup> In prior orders, the Commission has emphasized that providing pre-ordering functionality through an application-to-application interface is essential in enabling carriers to conduct real-time processing and to integrate pre-ordering and ordering functions in the same manner as the BOC. *SWBT Texas Order*, 15 FCC Rcd at 18426, para. 148.

<sup>100</sup> The Commission has held previously that an interface that provides responses in a prompt timeframe and is stable and reliable, is necessary for competing carriers to market their services and serve their customers as efficiently and at the same level of quality as a BOC serves its own customers. See *Bell Atlantic New York Order*, 15 FCC Rcd at 4025 and 4029, paras. 145 and 154.

<sup>101</sup> See *Bell Atlantic New York Order*, 15 FCC Rcd at 4014, para. 129; see also *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20660, para. 94 (referring to "pre-ordering and ordering" collectively as "the exchange of information between telecommunications carriers about current or proposed customer products and services or unbundled network elements or some combination thereof"). In prior orders, the Commission has identified the following five pre- (continued....)

ordering represents the first exposure that a prospective customer has to a competing carrier, it is critical that a competing carrier is able to accomplish pre-ordering activities in a manner no less efficient and responsive than the incumbent.<sup>102</sup> Most of the pre-ordering activities that must be undertaken by a competing carrier to order resale services and UNEs from the incumbent are analogous to the activities a BOC must accomplish to furnish service to its own customers. For these pre-ordering functions, a BOC must demonstrate that it provides requesting carriers access that enables them to perform pre-ordering functions in substantially the same time and manner as its retail operations.<sup>103</sup> For those pre-ordering functions that lack a retail analogue, a BOC must provide access that affords an efficient competitor a meaningful opportunity to compete.<sup>104</sup> In prior orders, the Commission has emphasized that providing pre-ordering functionality through an application-to-application interface is essential in enabling carriers to conduct real-time processing and to integrate pre-ordering and ordering functions in the same manner as the BOC.<sup>105</sup>

**(i) Access to Loop Qualification Information**

35. In accordance with the *UNE Remand Order*,<sup>106</sup> the Commission requires incumbent carriers to provide competitors with access to all of the same detailed information about the loop that is available to the incumbents,<sup>107</sup> and in the same time frame, so that a

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order functions: (1) customer service record (CSR) information; (2) address validation; (3) telephone number information; (4) due date information; (5) services and feature information. *See Bell Atlantic New York Order*, 15 FCC Rcd at 4015, para. 132; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20660, para. 94; *BellSouth South Carolina Order*, 13 FCC Rcd at 619, para. 147.

<sup>102</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 4014, para. 129.

<sup>103</sup> *Id.*; *see also BellSouth South Carolina Order*, 13 FCC Rcd at 623-29 (concluding that failure to deploy an application-to-application interface denies competing carriers equivalent access to pre-ordering OSS functions).

<sup>104</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 4014, para. 129.

<sup>105</sup> *See id.* at 4014, para. 130; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20661-67, para. 105.

<sup>106</sup> *UNE Remand Order*, 15 FCC Rcd at 3885, para. 426 (determining “that the pre-ordering function includes access to loop qualification information”).

<sup>107</sup> *See id.* At a minimum, a BOC must provide (1) the composition of the loop material, including both fiber and copper; (2) the existence, location and type of any electronic or other equipment on the loop, including but not limited to, digital loop carrier or other remote concentration devices, feeder/distribution interfaces, bridge taps, load coils, pair-gain devices, disturbers in the same or adjacent binder groups; (3) the loop length, including the length and location of each type of transmission media; (4) the wire gauge(s) of the loop; and (5) the (continued....)

competing carrier can make an independent judgment at the pre-ordering stage about whether an end user loop is capable of supporting the advanced services equipment the competing carrier intends to install.<sup>108</sup> Under the *UNE Remand Order*, the relevant inquiry is not whether a BOC's retail arm accesses such underlying information but whether such information exists anywhere in a BOC's back office and can be accessed by any of a BOC's personnel.<sup>109</sup> Moreover, a BOC may not "filter or digest" the underlying information and may not provide only information that is useful in provisioning of a particular type of xDSL that a BOC offers.<sup>110</sup> A BOC must also provide loop qualification information based, for example, on an individual address or zip code of the end users in a particular wire center, NXX code or on any other basis that the BOC provides such information to itself. Moreover, a BOC must also provide access for competing carriers to the loop qualifying information that the BOC can itself access manually or electronically. Finally, a BOC must provide access to loop qualification information to competitors within the same time intervals it is provided to the BOC's retail operations or its advanced services affiliate.<sup>111</sup> As the Commission determined in the *UNE Remand Order*, however, "to the extent such information is not normally provided to the incumbent's retail personnel, but can be obtained by contacting back office personnel, it must be provided to requesting carriers within the same time frame that any incumbent personnel are able to obtain such information."<sup>112</sup>

### c. Ordering

36. Consistent with section 271(c)(2)(B)(ii), a BOC must demonstrate its ability to provide competing carriers with access to the OSS functions necessary for placing wholesale orders. For those functions of the ordering systems for which there is a retail analogue, a BOC  
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electrical parameters of the loop, which may determine the suitability of the loop for various technologies. *Id.*

<sup>108</sup> As the Commission has explained in prior proceedings, because characteristics of a loop, such as its length and the presence of various impediments to digital transmission, can hinder certain advanced services technologies, carriers often seek to "pre-qualify" a loop by accessing basic loop makeup information that will assist carriers in ascertaining whether the loop, either with or without the removal of the impediments, can support a particular advanced service. *See id.*, 15 FCC Rcd at 4021, para. 140.

<sup>109</sup> *UNE Remand Order*, 15 FCC Rcd at 3885-3887, paras. 427-431 (noting that "to the extent such information is not normally provided to the incumbent's retail personnel, but can be obtained by contacting back office personnel, it must be provided to requesting carriers within the same time frame that any incumbent personnel are able to obtain such information.").

<sup>110</sup> *See SWBT Kansas Oklahoma Order*, 16 FCC Rcd at 6292-93, para. 121.

<sup>111</sup> *Id.*

<sup>112</sup> *UNE Remand Order*, 15 FCC Rcd at 3885-3887, paras. 427-31.

must demonstrate, with performance data and other evidence, that it provides competing carriers with access to its OSS in substantially the same time and manner as it provides to its retail operations. For those ordering functions that lack a direct retail analogue, a BOC must demonstrate that its systems and performance allow an efficient carrier a meaningful opportunity to compete. As in prior section 271 orders, the Commission looks primarily at the applicant's ability to return order confirmation notices, order reject notices, order completion notices and jeopardies, and at its order flow-through rate.<sup>113</sup>

#### **d. Provisioning**

37. A BOC must provision competing carriers' orders for resale and UNE-P services in substantially the same time and manner as it provisions orders for its own retail customers.<sup>114</sup> Consistent with the approach in prior section 271 orders, the Commission examines a BOC's provisioning processes, as well as its performance with respect to provisioning timeliness (i.e., missed due dates and average installation intervals) and provisioning quality (i.e., service problems experienced at the provisioning stage).<sup>115</sup>

#### **e. Maintenance and Repair**

38. A competing carrier that provides service through resale or UNEs remains dependent upon the incumbent LEC for maintenance and repair. Thus, as part of its obligation to provide nondiscriminatory access to OSS functions, a BOC must provide requesting carriers with nondiscriminatory access to its maintenance and repair systems.<sup>116</sup> To the extent a BOC performs analogous maintenance and repair functions for its retail operations, it must provide competing carriers access that enables them to perform maintenance and repair functions "in substantially the same time and manner" as a BOC provides its retail customers.<sup>117</sup> Equivalent access ensures that competing carriers can assist customers experiencing service disruptions

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<sup>113</sup> See *SWBT Texas Order*, 15 FCC Rcd at 18438, para. 170; *Bell Atlantic New York Order*, 15 FCC Rcd at 4035-39, paras. 163-66. The Commission examines (i) order flow-through rates, (ii) jeopardy notices and (iii) order completion notices using the "same time and manner" standard. The Commission examines order confirmation notices and order rejection notices using the "meaningful opportunity to compete" standard.

<sup>114</sup> See *Bell Atlantic New York*, 15 FCC Rcd at 4058, para. 196. For provisioning timeliness, the Commission looks to missed due dates and average installation intervals; for provisioning quality, the Commission looks to service problems experienced at the provisioning stage.

<sup>115</sup> *Id.*

<sup>116</sup> *Id.* at 4067, para. 212; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20692; *Ameritech Michigan Order*, 12 FCC Rcd at 20613, 20660-61.

<sup>117</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 4058, para. 196; see also *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20692-93.

using the same network information and diagnostic tools that are available to BOC personnel.<sup>118</sup> Without equivalent access, a competing carrier would be placed at a significant competitive disadvantage, as its customer would perceive a problem with a BOC's network as a problem with the competing carrier's own network.<sup>119</sup>

**f. Billing**

39. A BOC must provide nondiscriminatory access to its billing functions, which is necessary to enable competing carriers to provide accurate and timely bills to their customers.<sup>120</sup> In making this determination, the Commission assesses a BOC's billing processes and systems, and its performance data. Consistent with prior section 271 orders, a BOC must demonstrate that it provides competing carriers with complete and accurate reports on the service usage of competing carriers' customers in substantially the same time and manner that a BOC provides such information to itself, and with wholesale bills in a manner that gives competing carriers a meaningful opportunity to compete.<sup>121</sup>

**g. Change Management Process**

40. Competing carriers need information about, and specifications for, an incumbent's systems and interfaces to develop and modify their systems and procedures to access the incumbent's OSS functions.<sup>122</sup> Thus, in order to demonstrate that it is providing nondiscriminatory access to its OSS, a BOC must first demonstrate that it "has deployed the necessary systems and personnel to provide sufficient access to each of the necessary OSS functions and . . . is adequately assisting competing carriers to understand how to implement and use all of the OSS functions available to them."<sup>123</sup> By showing that it adequately assists competing carriers to use available OSS functions, a BOC provides evidence that it offers an efficient competitor a meaningful opportunity to compete.<sup>124</sup> As part of this demonstration, the

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<sup>118</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 4058, para. 196.

<sup>119</sup> *Id.*

<sup>120</sup> *See SWBT Texas Order*, 15 FCC Rcd at 18461, para. 210.

<sup>121</sup> *See id.*; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6316-17, at para. 163.

<sup>122</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3999-4000, para. 102; *First BellSouth Louisiana Order*, 13 FCC Rcd at 6279 n.197; *BellSouth South Carolina Order*, 13 FCC Rcd at 625 n.467; *Ameritech Michigan Order*, 12 FCC Rcd at 20617 n.334; *Local Competition Second Report and Order*, 11 FCC Rcd at 19742.

<sup>123</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 3999, para. 102.

<sup>124</sup> *Id.* at 3999-4000, para. 102



Commission will give substantial consideration to the existence of an adequate change management process and evidence that the BOC has adhered to this process over time.<sup>125</sup>

41. The change management process refers to the methods and procedures that the BOC employs to communicate with competing carriers regarding the performance of, and changes in, the BOC's OSS.<sup>126</sup> Such changes may include updates to existing functions that impact competing carrier interface(s) upon a BOC's release of new interface software; technology changes that require competing carriers to meet new technical requirements upon a BOC's software release date; additional functionality changes that may be used at the competing carrier's option, on or after a BOC's release date for new interface software; and changes that may be mandated by regulatory authorities.<sup>127</sup> Without a change management process in place, a BOC can impose substantial costs on competing carriers simply by making changes to its systems and interfaces without providing adequate testing opportunities and accurate and timely notice and documentation of the changes.<sup>128</sup> Change management problems can impair a competing carrier's ability to obtain nondiscriminatory access to UNEs, and hence a BOC's compliance with section 271(2)(B)(ii).<sup>129</sup>

42. In evaluating whether a BOC's change management plan affords an efficient competitor a meaningful opportunity to compete, the Commission first assesses whether the plan is adequate. In making this determination, it assesses whether the evidence demonstrates: (1) that information relating to the change management process is clearly organized and readily accessible to competing carriers;<sup>130</sup> (2) that competing carriers had substantial input in the design and continued operation of the change management process;<sup>131</sup> (3) that the change management plan defines a procedure for the timely resolution of change management disputes;<sup>132</sup> (4) the availability of a stable testing environment that mirrors production;<sup>133</sup> and (5) the efficacy of the

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<sup>125</sup> *Id.* at 4000, para. 102.

<sup>126</sup> *Id.* at 4000, para. 103.

<sup>127</sup> *Id.*

<sup>128</sup> *Id.* at 4000, para. 103.

<sup>129</sup> *Id.*

<sup>130</sup> *Id.* at 4002, para. 107.

<sup>131</sup> *Id.* at 4000, para. 104.

<sup>132</sup> *Id.* at 4002, para. 108.

<sup>133</sup> *Id.* at 4002-03, paras. 109-10.

documentation the BOC makes available for the purpose of building an electronic gateway.<sup>134</sup> After determining whether the BOC's change management plan is adequate, the Commission evaluates whether the BOC has demonstrated a pattern of compliance with this plan.<sup>135</sup>

## 2. UNE Combinations

43. In order to comply with the requirements of checklist item 2, a BOC must show that it is offering “[n]ondiscriminatory access to network elements in accordance with the requirements of section 251(c)(3).”<sup>136</sup> Section 251(c)(3) requires an incumbent LEC to “provide, to any requesting telecommunications carrier . . . nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms and conditions that are just, reasonable, and nondiscriminatory.”<sup>137</sup> Section 251(c)(3) of the Act also requires incumbent LECs to provide UNEs in a manner that allows requesting carriers to combine such elements in order to provide a telecommunications service.<sup>138</sup>

44. In the *Ameritech Michigan Order*, the Commission emphasized that the ability of requesting carriers to use UNEs, as well as combinations of UNEs, is integral to achieving Congress' objective of promoting competition in local telecommunications markets.<sup>139</sup> Using combinations of UNEs provides a competitor with the incentive and ability to package and market services in ways that differ from the BOCs' existing service offerings in order to compete in the local telecommunications market.<sup>140</sup> Moreover, combining the incumbent's UNEs with their own facilities encourages facilities-based competition and allows competing providers to provide a wide array of competitive choices.<sup>141</sup> Because the use of combinations of UNEs is an

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<sup>134</sup> *Id.* at 4003-04, para. 110. In the *Bell Atlantic New York Order*, the Commission used these factors in determining whether Bell Atlantic had an adequate change management process in place. *See id.* at 4004, para. 111. The Commission left open the possibility, however, that a change management plan different from the one implemented by Bell Atlantic may be sufficient to demonstrate compliance with the requirements of section 271. *Id.*

<sup>135</sup> *Id.* at 3999, para. 101, 4004-05, para. 112.

<sup>136</sup> 47 U.S.C. § 271(c)(2)(B)(ii).

<sup>137</sup> *Id.* § 251(c)(3).

<sup>138</sup> *Id.*

<sup>139</sup> *Ameritech Michigan Order*, 12 FCC Rcd at 20718-19; *BellSouth South Carolina Order*, 13 FCC Rcd at 646.

<sup>140</sup> *BellSouth South Carolina Order*, 13 FCC Rcd at 646; *see also Local Competition First Report and Order*, 11 FCC Rcd at 15666-68.

<sup>141</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 4077-78, para. 230.

important strategy for entry into the local telecommunications market, as well as an obligation under the requirements of section 271, the Commission examines section 271 applications to determine whether competitive carriers are able to combine network elements as required by the Act and the Commission's regulations.<sup>142</sup>

### 3. Pricing of Network Elements

45. Checklist item 2 of section 271 states that a BOC must provide “nondiscriminatory access to network elements in accordance with sections 251(c)(3) and 252(d)(1)” of the Act.<sup>143</sup> Section 251(c)(3) requires incumbent LECs to provide “nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms, and conditions that are just, reasonable, and nondiscriminatory.”<sup>144</sup> Section 252(d)(1) requires that a state commission's determination of the just and reasonable rates for network elements shall be based on the cost of providing the network elements, shall be nondiscriminatory, and may include a reasonable profit.<sup>145</sup> Pursuant to this statutory mandate, the Commission has determined that prices for UNEs must be based on the total element long run incremental cost (TELRIC) of providing those elements.<sup>146</sup> The Commission also promulgated rule 51.315(b), which prohibits incumbent LECs from separating already combined

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<sup>142</sup> *Id.* In *Iowa Utilities Board v. FCC*, 219 F.3d 744 (8th Cir. 2000), the Eighth Circuit had vacated the Commission's “additional combinations” rules (47 C.F.R. Sections 51-315(c)-(f)). However, on May 13, 2002, the Supreme Court reversed the Eighth Circuit with respect to those rules and remanded the case to the court of appeals “for further proceedings consistent with this opinion.” *Verizon Communications Inc. v. FCC*, 122 S.Ct. 1646, 1687. *See also id.* at 1683-87. In response, the Eighth Circuit, on August 21, 2002, vacated its prior opinion insofar as it had vacated the pertinent combinations rules and denied the petitions for review with respect to those rules. *Iowa Utilities Board v. FCC*, 8th Circuit Nos. 96-3321, *et al.*, Judgment, filed August 21, 2002.). *See also Competitive Telecommunications Association v. FCC*, 309 F. 3d 8 (2002) (affirming the Commission's interim decision to limit the ability of competitive local exchange carriers to gain access to a network element combination known as the enhanced extended link).

<sup>143</sup> 47 U.S.C. § 271(c)(2)(B)(ii).

<sup>144</sup> *Id.* § 251(c)(3).

<sup>145</sup> 47 U.S.C. § 252(d)(1).

<sup>146</sup> *Local Competition First Report and Order*, 11 FCC Rcd at 15844-46, paras. 674-79; 47 C.F.R. §§ 51.501 *et seq.*; *see also Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket No. 98-147, and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98*, Third Report and Order and Fourth Report and Order, 14 FCC Rcd 20912, 20974, para. 135 (*Line Sharing Order*) (concluding that states should set the prices for line sharing as a new network element in the same manner as the state sets prices for other UNEs).

elements before providing them to competing carriers, except on request.<sup>147</sup> The Commission has previously held that it will not conduct a *de novo* review of a state's pricing determinations and will reject an application only if "basic TELRIC principles are violated or the state commission makes clear errors in factual findings on matters so substantial that the end result falls outside the range that the reasonable application of TELRIC principles would produce."<sup>148</sup>

46. Although the U.S. Court of Appeals for the Eighth Circuit stayed the Commission's pricing rules in 1996,<sup>149</sup> the Supreme Court restored the Commission's pricing authority on January 25, 1999, and remanded to the Eighth Circuit for consideration of the merits of the challenged rules.<sup>150</sup> On remand from the Supreme Court, the Eighth Circuit concluded that while TELRIC is an acceptable method for determining costs, certain specific requirements contained within the Commission's pricing rules were contrary to Congressional intent.<sup>151</sup> The Eighth Circuit stayed the issuance of its mandate pending review by the Supreme Court.<sup>152</sup> The Supreme Court, on May 13, 2002, upheld the Commission's forward-looking pricing methodology in determining costs of UNEs and "reverse[d] the Eighth Circuit's judgment insofar as it invalidated TELRIC as a method for setting rates under the Act."<sup>153</sup> Accordingly, the Commission's pricing rules remain in effect.

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<sup>147</sup> See 47 C.F.R. § 51.315(b).

<sup>148</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 4084, para. 244; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6266, para. 59.

<sup>149</sup> *Iowa Utils. Bd. v. FCC*, 120 F.3d 753, 800, 804, 805-06 (8<sup>th</sup> Cir. 1997).

<sup>150</sup> *AT&T Corp. v. Iowa Utils. Bd.*, 525 U.S. 366 (1999). In reaching its decision, the Court acknowledged that section 201(b) "explicitly grants the FCC jurisdiction to make rules governing matters to which the 1996 Act applies." *Id.* at 380. Furthermore, the Court determined that section 251(d) also provides evidence of an express jurisdictional grant by requiring that "the Commission [shall] complete all actions necessary to establish regulations to implement the requirements of this section." *Id.* at 382. The Court also held that the pricing provisions implemented under the Commission's rulemaking authority do not inhibit the establishment of rates by the states. The Court concluded that the Commission has jurisdiction to design a pricing methodology to facilitate local competition under the 1996 Act, including pricing for interconnection and unbundled access, as "it is the States that will apply those standards and implement that methodology, determining the concrete result." *Id.*

<sup>151</sup> *Iowa Utils. Bd. v. FCC*, 219 F.3d 744 (8<sup>th</sup> Cir. 2000), *petition for cert. granted sub nom. Verizon Communications v. FCC*, 121 S. Ct. 877 (2001).

<sup>152</sup> *Iowa Utils. Bd. v. FCC*, No. 96-3321 *et al.* (8<sup>th</sup> Cir. Sept. 25, 2000).

<sup>153</sup> *Verizon v. FCC*, 122 S.Ct. at 1679. On August 21, 2002, the Eighth Circuit implemented the Supreme Court's mandate with respect to the Commission's TELRIC pricing rule by vacating its prior opinion insofar as it had invalidated that rule and by denying the petitions for review of that (continued....)

### C. Checklist Item 3 – Poles, Ducts, Conduits and Rights of Way

47. Section 271(c)(2)(B)(iii) requires BOCs to provide “[n]ondiscriminatory access to the poles, ducts, conduits, and rights-of-way owned or controlled by the [BOC] at just and reasonable rates in accordance with the requirements of section 224.”<sup>154</sup> Section 224(f)(1) states that “[a] utility shall provide a cable television system or any telecommunications carrier with nondiscriminatory access to any pole, duct, conduit, or right-of-way owned or controlled by it.”<sup>155</sup> Notwithstanding this requirement, section 224(f)(2) permits a utility providing electric service to deny access to its poles, ducts, conduits, and rights-of-way, on a nondiscriminatory basis, “where there is insufficient capacity and for reasons of safety, reliability and generally applicable engineering purposes.”<sup>156</sup> Section 224 also contains two separate provisions governing the maximum rates that a utility may charge for “pole attachments.”<sup>157</sup> Section 224(b)(1) states that the Commission shall regulate the rates, terms, and conditions governing pole attachments to ensure that they are “just and reasonable.”<sup>158</sup> Notwithstanding this general grant of authority, section 224(c)(1) states that “[n]othing in [section 224] shall be construed to apply to, or to give the Commission jurisdiction with respect to the rates, terms, and conditions, or access to poles, ducts, conduits and rights-of-way as provided in [section 224(f)], for pole

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rule. *Iowa Utilities Board v. FCC*, 8th Circuit Nos. 96-3321, et al., Judgment, filed August 21, 2002.

<sup>154</sup> 47 U.S.C. § 271(c)(2)(B)(iii). As originally enacted, section 224 was intended to address obstacles that cable operators encountered in obtaining access to poles, ducts, conduits, or rights-of-way owned or controlled by utilities. The 1996 Act amended section 224 in several important respects to ensure that telecommunications carriers as well as cable operators have access to poles, ducts, conduits, or rights-of-way owned or controlled by utility companies, including LECs. *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20706, n.574.

<sup>155</sup> 47 U.S.C. § 224(f)(1). Section 224(a)(1) defines “utility” to include any entity, including a LEC, that controls “poles, ducts, conduits, or rights-of-way used, in whole or in part, for any wire communications.” 47 U.S.C. § 224(a)(1).

<sup>156</sup> 47 U.S.C. § 224(f)(2). In the *Local Competition First Report and Order*, the Commission concluded that, although the statutory exception enunciated in section 224(f)(2) appears to be limited to utilities providing electrical service, LECs should also be permitted to deny access to their poles, ducts, conduits, and rights-of-way because of insufficient capacity and for reasons of safety, reliability and generally applicable engineering purposes, provided the assessment of such factors is done in a nondiscriminatory manner. *Local Competition First Report and Order*, 11 FCC Rcd at 16080-81, paras. 1175-77.

<sup>157</sup> Section 224(a)(4) defines “pole attachment” as “any attachment by a cable television system or provider of telecommunications service to a pole, duct, conduit, or right-of-way owned or controlled by a utility.” 47 U.S.C. § 224(a)(4).

<sup>158</sup> 47 U.S.C. § 224(b)(1).

attachments in any case where such matters are regulated by a State.”<sup>159</sup> As of 1992, nineteen states, including Connecticut, had certified to the Commission that they regulated the rates, terms, and conditions for pole attachments.<sup>160</sup>

#### D. Checklist Item 4 – Unbundled Local Loops

48. Section 271(c)(2)(B)(iv) of the Act, item 4 of the competitive checklist, requires that a BOC provide “[l]ocal loop transmission from the central office to the customer’s premises, unbundled from local switching or other services.”<sup>161</sup> The Commission has defined the loop as a transmission facility between a distribution frame, or its equivalent, in an incumbent LEC central office, and the demarcation point at the customer premises. This definition includes different types of loops, including two-wire and four-wire analog voice-grade loops, and two-wire and four-wire loops that are conditioned to transmit the digital signals needed to provide service such as ISDN, ADSL, HDSL, and DS1-level signals.<sup>162</sup>

49. In order to establish that it is “providing” unbundled local loops in compliance with checklist item 4, a BOC must demonstrate that it has a concrete and specific legal obligation to furnish loops and that it is currently doing so in the quantities that competitors demand and at an acceptable level of quality. A BOC must also demonstrate that it provides nondiscriminatory access to unbundled loops.<sup>163</sup> Specifically, the BOC must provide access to any functionality of the loop requested by a competing carrier unless it is not technically feasible

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<sup>159</sup> *Id.* § 224(c)(1). The 1996 Act extended the Commission’s authority to include not just rates, terms, and conditions, but also the authority to regulate nondiscriminatory access to poles, ducts, conduits, and rights-of-way. *Local Competition First Report and Order*, 11 FCC Rcd at 16104, para. 1232; 47 U.S.C. § 224(f). Absent state regulation of terms and conditions of nondiscriminatory attachment access, the Commission retains jurisdiction. *Local Competition First Report and Order*, 11 FCC Rcd at 16104, para. 1232; 47 U.S.C. § 224(c)(1); *see also Bell Atlantic New York Order*, 15 FCC Rcd at 4093, para. 264.

<sup>160</sup> *See States That Have Certified That They Regulate Pole Attachments*, Public Notice, 7 FCC Rcd 1498 (1992); 47 U.S.C. § 224(f).

<sup>161</sup> 47 U.S.C. § 271(c)(2)(B)(iv).

<sup>162</sup> *Local Competition First Report and Order*, 11 FCC Rcd at 15691, para. 380; *UNE Remand Order*, 15 FCC Rcd at 3772-73, paras. 166-67, n.301 (retaining definition of the local loop from the *Local Competition First Report and Order*, but replacing the phrase “network interconnection device” with “demarcation point,” and making explicit that dark fiber and loop conditioning are among the features, functions and capabilities of the loop).

<sup>163</sup> *SWBT Texas Order*, 15 FCC Rcd at 18481-81, para. 248; *Bell Atlantic New York Order*, 15 FCC Rcd at 4095, para. 269; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20637, para. 185.

to condition the loop facility to support the particular functionality requested. In order to provide the requested loop functionality, such as the ability to deliver xDSL services, the BOC may be required to take affirmative steps to condition existing loop facilities to enable competing carriers to provide services not currently provided over the facilities. The BOC must provide competitors with access to unbundled loops regardless of whether the BOC uses digital loop carrier (DLC) technology or similar remote concentration devices for the particular loops sought by the competitor.

50. On December 9, 1999, the Commission released the *Line Sharing Order*, which introduced new rules requiring BOCs to offer requesting carriers unbundled access to the high-frequency portion of local loops (HFPL).<sup>164</sup> HFPL is defined as “the frequency above the voiceband on a copper loop facility that is being used to carry traditional POTS analog circuit-switched voiceband transmissions.” This definition applies whether a BOC’s voice customers are served by copper or by digital loop carrier equipment. Competing carriers should have access to the HFPL at either a central office or at a remote terminal. However, the HFPL network element is *only* available on a copper loop facility.<sup>165</sup>

51. To determine whether a BOC makes line sharing available consistent with Commission rules set out in the *Line Sharing Order*, the Commission examines categories of performance measurements identified in the *Bell Atlantic New York* and *SWBT Texas Orders*. Specifically, a successful BOC applicant could provide evidence of BOC-caused missed installation due dates, average installation intervals, trouble reports within 30 days of installation, mean time to repair, trouble report rates, and repeat trouble report rates. In addition, a successful BOC applicant should provide evidence that its central offices are operationally ready to handle commercial volumes of line sharing and that it provides competing carriers with nondiscriminatory access to the pre-ordering and ordering OSS functions associated with the provision of line shared loops, including access to loop qualification information and databases.

52. Section 271(c)(2)(B)(iv) also requires that a BOC demonstrate that it makes line splitting available to competing carriers so that competing carriers may provide voice and data service over a single loop.<sup>166</sup> In addition, a BOC must demonstrate that a competing carrier, either alone or in conjunction with another carrier, is able to replace an existing UNE-P

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<sup>164</sup> See *Line Sharing Order*, 14 FCC Rcd at 20924-27, paras. 20-27; see also n.63 at C-12 *supra*.

<sup>165</sup> See *Deployment of Wireline Services offering Advanced Telecommunications Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order on Reconsideration in CC Docket No. 98-147, Fourth Report and Order on Reconsideration in CC Docket No. 96-98, 16 FCC Rcd 2101, 2106-07, para. 10 (2001).

<sup>166</sup> See generally *SWBT Texas Order*, 15 FCC Rcd at 18515-17, paras. 323-329 (describing line splitting); 47 C.F.R. § 51.703(c) (requiring that incumbent LECs provide competing carriers with access to unbundled loops in a manner that allows competing carriers “to provide any telecommunications service that can be offered by means of that network element”).

configuration used to provide voice service with an arrangement that enables it to provide voice and data service to a customer. To make such a showing, a BOC must show that it has a legal obligation to provide line splitting through rates, terms, and conditions in interconnection agreements and that it offers competing carriers the ability to order an unbundled xDSL-capable loop terminated to a collocated splitter and DSLAM equipment, and combine it with unbundled switching and shared transport.<sup>167</sup>

#### **E. Checklist Item 5 – Unbundled Local Transport**

53. Section 271(c)(2)(B)(v) of the competitive checklist requires a BOC to provide “[l]ocal transport from the trunk side of a wireline local exchange carrier switch unbundled from switching or other services.”<sup>168</sup> The Commission has required that BOCs provide both dedicated and shared transport to requesting carriers.<sup>169</sup> Dedicated transport consists of BOC transmission facilities dedicated to a particular customer or carrier that provide telecommunications between wire centers owned by BOCs or requesting telecommunications carriers, or between switches owned by BOCs or requesting telecommunications carriers.<sup>170</sup> Shared transport consists of transmission facilities shared by more than one carrier, including the BOC, between end office switches, between end office switches and tandem switches, and between tandem switches, in the BOC’s network.<sup>171</sup>

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<sup>167</sup> See *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6348, para. 220.

<sup>168</sup> 47 U.S.C. § 271(c)(2)(B)(v).

<sup>169</sup> *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20719, para. 201.

<sup>170</sup> *Id.* A BOC has the following obligations with respect to dedicated transport: (a) provide unbundled access to dedicated transmission facilities between BOC central offices or between such offices and serving wire centers (SWCs); between SWCs and interexchange carriers points of presence (POPs); between tandem switches and SWCs, end offices or tandems of the BOC, and the wire centers of BOCs and requesting carriers; (b) provide all technically feasible transmission capabilities such as DS1, DS3, and Optical Carrier levels that the competing carrier could use to provide telecommunications; (c) not limit the facilities to which dedicated interoffice transport facilities are connected, provided such interconnections are technically feasible, or restrict the use of unbundled transport facilities; and (d) to the extent technically feasible, provide requesting carriers with access to digital cross-connect system functionality in the same manner that the BOC offers such capabilities to interexchange carriers that purchase transport services. *Id.* at 20719.

<sup>171</sup> *Id.* at 20719, n.650. The Commission also found that a BOC has the following obligations with respect to shared transport: (a) provide shared transport in a way that enables the traffic of requesting carriers to be carried on the same transport facilities that a BOC uses for its own traffic; (b) provide shared transport transmission facilities between end office switches, between its end office and tandem switches, and between tandem switches in its network; (c) permit (continued....)



**F. Checklist Item 6 – Unbundled Local Switching**

54. Section 271(c)(2)(B)(vi) of the 1996 Act requires a BOC to provide “[l]ocal switching unbundled from transport, local loop transmission, or other services.”<sup>172</sup> In the *Second BellSouth Louisiana Order*, the Commission required BellSouth to provide unbundled local switching that included line-side and trunk-side facilities, plus the features, functions, and capabilities of the switch.<sup>173</sup> The features, functions, and capabilities of the switch include the basic switching function as well as the same basic capabilities that are available to the incumbent LEC’s customers.<sup>174</sup> Additionally, local switching includes all vertical features that the switch is capable of providing, as well as any technically feasible customized routing functions.<sup>175</sup>

55. Moreover, in the *Second BellSouth Louisiana Order*, the Commission required BellSouth to permit competing carriers to purchase UNEs, including unbundled switching, in a manner that permits a competing carrier to offer, and bill for, exchange access and the termination of local traffic.<sup>176</sup> The Commission also stated that measuring daily customer usage for billing purposes requires essentially the same OSS functions for both competing carriers and incumbent LECs, and that a BOC must demonstrate that it is providing equivalent access to billing information.<sup>177</sup> Therefore, the ability of a BOC to provide billing information necessary for a competitive LEC to bill for exchange access and termination of local traffic is an aspect of

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requesting carriers that purchase unbundled shared transport and unbundled switching to use the same routing table that is resident in the BOC’s switch; and (d) permit requesting carriers to use shared (or dedicated) transport as an unbundled element to carry originating access traffic from, and terminating traffic to, customers to whom the requesting carrier is also providing local exchange service. *Id.* at 20720, n.652.

<sup>172</sup> 47 U.S.C. § 271(c)(2)(B)(vi); *see also Second BellSouth Louisiana Order*, 13 FCC Rcd at 20722. A switch connects end user lines to other end user lines, and connects end user lines to trunks used for transporting a call to another central office or to a long-distance carrier. Switches can also provide end users with “vertical features” such as call waiting, call forwarding, and caller ID, and can direct a call to a specific trunk, such as to a competing carrier’s operator services.

<sup>173</sup> *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20722, para. 207.

<sup>174</sup> *Id.*

<sup>175</sup> *Id.* at 20722-23, para. 207.

<sup>176</sup> *Id.* at 20723, para. 208.

<sup>177</sup> *Id.* at 20723, para. 208 (citing *Ameritech Michigan Order*, 12 FCC Rcd at 20619, para. 140).

unbundled local switching.<sup>178</sup> Thus, there is an overlap between the provision of unbundled local switching and the provision of the OSS billing function.<sup>179</sup>

56. To comply with the requirements of unbundled local switching, a BOC must also make available trunk ports on a shared basis and routing tables resident in the BOC's switch, as necessary to provide access to shared transport functionality.<sup>180</sup> In addition, a BOC may not limit the ability of competitors to use unbundled local switching to provide exchange access by requiring competing carriers to purchase a dedicated trunk from an interexchange carrier's point of presence to a dedicated trunk port on the local switch.<sup>181</sup>

**G. Checklist Item 7 – 911/E911 Access and Directory Assistance/Operator Services**

57. Section 271(c)(2)(B)(vii) of the Act requires a BOC to provide “[n]ondiscriminatory access to – (I) 911 and E911 services.”<sup>182</sup> In the *Ameritech Michigan Order*, the Commission found that “section 271 requires a BOC to provide competitors access to its 911 and E911 services in the same manner that a BOC obtains such access, *i.e.*, at parity.”<sup>183</sup> Specifically, the Commission found that a BOC “must maintain the 911 database entries for competing LECs with the same accuracy and reliability that it maintains the database entries for its own customers.”<sup>184</sup> For facilities-based carriers, the BOC must provide “unbundled access to [its] 911 database and 911 interconnection, including the provision of dedicated trunks from the requesting carrier's switching facilities to the 911 control office at parity with what [the BOC] provides to itself.”<sup>185</sup> Section 271(c)(2)(B)(vii)(II) and section 271(c)(2)(B)(vii)(III) require a BOC to provide nondiscriminatory access to “directory assistance services to allow the other

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<sup>178</sup> *Id.*

<sup>179</sup> *Id.*

<sup>180</sup> *Id.* at 20723, para. 209 (citing the *Ameritech Michigan Order*, 12 FCC Rcd at 20705, para. 306).

<sup>181</sup> *Id.* (citing the *Ameritech Michigan Order*, 12 FCC Rcd at 20714-15, paras. 324-25).

<sup>182</sup> 47 U.S.C. § 271(c)(2)(B)(vii). 911 and E911 services transmit calls from end users to emergency personnel. It is critical that a BOC provide competing carriers with accurate and nondiscriminatory access to 911/E911 services so that these carriers' customers are able to reach emergency assistance. Customers use directory assistance and operator services to obtain customer listing information and other call completion services.

<sup>183</sup> *Ameritech Michigan Order*, 12 FCC Rcd at 20679, para. 256.

<sup>184</sup> *Id.*

<sup>185</sup> *Id.*

carrier's customers to obtain telephone numbers" and "operator call completion services," respectively.<sup>186</sup> Section 251(b)(3) of the Act imposes on each LEC "the duty to permit all [competing providers of telephone exchange service and telephone toll service] to have nondiscriminatory access to . . . operator services, directory assistance, and directory listing, with no unreasonable dialing delays."<sup>187</sup> The Commission concluded in the *Second BellSouth Louisiana Order* that a BOC must be in compliance with the regulations implementing section 251(b)(3) to satisfy the requirements of sections 271(c)(2)(B)(vii)(II) and 271(c)(2)(B)(vii)(III).<sup>188</sup> In the *Local Competition Second Report and Order*, the Commission held that the phrase "nondiscriminatory access to directory assistance and directory listings"

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<sup>186</sup> 47 U.S.C. §§ 271(c)(2)(B)(vii)(II), (III).

<sup>187</sup> *Id.* § 251(b)(3). The Commission implemented section 251(b)(3) in the *Local Competition Second Report and Order*. 47 C.F.R. § 51.217; *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Second Report and Order and Memorandum Opinion and Order, 11 FCC Rcd 19392 (1996) (*Local Competition Second Report and Order*) vacated in part sub nom. *People of the State of California v. FCC*, 124 F.3d 934 (8th Cir. 1997), overruled in part, *AT&T Corp. v. Iowa Utils. Bd.*, 525 U.S. 366 (1999); see also *Implementation of the Telecommunications Act of 1996: Provision of Directory Listings Information under the Telecommunications Act of 1934*, Notice of Proposed Rulemaking, 14 FCC Rcd 15550 (1999) (*Directory Listings Information NPRM*).

<sup>188</sup> While both sections 251(b)(3) and 271(c)(2)(B)(vii)(II) refer to nondiscriminatory access to "directory assistance," section 251(b)(3) refers to nondiscriminatory access to "operator services," while section 271(c)(2)(B)(vii)(III) refers to nondiscriminatory access to "operator call completion services." 47 U.S.C. §§ 251(b)(3), 271(c)(2)(B)(vii)(III). The term "operator call completion services" is not defined in the Act, nor has the Commission previously defined the term. However, for section 251(b)(3) purposes, the term "operator services" was defined as meaning "any automatic or live assistance to a consumer to arrange for billing or completion, or both, of a telephone call." *Local Competition Second Report and Order*, 11 FCC Rcd at 19448, para. 110. In the same order the Commission concluded that busy line verification, emergency interrupt, and operator-assisted directory assistance are forms of "operator services," because they assist customers in arranging for the billing or completion (or both) of a telephone call. *Id.* at 19449, para. 111. All of these services may be needed or used to place a call. For example, if a customer tries to direct dial a telephone number and constantly receives a busy signal, the customer may contact the operator to attempt to complete the call. Since billing is a necessary part of call completion, and busy line verification, emergency interrupt, and operator-assisted directory assistance can all be used when an operator completes a call, the Commission concluded in the *Second BellSouth Louisiana Order* that for checklist compliance purposes, "operator call completion services" is a subset of or equivalent to "operator service." *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20740, n.763. As a result, the Commission uses the nondiscriminatory standards established for operator services to determine whether nondiscriminatory access is provided.

means that “the customers of all telecommunications service providers should be able to access each LEC’s directory assistance service and obtain a directory listing on a nondiscriminatory basis, notwithstanding: (1) the identity of a requesting customer’s local telephone service provider; or (2) the identity of the telephone service provider for a customer whose directory listing is requested.”<sup>189</sup> The Commission concluded that nondiscriminatory access to the dialing patterns of 4-1-1 and 5-5-5-1-2-1-2 to access directory assistance were technically feasible, and would continue.<sup>190</sup> The Commission specifically held that the phrase “nondiscriminatory access to operator services” means that “a telephone service customer, regardless of the identity of his or her local telephone service provider, must be able to connect to a local operator by dialing ‘0,’ or ‘0 plus’ the desired telephone number.”<sup>191</sup>

58. Competing carriers may provide operator services and directory assistance by reselling the BOC’s services, outsourcing service provision to a third-party provider, or using their own personnel and facilities. The Commission’s rules require BOCs to permit competitive LECs wishing to resell the BOC’s operator services and directory assistance to request the BOC to brand their calls.<sup>192</sup> Competing carriers wishing to provide operator services or directory assistance using their own or a third party provider’s facilities and personnel must be able to obtain directory listings either by obtaining directory information on a “read only” or “per dip” basis from the BOC’s directory assistance database, or by creating their own directory assistance

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<sup>189</sup> 47 C.F.R. § 51.217(c)(3); *Local Competition Second Report and Order*, 11 FCC Rcd at 19456-58, paras. 130-35. The *Local Competition Second Report and Order*’s interpretation of section 251(b)(3) is limited “to access to each LEC’s directory assistance service.” *Id.* at 19456, para. 135. However, section 271(c)(2)(B)(vii) is not limited to the LEC’s systems but requires “nondiscriminatory access to . . . directory assistance to allow the other carrier’s customers to obtain telephone numbers.” 47 U.S.C. § 271(c)(2)(B)(vii). Combined with the Commission’s conclusion that “incumbent LECs must unbundle the facilities and functionalities providing operator services and directory assistance from resold services and other unbundled network elements to the extent technically feasible,” *Local Competition First Report and Order*, 11 FCC Rcd at 15772-73, paras. 535-37, section 271(c)(2)(B)(vii)’s requirement should be understood to require the BOCs to provide nondiscriminatory access to the directory assistance service provider selected by the customer’s local service provider, regardless of whether the competitor; provides such services itself; selects the BOC to provide such services; or chooses a third party to provide such services. *See Directory Listings Information NPRM*.

<sup>190</sup> *Local Competition Second Report and Order*, 11 FCC Rcd at 19464, para. 151.

<sup>191</sup> *Id.* at 19464, para. 151.

<sup>192</sup> 47 C.F.R. § 51.217(d); *Local Competition Second Report and Order*, 11 FCC Rcd at 19463, para. 148. For example, when customers call the operator or calls for directory assistance, they typically hear a message, such as “thank you for using XYZ Telephone Company.” Competing carriers may use the BOC’s brand, request the BOC to brand the call with the competitive carriers name or request that the BOC not brand the call at all. 47 C.F.R. § 51.217(d).

database by obtaining the subscriber listing information in the BOC's database.<sup>193</sup> Although the Commission originally concluded that BOCs must provide directory assistance and operator services on an unbundled basis pursuant to sections 251 and 252, the Commission removed directory assistance and operator services from the list of required UNEs in the *UNE Remand Order*.<sup>194</sup> Checklist item obligations that do not fall within a BOC's obligations under section 251(c)(3) are not subject to the requirements of sections 251 and 252 that rates be based on forward-looking economic costs.<sup>195</sup> Checklist item obligations that do not fall within a BOC's UNE obligations, however, still must be provided in accordance with sections 201(b) and 202(a), which require that rates and conditions be just and reasonable, and not unreasonably discriminatory.<sup>196</sup>

#### H. Checklist Item 8 – White Pages Directory Listings

59. Section 271(c)(2)(B)(viii) of the 1996 Act requires a BOC to provide “[w]hite pages directory listings for customers of the other carrier’s telephone exchange service.”<sup>197</sup> Section 251(b)(3) of the 1996 Act obligates all LECs to permit competitive providers of telephone exchange service and telephone toll service to have nondiscriminatory access to directory listing.<sup>198</sup>

60. In the *Second BellSouth Louisiana Order*, the Commission concluded that, “consistent with the Commission’s interpretation of ‘directory listing’ as used in section

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<sup>193</sup> 47 C.F.R. § 51.217(C)(3)(ii); *Local Competition Second Report and Order*, 11 FCC Rcd at 19460-61, paras. 141-44; *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Customer Information, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Provision of Directory Listing Information Under the Communications Act of 1934, as amended*, Third Report and Order, Second Order on Reconsideration, and Notice of Proposed Rulemaking, 14 FCC Rcd 15550, 15630-31, paras. 152-54 (1999); *Provision of Directory Listing Information Under the Communications Act of 1934, as amended*, First Report and Order, 16 FCC Rcd 2736, 2743-51 (2001).

<sup>194</sup> *UNE Remand Order*, 15 FCC Rcd at 3891-92, paras. 441-42.

<sup>195</sup> *UNE Remand Order*, 15 FCC Rcd at 3905, para. 470; *see generally* 47 U.S.C. §§ 251-52; *see also* 47 U.S.C. § 252(d)(1)(A)(i) (requiring UNE rates to be “based on the cost (determined without reference to a rate-of-return or other rate-based proceeding) of providing the ... network element”).

<sup>196</sup> *UNE Remand Order*, 15 FCC Rcd at 3905-06, paras. 470-73; *see also* 47 U.S.C. §§ 201(b), 202(a).

<sup>197</sup> 47 U.S.C. § 271(c)(2)(B)(viii).

<sup>198</sup> *Id.* § 251(b)(3).

251(b)(3), the term ‘white pages’ in section 271(c)(2)(B)(viii) refers to the local alphabetical directory that includes the residential and business listings of the customers of the local exchange provider.”<sup>199</sup> The Commission further concluded, “the term ‘directory listing,’ as used in this section, includes, at a minimum, the subscriber’s name, address, telephone number, or any combination thereof.”<sup>200</sup> The Commission’s *Second BellSouth Louisiana Order* also held that a BOC satisfies the requirements of checklist item 8 by demonstrating that it: (1) provided nondiscriminatory appearance and integration of white page directory listings to competitive LECs’ customers; and (2) provided white page listings for competitors’ customers with the same accuracy and reliability that it provides its own customers.<sup>201</sup>

### I. Checklist Item 9 – Numbering Administration

61. Section 271(c)(2)(B)(ix) of the 1996 Act requires a BOC to provide “nondiscriminatory access to telephone numbers for assignment to the other carrier’s telephone exchange service customers,” until “the date by which telecommunications numbering administration, guidelines, plan, or rules are established.”<sup>202</sup> The checklist mandates compliance with “such guidelines, plan, or rules” after they have been established.<sup>203</sup> A BOC must demonstrate that it adheres to industry numbering administration guidelines and Commission rules.<sup>204</sup>

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<sup>199</sup> *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20748, para. 255.

<sup>200</sup> *Id.* In the *Second BellSouth Louisiana Order*, the Commission stated that the definition of “directory listing” was synonymous with the definition of “subscriber list information.” *Id.* at 20747 (citing the *Local Competition Second Report and Order*, 11 FCC Rcd at 19458-59). However, the Commission’s decision in a later proceeding obviates this comparison, and supports the definition of directory listing delineated above. *See Implementation of the Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Customer Information*, CC Docket No. 96-115, Third Report and Order; *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, Second Order on Reconsideration; *Provision of Directory Listing Information under the Telecommunications Act of 1934, As Amended*, CC Docket No. 99-273, FCC 99-227, Notice of Proposed Rulemaking, para. 160 (rel. Sept. 9, 1999).

<sup>201</sup> *Id.*

<sup>202</sup> 47 U.S.C. § 271(c)(2)(B)(ix).

<sup>203</sup> *Id.*

<sup>204</sup> *See Second Bell South Louisiana Order*, 13 FCC Rcd at 20752; *see also Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574 (2000); *Numbering Resource Optimization*, Second Report and Order, Order on Reconsideration in CC Docket No. 99-200 and Second Further Notice of Proposed Rulemaking (continued....)

**J. Checklist Item 10 – Databases and Associated Signaling**

62. Section 271(c)(2)(B)(x) of the 1996 Act requires a BOC to provide “nondiscriminatory access to databases and associated signaling necessary for call routing and completion.”<sup>205</sup> In the *Second BellSouth Louisiana Order*, the Commission required BellSouth to demonstrate that it provided requesting carriers with nondiscriminatory access to: “(1) signaling networks, including signaling links and signaling transfer points; (2) certain call-related databases necessary for call routing and completion, or in the alternative, a means of physical access to the signaling transfer point linked to the unbundled database; and (3) Service Management Systems (SMS).”<sup>206</sup> The Commission also required BellSouth to design, create, test, and deploy Advanced Intelligent Network (AIN) based services at the SMS through a Service Creation Environment (SCE).<sup>207</sup> In the *Local Competition First Report and Order*, the Commission defined call-related databases as databases, other than operations support systems, that are used in signaling networks for billing and collection or the transmission, routing, or other provision of telecommunications service.<sup>208</sup> At that time the Commission required incumbent LECs to provide unbundled access to their call-related databases, including but not limited to: the Line Information Database (LIDB), the Toll Free Calling database, the Local Number Portability database, and Advanced Intelligent Network databases.<sup>209</sup> In the *UNE Remand Order*, the Commission clarified that the definition of call-related databases “includes, but is not limited to, the calling name (CNAM) database, as well as the 911 and E911 databases.”<sup>210</sup>

**K. Checklist Item 11 – Number Portability**

63. Section 271(c)(2)(B) of the 1996 Act requires a BOC to comply with the number portability regulations adopted by the Commission pursuant to section 251.<sup>211</sup> Section 251(b)(2)

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in CC Docket No. 99-200, CC Docket Nos. 96-98; 99-200 (rel. Dec. 29, 2000); *Numbering Resource Optimization*, Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200 (rel. Dec. 28, 2001).

<sup>205</sup> 47 U.S.C. § 271(c)(2)(B)(x).

<sup>206</sup> *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20753, para. 267.

<sup>207</sup> *Id.* at 20755-56, para. 272.

<sup>208</sup> *Local Competition First Report and Order*, 11 FCC Rcd at 15741, n.1126; *UNE Remand Order*, 15 FCC Rcd at 3875, para. 403.

<sup>209</sup> *Id.* at 15741-42, para. 484.

<sup>210</sup> *UNE Remand Order*, 15 FCC Rcd at 3875, para. 403.

<sup>211</sup> 47 U.S.C. § 271(c)(2)(B)(xii).

requires all LECs “to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the Commission.”<sup>212</sup> The 1996 Act defines number portability as “the ability of users of telecommunications services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another.”<sup>213</sup> In order to prevent the cost of number portability from thwarting local competition, Congress enacted section 251(e)(2), which requires that “[t]he cost of establishing telecommunications numbering administration arrangements and number portability shall be borne by all telecommunications carriers on a competitively neutral basis as determined by the Commission.”<sup>214</sup> Pursuant to these statutory provisions, the Commission requires LECs to offer interim number portability “to the extent technically feasible.”<sup>215</sup> The Commission also requires LECs to gradually replace interim number portability with permanent number portability.<sup>216</sup> The Commission has established guidelines for states to follow in mandating a competitively neutral cost-recovery mechanism for interim number portability,<sup>217</sup> and created a competitively neutral cost-recovery mechanism for long-term number portability.<sup>218</sup>

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<sup>212</sup> *Id.* at § 251(b)(2).

<sup>213</sup> *Id.* at § 153(30).

<sup>214</sup> *Id.* at § 251(e)(2); *see also Second BellSouth Louisiana Order*, 13 FCC Rcd at 20757, para. 274; *In the Matter of Telephone Number Portability*, Third Report and Order, 13 FCC Rcd 11701, 11702-04 (1998) (*Third Number Portability Order*); *In the Matter of Telephone Number Portability*, Fourth Memorandum Opinion and Order on Reconsideration, 15 FCC Rcd 16459, 16460, 16462-65, paras. 1, 6-9 (1999) (*Fourth Number Portability Order*).

<sup>215</sup> *Fourth Number Portability Order*, 15 FCC Rcd at 16465, para. 10; *Telephone Number Portability*, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 8352, 8409-12, paras. 110-16 (1996) (*First Number Portability Order*); *see also* 47 U.S.C. § 251(b)(2).

<sup>216</sup> *See* 47 C.F.R. §§ 52.3(b)-(f); *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20758, para. 275; *First Number Portability Order*, 11 FCC Rcd at 8355, 8399-8404, paras. 3, 91; *Third Number Portability Order*, 13 FCC Rcd at 11708-12, paras. 12-16.

<sup>217</sup> *See* 47 C.F.R. § 52.29; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20758, para. 275; *First Number Portability Order*, 11 FCC Rcd at 8417-24, paras. 127-40.

<sup>218</sup> *See* 47 C.F.R. §§ 52.32, 52.33; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20758, para. 275; *Third Number Portability Order*, 13 FCC Rcd at 11706-07, para. 8; *Fourth Number Portability Order* at 16464-65, para. 9.



**L. Checklist Item 12 – Local Dialing Parity**

64. Section 271(c)(2)(B)(xii) requires a BOC to provide “[n]ondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of section 251(b)(3).”<sup>219</sup> Section 251(b)(3) imposes upon all LECs “[t]he duty to provide dialing parity to competing providers of telephone exchange service and telephone toll service with no unreasonable dialing delays.”<sup>220</sup> Section 153(15) of the Act defines “dialing parity” as follows:

[A] person that is not an affiliate of a local exchange carrier is able to provide telecommunications services in such a manner that customers have the ability to route automatically, without the use of any access code, their telecommunications to the telecommunications services provider of the customer’s designation.<sup>221</sup>

65. The rules implementing section 251(b)(3) provide that customers of competing carriers must be able to dial the same number of digits the BOC’s customers dial to complete a local telephone call.<sup>222</sup> Moreover, customers of competing carriers must not otherwise suffer inferior quality service, such as unreasonable dialing delays, compared to the BOC’s customers.<sup>223</sup>

**M. Checklist Item 13 – Reciprocal Compensation**

66. Section 271(c)(2)(B)(xiii) of the Act requires that a BOC enter into “[r]eciprocal compensation arrangements in accordance with the requirements of section 252(d)(2).”<sup>224</sup> In

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<sup>219</sup> Based on the Commission’s view that section 251(b)(3) does not limit the duty to provide dialing parity to any particular form of dialing parity (*i.e.*, international, interstate, intrastate, or local), the Commission adopted rules in August 1996 to implement broad guidelines and minimum nationwide standards for dialing parity. *Local Competition Second Report and Order*, 11 FCC Rcd at 19407; *Interconnection Between Local Exchange Carriers and Commercial Mobile Radio Service Providers*, CC Docket No. 95-185, Further Order On Reconsideration, FCC 99-170 (rel. July 19, 1999).

<sup>220</sup> 47 U.S.C. § 251(b)(3).

<sup>221</sup> *Id.* § 153(15).

<sup>222</sup> 47 C.F.R. §§ 51.205, 51.207.

<sup>223</sup> See 47 C.F.R. § 51.207 (requiring same number of digits to be dialed); *Local Competition Second Report and Order*, 11 FCC Rcd at 19400, 19403.

<sup>224</sup> 47 U.S.C. § 271(c)(2)(B)(xiii).

turn, pursuant to section 252(d)(2)(A), “a state commission shall not consider the terms and conditions for reciprocal compensation to be just and reasonable unless (i) such terms and conditions provide for the mutual and reciprocal recovery by each carrier of costs associated with the transport and termination on each carrier’s network facilities of calls that originate on the network facilities of the other carrier; and (ii) such terms and conditions determine such costs on the basis of a reasonable approximation of the additional costs of terminating such calls.”<sup>225</sup>

#### N. Checklist Item 14 – Resale

67. Section 271(c)(2)(B)(xiv) of the Act requires a BOC to make “telecommunications services . . . available for resale in accordance with the requirements of sections 251(c)(4) and 252(d)(3).”<sup>226</sup> Section 251(c)(4)(A) requires incumbent LECs “to offer for resale at wholesale rates any telecommunications service that the carrier provides at retail to subscribers who are not telecommunications carriers.”<sup>227</sup> Section 252(d)(3) requires state commissions to “determine wholesale rates on the basis of retail rates charged to subscribers for the telecommunications service requested, excluding the portion thereof attributable to any marketing, billing, collection, and other costs that will be avoided by the local exchange carrier.”<sup>228</sup> Section 251(c)(4)(B) prohibits “unreasonable or discriminatory conditions or limitations” on service resold under section 251(c)(4)(A).<sup>229</sup> Consequently, the Commission concluded in the *Local Competition First Report and Order* that resale restrictions are presumed to be unreasonable unless the LEC proves to the state commission that the restriction is reasonable and nondiscriminatory.<sup>230</sup> If an incumbent LEC makes a service available only to a specific category of retail subscribers, however, a state commission may prohibit a carrier that obtains the service pursuant to section 251(c)(4)(A) from offering the service to a different category of subscribers.<sup>231</sup> If a state creates such a limitation, it must do so consistent with

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<sup>225</sup> *Id.* § 252(d)(2)(A).

<sup>226</sup> *Id.* § 271(c)(2)(B)(xiv).

<sup>227</sup> *Id.* § 251(c)(4)(A).

<sup>228</sup> *Id.* § 252(d)(3).

<sup>229</sup> *Id.* § 251(c)(4)(B).

<sup>230</sup> *Local Competition First Report and Order*, 11 FCC Rcd at 15966, para. 939; 47 C.F.R. § 51.613(b). The Eighth Circuit acknowledged the Commission’s authority to promulgate such rules, and specifically upheld the sections of the Commission’s rules concerning resale of promotions and discounts in *Iowa Utilities Board. Iowa Utils. Bd. v. FCC*, 120 F.3d at 818-19, *aff’d in part and remanded on other grounds, AT&T v. Iowa Utils. Bd.*, 525 U.S. 366 (1999). *See also* 47 C.F.R. §§ 51.613-51.617.

<sup>231</sup> 47 U.S.C. § 251(c)(4)(B).

requirements established by the Federal Communications Commission.<sup>232</sup> In accordance with sections 271(c)(2)(B)(ii) and 271(c)(2)(B)(xiv), a BOC must also demonstrate that it provides nondiscriminatory access to operations support systems for the resale of its retail telecommunications services.<sup>233</sup> The obligations of section 251(c)(4) apply to the retail telecommunications services offered by a BOC's advanced services affiliate.<sup>234</sup>

## V. COMPLIANCE WITH SEPARATE AFFILIATE REQUIREMENTS – SECTION 272

68. Section 271(d)(3)(B) requires that the Commission shall not approve a BOC's application to provide interLATA services unless the BOC demonstrates that the "requested authorization will be carried out in accordance with the requirements of section 272."<sup>235</sup> The Commission set standards for compliance with section 272 in the *Accounting Safeguards Order* and the *Non-Accounting Safeguards Order*.<sup>236</sup> Together, these safeguards discourage and facilitate the detection of improper cost allocation and cross-subsidization between the BOC and

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<sup>232</sup> *Id.*

<sup>233</sup> See, e.g., *Bell Atlantic New York Order*, 15 FCC Rcd at 4046-48, paras. 178-81 (Bell Atlantic provides nondiscriminatory access to its OSS ordering functions for resale services and therefore provides efficient competitors a meaningful opportunity to compete).

<sup>234</sup> See *Verizon Connecticut Order*, 16 FCC Rcd 14147, 14160-63, paras. 27-33 (2001); *Association of Communications Enterprises v. FCC*, 235 F.3d 662 (D.C. Cir. 2001).

<sup>235</sup> 47 U.S.C. § 271(d)(3)(B).

<sup>236</sup> See *Implementation of the Accounting Safeguards Under the Telecommunications Act of 1996*, CC Docket No. 96-150, Report and Order, 11 FCC Rcd 17539 (1996) (*Accounting Safeguards Order*), Second Order On Reconsideration, FCC 00-9 (rel. Jan. 18, 2000); *Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended*, CC Docket No. 96-149, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 21905 (1996) (*Non-Accounting Safeguards Order*), petition for review pending sub nom. *SBC Communications v. FCC*, No. 97-1118 (filed D.C. Cir. Mar. 6, 1997) (held in abeyance May 7, 1997), First Order on Reconsideration, 12 FCC Rcd 2297 (1997) (*First Order on Reconsideration*), Second Order on Reconsideration, 12 FCC Rcd 8653 (1997) (*Second Order on Reconsideration*), aff'd sub nom. *Bell Atlantic Telephone Companies v. FCC*, 131 F.3d 1044 (D.C. Cir. 1997), Third Order on Reconsideration, FCC 99-242 (rel. Oct. 4, 1999) (*Third Order on Reconsideration*).

its section 272 affiliate.<sup>237</sup> In addition, these safeguards ensure that BOCs do not discriminate in favor of their section 272 affiliates.<sup>238</sup>

69. As the Commission stated in the *Ameritech Michigan Order*, compliance with section 272 is “of crucial importance” because the structural, transactional, and nondiscrimination safeguards of section 272 seek to ensure that BOCs compete on a level playing field.<sup>239</sup> The Commission’s findings regarding section 272 compliance constitute independent grounds for denying an application.<sup>240</sup> Past and present behavior of the BOC applicant provides “the best indicator of whether [the applicant] will carry out the requested authorization in compliance with section 272.”<sup>241</sup>

## VI. COMPLIANCE WITH THE PUBLIC INTEREST – SECTION 271(D)(3)(C)

70. In addition to determining whether a BOC satisfies the competitive checklist and will comply with section 272, Congress directed the Commission to assess whether the requested authorization would be consistent with the public interest, convenience, and necessity.<sup>242</sup> Compliance with the competitive checklist is itself a strong indicator that long distance entry is consistent with the public interest. This approach reflects the Commission’s many years of experience with the consumer benefits that flow from competition in telecommunications markets.

71. Nonetheless, the public interest analysis is an independent element of the statutory checklist and, under normal canons of statutory construction, requires an independent determination.<sup>243</sup> Thus, the Commission views the public interest requirement as an opportunity

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<sup>237</sup> *Non-Accounting Safeguards Order*, 11 FCC Rcd at 21914; *Accounting Safeguards Order*, 11 FCC Rcd at 17550; *Ameritech Michigan Order*, 12 FCC Rcd at 20725.

<sup>238</sup> *Non-Accounting Safeguards Order*, 11 FCC Rcd at 21914, paras. 15-16; *Ameritech Michigan Order*, 12 FCC Rcd at 20725, para. 346.

<sup>239</sup> *Ameritech Michigan Order*, 12 FCC Rcd at 20725, para. 346; *Bell Atlantic New York Order*, 15 FCC Rcd at 4153, para. 402.

<sup>240</sup> *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20785-86, para. 322; *Bell Atlantic New York Order*, 15 FCC Rcd at 4153, para. 402.

<sup>241</sup> *Bell Atlantic New York Order*, 15 FCC Rcd at 4153, para. 402.

<sup>242</sup> 47 U.S.C. § 271(d)(3)(C).

<sup>243</sup> In addition, Congress specifically rejected an amendment that would have stipulated that full implementation of the checklist necessarily satisfies the public interest criterion. *See Ameritech Michigan Order*, 12 FCC Rcd at 20747 at para. 360-66; *see also* 141 Cong. Rec. S7971, S8043 (June. 8, 1995).

to review the circumstances presented by the application to ensure that no other relevant factors exist that would frustrate the congressional intent that markets be open, as required by the competitive checklist, and that entry will therefore serve the public interest as Congress expected. Among other things, the Commission may review the local and long distance markets to ensure that there are not unusual circumstances that would make entry contrary to the public interest under the particular circumstances of the application at issue.<sup>244</sup> Another factor that could be relevant to the analysis is whether the Commission has sufficient assurance that markets will remain open after grant of the application. While no one factor is dispositive in this analysis, the overriding goal is to ensure that nothing undermines the conclusion, based on the Commission's analysis of checklist compliance, that markets are open to competition.

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<sup>244</sup> See *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20805-06, para. 360 (the public interest analysis may include consideration of “whether approval . . . will foster competition in all relevant telecommunications markets”).

**STATEMENT OF CHAIRMAN MICHAEL K. POWELL**

*Re: Joint Application by BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in Florida and Tennessee*

Today's unanimous decision granting BellSouth authority to provide long distance service in Florida and Tennessee represents a significant milestone. BellSouth is the first Bell Operating Company to obtain long distance authority throughout its region. I want to applaud the hard work of the Florida Public Service Commission, the Tennessee Regulatory Authority and BellSouth for bringing such a strong application to this Commission. Our decision today represents a balanced result: BellSouth has gained permission to provide in-region long distance service and new entrants can be assured that BellSouth has taken the statutorily-required steps to open their local markets to competition.

Of course, this action does not mean that our evaluation of these markets is complete. The Commission has a responsibility not only to ensure that BellSouth is in compliance with section 271 today but also that it remains in compliance in the future. This Commission will work closely with each of the state commissions to ensure that BellSouth does not cease to meet any of the conditions required for long distance entry.

**STATEMENT OF  
COMMISSIONER MICHAEL J. COPPS**

*Re: Joint Application by BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in Florida and Tennessee*

With today's grant of its application to provide long-distance services in Florida and Tennessee, BellSouth becomes the first Regional Bell Operating Company to obtain long-distance authorization for all of its States. I commend BellSouth for this achievement and the State Commissions in that region for their significant efforts to promote competition.

Now the real challenge in this region begins. The Commission looks closely at a Bell company's performance to ensure compliance with the statute at the time we consider a Section 271 application. We do not, however, always accord the same vigilance towards ensuring continued compliance. We must institute better follow-up on what happens in a state following a successful application. Our data on whether competition is taking hold is sketchy and non-integrated. We must do better.

In this effort, we must work closely with the State Commissions. Our expectation is that BellSouth's performance will continue to improve and that it will work cooperatively with other carriers to resolve any issues that develop. To the extent that BellSouth does not adequately address problems that occur, the Commission and the State Commissions have a shared obligation to enforce the market-opening obligations of the Act. Now that we will no longer examine BellSouth's performance as part of a Section 271 application, we must be especially proactive and vigilant as we monitor and enforce all facets of section 271 compliance. By taking this responsibility seriously, we can ensure that consumers continue to reap the benefits of enduring competition as envisioned by Congress in the 1996 Act -- greater choice, lower prices, and better services.