COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUC000035

Ex Parte: In the matter of third-party testing of Operation Support Systems for Bell Atlantic-Virginia, Inc.

Project Leader Ruling Adopting Metrics

August 11, 2000

On February 17, 2000, the Commission established this proceeding to conduct third-party testing of the operation support systems ("OSS") for Bell Atlantic-Virginia, Inc. ("Bell Atlantic")[1]. In its Initiating Order, the Commission, among other things, directed the third-party consultant, KPMG, to prepare a draft set of Performance Standards ("Metrics") by which Bell Atlantic's performance will be evaluated during the test. The Commission further directed its project leader to make the draft Metrics available for review and to provide interested persons an opportunity to file comments.[2] Finally, the Commission delegated authority to its project leader to adopt Metrics after reviewing the comments filed by all interested persons.[3]

On April 27, 2000, KPMG provided the Commission's project leader with draft Metrics to be used for evaluating Bell Atlantic's OSS. On April 28, 2000, the Commission's project leader issued a ruling seeking comments on KPMG's draft Metrics. Copies of the ruling were mailed to everyone on the service list. In addition, the ruling and KPMG's draft Metrics were transmitted electronically, via e-mail, to all persons expressing an interest in the proceeding. Copies of the ruling and KPMG's draft Metrics were also posted on the Commission's web site.[4]

COMMENTS

On May 19, 2000, comments on KPMG's draft Metrics were filed by Bell Atlantic; AT&T Communications of Virginia, Inc. ("AT&T");[5] the Office of Attorney General, Division

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[1] *Commonwealth of Virginia Ex. rel. the State Corporation Commission, Ex Parte: In the matter of third-party testing of Operation Support Systems for Bell Atlantic-Virginia, Inc.*, Case No. PUC000035, Order Initiating Testing, Assigning Project Leader and Calling for Proposed Master Test Plan and Performance Standards to be Developed by KPMG Peat Marwick (February 17, 2000) ("Initiating Order").

[2] *Id.* at 5.

[3] *Id.* at 4.

[4] www.state.va.us/scc/division/puc/oss.htm.

[5] On May 31, 2000, AT&T filed a copy of the "New Jersey Carrier to Carrier Guidelines Performance Standards and Reports" ("New Jersey Metrics") adopted by the New Jersey Board of Public Utilities on May 25, 2000. The New Jersey Metrics are incorporated into AT&T's comments.

of Consumer Counsel ("Attorney General"); Cox Virginia Telcom, Inc. ("Cox"); and MCI WorldCom, Inc. ("WorldCom").[6] A brief summary of these comments is provided below.

Bell Atlantic finds that KPMG's draft Metrics "properly build upon the [M]etrics adopted by the New York Public Service Commission and accepted by the Federal Communications Commission as the basis for permitting Bell Atlantic[-New York] to provide long distance service in New York, and the [M]etrics adopted by the Pennsylvania Public Utility Commission."[7] Nonetheless, Bell Atlantic offers a "red-lined" version of KPMG's draft Metrics, with a summary of its proposed substantive revisions following each sub-metric.

In its comments, Bell Atlantic focuses on thirteen of its suggested revisions. These revisions are set forth in the table below:

Comment Number	Bell Atlantic Comment
1	For Metrics PO-1 and PO-2, the test should assess whether a 60-second "time-out" interval should be adopted. If a 330-second "time-out" interval is used, the interface availability measurement "window" should be expanded to 10 minutes.[8]
2	For sub-metric PO-1-08, no standard should be set.[9]
3	For sub-metric PO-1-10, no standard should be set.[10]
4	For sub-metric PO-8-01, the interval for providing manual loop qualification information should be 72 hours.[11]
5	For Metrics OR-1 and OR-2, performance standard line size increments should be reduced from 10 to 6, and the confirmation/reject interval for electronic orders of fewer than 6 lines of Complex services that require loop qualification should be increased from 48 hours to 72 hours.[12]
6	For Metric OR-4, the proposed "95% within 30 minutes of WFA completion" standard should be rejected.[13]
7	For Metric OR-4, the definition should be modified to use the language of the Pennsylvania Metrics concerning when notice of completion of a Hot Cut is given.[14]
8	Metric OR-10, titled: "Lost Trouble Ticket Orders," duplicates Metrics OR-7 and OR-9 and should be deleted.[15]
9	For Metric PR-4, the definition of "trunks" should not include reciprocal trunks from Bell Atlantic to a CLEC.[16]

[6] On May 22, 2000, WorldCom, filed a two appendices to its comments. These appendices are included as part of WorldCom's comments.
[7] Bell Atlantic Metric Comments at 1.
[8] *Id.* at 2-4.
[9] *Id.* at 4-5.
[10] *Id.* at 6.
[11] *Id.* at 6-7.
[12] *Id.* at 7-8.
[13] *Id.* at 8-9.
[14] *Id.* at 9-10.
[15] *Id.* at 10-11.

10	For Metric PR-6, the language of this Metric should be revised to correct ambiguities identified by KPMG in the Pennsylvania Test.[17]
11	Sub-metrics MR-3-04, MR-3-05, MR-4-09, and MR-4-10 should be deleted.[18]
12	Metric NP-2 should be modified to incorporate, by reference, the intervals in Bell Atlantic's Collocation Tariff.[19]
13	Exhibit 1 should be amended to include language on force majeure events and statistically invalid measurements.[20]

AT&T recommends seventeen specific modifications to KPMG's draft Metrics to take into account lessons learned in other Bell Atlantic jurisdictions. The modifications offered by AT&T are summarized in the table below:

Number	AT&T's Recommended Modification
1	For sub-metrics PO-1-01 through PO-1-07, the performance standard for the Web-GUI interface should be set at retail plus no more than 4 seconds (as opposed to retail plus no more than 7 seconds) for the second calendar year.[21]
2	For sub-metric PO-1-08, the performance standard should be 0.33% instead of 0.5%.[22]
3	For sub-metric PO-4-04, the performance standard should be 95% instead of "no standard" as currently proposed.[23]
4	AT&T seeks inclusion of sub-metrics PO-7-02 through PO-7-04, which were replaced by sub-metrics PO-7-05 through PO-7-06.[24]
5	For Metric OR-1, performance standard line size increments should be reduced from 10 to 6.[25]
6	For Metric OR-1, the scheduled down time for the Service Order Processor ("SOP") should be reduced to one hour per day, Monday through Friday, five hours on Saturday, and eight hours on Sunday.[26]
7	For Metric OR-2, the scheduled down time for the SOP should be reduced to one hour per day, Monday through Friday, five hours on Saturday, and eight hours on Sunday.[27]
8	For Metric OR-2, performance standard line size increments should be reduced from 10 to 6.[28]
9	For Metric OR-4, sub-metrics OR-4-03 through OR-4-11 should be used in Virginia.[29]

[16] *Id.* at 11.
[17] *Id.* at 12.
[18] *Id.* at 12-13.
[19] *Id.* at 13-14.
[20] *Id.* at 14.
[21] AT&T Metric Comments at 3.
[22] *Id.*
[23] *Id.* at 3-4.
[24] *Id.* at 4.
[25] *Id.*
[26] *Id.* at 5.
[27] *Id.*
[28] *Id.* at 5-6.

10	For Metric OR-5, AT&T seeks a complete list of the types of orders that are designed to flow through and the level of flow through.[30]
11	For Metric OR-5, the exclusion reference to New York PSC Case 97-C-0139 should be stricken.[31]
12	For sub-metric PR-6-02, the 30-day period used in the denominator should be changed to a 7-day period for consistency with the numerator.[32]
13	For Metric NP-2, the KPMG's proposal fails to distinguish between new collocations and augments to existing collocations.[33]
14	Glossary definition for "Bell Atlantic Affiliate" should be changed to match the definition used in other jurisdictions.[34]
15	Glossary definition for "Performance Assurance Plan Payments" should be eliminated or its purpose explained.[35]
16	In Appendix G, a link address should be provided for the Bell Atlantic web site referenced.[36]
17	AT&T proposes a new appendix that will provide the status of each Metric.[37]

The Attorney General urged the use of Metrics adopted in New York as the starting point, or minimum measures, to be employed in Virginia.[38] Indeed, the Attorney General recognized that additional measurements beyond those adopted by New York may be appropriate based on problems experienced in other jurisdictions and due to differences between Bell Atlantic's OSS in Virginia and New York.[39]

Also, the Attorney General offered two other practical suggestions. First, the Attorney General pointed out that there should be a means of cross-referencing Metrics and the Master Test Plan to be used for testing in Virginia.[40] Second, the Attorney General discovered that the toll-free number for Bell Atlantic's System Support Help Desk shown in Appendix L and Appendix M is incorrect.[41]

Finally, the Attorney General requested to be included among the participants identified in the Metrics who are to receive monthly performance reports from Bell Atlantic.[42]

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[29] *Id.* at 6.
[30] *Id.* at 6-7.
[31] *Id.* at 7.
[32] *Id.*
[33] *Id.* at 7-8.
[34] *Id.* at 8.
[35] *Id.* at 8-9.
[36] *Id.* at 9.
[37] *Id.*
[38] Attorney General Metrics Comments at 2.
[39] *Id.*
[40] *Id.* at 3-4.
[41] *Id.* at 5.
[42] *Id.*

Comments from Cox emphasized its prospective as a facilities-based CLEC. For example, Cox maintained that as a facilities-based CLEC, it orders local number portability ("LNP") on a stand-alone basis from Bell Atlantic. However, KPMG's draft Metrics fail to measure separately the processing of orders for stand-alone LNP.[43] Furthermore, Cox urged inclusion of interconnection trunks in additional ordering sub-metrics and in sub-metrics for missed repair appointments.[44] In addition, Cox proposed a more extensive measure of interconnection trunk blockage designed to evaluate the performance for each trunk group.[45] Finally, Cox raised questions concerning 911 database and router accuracy, computation of OSS response times, and distribution of Metric reports.[46]

WorldCom agreed that Virginia's Metrics should draw on Metrics already adopted by other states, especially Pennsylvania and New York.[47] Nonetheless, WorldCom contended that Metrics adopted by other states should be revised based on commercial experience and changes in products and services.[48] Therefore, WorldCom offered both modifications to the KPMG's draft Metrics and new Metrics. In addition, WorldCom raised several other concerns or issues related to the use of Metrics in Virginia.[49]

The table below summarizes the modifications proposed by WorldCom.

Number	WorldCom's Recommended Modifications
1	For Metric PO-1, a new sub-metric should be added to measure the manual delivery of customer service records ("CSRs").[50]
2	Sub-metric OR-1-19 should be expanded to include access service request ("ASR") orders and should limit queries as satisfactory responses.[51]
3	For Metric OR-1, WorldCom proposes a new sub-metric to measure denial of trunk requests.[52]
4	For Metrics PR-1, PR-2, PR-4, PR-5, PR-6, MR-2, MR-4, MR-5, the retail analog should be dedicated trunks provided to non-carrier customers.[53]
5	For Metric PR-9, hot cut Metrics should be changed to reflect changes in the hot cut process.[54]
6	For Metric MR-4, the duration of network troubles should be measured until Bell Atlantic notifies CLECs that the trouble is cleared, and results should be disaggregated by product line.[55]

[43] Cox Metrics Comments at 1-2.
[44] *Id.* at 2.
[45] *Id.* at 2-3, Appendix A.
[46] *Id.* at 4.
[47] WorldCom Metrics Comments at 1.
[48] *Id.* at 2-3.
[49] *Id.* at 13-15.
[50] *Id.* at 4-5.
[51] *Id.* at 5-7.
[52] *Id.* at 7.
[53] *Id.* at 7-8.
[54] *Id.* at 9.

In addition to the modifications summarized above, WorldCom proposed four new Metrics. First, WorldCom offered OR-11, Resubmission Rejection, which addresses problems experienced in New York.[56] Second, WorldCom recommends OR-12, Percent Loss Notification Returned Within X Minutes, as a means of tracking the migration of CLEC customers to other carriers.[57] Third, WorldCom sought MR-6, Percent Response Commitments Met on Time, to assess the resolution of problems brought to the attention of Bell Atlantic's help desk.[58] Finally, WorldCom submitted BI-4, Percent Billing Errors Corrected in X Days, to ensure that Bell Atlantic corrects billing errors discovered by CLECs.[59]

DISCUSSION

Metrics must be in place before KPMG can begin testing Bell Atlantic's OSS. During the test, Metrics will serve as the standards by which Bell Atlantic's OSS will be evaluated. This is important in that KPMG's test is designed to be a "military-style test," *i.e.*, test until you pass.

However, the role or importance of Metrics adopted herein goes beyond the KPMG test. Apart from KPMG's test, Metrics will serve two vital functions. First, Metrics will provide the standards and the means by which the performance of Bell Atlantic's OSS will be evaluated. Each Metric contains a definition of terms, a listing of any exclusions, specifics regarding performance standards, disclosure of reporting dimensions, identification of the applicable products, and a precise description of the required calculation. Assuming Virginia adopts a Performance Assurance Plan similar to the one agreed to by Bell Atlantic in New York, this plan will overlay Virginia's Metrics to provide damage payments to CLECs if Bell Atlantic fails to meet certain specified Metrics.

Second, Metrics will serve as a diagnostic tool for identifying and locating problems within Bell Atlantic's OSS. Again, looking to the New York example, after submitting increased levels of orders for service, CLECs complained that Bell Atlantic-New York failed to process many of their orders. Bell Atlantic-New York's reported Metrics showed that it was processing most orders, but was failing to provide order confirmations to the CLECs. Thus, the Metrics were critical to finding and ultimately resolving this problem within Bell Atlantic-New York's OSS.

Therefore, Bell Atlantic should begin reporting its OSS performance based on the Metrics adopted herein and should continue such reporting until otherwise directed by the Commission. Such reporting should begin as soon as possible and be independent of the beginning of KPMG's test. As discussed below, Bell Atlantic may not be able to provide information on all of the adopted Metrics. Nonetheless, Bell Atlantic should comply with the reporting requirements of the Metrics to the extent practicable.

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[55] *Id.* at 9-10.
[56] *Id.* at 10-11.
[57] *Id.* at 11-12.
[58] *Id.* at 12-13.
[59] *Id.* at 13.

The necessity and practicality of establishing Metrics designed to serve functions beyond KPMG's test is supported by the emphasis placed on Metrics by the FCC. In its recent order approving SBC's 271 Application for Texas, the FCC described the preeminent role of Metrics in its 271 determinations as follows:

> We have concluded that the most probative evidence that a BOC is providing nondiscriminatory access is evidence of actual commercial usage. Performance measurements are an especially effective means of providing us with evidence of the quality and timeliness of the access provided by a BOC to requesting carriers.[60]

Moreover, the FCC looks to state commissions to devise and implement performance standards.

> We also strongly support the efforts of state commissions to build and oversee a process that ensures the development of local competition that Congress intended. An extensive and rigorous evaluation of the BOC's performance by the states provides greater certainty that barriers to competition have been eliminated and the local markets in a state are open to competition.[61]

One way of looking at the interplay between Metrics and KPMG's test of Bell Atlantic's OSS, is that both are a means of determining if Bell Atlantic actually provides nondiscriminatory access to its OSS. Prior to the development of sufficient commercial activity, KPMG's test should give an accurate indication of CLECs' level of access to Bell Atlantic's OSS. After KPMG's test, Metrics will become the primary means of assessing Bell Atlantic's OSS performance. Thus, Metrics should be designed to work hand-in-hand with KPMG's test of Bell Atlantic's OSS. Establishment of Metrics supplies KPMG's test with its initial benchmarks. In turn, KPMG's OSS tests will include tests to validate whether Bell Atlantic's reported Metrics accurately reflect what they purport to measure. Also, KPMG's OSS tests will present evidence and insights into the reasonableness of performance standards contained within the Metrics. For these reasons, Metrics adopted for KPMG's OSS test must be designed with some consideration of their purpose and use beyond the end of KPMG's test.

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[60] *In the Matter of Application by SBC Communications Inc., Southwestern Bell Telephone Company, 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 Service in Texas*, CC Docket No. 00-65, FCC 00-238, at ¶ 53 (June 30, 2000) ("SBC-Texas 271 Order").

[61] *Id.* at ¶ 54.

Apart from KPMG's test of Bell Atlantic's OSS, the Commission has established a collaborative process, Case No. PUC000026,[62] to continue the development of Metrics. Metrics cannot remain static. As Bell Atlantic's OSS evolves and new systems and technology are employed, Metrics must also evolve. Even without changes to the underlying OSS, experience gained from KPMG's test and from actual commercial application may reveal the need for changes in Metrics. The collaborative provides an efficient mechanism for managing the continued development of Metrics for Virginia.

In this case, KPMG derived its draft Metrics from Metrics approved in other Bell Atlantic jurisdictions. KPMG's draft Metrics also incorporate testing experience gained in other Bell Atlantic states. At this stage of development, and given the establishment of the collaborative process, I find Metrics adopted in other Bell Atlantic states, principally New York, Pennsylvania, and New Jersey, to be the best guides for establishing Metrics for Virginia. New York was the first state to develop Metrics. The Metrics produced by New York were the product of an open process and were scrutinized by the FCC in Bell Atlantic-New York's 271 application. However, Bell Atlantic-New York originally was a NYNEX company. Thus, some of its OSS differs from the OSS employed in Virginia. Pennsylvania's Metrics were also developed in an open process, and have the advantages of substantially complete tests by KPMG and OSS systems more in common with those used by Bell Atlantic in Virginia. But, unlike New York, Pennsylvania's Metrics have not been subjected to FCC 271 scrutiny. New Jersey represents the most recent set of Metrics and is primarily the product of negotiations between Bell Atlantic-New Jersey and AT&T. In addition, in approving the Bell Atlantic/GTE merger, the FCC adopted a minimal set of Metrics to be used in states that have not otherwise specifically adopted Metrics. These FCC Metrics provide some aid in establishing Metrics for Virginia. Accordingly, in evaluating the proposed changes to KPMG's draft Metrics recommended by Bell Atlantic, and the other commentors, Metrics adopted in these other Bell Atlantic states will be relied upon heavily.

Furthermore, the collaborative also influences decisions concerning proposed changes to KPMG's draft Metrics. Commentors raise a number of issues that point to the need for new sub-metrics or different performance standards. Some commentors have proposed Metrics that are under study in other jurisdictions. Where additional information, or where the results of KPMG's test may provide useful guidance, these issues or proposals will be left for the collaborative to consider.

Taking all this into consideration, each proposed change to KPMG's draft Metrics is discussed separately below.

PO-1 Response Time OSS Pre-Ordering Interface

The KPMG draft Metrics contain ten sub-metrics that measure the average response time for the following pre-ordering queries: PO-1-01 customer service records ("CSRs"), PO-1-02 due date availability, PO-1-03 address validation, PO-1-04 product and service availability, PO-

[62] *Commonwealth of Virginia At the relation of the State Corporation Commission, Ex Parte: Establishment of a Collaborative Committee to Investigate Market Opening Measures.*

1-05 telephone number availability and reservation, PO-1-06 facility availability, PO-1-07 reject query, PO-1-08 percent timeouts, PO-1-09 parsed CSRs, and PO-1-10 parsed CSRs-CLEC. The proposed performance standards are as follows:

For P0-1-01 through PO-1-07:

- EDI: Parity with BA Retail plus not more than 4 seconds. (4-Second difference allows for variations in functionality and additional security requirements of interface.)

- Web GUI: Parity with BA Retail plus not more than 7 seconds. (7-Second difference allows for variations in functionality and additional security requirements of interface.)

- CORBA: Parity with BA Retail plus not more than 4 seconds (4-Second difference allows for variations in functionality and additional security requirements of interface.)

For PO-1-08: Not greater than 0.5%
For PO-1-09: Parity with Retail plus not more than 10 seconds
For PO-1-10: Parity with Retail plus not more than 10 seconds

Bell Atlantic proposed seven revisions to this Metric. First, for the performance standard for PO-1-01 through PO-1-07, consistent with the Metrics in Pennsylvania, Bell Atlantic requested that the standard be reduced to parity plus four seconds one year after the Metrics take effect.[63] Second, Bell Atlantic urged that no performance standard be adopted for sub-metric PO-1-08.[64] Third, consistent with the language used for sub-metrics PO-1-01 through PO-1-07, the performance standard for sub-metric PO-1-09 should contain the following statement, "(10-second difference allows for variations in functionality and additional security requirements of interface)."[65] Fourth, Bell Atlantic recommended that no performance standard be adopted for sub-metric PO-1-10.[66] Fifth, Bell Atlantic suggested that the general formula described in the Metric applies only to sub-metrics PO-1-01 through PO-1-07, and PO-1-09.[67] Sixth, the reference to the April 2000, availability for sub-metric PO-1-06 should be eliminated.[68] Finally, Bell Atlantic recommended that sub-metric PO-1-10 be corrected to reflect "CLEC-parsed CSR transactions."[69]

AT&T proposed two changes to Metric PO-1. First, like Bell Atlantic, AT&T recommended that after one year of use, the Web GUI performance standard for sub-metrics PO-

[63] Bell Atlantic Metrics Comments at Appendix 6, 8.
[64] *Id.* at 4-5, Appendix 6, 8.
[65] *Id.* at Appendix 6, 8.
[66] *Id.* at 6, Appendix 6, 8.
[67] *Id.* at Appendix 5, 8.
[68] *Id.* at Appendix 7, 8.
[69] *Id.* at Appendix 8.

1-01 through PO-1-07 be reduced to parity plus four seconds.[70] Second, AT&T maintained that the performance standard for PO-1-08 should be tightened from 0.5% to 0.33%.[71]

Finally, WorldCom offered one additional sub-metric for PO-1 to measure the time it takes Bell Atlantic to provide manual CSRs to CLECs.[72] WorldCom also commented that KPMG should check whether the EnView process continues to be utilized in the process related to this Metric.[73]

With the exception of those items discussed below, I agree with the changes recommended by the parties. As to tightening the Web GUI performance standard for sub-metrics PO-1-01 through PO-1-07, as proposed by both Bell Atlantic and AT&T, I agree that the performance standard should be tightened to "parity plus four seconds," but would rather use a specific date for this change. Recently, the FCC adopted Metrics in conjunction with the Bell Atlantic/GTE merger.[74] The FCC's Metrics include a Web GUI performance standard of "parity plus four seconds" which take effect in April 2001.[75] Use of the same specific date should eliminate possible confusion as to when the performance standards takes effect, and should be easier for Bell Atlantic to administer. Therefore, the proposal to tighten the Web GUI standard for sub-metrics PO-1-01 through PO-1-07 should be modified to reflect an effective date of April 1, 2001.

Regarding the performance standard for sub-metric PO-1-08, Percent Timeouts, Bell Atlantic recommends eliminating the standard, while AT&T proposes tightening the standard from "not greater than 0.5%" to "not greater than 0.33%."

In support of its recommendation, Bell Atlantic explains that most "time-outs" are caused by problems with the OSS interface.[76] Metric PO-2, OSS Interface Availability, measures the availability of each OSS interface and has a standard of 99.5% for prime time availability.[77] Thus, Bell Atlantic argues that the standard is unnecessary.[78] Moreover, Bell Atlantic asserts that the same OSS serves both CLECs and Bell Atlantic Retail.[79] Because there is inherent parity between CLECs and Bell Atlantic Retail for OSS availability, Bell Atlantic claims a standard for sub-metric PO-1-08 is unnecessary.[80] Therefore, Bell Atlantic recommends

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[70] AT&T Metrics Comments at 3.
[71] *Id.*
[72] WorldCom Metrics Comments at 4-5.
[73] *Id.* at 14.
[74] *In the Matter of Application of GTE Corporation, Transferor, and Bell Atlantic Corporation, Transferee, For Consent to Transfer Control of Domestic and International Sections 214 and 310 Authorizations and Application to Transfer Control of a Submarine Cable Landing License,* CC Docket No. 98-184, FCC 00-221 (June 16, 2000) ("FCC Merger Order").
[75] *Id.* at Attachment A-2a-3.
[76] Bell Atlantic Metrics Comments at 4.
[77] *Id.* at 5.
[78] *Id.*
[79] *Id.*
[80] *Id.*

following the examples set by Pennsylvania and New Jersey and not set a standard for "time-outs."

On the other hand, AT&T recommends following the New York Metrics and adopt a standard for time-outs of "not greater than 0.33%.[81] AT&T contends that adherence to a less rigorous standard would adversely affect CLECs and amount to "216 minutes each month that a CLEC cannot submit orders while Bell Atlantic is simultaneously processing orders, including win-back orders."[82]

On this issue, I agree with Bell Atlantic that no standard should be set for time-outs at this time. No one recommends excluding this sub-metric, which may provide valuable diagnostic information. If Bell Atlantic is correct that there is inherent parity, there is little need for a specific separate performance standard. A clearer picture of the need for a specific standard for time-outs should be provided by the results of KPMG's testing and by the Metrics results actually reported. Based on that information, the collaborative may revisit this issue and institute a specific performance standard for time-outs.

WorldCom proposes sub-metric PO-1-11, Percent on Time Manual CSR-CLEC Total, to measure Bell Atlantic's response time for manual delivery of requested CSR information. As proposed, the sub-metric would be the calculated by dividing:

> Number of CSRs which exceed size limits for electronic delivery that are delivered manually within 3 business days of time that [Bell Atlantic] obtains all necessary information from CLEC;
>
> by:
>
> Number of CSRs which exceed size limits for electronic delivery that are delivered manually after [Bell Atlantic] obtains all necessary information from CLEC.[83]

To date, no other state has adopted WorldCom's proposed sub-metric. More importantly, at this juncture, there is no evidence that manual delivery of CSRs has been or is likely to be a problem. Based on its experience in tests in other states, KPMG is unaware of any instances where there has been a problem or concern regarding manual delivery of CSRs. Consequently, WorldCom's proposed sub-metric, PO-1-11, should not be added at this time. However, this issue may be further investigated by the collaborative.

PO-2 OSS Interface Availability

KPMG's draft Metrics contain three sub-metrics which gauge OSS interface availability. These sub-metrics measure: PO-2-01 total OSS interface availability, PO-2-02 prime time OSS

[81] New York Metrics at 5.
[82] AT&T Metrics Comments at 3.
[83] WorldCom Metrics Comments, Appendix A at 4.

interface availability, and PO-2-03 non-prime time OSS interface availability. The proposed performance standard of 99.5% applies to only sub-metric PO-2-02.

The only issue raised by any of the parties related to PO-2 concerns the length of the measurement window. In Metric PO-1, the time-out interval is set at 330 seconds. While Bell Atlantic believes that a 60 second time-out interval may be more appropriate, Bell Atlantic does not oppose use of a 330-second interval if KPMG's test includes an assessment of whether a shorter interval should be used in the future and if the measurement window used in PO-2 is extended from six minutes to ten minutes.[84] I agree that KPMG's test should include an assessment of whether a shorter interval should be used and I agree that a longer time-out interval necessitates the use of a longer measurement window.

PO-4 Timeliness of Change Management Notice

This Metric gauges the timeliness of "notices scheduling interface affecting changes."[85] There are five types of changes, based upon the source or cause of the change. Change types include: (i) emergency, (ii) regulatory, (iii) industry standard, (iv) Bell Atlantic originated, and (v) CLEC originated. Separate performance standards are proposed for each type of change.

KPMG's draft Metrics include the following sub-metrics related to change management notice. They are:

PO-4-01	Percent Change Management Notices and Change Management Confirmations Sent on Time – Total (Change Management Notices and Change Management Confirmations Combined; Types 1-5 Combined)
PO-4-04	Percent Change Management Notices and Change Management Confirmations Sent on Time (Type 1-5, each type measured separately)
PO-4-05	Average Delay days – Change Management Notices and Change Management Confirmations (Type 1-5, each type measured separately)
PO-4-06	Average Delay days – 8 plus days – Change Management Notices and Change Management Confirmations (Type 1-5, each type measured separately)

Bell Atlantic recommends three changes to KPMG's draft Metric PO-4. First, Bell Atlantic corrects KPMG's definition of when the measurement is performed.[86] Second, Bell Atlantic contends that PO-4-06 duplicates PO-4-05 and should be eliminated.[87] Finally, Bell Atlantic clarifies the performance standard for regulatory-type changes to reflect that shorter than standard intervals may be required to comply with an order.[88]

Of these proposals, I agree with the first and last. I disagree that PO-4-06 duplicates PO-4-05. New York, Pennsylvania, and New Jersey Metrics all contain a sub-metric focusing on

[84] Bell Atlantic Metrics Comments at 2.
[85] KPMG's draft Metrics at 14.
[86] Bell Atlantic Metrics Comments at Appendix 14, 15.
[87] *Id.*
[88] *Id.*

notices eight days or more late. Highlighting notices missed by eight or more days provides useful information and thus, PO-4-06 should be included.

AT&T seeks to have the compliance standard of 95% for PO-4-01 also applied to PO-4-04. As proposed, PO-4-04 does not have a performance standard. AT&T argues that applying a standard only to the aggregate total, as measured by PO-4-01, may mask serious deficiencies in performance.[89] However, PO-4-04 is designed explicitly to provide separate performance results for each of the five change types. A performance standard is not required for this sub-metric to reveal whether and to what extent there are discrepancies between different types of change notices. Thus, the Metrics should capture any serious deficiencies in performance, without making AT&T's proposed change.

PO-7 Software Problem Resolution Timeliness

This Metric measures the timeliness of Bell Atlantic's resolution of failed pre-order and order transactions reported by CLECs to Bell Atlantic's Help Desk or are otherwise discovered by Bell Atlantic during the non-emergency release of software changes. KPMG proposes four sub-metrics for measuring the timeliness of software problem resolutions. PO-7-01, Percent Software Problem Resolution Timeliness, has a performance standard that requires resolution of 95% of applicable failed transactions with no workaround within 48 hours, and resolution of 95% of applicable failed transactions with workaround within 10 calendar days.

The three remaining sub-metrics are diagnostic in nature with no specific performance standard. These sub-metrics capture the length of delays beyond the timeliness standard. Metrics for New York, Pennsylvania, and New Jersey, include sub-metrics: PO-7-02, Delay Hours – Software Resolution – Change – Transactions Failed, No Workaround; PO-7-03, Delay Days – Software Resolution – Change – Transactions Failed, With Workaround; and PO-7-04, Delay Hours – Failed/Reject Test Deck Transactions –Transactions Failed, No Workaround. Each of these sub-metrics produces an absolute number for the accumulated length of time beyond the timeliness standard. KPMG's draft Metrics for Virginia include each of these sub-metrics, but instead of producing a single absolute number, the proposed sub-metrics for Virginia were modified to produce an average. Because the proposed Virginia sub-metrics differed from those of other Bell Atlantic states, the proposed Virginia sub-metrics were numbered PO-7-05, PO-7-06, and PO-7-07.

In its comments, AT&T requested that KPMG's draft Metrics be amended to include PO-7-02 through PO-7-04 as used in the other Bell Atlantic states.[90] Although an average number may provide more useful information than an absolute cumulative number, consistency between Bell Atlantic jurisdictions may ease reporting for Bell Atlantic and facilitate analysis and comparisons by CLECs and regulators. Therefore, I agree with AT&T that the Virginia Metrics should include PO-7-02 through PO-7-04 in place of PO-7-05 through PO-7-07.

[89] AT&T Metrics Comments at 3-4.
[90] *Id.* at 4.

Bell Atlantic offers one minor change that would be applicable to either sub-metric PO-7-04 or PO-7-07. Bell Atlantic requests that the word "identified" be inserted into the description of the calculation.[91] The calculation of both PO-7-02 and PO-7-03 is limited to identified problems because these sub-metrics focus on problems originally reported by CLECs. By contrast, PO-7-04 relates to problems originally discovered by Bell Atlantic. Consequently, the word "identified" should not be added to the description of the calculation for sub-metric PO-7-04.

PO-8 Manual Loop Qualification

This Metric measures Bell Atlantic's response time for providing loop qualification information when such information is not available through an electronic database. Sub-metric PO-8-01, Percent On-Time – Manual Loop Qualification has a proposed performance standard of 95% provided within 48 hours of receipt of request. Sub-metric PO-8-02, Percent On-Time – Engineering Record Request has a proposed performance standard of 95% provided within 72 hours of receipt of request.

Bell Atlantic recommends two changes. Bell Atlantic first recommends that the on-time interval for PO-8-01 should be increased from 48 to 72 hours.[92] Bell Atlantic's second recommended change is the insertion of the following note:

> This [M]etric is intended to measure the timeliness of provision of manual loop qualification information and Engineering Records where such information and records are provided on a stand-alone basis separate from the LSR process. This [M]etric will be implemented when [Bell Atlantic], after completion of the applicable change management notice processes, begins to provide manual loop qualification information and Engineering Records on a stand-alone basis separate from the LSR process.[93]

As indicated by the proposed note, Bell Atlantic currently provides manual loop qualification information and engineering records only as part of the ordering process, and not on a stand-alone basis during pre-ordering. Indeed, Bell Atlantic currently does not provide stand-alone manual loop qualification information in any of its states. Thus, the ability of Bell Atlantic to provide such information within 48 hours is untested. The 48-hour standard used in KPMG's draft Metrics is based on a similar interval adopted for the New York Metrics. Nonetheless, Bell Atlantic "has substantial reservations about its ability to manually provide loop qualification information in 48 hours."[94] Accordingly, Bell Atlantic proposes extending the interval for "the KPMG test to 72 hours, with the test also assessing whether a 48 hour interval is reasonably attainable."[95]

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[91] Bell Atlantic Metrics Comments at Appendix 19.
[92] *Id.* at 6-7, Appendix 20.
[93] *Id.* at Appendix 20.
[94] *Id.* at 7.
[95] *Id.*

Given the rigors of the New York process, I find that the standard for the manual loop qualification interval for the KPMG test should remain at 48 hours. However, KPMG's test should assess the appropriateness of either a 48-hour interval or a 72-hour interval. This issue should be revisited by the collaborative, taking into consideration the results of KPMG's test and Bell Atlantic's experience in other jurisdictions.

Regarding Bell Atlantic's proposed note, the adoption of Metrics at this time has not focused upon whether Bell Atlantic can provide the measurements as defined. Consistent with AT&T's recommendation, the status of each Metric or sub-metric will be tracked in a separate appendix. Notes concerning the availability of specific Metrics may be confusing and mislead users into assuming that absent a note, Bell Atlantic has the ability to provide the Metric information as defined. Therefore, Bell Atlantic's proposed note should not be inserted on Metric PO-8.

OR-1 Order Confirmation Timeliness

This Metric measures the time between Bell Atlantic's receipt of a valid order from a CLEC and dispatch of Bell Atlantic's responding service order confirmation. Depending upon the type of products ordered, valid orders submitted by CLECs take the form of either a Local Service Request ("LSR") or an Access Service Request ("ASR"). Performance standards vary by product and by the method in which orders are submitted by CLECs. KPMG's draft Metrics include fourteen sub-metrics designed to measure the timeliness of order confirmations under a variety of circumstances. These sub-metrics are summarized in the table below:

OR-1-01	Average Local Service Request Confirmation (LSRC) Time (Flow-Through)
OR-1-02	Percent On Time LSRC – Flow Through
OR-1-03	Average LSRC Time < 10 Lines (Electronic – No Flow Through)
OR-1-04	Percent On Time LSRC < 10 Lines (Electronic – No Flow Through)
OR-1-05	Average LSRC Time ≥ 10 Lines (Electronic – No Flow Through)
OR-1-06	Percent On Time LSRC ≥ 10 Lines (Electronic – No Flow Through)
OR-1-07	Average LSRC Time < 10 Lines (Fax)
OR-1-08	Percent On Time LSRC < 10 Lines (Fax)
OR-1-09	Average LSRC Time ≥ 10 Lines (Fax)
OR-1-10	Percent On Time LSRC ≥ 10 Lines (Fax)
OR-1-11	Average Firm Order Confirmation (FOC) Time
OR-1-12	Percent On Time FOC
OR-1-13	Percent On Time Design Layout Record (DLR)
OR-1-19	Percent On Time Response – Request for Inbound Augment Trunks

Bell Atlantic proposed five changes to KPMG's proposed OR-1. First, Bell Atlantic recommends changing the line size increments from ten to six to reflect its practices and procedures.[96] Second, Bell Atlantic provides corrected scheduled downtimes for its Service

[96] *Id.* at 7-8, Appendix 21-29.

Order Processor ("SOP"), which are excluded from the calculation of this Metric.[97] Third, Bell Atlantic asserts that the time interval used as a performance standard for orders for less than six lines of Complex services that require loop qualification should be increased from 48 to 72 hours.[98] Fourth, Bell Atlantic submits modified language for the performance standard to accommodate inbound (Bell Atlantic to CLEC) augment trunks.[99] Finally, Bell Atlantic recommends conforming sub-metric OR-1-19 to its definition and performance standard.[100]

AT&T recommends two changes. Like Bell Atlantic, AT&T recommends changing the line size increments from ten to six.[101] Though AT&T terms this as a more lenient standard, AT&T claims that it is required to avoid problems experienced in other jurisdictions.[102] In addition, AT&T maintains that the scheduled downtime for Bell Atlantic's SOP is excessive and should be conformed to the schedule used in New York.[103]

Cox seeks separate tracking of stand-alone local number portability ("LNP") within the ordering Metrics and sub-metrics.[104] KPMG's draft Metrics currently include ordering for LNP, but such orders are included with orders for loops and other unbundled network elements. Cox is concerned that as a facilities-based provider, failure to provide stand-alone reporting for LNP may mask problems that are unique to such orders.[105]

WorldCom proposes substantial revisions to sub-metric OR-1-19, and submits a new sub-metric designed to measure denial of trunk requests.[106] WorldCom's concerns regarding sub-metric OR-1-19 extend to procedures used by Bell Atlantic concerning the handling of requests for inbound (Bell Atlantic to CLEC) augment trunks.[107] Thus, WorldCom seeks not only a revision to the language of OR-1-19, but also changes in Bell Atlantic's processes.[108] Specifically, WorldCom seeks: (i) to be permitted to use an ASR rather than a Trunk Group Service Request ("TGSR") to request inbound augment trunks,[109] (ii) to expand OR-1-19 to include all requests for inbound augment trunks, regardless of whether the request is submitted by e-mail or fax, or by ASR or TGSR,[110] (iii) to require queries by Bell Atlantic on CLEC requests to be made by the fifth day after a request is made and limited to situations where the

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[97] *Id.* at Appendix 22, 29.
[98] *Id.* at 7-8, Appendix 23, 29.
[99] *Id.* at Appendix 22, 29.
[100] *Id.* at Appendix 29.
[101] AT&T Metrics Comments at 4.
[102] *Id.*
[103] *Id.* at 5.
[104] Cox Metrics Comments at 1-2.
[105] *Id.*
[106] WorldCom Metrics Comments at 5-7.
[107] *Id.* at 5-6.
[108] *Id.*
[109] *Id.*
[110] *Id.* at 6.

CLEC has failed to provide sufficient information,[111] and (iv) to reduce the response period performance standard from ten business days to seven business days.[112]

WorldCom states that its proposed new sub-metric OR-1-20, Percent Negative Responses – Request for Inbound Augment Trunks, is designed to ensure Bell Atlantic does not issue unjustified denials of trunk requests.[113] According to WorldCom, it designed proposed OR-1-20 "to track the percentage of trunk arguments that are refused, and the reasons for refusal.[114]

I agree with the proposed changes offered by Bell Atlantic and the first proposed change by AT&T. Changing the size of line increments from ten to six is supported by both Bell Atlantic and AT&T, and is consistent with Metrics adopted in New Jersey. In addition, increasing the interval standard for complex services that require loop qualification from 48 to 72 hours is consistent with both the New York and New Jersey Metrics.

AT&T's proposal regarding SOP downtimes should not be adopted. The SOP downtimes should reflect Virginia's system as Bell Atlantic operates it currently. Mirroring the current system should provide parity between retail and wholesale.

Regarding Cox's request that Ordering Metrics include stand-alone LNP as a separate product, such a change should not be instituted at this time, but should be reviewed by the collaborative. Bell Atlantic will report results for each ordering sub-metric on a CLEC specific basis. This should prevent the masking of problems in ordering for stand-alone LNP for Cox. The adequacy of this approach should be reviewed during KPMG's test.

Similarly, I find that WorldCom's proposed changes should not be made at this time, but should be revisited by the collaborative. Generally, more information is needed to assess most of WorldCom's proposed changes. For example, issues concerning processes followed by Bell Atlantic should be explored during KPMG's test. Moreover, at least as to its own orders, WorldCom will have access to the information needed to produce its proposed OR-1-20. The tracking and reporting of that information by WorldCom may be used to demonstrate the need for such a sub-metric in the collaborative.

OR-2 Reject Timeliness

Metric OR-2 contains standards for elapsed time between receipt of an LSR and distribution of a service order reject or query. Its structure and design are similar to OR-1. Consequently, many of the changes made to OR-1 also carry over to OR-2. These changes include: (i) reducing the size of line increments from ten to six; (ii) increasing the interval standard for complex services that require loop qualification from 48 to 72 hours; and (iii) adjusting the scheduled downtime for SOP to match Bell Atlantic's current practices.

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[111] *Id.* at 6-7.
[112] *Id.* at Appendix A-7, A-10.
[113] *Id.* at 7.
[114] *Id.*

OR-4 Timeliness of Completion Notification

This Metric measures the elapsed time between the actual order completion and the distribution of the order completion notification to the CLEC. KPMG's draft Metrics are designed to permit Bell Atlantic to complete an order using either the Work Force Administration System ("WFA") or SOP. Generally, KPMG's draft Metrics require completion notifications to be delivered via the same electronic interface used by the CLEC to submit the order. One exception to this general rule pertains to Hot Cut loop orders, which require verbal acceptance by a CLEC representative. As proposed, the timeliness standards are 95% within 30 minutes of order completion by WFA, or 97% by noon of the next business day, including Saturday unless Saturday is a holiday, for orders completed by SOP.

KPMG's draft Metrics contain two sub-metrics which assess Bell Atlantic's average response time, OR-4-01, and the percent of responses made on time, OR-4-02.

Bell Atlantic offers several proposed changes, most of which are designed to reflect that it currently processes orders only in SOP. Bell Atlantic objects to setting a performance standard related to WFA at this time.[115] Although KPMG's WFA proposal is consistent with Metrics adopted in Pennsylvania, Bell Atlantic asserts that Bell Atlantic-Pennsylvania has not yet found a way to meet this standard.[116] Accordingly, Bell Atlantic proposes eliminating all references to WFA and its performance standard, adding sub-metrics OR-4-04 through OR-4-11, which were adopted in New York to analyze SOP, and adding a note that provides for a review by May 1, 2001, of whether a shorter interval standard is feasible.[117]

In addition, Bell Atlantic questions the definition for order completion notifications for Hot Cut loop orders.[118] Instead of requiring verbal acceptance by a CLEC representative, Bell Atlantic proposes that completion notification take place when a telephone call is placed by Bell Atlantic to the CLEC notifying the CLEC of completion of the physical cut-over work.[119] Bell Atlantic argues that its proposed language is consistent with language used in Pennsylvania and will eliminate the problem of its performance being dependent on CLEC performance.[120] Furthermore, Bell Atlantic acknowledges that KPMG's draft Metric is similar to the language used in New York.[121] However, New York avoids CLEC performance problems by also stating that a delay of more than one hour by the CLEC in proceeding with testing will result in the cut-over being deemed to have been missed for CLEC reasons.[122]

Similar to Bell Atlantic, AT&T recommends including all of the New York SOP sub-metrics.[123] The only difference between AT&T's recommendation and that of Bell Atlantic is

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[115] Bell Atlantic Metrics Comments at 8-9, Appendix 38-42.
[116] *Id.* at 8.
[117] *Id.* at 8-9, Appendix 38-42.
[118] *Id.* at 9-10, Appendix 38, 41.
[119] *Id.* at 9, Appendix 38.
[120] *Id.* at 9-10.
[121] *Id.* at 10, n.14.
[122] *Id.*
[123] AT&T Metrics Comments at 6.

that AT&T seeks inclusion of sub-metrics OR-4-03 through OR-4-11, and Bell Atlantic offers only OR-4-04 through OR-4-11. That is, only AT&T proposes to include OR-4-03, Percent Orders Excluded From Percent On Time Measurement. This sub-metric is calculated by dividing the number of orders where the completion time in the billing systems cannot be determined, by the number of purchase order numbers for a specified product.[124]

I disagree with Bell Atlantic's recommended exclusion of WFA from OR-4. It is my understanding that Bell Atlantic is moving towards using WFA and that WFA should enable Bell Atlantic to expedite confirmation notifications. As discussed above, these Metrics are designed to be in place until otherwise changed by the Commission. The collaborative process should review all Metrics and may provide revisions. To the extent possible, any revision to the Metrics will be incorporated into KPMG's OSS test. Depending upon its availability, WFA may be part of KPMG's test, which would permit the testing of the reasonableness of the performance standards contained in the Metrics. This also eliminates the need for Bell Atlantic's proposed note regarding a review of intervals by May 1, 2001. In summary, designing Metric MR-4 to accommodate both WFA and SOP, provides flexibility and guidance to Bell Atlantic, to CLECs, and to KPMG. Therefore, MR-4 should contain language referring to both WFA and SOP.

Nonetheless, I agree with AT&T and Bell Atlantic that MR-4 should contain the SOP related sub-metrics used in New York. Presumably, Bell Atlantic did not recommend inclusion of OR-4-03 because it did not believe it produced useful information. The value of OR-4-03 can be more easily studied by including the sub-metric. Thus, I agree with AT&T that all New York sub-metrics should be added, including OR-4-03.

Finally, as to the definition for order completion notifications for Hot Cut loop orders, I agree that Bell Atlantic's performance should not be dependent upon CLEC performance. Nonetheless, Hot Cut loop orders, by nature require close coordination between Bell Atlantic and the CLEC. It requires more than making a telephone call and leaving a message on an answering machine. Thus, I find that the New York language requiring timely cooperation and response by the CLEC should be added to KPMG's draft Metrics.

OR-5 Percent Flow-Through

Flow-through orders are orders received by Bell Atlantic from CLECs, via EDI or Web GUI, which require no action by Bell Atlantic and thus, are processed directly by SOP. KPMG's draft Metrics include three sub-metrics related to flow-through. They are: OR-5-01, Percent Flow-Through – Total; OR-5-02, Percent Flow-Through – Simple, which focuses on POTS; and OR-5-03, Percent Flow-Through Achieved, which captures whether orders actually flow-through that should flow-through.

AT&T raises two issues concerning Metric OR-5. In its first issue, AT&T seeks more detailed guidelines on which orders should or should not flow through.[125] KPMG's draft Metrics point to a summary of order types designed to flow through contained in Appendix G. Appendix G states:

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[124] *Id.* at 17.
[125] *Id.* at 6-7.

> A list of orders that currently flow-through is listed on BA's website. BA expects to update this list in the near future. BA will revise this Appendix when the list is updated and set out in this Appendix the orders that flow-through.

Bell Atlantic recommends that Appendix G simply point to its web site, rather than require it to maintain two lists, *i.e.*, one on its web site and one in Appendix G. I agree that pointing to Bell Atlantic's web site makes sense administratively. Thus, the proposed language for Appendix G offered by Bell Atlantic should be adopted.

However, during the test, KPMG should review the adequacy of the listing on Bell Atlantic's web site. Also, CLECs are encouraged to provide comments on the adequacy of the list contained on Bell Atlantic's web site. If, after review, it is determined that the listing contained on Bell Atlantic's web site inadequately defines flow-through orders, then Appendix G may be revised to contain the required information.

The second issue raised by AT&T concerns the language of an exclusion related to sub-metric OR-5-03 that refers to a specific case before the New York Commission.[126] The precise details of what may or should prevent an order from flowing through is a detailed and technical issue. AT&T is correct that New York, because of its legacy NYNEX systems, is "too imprecise to be useful as a guide . . . ."[127] The New Jersey Metrics handle this issue with the following note:

> Following Board approval of the Guidelines, the Board will convene collaborative discussions to establish appropriate additional exclusions applicable to [s]ub-[m]etric OR-5-03. Upon completion of the collaborative discussions, BA will submit a revised Metric OR-5 to the Board that lists additional exclusions applicable to [s]ub-[m]etric OR-5-03. Other parties to the collaborative discussions may advise the Board of any objections they have to BA's proposed additional exclusions. The Board will then determine the additional exclusions applicable to [s]ub-[m]etric OR-5-03 that will be added to the metric and the implementation date for [s]ub-[m]etric OR-5-03. Sub-[m]etric OR-5-03 will not be implemented until after the Board makes these determinations.

Virginia already has established a collaborative process. Therefore, the exclusion related to sub-metric OR-5-03 should provide for "[o]ther exclusions as established by the Commission." Moreover, sub-metric OR-5-03 should not be implemented until after other exclusions are addressed by the collaborative. This should be noted in the new appendix that outlines the status of each Metric and sub-metric.

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[126] *Id.* at 7.
[127] *Id.*

OR-9 Order Acknowledgment Completeness

This Metric measures the number of local service request ("LSR") acknowledgments sent the same day as the LSR is received.

Bell Atlantic submits a change to a footnote to the exclusions that requires CLECs to report unreadable files.[128] Instead, Bell Atlantic would make it optional for CLECs to report unreadable files. Such files reported to Bell Atlantic would be excluded from the measurement. I find that this change should be adopted.

Cox raises an issue that relates to Metric OR-9, as well as OR-6, OR-7, and OR-8. This issue concerns whether these Metrics should be expanded to include acknowledgments for trunks.[129] That is, these Metrics are designed to track various aspects of LSRs submitted by CLECs. CLECs order trunks by way of access service requests ("ASRs"). Cox claims that the same issues or problems occur with ASRs as with LSRs. I find that this should be examined by KPMG during the test, with the results and any specific sub-metrics to be reviewed by the collaborative.

OR-10 Lost Order Trouble Tickets

OR-10 represents a new Metric proposed by KPMG based on its experience in other jurisdictions. This Metric is designed to measure orders Bell Atlantic fails to acknowledge, confirm, nor reject. As proposed, the Metric would be calculated based on trouble tickets received by Bell Atlantic with a lost order status.

Bell Atlantic maintains that the proposed Metric duplicates information provided by Metric OR-7, Percent Order Confirmation/Rejections Sent Within 3 Business Days, and OR-9.[130] I disagree. Metrics OR-7 and OR-9 may measure orders that are acknowledged, confirmed or rejected, but these Metrics do not measure lost orders that do not make it into one of those categories. Accordingly, OR-10 should be retained for KPMG's test. The usefulness of this Metric may be revisited by the collaborative.

OR-11 Resubmission Rejection

WorldCom proposes inclusion of a Metric designed to measure the percent of orders resubmitted at Bell Atlantic's request which are rejected by Bell Atlantic's ordering system. Some resubmitted orders are rejected by Bell Atlantic's OSS because the resubmitted order duplicates an order already in the system.[131] According to WorldCom, this confirms that Bell Atlantic has lost the order in its system through no fault of the CLEC.[132] Furthermore, WorldCom asserts that its recommended Metric has been adopted by the New York Commission.[133]

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[128] Bell Atlantic Metrics Comments at Appendix 49.
[129] Cox Metrics Comments at 2.
[130] Bell Atlantic Metrics Comments at 10-11.
[131] WorldCom Metrics Comments at 11.
[132] *Id.*
[133] *Id.* at 10.

As discussed above, substantial weight should be given to the New York Metrics. Based on approval by New York, I find that WorldCom's proposed OR-11 should be added to the Metrics. Bell Atlantic is directed to provide the specific language to be used in New York for this Metric.

OR-12 Percent Loss Notifications Returned Within X Minutes

WorldCom also proposes new Metric OR-12, intended to address transfers of customers between CLECs.[134] In situations where both CLECs purchase facilities from Bell Atlantic, timely notification from Bell Atlantic may be required to prevent both CLECs from billing the same migrating customer. Thus, WorldCom proposes Metric OR-12.

However, this Metric appears to be premature. The mechanisms and procedures OR-12 is designed to track do not appear to be established at this time. Consequently, this proposed Metric should be reviewed by the collaborative.

PR-1 Average Interval Offered

Average interval offered is the average number of business days between the date that a valid service request is received and the committed due date or appointment date. The performance standard for this Metric is parity with Bell Atlantic retail.

WorldCom raises an issue concerning the appropriate retail analogue for trunks ordered by CLECs for this Metric and for Metrics PR-2, PR-4, PR-5, PR-6, MR-2, MR-4, and MR-5.[135] Metrics used in New York; Pennsylvania; New Jersey; as adopted by the FCC for the Bell Atlantic/GTE merger; and KPMG's draft Metrics for Virginia, all use Feature Group D trunks provided to interexchange carriers as the retail analogue for local trunks provided to CLECs. WorldCom argues that using Feature Group D trunks unfairly permits Bell Atlantic to use its service to long distance companies such as WorldCom and AT&T as the standard for service to CLECs operated by WorldCom and AT&T.[136] Instead, WorldCom proposes using dedicated trunks provided to non-carrier customers as the retail analogue for trunks provided to CLECs.[137]

WorldCom raises a legitimate issue regarding the use of Feature Group D trunks as a retail analogue for trunks provided to CLECs. However, more information must be provided before WorldCom's proposed solution could be adopted. For example, it is not clear that the trunks and other facilities, volumes, and the business practices associated with trunks provided to non-carrier customers make them a better retail analogue than Feature Group D trunks. It may be that there is no appropriate analogue to trunks provided to CLECs. Thus, separate performance standards may need to be developed in the future. Nonetheless, based on currently available information, I find that the Metrics adopted for Virginia, following the Metrics in other jurisdictions, should use Feature Group D trunks as a retail analogue for trunks provided to CLECs.

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[134] *Id.* at 11-12.
[135] *Id.* at 7-8.
[136] *Id.*
[137] *Id.* at 8.

PR-2 Average Interval Completed

Bell Atlantic offers corrections to the performance standards of this Metric to differentiate sub-metrics that are tied to Bell Atlantic's retail performance from sub-metrics with intervals specified in Bell Atlantic's Product Interval Guide.[138] Bell Atlantic also provides a reference to the web address of its Product Interval Guide.[139] I find that Bell Atlantic's clarifying corrections to KPMG's draft Metrics should be made.

PR-3 Completed Within Specified Number of Days (1-5 Lines)

Bell Atlantic proposes eliminating the term "POTS" from the definition of this Metric to reflect that sub-metric PR-3-10 measures UNE POTS Platform, 2-Wire Digital Services and 2-Wire xDSL Services.[140] Because this Metric encompasses more than POTS, Bell Atlantic's proposed correction should be made.

WorldCom submits that for 2-Wire Digital Services and 2-Wire xDSL Services, Bell Atlantic's retail analogue should be its own 2-wire digital products and xDSL service, not POTS second lines.[141] However, in obtaining FCC approval for its merger with GTE, Bell Atlantic has agreed to provide xDSL service only through a separate subsidiary.[142] Thus, I find that WorldCom's proposed change should not be made at this time, but should be reviewed by the collaborative.

PR-4 Missed Appointments

The seventeen sub-metrics of PR-4 measure various aspects of orders completed by Bell Atlantic after its commitment date.

Bell Atlantic proposes two changes to KPMG's draft Metrics. First, Bell Atlantic recommends deleting the words: "Includes reciprocal trunks from BA to CLEC" from the definition for "% Missed Appointment – Trunks."[143] New York and FCC Bell Atlantic/GTE Merger Metrics include this language; Pennsylvania and New Jersey Metrics exclude this language. Bell Atlantic argues that this language is unnecessary as reciprocal trunks from Bell Atlantic to CLECs are provided by CLECs.[144] Metric PR-4 is designed to measure only Bell Atlantic's performance.

While reciprocal trunks generally are provided by CLECs, it is possible that Bell Atlantic could provide or be responsible for such trunks. The detail for each sub-metric clearly specifies that the sub-metrics only relate to Bell Atlantic-provided facilities. Inclusion of the language merely assures that all of Bell Atlantic's performance, even that associated with reciprocal

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[138] Bell Atlantic Metric Comments at Appendix 55, 59.
[139] *Id.*
[140] *Id.* at Appendix 60, 62.
[141] WorldCom Metrics Comments at 14.
[142] FCC Merger Order at ¶¶ 260-72.
[143] Bell Atlantic Metrics Comments at 11, Appendix 63, 68.
[144] *Id.* at 11.

trunks, if any, will be subject to the performance measures of PR-4. Therefore, this proposal by Bell Atlantic should be rejected.

Second, Bell Atlantic asks that the performance standard for sub-metrics PR-4-14 through PR-4-18 be amended to clarify that the 95% on time standard applies only to UNE 2 Wire xDSL Services.[145] This proposal conforms the language of the performance standard with the intent and design of the sub-metrics and should be adopted.

WorldCom comments that (i) projects need to be disaggregated under trunks and reported separately, and (ii) suspend and restore orders need to be reported separately.[146] More information needs to be provided before these proposals can be adopted. Thus, they should be reviewed by the collaborative.

PR-6 Installation Quality

Bell Atlantic's installation service quality is assessed based on troubles occurring within seven and thirty days after installation. Recently, in its Pennsylvania test, KPMG reported that PR-6 required clarification. Bell Atlantic recommends that the Pennsylvania change also be made to KPMG's draft Metrics.[147] Along these lines, AT&T points out that there is inconsistency between the denominator and numerator used to calculate sub-metric PR-6-02.[148] Adoption of Bell Atlantic's proposed change also eliminates the inconsistency detected by AT&T. Therefore, I find that Bell Atlantic's proposed changes to PR-6 should be made.

PR-9 Hot Cuts

This Metric measures the percentage of UNE loop Hot Cut orders completed within the cut-over window.

Bell Atlantic offers one minor change to sub-metric PR-9-08, Average Duration of Service Interruption, to conform the Denominator to the Numerator.[149] I find that this proposed change should be made.

WorldCom points out that the process and procedures used by Bell Atlantic to make hot cuts continue to evolve.[150] Metrics originally developed in New York may no longer accurately address the process now used in Virginia.[151] Indeed, even New York is considering changes to the Metrics.[152] Consequently, WorldCom advises that as new Metrics are developed, they may need to be incorporated into KPMG's Virginia test. I find that if New York revises Metrics related to Hot Cut orders, such Metrics should be reviewed by the collaborative and, if appropriate, incorporated into KPMG's test.

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[145] *Id.* at Appendix 63, 69.
[146] WorldCom Metrics Comments at 14.
[147] Bell Atlantic Metrics Comments at 12, Appendix 72-73.
[148] AT&T Metrics Comments at 7.
[149] Bell Atlantic Metrics Comments at Appendix 79.
[150] WorldCom Metrics Comments at 9.
[151] *Id.*
[152] *Id.*

MR-3 Missed Repair Appointments

This Metric gauges CLEC-reported network troubles that Bell Atlantic fails to repair by the date and time committed. Network troubles include drop wire troubles, cable troubles, and central office troubles. KPMG's draft Metrics include five sub-metrics which measure the percent missed repair appointments for the following: MR-3-01 Loop, MR-3-02 Central Office, MR-3-03 CPE/Test OK/Found OK, MR-3-04 No Double Dispatch, and MR-3-05 Double Dispatch.

Bell Atlantic recommends eliminating sub-metrics MR-3-04 and MR-3-05.[153] Bell Atlantic asserts that these sub-metrics represent subsets of MR-3-01, and are unnecessary.[154]

These sub-metrics were adopted in New York, and excluded from the Pennsylvania and New Jersey Metrics. They provide indications of the quality of service provided by Bell Atlantic. Therefore, I find that they should be included in Metrics.

MR-4 Trouble Duration Intervals

Trouble duration intervals are measured from the time Bell Atlantic receives a trouble report to the time that the trouble is cleared. Sub-metrics included in KPMG's draft Metrics are presented in the chart below:

MR-4-01	Mean Time To Repair – Total
MR-4-02	Mean Time To Repair – Loop Trouble
MR-4-03	Mean Time To Repair – Central Office Trouble
MR-4-04	% Cleared (all troubles) within 24 Hours
MR-4-05	% Out of Service > 2 Hours
MR-4-06	% Out of Service > 4 Hours
MR-4-07	% Out of Service > 12 Hours
MR-4-08	% Out of Service > 24 Hours
MR-4-09	Mean Time To Repair – No Double Dispatch
MR-4-10	Mean Time To Repair – Double Dispatch

Consistent with MR-3, Bell Atlantic seeks elimination of sub-metrics MR-4-09 and MR-4-10.[155] As in MR-3, I find that these sub-metrics also provide insight into the quality of service provided by Bell Atlantic. Therefore, they should be included in the Virginia Metrics.

WorldCom brings up two issues related to MR-4. First, WorldCom proposes requiring Bell Atlantic to notify CLECs before a trouble can be classified as "cleared."[156] WorldCom

[153] Bell Atlantic Metrics Comments at 12-13.
[154] *Id.*
[155] *Id.*
[156] WorldCom Metrics Comments at 9, Appendix A-35.

asserts that absent such notice, a CLEC has no means of knowing that Bell Atlantic has completed its maintenance.[157]

Second, WorldCom asks for disaggregation of CLEC-specific reported performance data for DS-0, DS-1, and DS-3 facilities.[158] WorldCom claims that Bell Atlantic may be able to provide superior service to some high end retail customers and then disguise such performance by reporting on an aggregated basis.[159]

I find that more information is needed before either of WorldCom's recommendations can be adopted. Specifically, more information is needed concerning whether notification of trouble clearance poses a significant problem for CLECs and whether aggregated reporting of DS-0, DS-1, and DS-3 masks Bell Atlantic's performance. These topics may be explored during KPMG's test. Any required changes to Metrics can be addressed by the collaborative.

NP-1 Percent Final Trunk Group Blockage

This Metric focuses on final trunk groups that exceed the applicable blocking design thresholds. KPMG's draft Metrics include the following four sub-metrics: NP-1-01 Percent Final Trunk Groups Exceeding Blocking Standard, NP-1-02 Percent Final Trunk Groups Exceeding Blocking Standard – (No Exceptions), NP-1-03 Number Dedicated Final Trunk Groups Exceeding Blocking Standard – 2 Months, and NP-1-04 Number Dedicated Final Trunk Groups Exceeding Blocking Standard – 3 Months. KPMG's draft Metrics also require Bell Atlantic to report each sub-metric on the following bases:

- Bell Atlantic Common Final Trunks,
- CLEC Aggregate – Dedicated Final Trunks,
- CLEC Specific – Dedicated Final Trunks,
- Bell Atlantic Affiliate Aggregate – Dedicated Final Trunks, and
- Bell Atlantic Affiliate Specific – Dedicated Final Trunks.

Cox provides an extensive discussion of the importance of trunk blockage to CLECs.[160] Cox states that Metrics related to trunk blockage must focus on trunk performance during the heaviest hours of usage on a CLEC-by-CLEC basis, and must capture the extent to which Bell Atlantic misses a reasonable standard blocking rate.[161]

KPMG's draft Metrics appear to comply with the required measurements for trunk blockage set forth by Cox. If Cox finds KPMG's draft Metrics inadequate, then, in the collaborative, Cox may propose specific changes to the language of the existing sub-metrics or provide the text for proposed new Metrics.

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[157] *Id.* at 9.
[158] *Id.* at 9-10.
[159] *Id.*
[160] Cox Metrics Comments at 2-3, Appendix A.
[161] *Id.* at Appendix A.

WorldCom asks that KPMG be directed to study the percent trunks blocking above Bell Atlantic's blocking standard and that the Commission consider implementing a monthly performance standard.[162] I agree that a study of trunks blocking above Bell Atlantic's blocking standard should be undertaken and that the collaborative should consider implementing a monthly performance standard.

NP-2 Collocation Performance

Collocation performance standards for Bell Atlantic are the subject of tariffs on file with the Commission. Thus, rather than listing specific completion intervals as contained in KPMG's draft Metrics, Bell Atlantic recommends including only a reference to the Virginia tariff.[163] I find that reference to the Virginia tariff will eliminate confusion that may be caused by differences between the Metrics and tariff, and would be the most efficient means of ensuring that tariff changes are incorporated into the Metrics.

In addition, both Bell Atlantic and AT&T point out that KPMG's draft Metrics fail to distinguish between "New" and "Augment" applications as provided in New York and New Jersey Metrics.[164] Because the establishment of a new collocation may require significantly more time and effort than simply augmenting an existing collocation, this proposed change should be made.

NP-6 NXX Updates

This Metric measures the percentage of NXX updates that are installed in Bell Atlantic's switches by the effective date of the Local Exchange Routing Guide ("LERG").

Bell Atlantic offers one change to conform exclusion days with the interval for some types of change notices.[165] This change is necessary for internal consistency of the Metrics. Therefore, 66 days should be changed to 73 days.

BI-1 Timeliness of Daily Usage Feed ("DUF")

DUF reports are the means by which Bell Atlantic transmits customer-billing information to CLECs. Bell Atlantic submits a technical change to the definition of records that will be measured under this Metric.[166] I find that Bell Atlantic's proposed change should be adopted. In addition, several of the billing Metrics refer to Performance Assurance Plan Payments. Until the collaborative or the Commission adopts a performance assurance plan, no reference to such a plan should be contained in the Metrics.

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[162] WorldCom Metrics Comments at 14.
[163] Bell Atlantic Metrics Comments at 13-14.
[164] *Id.* at Appendix 99-100; AT&T Metrics Comments at 7-8.
[165] Bell Atlantic Metrics Comments at Appendix 102.
[166] *Id.* at Appendix 103.

BI-4 DUF Accuracy

KPMG's draft Metrics include two sub-metrics related to DUF accuracy. BI-4-01, Percent Usage Accuracy, captures the accuracy of usage records transmitted from Bell Atlantic to CLECs, and BI-4-02, Percent Corrected Usage Records Delivered On Time, measures the percentage of corrected usage records that were transmitted to the CLEC within thirty days of the date the CLEC reported to Bell Atlantic that the original usage record did not have complete information content or proper formatting.

WorldCom proposes a third sub-metric designed to measure the percentage of billing errors corrected in "X" days, based on the jeopardy posed to end-users' bills.[167] WorldCom explains that this new sub-metric is required to ensure that when errors are found by a CLEC, Bell Atlantic corrects them.[168]

Based on WorldCom's comments, I find little difference in purpose between WorldCom's proposed sub-metric and BI-4-02. Both appear to focus on the time it takes Bell Atlantic to correct DUF information. Consequently, I find that WorldCom's proposal should be rejected at this time.

OD-2 LIDB, Routing and OS/DA Platforms

As noted on OD-2, while this metric establishes standards, it does not require measurement of Bell Atlantic's performance or reporting of performance information. In its comments, WorldCom maintains that KPMG must validate Bell Atlantic's adherence to standards and that the process produces the claimed parity.[169] I agree this should be part of KPMG's test.

OD-3 Directory Assistance Database Update Accuracy

Cox recommends that this Metric be expanded to include sub-metrics on 911-database accuracy and on 911 selective router accuracy.[170] Part of KPMG's test will be devoted to examining the process and systems used by Bell Atlantic and CLECs to update 911 databases. KPMG's test results should be examined by the collaborative, with any required Metrics considered at that time.

GE-2 Poles Ducts, Conduit and Rights of Way

Bell Atlantic suggests one edit to clarify that CLECs are required to submit only "reasonably" complete and accurate requests for access. Because this edit serves to broaden the range of acceptable requests by CLECs, I find that the proposed change should be made.

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[167] WorldCom Metrics Comments at 13, Appendix B-5.
[168] *Id.* at 13.
[169] *Id.* at 15.
[170] Cox Metrics Comments at 4.

WorldCom asks that Bell Atlantic be required to report the number of refusals it provides in response to CLEC requests for access to conduits and rights of way.[171] Further, WorldCom advises that the number of CLEC refusals should be compared to the number of refusals for Bell Atlantic's affiliate.[172] I find that more information is needed concerning this recommendation. Therefore, it should be considered by the collaborative.

Glossary

Both Bell Atlantic and AT&T raise issues regarding the definitions for "BA Affiliate" and "Performance Assurance Plan Payments." Consistent with the definition of "BA Affiliate" used in the New Jersey Metrics, I agree with Bell Atlantic that the second sentence should be eliminated. In addition, as discussed above, until the Commission adopts a performance assurance plan, I agree that the definition for "Performance Assurance Plan Payments" should be eliminated.

Appendix B – Provisioning Codes

Regarding ATC Code X, Bell Atlantic's proposal to change the word "greater" to "later" should be adopted.

Appendix C – Pre-Ordering EnView Additional Details

Bell Atlantic recommends adding the following statements:

To the first paragraph: (For the Virginia KPMG test, BA will report response times separately for Virginia).

Last sentence: BA-VA will use EnView or a comparable emulated transaction measurement process to perform CORBA measurements for these transactions.

Both of these proposed changes should be made.

Appendix D – Local Number Portability Process

Bell Atlantic's recommended edits clarify the periods in which local number portability related activities are performed. These edits should be adopted.

Appendix G – Flow-Through Ordering Scenarios

As described above in relation to OR-5, Bell Atlantic's proposed change to Appendix G should be adopted.

[171] WorldCom Metrics Comments at 15.
[172] *Id.*

Appendix H – Trunk Forecasting Guide

Bell Atlantic proposes that the following sentence be added to the introduction of the Appendix:

> This Trunk Forecasting Guide applies and must be complied with by CLECs for the purposes of these *Carrier-to-Carrier Guidelines.*

Bell Atlantic's proposed sentence is consistent with the first page of the appendix, which states, "CLECs shall comply with this Guide." Therefore, the proposed sentence should be added to the introduction.

Appendix I – Collocation Forecast Guide

Similarly, Bell Atlantic proposes that the following sentence be added to the introduction of Appendix I:

> This Collocation Forecasting Guide applies and must be complied with by CLECs for the purposes of these *Carrier-to-Carrier Guidelines.*

The proposed sentence is consistent with the first page of the appendix, which states, "CLECs shall comply with this Guide." Thus, the proposed sentence should be added as proposed.

Appendix J – Statistical Methodologies

Based on Bell Atlantic's comments, two changes should be made to this appendix. First, references to "Performance Assurance Plan Payments" should be removed. Second, minimum sample size language needs to be clarified.

Appendix L – OSS Interface Out of Service Trouble Reports

Bell Atlantic recommends adding CORBA to the listing of interfaces for OSS. The Attorney General notes that the Help Desk number is incorrect.[173] The Help Desk number should be 1-888-433-4357. Both of these changes should be made.

Appendix M – OSS Interface Out of Service Trouble Report Log

The Attorney General also found that the Help Desk number in Appendix M was incorrect.[174] The correct help desk number, 1-888-433-4357, should be reflected in this appendix.

Appendix N – Test Deck Pre-Order and Order Weights

Appendix N should be modified to reflect the current test deck weights.

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[173] Attorney General Metrics Comments at 5.
[174] *Id.*

Appendix O – Metrics Status

Pursuant to AT&T's recommendation, a new appendix should be added to track the status of each Metric and sub-metric.[175]

Exhibit 1 – Additional Provisions

Exhibit 1 currently contains additional provisions regarding confidentiality and the reporting date. Bell Atlantic proposes including two additional provisions covering "Skewed Data" and CLEC General Obligations.[176] The "Skewed Data" provisions excuse Bell Atlantic from meeting performance standards in certain Force Majeure events or for a statistically invalid measurement. However, until a performance assurance plan is adopted, Bell Atlantic will not face any penalties for failure to meet a performance standard. Moreover, during KPMG's test, any failure by Bell Atlantic to meet applicable performance standards will be examined and handled on a case-by-case basis. Consequently, I find Bell Atlantic's requested provision for "Skewed Data" to be premature. Such language may be considered by the collaborative in the context of a performance assurance plan.

As to the requested language concerning CLEC General Obligations, I find that this proposed provision is unnecessary and possibly confusing. Specific CLEC obligations, such as obligations to provide timely, accurate forecasts for interconnection trunks and collocation, are provided elsewhere in the Metrics. Therefore, Bell Atlantic's proposed general language should not be added.

CONCLUSION

In summary, I adopt KPMG's draft Metrics, adjusted and modified as described above. For ease of comparison, both a redlined version of the Virginia Metrics and a clean copy of the Virginia Metrics will be mailed to each person on the attached service list. The Virginia Metrics also will be posted to the Commission's OSS web page. Furthermore, Bell Atlantic is directed to report on its OSS performance in accordance with the attached Metrics as soon as and to the extent as practicable.

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Alexander F. Skirpan, Jr.
Hearing Examiner/Project Leader

[175] AT&T Metrics Comments at 9.
[176] Bell Atlantic Metrics Comments at 14.