

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of )  
 )  
Joint Application by BellSouth Corporation, ) CC Docket No. 02-35  
BellSouth Telecommunications, Inc., )  
And BellSouth Long Distance, Inc. for )  
Provision of In-Region, InterLATA )  
Services in Georgia and Louisiana )

**SUPPLEMENTAL REPLY AFFIDAVIT OF ALPHONSO J. VARNER  
FOR GEORGIA AND LOUISIANA**

**MARCH 28, 2002**

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**TABLE OF EXHIBITS**

<u>Exhibit No.</u>	<u>Title of Exhibit</u>
1	Georgia January 2002 MSS
2	Louisiana January 2002 MSS
3	Georgia January 2002 271 Charts
4	Louisiana January 2002 271 Charts
5	January 2002 Flow-Through Report
6	BellSouth Georgia Metrics Audit III Exceptions
7	KPMG Issues Log – 3/15/02
8	KPMG Audit III PMR-5 Chart Replication Status
9	BellSouth Status of KPMG Issues Listed on Georgia Audit III – 3/25/02
10	BellSouth Florida Third Party Test Metrics Exceptions – 3/25/02
11	Florida OSS Test Evaluation Status Report
12	March 22, 2002, Letter of Bennett Ross to GPSC
13	February 18, 2002 Letter from Bennett Ross to KC Timmons of AT&T
14	Acknowledgment Message – PROPRIETARY
15	Original Versus Current Service Order Accuracy Performance
16	Service Order Accuracy Product Classification

- 17 Excerpt from Birch Telecom of the South, Inc. in Docket No. 7892-U
- 18 January 2002 Region-wide Regulatory Review – Non-Mechanized Orders
- 19 Georgia Performance Summary
- 20 Louisiana Performance Summary

I, Alphonso J. Varner, being duly sworn, deposes and says:

1. I am the same Alphonso J. Varner that filed a Supplemental Affidavit with this Commission on February 14, 2002.

**I. PURPOSE OF THE AFFIDAVIT**

2. The purpose of this Affidavit is to respond to the issues raised by certain CLECs and the Department of Justice (“DOJ”) regarding the reliability of BellSouth’s performance data, and BellSouth’s performance in Georgia and Louisiana. This Supplemental Reply Affidavit will demonstrate that BellSouth’s performance data continue to be reliable and can be used by the Commission to assess BellSouth’s compliance with the competitive checklist in Georgia and Louisiana. The DOJ notes that “the stability and accuracy of BellSouth’s performance data are improving.” *DOJ Supplemental Comments* at 20. Moreover, this Affidavit will demonstrate that BellSouth’s performance in Georgia and Louisiana has been consistently high and remained high with January data, and that BellSouth has met the requirements of Section 271 in each of those states. BellSouth is providing its January performance data as Supplemental Reply Exh. PM-1 through PM-5. Finally, this Affidavit will rebut the rhetoric used by certain CLECs and present the Commission with the facts upon which the Commission can, and should, approve BellSouth’s application.
3. Both the Georgia Public Service Commission (“GPSC”) and the Louisiana Public Service Commission (“LPSC”) have endorsed BellSouth’s performance reporting based on years of experience with the reporting

systems and the data that are produced. As the GPSC explained, “[t]his Commission and its Staff have been reviewing BellSouth’s performance data for almost four years and have been active participants in the KCI third-party metrics test for more than two years.” *GPSC Supplemental Comments* at 30. Both commissions continue to be actively engaged in close oversight of BellSouth’s performance reporting, and each Commission has held recent multi-day workshops on performance reporting. These state commission “review and monitoring mechanisms provide reasonable assurance that the data will be reported in a consistent and reliable manner.” *New York Order*, ¶144.

4. The issues raised by the CLECs fall into two broad categories – the reliability of the data and BellSouth’s performance. Only two CLECs raise so-called data reliability concerns in this proceeding and those are addressed in Section II herein. The issues raised constitute a “handful,” *Arkansas/Missouri Order*, ¶18, of the thousands of results BellSouth reports each month in Georgia and Louisiana. BellSouth addresses the few, generally low volume, performance issues in Section V herein.

## **II. BELLSOUTH’S PERFORMANCE DATA ARE RELIABLE**

### **A. BellSouth’s Data Remains Stable.**

5. As described in BellSouth’s Initial and Supplemental Applications, the Commission can and should rely on BellSouth’s performance data for the following reasons: (1) BellSouth has extensive internal validation procedures; (2) BellSouth’s data have been, and will continue to be, subject to independent

third party audits; (3) BellSouth provides CLECs with access to their own CLEC-specific data every month pursuant to which CLECs can assess the accuracy of BellSouth's data; and (4) the GPSC and the LPSC are conducting, and will continue to conduct, regular reviews of the performance measurements during which CLECs may raise data reliability concerns. *See GPSC Supplemental Comments* at 3 (“[t]he Commission has recently overseen nine days of workshops and industry conferences as part of its ongoing review of BellSouth's existing performance measurements and enforcement plan.”). As previously discussed, the quantity of the data produced is enormous, and the magnitude of problems is small.

6. Moreover, BellSouth has addressed every data reliability issue raised by the CLECs throughout the course of BellSouth's Initial and Supplemental Application. In most cases, CLEC allegations of missing Local Service Requests (“LSRs”) or inconsistent volumes were the result of a misapplication of the business rules by the CLEC, or a misunderstanding of how to use PMAP data.
7. In connection with BellSouth's Supplemental Application, only two CLECs – AT&T and Network Telephone - even raise specific data reliability concerns as they relate to reported results for the data months October through December 2001 upon which BellSouth is relying. Network Telephone raised only one issue and it had no impact on BellSouth's reported results. AT&T's issues are overstated and, in many cases, incorrect, and, to the extent AT&T has raised them, are being addressed in proceedings before the GPSC. *See*

*GPSC Supplemental Comments* at 31-32, fn. 23 (AT&T issues have “been or [are] being resolved as part of the workshops.”).

8. By contrast, other commenters support the reliability of BellSouth’s data. For example, NewSouth discusses its own internal performance data that NewSouth “calculates and analyzes” each month. According to NewSouth, (*NewSouth Supplemental Comments* at 4), its internal data “are generally consistent with the performance data that BellSouth has provided according to Louisiana and Georgia state requirements.” Likewise, the GPSC noted, (*GPSC Supplemental Comments* at 30), that it has found “no evidence of any significant data integrity problems or any issue that undermines the overall reliability of BellSouth’s performance data.”
9. To the extent any CLEC has a concern about BellSouth’s performance data, the GPSC has an on-going process pursuant to which such concerns can be addressed. In the case of AT&T, some of the issues it has raised in its supplemental comments also were raised in the six-month review of BellSouth’s performance measurements. As part of these proceedings, some of AT&T’s issues are being added to the Georgia third-party metrics test, while other issues are subject to a reconciliation process by BellSouth and AT&T being conducted under the auspices of the GPSC. In short, the issues that have been raised are not significant, and are being, or could be, addressed by the GPSC.
10. In my Supplemental Affidavit (Supp. App. A, Tab E), BellSouth responded to concerns from the Initial Application that BellSouth’s data could not be relied



upon because BellSouth frequently restated the MSS data during the month that the data was posted on the website. In response to that allegation, BellSouth stated, in part, that it had not reposted data for September through December 2001. Since that time, BellSouth has posted January 2002 data and has not needed to repost it. Thus, BellSouth has filed five months of data without reposting any results, which underscores the reliability of BellSouth's data.

11. AT&T challenges this conclusion, claiming that BellSouth “reposted its LNP and non-LNP December 2001 Flow-Through Reports to its PMAP website” on January 31, 2002, and then corrected the reposted data. *Bursh/Norris Supplemental Declaration*, ¶ 16. Contrary to AT&T's version of events, the facts are as follows: On January 21, 2002, BellSouth posted preliminary flow-through data for December 2001. These data, like the November data, incorrectly showed LSRs for xDSL loops submitted via LENS as being submitted via TAG. BellSouth described this issue in Paragraph 88 of my Supplemental Affidavit. Subsequent to posting preliminary data, BellSouth corrected the coding to place these xDSL loop LSRs in the correct interface category.
12. On the morning of January 31, 2002, the date the “official” performance results for December 2001 were required to be posted, BellSouth posted the flow-through data with the correct division of LSRs into EDI, TAG and LENS. At that time, BellSouth posted the November fatal reject data instead of the December data. This flow-through and fatal reject data were filed with

the Commission with my Supplemental Affidavit as Supplemental Exh. PM-11. To remedy the problem, BellSouth put the December fatal reject data on the website the afternoon of January 31, 2002; however, in doing so, the flow-through data was changed back to the old division of LSRs presented in the January 21, 2002 preliminary posting.

13. Throughout this chain of events the flow-through results for the statewide aggregate and for individual CLECs remained the same as the results first posted on January 21, 2001. Thus, this issue had no impact on reported flow-through results.
14. The upshot of this chronology is that while BellSouth made certain clerical errors, BellSouth did not need to repost changed flow-through results for December 2001 for CLEC-aggregate or CLEC-specific data at any point in this process. The errata that AT&T characterized as a data “reposting” was the December Fatal Rejects Report referenced above. The Fatal Rejects Report does not affect the flow-through measurement, does not contain any measurement results, and is not even reflected in the MSS, since fatal rejects are not used in calculating flow-through results. The posting of the December 2001 Fatal Rejects Report on January 31, 2002, had no bearing on the accuracy of the CLEC-aggregate or CLEC-specific flow-through results. Consequently, this situation hardly reflects a data reliability problem, and certainly does not indicate an inconsistency with BellSouth’s prior testimony.
15. Network Telephone raises a similar issue, arguing that when BellSouth reposted the December 2001 Fatal Reject Report the aggregate level for

CLEC flow-through should have changed. This argument is based on the proposition that “all of the data reported concerning Network Telephone changed.” *Network Telephone Supplemental Comments* at 3. Network Telephone’s aggregate flow-through results for December 2001 never changed – the only change to Network Telephone’s data involved 73 xDSL orders that were shown as being generated via TAG but should have been shown as being generated via LENS. Simply, no other Network Telephone data changed.

16. With respect to reposting generally, AT&T tries to attach a motive to BellSouth’s actions that the facts do not support. AT&T’s allegation that BellSouth has intentionally not reposted data in order to bolster its prospects for Section 271 relief is false. BellSouth takes seriously its obligation to make sure that its reported performance data are accurate. As my affidavits have demonstrated, BellSouth goes to great lengths to identify issues with its data, inform regulatory bodies and the CLEC community about the issues, and fix the issues. There is no evidence to support an allegation that BellSouth has intentionally hidden any problems with the data from this Commission. It is thus illogical for AT&T to claim on the one hand that BellSouth would not repost a current month’s data in an effort to hide minor issues with the data, when BellSouth has disclosed these same issues to the Commission in its application. BellSouth has disclosed, and will continue to disclose, any known errors in the data throughout the pendency of its Application.

17. As an example of AT&T's claim that BellSouth has intentionally not reposted data, AT&T points to Average Completion Notice Interval ("ACNI"). BellSouth informed the Commission that BellSouth had identified a problem of multiple instances of unique service orders in the measure, and had corrected the problem with August data. The problem reappeared in November data, and BellSouth fixed it with December data. BellSouth did not repost ACNI data for November because the issue required a coding fix, rather than simply rerunning November data, and it had less than 0.5% impact on reported results.
18. AT&T's reliance upon reported results for Coordinated Customer Conversions (P-7), the retail analogue for Percent Trouble Reports Within 30 days for ISDN/BRI loop orders (P-9), and OSS Pre-Ordering Response Interval (OSS-1) is similarly misplaced. BellSouth did not repost Coordinated Customer Conversions in the current month because the exclusion of pending and cancelled service orders required a coding change rather than rerunning the current month's data. Prior months were not recalculated because the discrepancy caused by the inclusion of pending and cancelled service orders was only 0.0075%. Similarly, with the retail analogue for ISDN/BRI loops, the issue affected one subset of one product disaggregation that required a coding change to fix. Furthermore, although the impact of the change was limited, it would not have benefited the CLECs because it would have increased the relevant number of trouble reports for BellSouth's retail service analogue. Consequently, prior months were not recalculated. Lastly, on OSS

Pre-Ordering Response Interval, BellSouth has informed regulators and the CLECs to subtract 2 seconds from the retail analogue associated with LENS when reviewing the data. Thus, there was no need to restate the data.

19. The last issue cited by AT&T as an “egregious example” of alleged problems with BellSouth’s data are, as with the other AT&T issues, exaggerated. *Bursh/Norris Supplemental Declaration*, ¶¶ 22-23. The issue to which AT&T refers is an isolated case of human error, not a systemic data problem. Specifically, when BellSouth moved this product data from BARNEY to PMAP, BellSouth programmers inadvertently deleted the order volume for the LNP standalone product for November. This was a unique occurrence that in no way signifies systemic problems with BellSouth’s data collection and retention processes. Moreover, as AT&T is aware, the order volume for this product is the same order volume that is reported in the relevant sub-metric of the percent Missed Installation Appointment metric. Thus, AT&T actually has the allegedly “missing” November order volume should it wish to use it. Furthermore, the error did not impact reported results at all in that the result for this sub-metric is always zero, regardless of the order volume, because BellSouth does not administer trouble tickets on a telephone number once it has ported to a CLEC.

**B. The KPMG Audits Provide Additional Evidence of Data Reliability**

20. BellSouth’s data have undergone extensive auditing already, auditing that is more extensive than in any prior application that this Commission has reviewed. While AT&T asserts that the Commission should not rely on the

KPMG audits in Georgia as evidence that BellSouth's performance data are reliable because Audit III is not complete, this assertion ignores the extensive work that KPMG has done in auditing BellSouth's data. Audit I in Georgia is completed but for two minor exceptions (KPMG announced recently that it is going to close Exception 136/137), and Audit II is closed with all exception criteria satisfied. Moreover, Audit III is now largely complete for most of PMR tests. As of March 21, 2002, the status of Audit III is as follows:

- PMR-1 (Data Collection and Storage) is 90% complete;
- PMR-2 (Standards and Definitions) is 100% complete for Month I, 100% complete for Month II, and 95% complete (4 measures in progress) for Month III;
- PMR-3 (Change Management) is 85% complete;
- PMR-4 (Data Integrity) is 27% complete;<sup>1</sup> and
- PMR-5 (Data Replication) is 84% complete for SQM Reports and 67% complete for 271 Charts.

In other words, KPMG has made extensive progress on virtually every aspect of the audit, including data replication, a component of the audit that is critical to assessing the reliability of BellSouth's data. Further, KPMG has virtually completed two audits and in the third, KPMG has not found data discrepancies of any significance.

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<sup>1</sup> The 27% complete figure for PMR-4 is based on the number of completed measures in Audit III, and does not include the measures completed in Audits I and II. When the completed Audit I and II measures are included, the percent complete is 54% as referenced in the KPMG Interim Status Report, Supplemental Exh. PM-13.

21. The Georgia audits, when viewed on a continuum, corroborate the other indicia of the reliability of BellSouth's data. Audit I was a thorough analysis of BellSouth's first set of performance measurements. As would be expected, KPMG issued exceptions in Audit I, all but two of which BellSouth has resolved. The two remaining exceptions are, as I have described in my Supplemental Affidavit, minor. In fact, since the filing of my Supplemental Affidavit, KPMG has announced that it is closing Exception 136/137 which leaves only two under review.
22. With the implementation of the GPSC's June 6, 2000 Order, KPMG conducted Audit II. During Audit II, KPMG reviewed 27 metrics in PMR-2, 25 metrics in PMR-4, and 1178 charts in PMR-5. KPMG closed Audit II with all evaluation criteria satisfied and no open exceptions.
23. The satisfactory completion of Audits I and II demonstrate that (1) the Commission has a set of some measures that did not change significantly between the audits, and thus have been fully audited; and (2) while the GPSC may have modified certain measures or added levels of disaggregation to other measures, BellSouth's ability to implement and produce reliable performance data has been satisfactorily audited and has been confirmed by the first two audits and the now largely complete Audit III. As previously discussed, in addition to the Audits, the continuing oversight of state commissions' annual audits and the ability of individual CLECs to review their own data bolster the reliability of the performance data.

24. As expected, the current results of Audit III reflect what KPMG found in Audits I and II – namely, that BellSouth produces accurate and reliable performance data. In total in Audit III, including both open and closed exceptions, KPMG has issued 16 exceptions in Georgia and has referenced 2 exceptions that have not been issued. Of those, 7 currently are closed or are in the closure process. Of the total of 18 issued and yet to be issued exceptions, 13 have no impact on reported results, 3 have less than 0.5% impact, 1 understates performance, and 1 relates to Average Jeopardy Notice Interval which is unreliable. A description of all of the Georgia Exceptions, open and closed, is attached at Supplemental Reply Exh. PM-6. For example, Exception 146 and Draft Exceptions 190 and 192, relate to issues with BellSouth’s documentation. While BellSouth agrees with AT&T that every effort should be made to have accurate documentation, the fact remains that documentation errors associated with reporting of performance data do not in any way impact the validity of BellSouth’s reported results or affect a CLEC’s ability to compete. Moreover, Exceptions 148 and 141 relate to the division of LSRs into interval buckets in the SQM Reports. These issues do not impact the reported results in the MSS. As BellSouth’s analyses make clear, none of the Georgia Exceptions indicate systemic problems with BellSouth’s reported results or undermine the conclusion that BellSouth produces accurate and reliable performance data.
25. An analysis of the PMR-5 Issues Log further confirms the accuracy and reliability of BellSouth’s performance data. A copy of the most current



KPMG Issues Log is attached hereto as Supplemental Reply Exh. PM-7. In addition, I have attached the most recent PMR-5 detailed status report as Supplemental Reply Exh. PM-8. The latter is an internal KPMG working document. With respect to the PMR-5 Issues Log, KPMG publishes it at the request of the GPSC (or, in this case, the Commission). KPMG provides the Issues Log to BellSouth approximately weekly to facilitate the resolution of the issues. As BellSouth has informed the Commission, KPMG will, at some point in time, issue one exception to cover the open issues on the Issues Log, similar to Exception 129 in Audit II. As stated above, PMR-5 is 84% complete for SQM Reports and 67% complete for 271 Charts. BellSouth's analysis of the Issues Log, attached hereto as Supplemental Reply Exh. PM-9, demonstrates that in total, KPMG has noted 81 issues, including open and closed issue. Of those, 6 were withdrawn by KPMG, 14 were moved to Exceptions and already addressed above, and 12 were merged into other Issues. Of the 49 remaining Issues, 43 are closed. Of the 49 total, 43 have no impact on reported results; 5 have less than 0.5% impact; and 1 relates to Average Jeopardy Notice Interval that is unreliable. Like the exceptions, many of the Issues relate to documentation and interval buckets.

26. The Commission raised a question about the status of Acknowledgment Message Completeness in the KPMG Interim Status Report. In October 2001, KPMG began replicating July 2001 data for Acknowledgment Message Completeness. KPMG could not replicate the measure and thus opened Georgia Exception 138. BellSouth responded to KPMG that KPMG's

inability to replicate the measure was due to an error in the Raw Data User's Manual ("RDUM") for July. BellSouth provided KPMG the revised RDUM and KPMG replicated September 2001 data. Once KPMG replicated the data, KPMG showed the measure as a "match" on the PMR-5 Detailed Status Report as of December 31, 2001, filed as part of the KPMG Interim Status Report. On January 8, 2002, subsequent to the December 31 cut-off for the Interim Status Report, KPMG announced that it would close Exception 138. Thus, there was a period of time during which KPMG had replicated the measure, but the Exception remained outstanding.

27. In summary, the KPMG audits present strong evidence that BellSouth's data are reliable. The fact that the third audit by KPMG is not quite complete does not mean that the Commission cannot rely upon BellSouth's data in determining BellSouth's compliance with the requirements of Section 271. The totality of the audit evidence, in conjunction with all of the other indicia of reliability, should give the Commission a high degree of comfort that BellSouth's performance data provide a meaningful yardstick by which to assess BellSouth's performance.
28. As the Commission is aware, a completed audit of every performance measure is not required for Section 271 approval. In fact, in the Texas application, the performance data audit upon which SWBT relied addressed only a limited number of SWBT's measures. This evidence, however, was deemed sufficient, in conjunction with the other indicia of reliability, to demonstrate reliability of the data. In the Arkansas/Missouri application, the Commission

concluded “that SWBT need not undergo a comprehensive verification of its representations as requested by some parties.” *Arkansas/Missouri Order*, ¶ 16. The Commission held that an RBOC need not demonstrate that its data are flawless but rather that there is that there is no “systematic failure” in its data collection and reporting processes. *Arkansas/Missouri Order*, ¶ 18. BellSouth has met that burden. The vast majority of the over 2,200 metrics BellSouth reports every month have never been questioned. Limited issues with certain measures, such as those of which BellSouth has made the Commission aware, “do not undermine the reliability of [an RBOC’s] massive data compilation.” *Arkansas/Missouri Order*, ¶ 18.

29. AT&T’s argument that the KPMG audit in Florida “provides additional evidence that BellSouth’s performance data cannot be trusted” should be rejected. As BellSouth has explained in each of my affidavits, the evidence upon which BellSouth seeks to rely in this case is the Georgia OSS Test, including the audits of the performance measurement systems, and the extensive commercial usage from Georgia and Louisiana.
30. Given, however, that AT&T raised the Florida metrics evaluation, I will discuss the current results of that evaluation. Actually, the Florida metrics test supports BellSouth’s position that its performance data are reliable, rather than refutes it. As in Georgia, none of the Florida exceptions (open or closed) related to the current SQM reveal any significant issues with BellSouth’s performance data.

31. In total, including both open and closed exceptions, KPMG has issued 30 exceptions in Florida based on its audit of the SQM that is similar to the Georgia SQM (i.e. after June 2001). Of those, 11 currently are closed or in the closure process. Of the total of 30, 15 have no impact on reported results, 14 have less than 0.5% impact in Georgia and Louisiana, and 1 relates to Average Jeopardy Notice Interval which is unreliable. A description of all of the Florida Exceptions, open and closed, is attached at Supplemental Reply Exhibit PM-10. For example, Exceptions 15, 81 and 153 relate to issues with BellSouth's performance measurements documentation, which, as previously discussed, does not impact the validity of reported results. Moreover, Exception 122 relates to the production of an LSR detail report for xDSL orders, and Exception 152 relates to an issue unique to the SQM Reports. These issues are illustrative of exceptions that do not impact the reported results in the MSS. As BellSouth's analyses make clear, none of the Florida Exceptions indicate systemic problems with BellSouth's reported results.
32. AT&T specifically cites to a number of Florida Exceptions as evidence of problems with BellSouth's performance data. However, in many cases, AT&T bases its conclusion on BellSouth's initial exception responses, and it is thus understandable why AT&T may have misunderstood the significance of the exceptions. Upon further investigation, BellSouth has determined that the exceptions in Florida are not significant, as demonstrated by Supplemental Reply Exh. PM-10. BellSouth plans to file amended exception responses, where appropriate, with the FPSC as soon as possible.

33. AT&T also cites to certain Florida Observations. Observations are simply questions raised by KPMG during the course of the audit. Their existence does not mean that the associated test results would be reported as “Not Satisfied.” Consequently, observations should not be considered by the Commission even were the Commission to conclude that the Florida audit is relevant to assessing BellSouth’s checklist compliance in Georgia and Louisiana, which BellSouth submits is not the case.
34. AT&T raises a myriad of other complaints about the audits, none of which supports AT&T’s position that the data are unreliable. For example, AT&T argues that by asking the Commission to rely on the results of Georgia Audit I and II BellSouth is inconsistent in its position on the use of data from previous years. To the contrary, there is an obvious distinction between the use of data to assess BellSouth’s *performance* and the use of data to assess reliability of a production process. It is only the former use of the data about which BellSouth complained when AT&T criticized BellSouth’s performance on UNE-P conversions using data that was almost a year old. With respect to the audits, the age of the data month reviewed is not important – what is important is the reliability of the process that produced the data.
35. AT&T also criticizes PMR-2 in Audit III, arguing that KPMG is not examining alleged “inconsistencies” between BellSouth’s SQM and the GPSC’s Order. AT&T’s criticism ignores that such alleged “inconsistencies” were the subject of considerable discussion during the workshops conducted by the GPSC in the performance measurements docket. Dealing with such

issues in the workshops rather than as part of the KPMG audit is consistent with the GPSC's original Comments, in which the GPSC stated that "AT&T's accusation that BellSouth has modified its performance measurements in violation of the Commission's orders and without notice to CLECs...should be considered as part of the Commission's annual review of the SQMs and the enforcement plan in Docket No. 7892-U." *GPSC Initial Comments* at 133.

36. AT&T also criticizes BellSouth's discussion of several of the Georgia exceptions on the grounds that the explanations are "unverified, highly speculative statements." *Bursh/Norris Supplemental Declaration*, ¶ 43. Notably, AT&T presents no factual basis for questioning BellSouth's explanation. This hardly constitutes evidence upon which the Commission should rely. Moreover, in most cases, BellSouth's analysis of exceptions are publicly available; thus, AT&T could have done an analysis of BellSouth's responses had AT&T decided it necessary. Furthermore, the nature of the exception process is such that until KPMG retests the data in question, KPMG cannot close the exception regardless of the merits of BellSouth's response. In other words, the fact that KPMG has not opined on BellSouth's explanations in no way renders them "speculative."
37. Citing Georgia Exception 144, AT&T argues that exceptions concerning BellSouth's documentation "taint the reliability of reported performance results." *Bursh/Norris Supplemental Declaration*, ¶ 46. This is not the case. While BellSouth makes every effort to ensure that its documentation provides correct instructions to enable the CLECs to reproduce BellSouth's results,

what is at issue is the reliability of the results themselves. These documentation errors do not in any way undermine the reliability of the reported data or affect a CLEC's ability to compete.

38. Although KPMG's status report indicated that KPMG could not replicate 117 charts, AT&T seeks to inflate this figure by asserting that the report reveals 281 "instances" where KPMG could not replicate the charts. AT&T is making an apples to oranges comparison because KPMG is counting charts, while AT&T is counting each of three months per chart. The relevant number, and the number that KPMG used, was the number of charts, not the total instances of non-match ("NM") or non-material match ("NMM") on the status report.
39. AT&T also incorrectly assumes that the non-matches indicated on the PMR-5 detailed status report reflect material differences. As described in my Supplemental Affidavit, there are two classes of non-matches – those that are pending further investigation and those that are, in fact, material in KPMG's view. The detailed status report does not distinguish between the two categories of non-matches. Thus, AT&T's contention that all 164 non-matches are "material" is not correct. The only non-matches that KPMG views as material are those on the PMR-5 Issues Log. As of March 25, 2002, there were only 6 open issues.
40. Finally, AT&T also states that KPMG "has no intention" of auditing the modifications made to the flow-through data in June 2001. To the contrary, KPMG plans on reauditing June 2001 data. This is evidenced in the Florida

OSS Test Evaluation Status Report posted on the Florida PSC Website. A copy of the relevant page is attached as Supplemental Reply Exhibit PM-11. Exception 124 status clearly states that re-test activities are underway for June data.

**C. The Enhancement to PMAP Version 4.0**

41. BellSouth is in the process of upgrading PMAP from PMAP Version 2.6 to PMAP Version 4.0. BellSouth will not use PMAP 4.0 until sometime after March 2002 data. The upgrade to PMAP Version 4.0 is a normal sequence in BellSouth's data processing capabilities. As the number of performance measurements and levels of disaggregation continue to grow, a more dynamic platform is needed. In fact, BellSouth already is exploring the next version of the PMAP platform, termed PMAP Version 5.0, as BellSouth expects that external and internal demands will dictate further enhancements to the PMAP architecture.
42. Prior to the upgrade being completed, BellSouth will conduct extensive testing and validation of the data produced by the two versions. In fact, BellSouth has performed, and currently continues to perform, extensive testing of the data used in the PMAP 2.6 and 4.0 versions. Production validation teams are examining results from both the PMAP 2.6 and 4.0 version code, and comparing those results for every report that is produced. The next phase of testing will occur with the March 2002 processing of February 2002 data when PMAP Version 4.0 will be run in full production in parallel with PMAP Version 2.6. BellSouth will conduct a similar parallel test



in April 2002 for March 2002 data. Through at least March 2002 data, BellSouth will continue to report performance data using PMAP Version 2.6.

43. BellSouth discussed the upgrade with the GPSC as well as the impact of the upgrade on the Georgia Audit. Attached hereto as Supplemental Exhibit Reply Exh. PM-12 is a letter from BellSouth to the GPSC attaching a report, in which KPMG has concurred, of the effect of the upgrade to PMAP Version 4.0 on the KPMG metrics audit. Contrary to AT&T's allegations, the upgrade to PMAP Version 4.0 should have no adverse impacts on KPMG's audit and should actually facilitate the conclusion of KPMG's work.
44. AT&T contends that "because of problems with BARNEY, which BellSouth is replacing with RADS, KPMG's metrics audit in Florida has been delayed." *Bursh/Norris Supplemental Declaration*, ¶ 50. Although it is not clear to what "problems" with BARNEY AT&T is referring, the metrics audit in Florida is impacted to the same extent by the upgrade from PMAP Version 2.6 to PMAP Version 4.0 as the Georgia metrics audit. This impact is minimal, as described in Supplemental Reply Exhibit PM-12. Also, rather than delaying completion of the audit, the upgrade to PMAP Version 4.0 should allow the audit to complete more quickly than would otherwise be the case.

**D. CLEC Issues Do Not Reflect Significant Problems In The Measures**

45. As is the case with its prior filings, AT&T's claims in its current filing that there are problems with BellSouth's data are not supported by the facts. Furthermore, even if AT&T's concerns were valid, which they are not, the metrics which AT&T cites "comprise a handful" of the thousands of sub-

metrics that BellSouth reports every month. Such claims do not undermine the reliability of BellSouth's massive compilation of data, the vast majority of which no CLEC, including AT&T, has challenged. See *Arkansas/Missouri Order*, ¶ 18.

46. In addition, as the GPSC noted in its Comments, “this Commission and its Staff have been reviewing BellSouth performance data for almost four years and have been active participants in the KCI third-party metrics test for more than two years.” *GPSC Supplemental Comments* at 30. With respect to AT&T alleged “data reliability” concerns, the GPSC noted specifically that “many of AT&T’s issues had nothing to do with the integrity of the BellSouth’s performance data...other issues raised by AT&T appear to represent an apparent lack of familiarity with BellSouth’s SQM. In any event, each of the issues raised by AT&T either has been or is being resolved as part of the workshops in Docket 7892-U.” *GPSC Supplemental Comments* at 31-32, fn. 23. The Commission traditionally “has relied on the ability of state commissions to rigorously review performance data, identify problems, and work with applicants and competitors to improve performance and resolve disputes even before a section 271 application is filed with this Commission.” *Arkansas/Missouri Order*, ¶ 20. There is no doubt that the GPSC and the LPSC conducted the “careful review of performance data by state commissions” that this Commission expects. *Id.*
47. AT&T spends several paragraphs of its Affidavit complaining about BellSouth’s statement that no CLEC has used the GPSC’s process for

resolving issues related to performance measures and reporting. Nonetheless, AT&T admits that it has never used the process to address the alleged data problems raised in its affidavit. The apparent basis for AT&T's indignation is the fact that WorldCom had requested the GPSC to "initiate proceedings" regarding data reliability and that AT&T had joined in that petition. However, the GPSC established expedited dispute resolution procedures to resolve issues related to performance measures and reporting in December 1997; WorldCom did not file its petition until January 18, 2002. If WorldCom, AT&T or any other CLEC were so concerned about the reliability of BellSouth's performance data, it is not clear why they waited almost four years to bring such concerns to the GPSC's attention through a formal filing. Second, rather than raise specific data issues via the process the GPSC had established in 1997, WorldCom merely asked the Commission to institute unspecified "proceedings" to address unspecified "data." WorldCom's general request hardly evidences use of the GPSC's established process designed to resolve specific disputes that the parties are unable to resolve themselves. As the GPSC noted in its Comments at 31, "no CLEC has yet availed itself of the Commission's performance measures and reporting dispute resolution procedures, which have been in place for almost four years and which remain available to this day." *GPSC Supplemental Comments* at 31.

48. That being said, BellSouth does not dispute that AT&T devotes extensive corporate resources to analyzing BellSouth's performance data. The sheer

volume and detail of its allegations evidence that fact. In the last 12 months, AT&T has sent BellSouth in excess of 30 letters (averaging almost 3 per month) about BellSouth's data, and has filed hundreds of pages of detailed testimony alleging problems with the data. In virtually every instance, as BellSouth has demonstrated, and as the GPSC agreed, AT&T's alleged errors are non-existent or insignificant. *See GPSC Supplemental Comments* at fn. 23.

49. In its filings in this proceeding, AT&T has raised three categories of issues, all of which it contends are data reliability issues. The first category, however, is the only one that could possibly be related to reliability issues, and all of these have been addressed with AT&T. The second category consists of complaints about the way in which the measures are defined, which have no impact on reported results and which can, and should, be addressed with the state commissions. The last category consists of complaints about the definition of raw data and likewise has no impact on reported results. As in its previous filings, AT&T overstates the impact of the issues it raises.
50. With respect to the first category of allegations, BellSouth has addressed AT&T's concerns. For example, AT&T continues to raise a question about alleged differences in order volumes between the Flow-Through Report and Acknowledgment Raw Data. *Bursh/Norris Supplemental Declaration*, ¶¶ 75-77. However, BellSouth's letter of January 21, 2002 (Supplemental Exh. PM-23), and its follow-up letter of February 18, 2002, attached hereto as Supplemental Reply Exh. PM-13, explains the reasons for the discrepancies in

volumes between the Flow-Through Report and Acknowledgment Raw Data. In ¶ 76 AT&T states incorrectly that AT&T receives “acknowledgements for individual LSRs AT&T sends to BellSouth.” Attached as Supplemental Reply Exh. PM-14, is a formatted acknowledgement record that shows the content of an actual acknowledgement message acknowledging 12 of AT&T’s LSRs and 2 Supplemental LSRs. The 12 LSRs are acknowledged by the single Acknowledgement Message ST/997/0001 and the two supplemental LSRs are acknowledged by the single Message ST/997/0002. The result is that while AT&T submits many LSRs which will all be reported individually on the Flow-Through Report, they are acknowledged in groups in EDI, meaning that the number of acknowledgments sent to AT&T and counted in the Acknowledgment raw data for EDI will be less than or equal to the number of LSRs submitted.

51. On TAG, the LSR volumes for TAG and LENS reported on the Flow-Through Report can be slightly lower than the volume of Acknowledgments in raw data because there are a few submissions that will be fatally rejected by TAG rather than by LEO or the INP Gateway. These fatal rejects will appear in the Acknowledgment raw data but not in the Flow-Through Report. To clarify any prior statements, TAG does return acknowledgments related to pre-order activity, but these acknowledgments are not included in the flow-through volumes or the acknowledgment counts for PMAP. Consequently, the presence or absence of pre-order acknowledgements has no impact on a comparison of data between Flow-Through and Acknowledgment

Completeness measures. A discrepancy between the Acknowledgment volumes and the Flow-Through LSR volumes in TAG and LENS is to be expected due to the few submissions that are fatally rejected by TAG rather than by LEO or the LNP Gateway.

52. AT&T continues to express concern over the loss of two TAG processors dedicated to LENS even though they were added with November data. *Bursh/Norris Supplemental Declaration*, ¶¶ 78-79. As explained to AT&T in Supplemental Reply Exh. PM-13, and as I discussed in my initial Reply Affidavit (Reply App., Tab S), there are only two TAG processors dedicated to LENS, not four. As expected, while the volumes for this measure changed in November, December and January, the results did not – namely, BellSouth’s performance is still in excess of 99.9% on this measure.
53. AT&T next raises several complaints about Average Completion Notice Interval (“ACNI”), and in the process misinterprets BellSouth’s explanation of why LSRs classified as projects are missing from ACNI raw data. *See Bursh/Norris Supplemental Declaration*, ¶. 80-81. Although AT&T claims that “projects” are not excluded from the provisioning measures (which is correct), that is not the issue. Rather, as explained in BellSouth’s January 21, 2002 Letter to AT&T (Supplemental Exh. PM-23), projects are excluded from the ordering measures. As BellSouth explained, the reason that the project LSRs were missing from ACNI was that ACNI results must be separated based upon whether the LSR that created the service order was submitted via mechanized or non-mechanized means. This separation depends upon data in

the ordering metrics where projects are excluded per the SQM. Thus, project orders were not reported in ACNI. In January 2002, PMAP began reading the ordering “error” file to identify the method of submission for LSRs excluded from ordering measures.

54. There is no merit to AT&T’s claims, *Bursh/Norris Supplemental Declaration*, ¶ 82, that BellSouth is “improperly” excluding LSRs for trigger orders for standalone LNP. These orders were not “unilaterally excluded.” Rather, as discussed in my Supplemental Affidavit in Supplemental Exh. PM-23, the BellSouth legacy systems needed to be modified to apply an OCN to trigger orders. These orders were included in December data.
55. Equally without merit is AT&T’s allegation that BellSouth “unilaterally excludes” completion notices when the order is completed in one month, but the completion notice is issued in another and that this makes the data inaccurate. *See Bursh/Norris Supplemental Declaration*, ¶ 85. BellSouth does not “exclude” orders that complete in one month but have a completion notice issued in the next month. Rather, as explained in my Initial Affidavit (App. A, Tab 21), in a very small number of cases, if a completion notice is issued after the processing window for the prior month’s data closes, the order is not counted in this measure. This is not an error, but simply the result of having to post data on a monthly basis. In order to process and produce the data, BellSouth has to take a snapshot of the data at a single point in time. For this measure, BellSouth leaves the processing window open 4 days past the end of the month to capture as many completion notices as possible. If a

completion notice is sent after the window closes, however, it is not counted. BellSouth estimates that this occurs no more than 0.30% of the time.

56. AT&T next raises an issue about allegedly conflicting explanations regarding excluding orders submitted directly into SOCS from ACNI. *See Bursh/Norris Supplemental Declaration*, ¶ 86. Without regard to any alleged conflict, BellSouth agrees with AT&T that administrative orders should be excluded from the OCI and ACNI measures. After investigating this issue, BellSouth also agrees with AT&T that the type of service orders I discussed in the Florida workshop have not been treated as administrative orders per the SQM.
57. In the second category of alleged data reliability issues, AT&T expresses disagreement with the manner in which certain measures are calculated, such as the FOC timeliness and Missed Appointments measures, *Bursh/Norris Supplemental Declaration*, ¶ 91-93. Notably, the change to the FOC timeliness measure AT&T advocates in this proceeding was never discussed in the Georgia performance measurements workshop, which suggests that AT&T's concern about this measure is slight or at the very least newly discovered. With respect to Missed Installation Appointments, AT&T did propose changing the measure to account for the second appointment, but the proposal was not incorporated into the industry-consensus working document. AT&T will have continued opportunities to raise these issues, and any other issues concerning BellSouth's performance measurements, with either the GPSC or the LPSC during their on-going reviews.



58. Last, AT&T raises alleged problems with BellSouth's raw data. These so-called "problems" have no impact on the reliability of BellSouth's reported results. With respect to the LSR detail report for LNP flow-through referenced by AT&T, *Bursh/Norris Supplemental Declaration*, ¶ 94, BellSouth informed AT&T on February 22, 2002, that while BellSouth did not have the capability to produce the equivalent of the LEO detail report for LNP, BellSouth would provide a LNP LSR Flow-Through Log containing the LNP flow-through raw data as a suitable surrogate on April 21, 2002. Moreover, BellSouth made the report available to AT&T on March 21, 2002, a month earlier than promised.
59. AT&T also complains, as it did in the Initial Application, about BellSouth's definition of raw data, insisting that BellSouth should provide the raw data for projects and directory listing orders. *See Bursh/Norris Supplemental Declaration*, ¶ 94. As the SQM demonstrates, projects and directory listings are properly excluded from certain of BellSouth's measurements. *See, e.g.*, Measure O-9 (Firm Order Confirmation Timeliness) (excluding "projects"); Measure P-5 (Average Completion Notice Interval) (excluding "listing orders"). Because raw data are intended to provide the individual transactions, records or data underlying the reported results for the measurement to allow the CLEC to replicate the reported results, there is no reason to include transactions in raw data, such as projects and directory listings, when those transactions are not used in calculating performance

results. To the extent AT&T believes otherwise, this is an issue that could and should have been brought up as part of the GPSC’s review of the SQM.

60. AT&T’s assertion that BellSouth’s data are “error-ridden” is nothing more than rhetoric that is unsupported by the facts. *Bursh/Norris Supplemental Declaration*, ¶ 112. The evidence conclusively establishes that BellSouth’s data are reliable. Are BellSouth’s data perfect? Certainly not, and, given the enormous amount of data processed each month at the extensive levels of disaggregation, it would be unrealistic to expect them to be. Does BellSouth’s data provide this Commission with a meaningful yardstick by which to assess BellSouth’s performance? Absolutely yes. The vast majority of the data are error-free. The relatively few issues in the performance data, which BellSouth has affirmatively disclosed to state and federal regulators, do not have any meaningful impact on reported results. As the GPSC stated in its Comments in its continued support of BellSouth’s application, “the Commission finds no evidence of any significant data integrity problems or any issue that undermines the overall reliability of BellSouth’s performance data.” *GPSC Supplemental Comments* at 30.

### **III. SERVICE ORDER ACCURACY**

#### **A. Improvements To The Measure.**

61. In my Supplemental Affidavit, I described several improvements to the Service Order Accuracy measure made by BellSouth starting with November data. Once again, rather than present the facts, AT&T calls BellSouth’s

change to the measurement “highly suspicious.” BellSouth’s response is twofold – first, as described in my Supplemental Affidavit, the changes made to the measure improve the measure and make service order accuracy results more consistent with the SQM; the changes were not made to artificially inflate BellSouth’s performance, as AT&T suggests. Second, as described in the Supplemental Reply Affidavit of Ken Ainsworth (Supp. Reply App. A, Tab A), service order accuracy data filed by other CLECs in this proceeding are consistent with BellSouth’s data, which further belies AT&T’s claims. BellSouth affiant Keith Johnson addresses the improvements to the statistical methodology used in calculating the measure.

62. Several parties expressed concern about the changes that BellSouth made in the method of obtaining data to calculate the Service Order Accuracy measurement. Because the concerns were expressed regarding the 20 resale and UNE disaggregations, I will focus my reply on those categories. Those changes, which became effective with data reported in the MSS for November 2001, were necessary to report the data in conformance with the SQM that was previously approved by the GPSC. No changes in the measurement, as defined by the GPSC, were implemented. The data as currently reported conforms to the definitions, business rules and calculation requirements of the SQM, and no commenter seriously argues otherwise.
63. As explained in the Stacy/Varner/Ainsworth Affidavit filed on November 13, 2001 (Reply App., Tab P, ¶48), the disaggregated service order accuracy results reported prior to November 2001 were not statistically valid and thus

“cannot be used as statistically significant indications of the quality of the service orders within that disaggregation.” The changes made in November remedied this problem.

64. That BellSouth did not change the method of calculating service order accuracy results in order to artificially inflate its performance is clear from the ex parte document filed with this Commission on March 15, 2002. This document outlined the changes made in November and compared data under both the original and current methods of calculating service order accuracy using September and October 2001 data. This comparison reflected that, in certain instances, the service order accuracy rate in September and October increased for certain sub-metrics, but decreased in others.
65. To understand why the changes were necessary, I will describe how the data was obtained before November. This method of categorizing and acquiring data was established in July 1998. Since that time, two things occurred – one, BellSouth’s product offerings evolved considerably and two, the GPSC changed the measure in January 2001. Prior to November, state-specific results were only developed for Georgia, Florida and Kentucky. No other state ordered the measure to be implemented. Regional results, computed from the aggregate results for the three states listed earlier, were utilized for the other six states.
66. The next major characteristic of pre-November data was that the results were evaluated and reported based on LSRs, not service orders. BellSouth selected an initial random sample of service orders and associated those service orders

to the LSR that caused them to be created. Then all services orders, not just the original service order that was in the random sample, associated with the LSRs were evaluated for accuracy. To measure performance, the total count of LSRs associated with the sample of service orders was compared to the number of such LSRs without errors. An error on any of the service orders associated with an LSR, regardless of whether that order was in the original sample, resulted in an error for that LSR. The volumes reflected on the MSS were the volume of LSRs, not service orders.

67. Another major characteristic of the former process was that the sample of service orders was selected based only on the criteria of product groups, less or greater than 10 circuits on the order, and mechanized vs. non-mechanized LSR submission. While these criteria were valid when the measure was originally put in place in 1998, they were no longer valid when the GPSC changed the measure. Also the population from which the samples were drawn did not contain all relevant products. Further, the Dispatch/Non-dispatch levels of disaggregation required by the measure were not included in the sampling criteria. Data were classified as Dispatch if any service order associated with a particular LSR required BellSouth to dispatch a technician. Otherwise the LSR was categorized as Non-Dispatch.
68. Per the SQM, the Service Order Accuracy measure is supposed to capture “the accuracy and completeness of a sample of BellSouth service orders by comparing what was ordered and what was completed.” Per the business rules, “a statistically valid sample of service orders, completed during a

reporting period, is compared to the original account profile and the order that the CLEC sent to BellSouth.” In short, the measurement results should indicate how accurately BellSouth converts an LSR submitted by a CLEC to a service order. Clearly, the results reported before November did not fully accomplish these purposes.

69. Upon understanding the issues surrounding the data for this measurement, BellSouth quickly identified the steps required to conform the data acquisition methods more closely to the requirements of the SQM. As a result, the following changes were implemented: (1) Refocused the measure to be based on a statistically valid sample of service orders and report results based on service orders instead of LSRs as required by the SQM; (2) Expanded the sampling methodology to sample from all 24 sub-metric categories; (3) Calculated results based on performance for the entire nine state region for all states; and (4) Included all required product offerings in the data universe.
70. Examining the impact of the changes helps to understand some reasons why the data is now simply more consistent with the current SQM. To illustrate the impact, the service order accuracy results were recalculated for September and October using the same method implemented in November. A comparison of results under both methods for Georgia and Louisiana is attached as Supplemental Reply Exh. PM-15. Louisiana was always reported as a regional average, but based only on the aggregate of results for Florida, Georgia and Kentucky. To compare the data, new samples were selected for the September and October data months using the current data acquisition

method. Those new samples were then evaluated the same way that samples are currently evaluated to produce performance results. Further, Supplemental Reply Exh. PM-16 shows the population in each of the resale and UNE disaggregations and the measurement results for October 2001 to January 2002 using the current method of data acquisition.

71. Although AT&T complains about calculating service order accuracy results based on a regional sample, such an approach makes perfect sense, as Supplemental Reply Exhs. PM-15 and PM-16 illustrate. As noted on the exhibits, six categories account for over 98% of the resale and UNE service orders; thus, the remaining 2% are spread among the other 14 resale and UNE categories. For many of these categories the entire population in the region numbers only a few hundred orders or fewer. Consequently, the volume of orders in many of those categories would be too small to be meaningful if measured on an individual state basis. The only practical way to indicate performance for this regional process in such low volume categories is to provide region wide results.
72. Reporting regional results does not detract from the usefulness of the measure and is consistent with the SQM. Each state that ordered implementation of this measure was examining the same process; i.e., whether LSRs were being converted to service orders accurately. For BellSouth, that process is regional. The same mechanized systems and same LCSC personnel convert the LSRs to service orders regardless of the state where the LSR originates. Differences in performance within a sub-metric by state would only be an illusion created by

random factors, such as which service representative happened to work a particular order, instead of differences in BellSouth processes. Differences by state in overall accuracy rates would be driven largely by differences in the mix of LSRs originated in that state, not BellSouth's performance on converting those LSRs to service orders. Each of these three states where the measure was previously produced wanted to measure BellSouth's performance and none of them placed a geographic limitation on how that performance was to be measured. The current data are more consistent with that objective.

73. The next way in which data reporting was improved was to evaluate a random sample of service orders where sampling was used. The population for many of the disaggregated categories is so small that the entire universe was evaluated. For those categories, sampling issues have no impact. Where sampling is utilized, the SQM specifically requires a statistically valid sample of service orders. Prior to November, the sample for some sub-metrics was not fully valid statistically because the randomness of the sample was compromised. As previously discussed, we began with a random sample of service orders, but if the LSR that caused creation of an order in that sample also caused other orders to be created, those other orders were added to the sample. Where those other service orders were added, the sample was no longer random. Instead, the sample was biased toward those services that required more than one service order to provision everything ordered on the LSR. The number of service orders generated by a particular LSR is simply an



administrative function that is unrelated to accuracy. Discontinuing the practice of adding service orders to the sample removed the bias and permitted results to be calculated as required by the SQM. Further, the results can now be reported based on service orders as required by the SQM, instead of LSRs.

74. Discontinuing the bias in the sample also does not increase the likelihood that service order errors will go undetected. All service orders (except those excluded by the SQM such as disconnect orders) should now be in the universe and the sample is properly being drawn. To the extent that there are errors in BellSouth's service order accuracy, they will be accurately reflected in the measurement results. The artificial bias in the sample has simply been removed. No CLEC proposed to base this measure on any document other than service orders during the workshops in Georgia.
75. The factor that had the greatest overall impact on the data appears to be adding the previously omitted products to the population. As described in BellSouth's March 15, 2002 ex parte filing, several products had been omitted from the populations that formed the basis for the measurement results. Most notably, UNE-P was excluded and seemed to have the largest impact. That impact is illustrated by reviewing data for those six categories that account for over 98% of the orders on Supplemental Reply Exhs. PM-15 and PM-16. The most significant difference in results between the old and current methods of data acquisition is in category UNE Non-Design<10 Circuits Non-Dispatched. That category is where UNE-P is reflected. The next largest difference is in the Dispatched version of the same category, which reflects UNE-P and

analog loops. Results in the remaining categories, including the one with the largest population, vary by only a few percentage points between methods, and in some cases the current method produces lower results than the old method. No party can seriously contend that UNE-P should be disregarded in calculating BellSouth's service order accuracy results.

76. Birch's accusation that BellSouth broadened "the base of sampled orders to include fully mechanized orders..." ignores that mechanized orders have always been included in the measure as Birch was fully aware. *Birch Telecom Supplemental Comments at 10*. Attached as Supplemental Reply Exh. PM-17 is an excerpt from comments filed by Birch in connection with the current Georgia performance measurement workshops. BellSouth filed the complete comments of Birch in a March 15, 2002 ex parte with the Commission. Those comments, filed by Birch in September 2001, propose to limit the sample to only "partially mechanized and manual service orders." There would have been no need for Birch to make this proposal if, as Birch now contends, fully mechanized service orders should never have been included in the measure in the first place.
77. AT&T's claim that it was unaware of any changes to the method of calculating service order accuracy results until BellSouth filed its Supplemental Application is false. This issue was expressly discussed at a conference call on January 23, 2002, at which representatives of several CLECs, including AT&T, and the GPSC staff participated. On that January 23 conference call, I explained the changes that BellSouth had made in

acquiring data for the current measure in response to Ms. Bursh of AT&T. Ms Bursh opined that there was something wrong with the November data because the sample volumes had changed significantly. In response, I explained that BellSouth had begun using a regional measure, had added missing products to the sampling process, and was now using a true random sample of service orders and selecting samples that were representative of all 24 disaggregations. AT&T and every other party on the call were clearly aware that the changes had been made to the manner by which BellSouth calculates service order accuracy.

78. The current KPMG metrics audit will examine whether the service order accuracy results are being produced accurately. KPMG will audit three months of data for this measure beginning with results for November 2001.
79. BellSouth notes the Department of Justice's concern that changes to performance measures "should be made only with public notice and the concurrence of the state commissions." *DOJ Supplemental Comments* at 14. As my affidavits in BellSouth's Initial Filing and the Supplemental Filing make clear, BellSouth takes its obligation to disclose known problems with its measurements, and the changes necessary to fix those problems, seriously. BellSouth has made no attempt to hide known data issues from its regulators or from the parties, and has been proactive in making regulators and the parties aware of those issues. That being said, BellSouth is not opposed to the implementation of a more formal notification process and will work to

implement such a process expeditiously should the state commissions deem it appropriate.

**B. Service Order Accuracy Performance**

80. Putting aside the process by which changes were made to calculating service order accuracy, the results show that performance has improved substantially from earlier months and has been sustained at a high level for several months. Birch agrees that performance is high but questions whether it can be sustained. Data for the last few months indicate that high performance levels are being sustained. For the data months of October to January, 16 of the 20 non-trunk sub-metrics had activity in all four months. BellSouth met the benchmark in 3 of those 4 months for 13 of the 16 sub-metrics. The benchmark was met in three of those four months for each of the UNE sub-metrics. The performance is likewise high if you focus only on those six sub-metrics that account for over 98% of the orders. For the 6 high volume sub-metrics, the benchmark was met for 5 of them in 3 of 4 months and the benchmark was met the benchmarks for all 6 sub-metrics in 2 of 4 months. For the misses, performance exceeded 90% for all except one sub-metric for one of the four months. Clearly the high level of performance is not a one-month phenomenon.
81. AT&T questions BellSouth's service order accuracy performance based on information in Ms. Seigler's Declaration and certain KPMG Florida exceptions and observations. Mr. Ainsworth responds to Ms. Siegler's Declaration. The KPMG exceptions and observations do not provide a basis

for challenging either the level of performance or the accuracy of the data reported. The impact of these exceptions and observations is as follows:

- Exception 76 – the performance problems encountered in this exception would be reflected in Service Order Accuracy results. However, they only reflect a 0.1% error rate spread across UNE and Resale categories. This error would indicate a problem with the data only if BellSouth reported an aggregate accuracy rate exceeding 99.9% in the month tested by KPMG. Although accuracy rates have been high, they have not been that high. Also, there is no basis for concern about the level of performance based on this test since the performance achieved in the test far exceeds the benchmark for the measure.
- Exception 84 – there were 5 errors of the 397 orders tested that would have been reflected in Service Order Accuracy results for an error rate of 1.3% across the products tested. Again, the reported results for switch translations are not high enough (over 98.7%) for the performance on this test to indicate a problem in the results. Also, there is no basis for concern about the level of performance based on this test since the performance achieved in the test far exceeds the benchmark for the measure.
- Exception 112 and Observation 82 – there are two issues (1) the fields that were in error on manual orders in this test were not service features or attributes; i.e. they would not affect the quality of service provisioned to the customer. Consequently, these errors are properly not reflected in Service Order Accuracy; (2) on mechanized orders the issues were predominately due to the delivery directory quantity (the number of phone books that are mailed and delivered to the end customer). The primary issue was not that the directory delivery quantity was wrong – it was clearly defined in the BBRLO – but that it was not consistent for manual and electronic ordering. BellSouth synchronized the two processes on 2/2/02. This would have no impact on Service Order Accuracy.
- Exception 156 – there were 4 service representative errors on the orders in this test of provisioning OSDA via Line Class Codes. However, since the service tested has not been ordered by any CLEC, these errors have no impact on reported Service Order Accuracy results.
- Observation 106 – BellSouth investigated the issue raised on directory listing database updates and found that there were 20 errors out of the 430 listings tested by KCI. This result would contribute to a Service Order Accuracy rate of 95.4%. However, the orders issued by KPMG include simple and complex orders and services that are rarely ordered. Thus, this test does not represent a typical mix of actual product and service activity.. Further, the overall accuracy rate experienced in this test exceeds the benchmark for the measure.

82. As evidenced by discussion in the workshops, CLECs are concerned about the performance level for manually handled orders. To get an indication of performance on those orders, the samples and universes for the measure were split between mechanically and manually handled orders for September through January. Partially mechanized orders are included as non-mechanized orders in this analysis. The original samples used to produce data according to the methods used in November and later months were simply divided between mechanized and non-mechanized orders. Consequently where samples are used, individual sub-metrics may not meet the tolerance limits for results because the sample was selected to be valid for mechanized and non-mechanized orders combined. Nonetheless, the overall accuracy rate for non-mechanized orders should be a reasonable indicator of performance for that group. The results per Supplemental Reply Exh. PM-18 show an overall accuracy rate ranging from 95% to 97% for these non-mechanized orders. Also the results improved after process improvements in the LCSC became fully effective with November data. These process improvements were described in my original affidavit filed with the Initial Application. The error rate in September and October was about 5% and decreased to about 3% in November through January data for a 40% reduction in the error rate.

**IV. BellSouth's Performance Measurements Are Appropriate**

83. In its supplemental affidavit, AT&T continues to criticize the same measurements that it criticized in the Initial Application. These complaints do

not stem from alleged errors with the data. Rather, AT&T is disguising its disagreement with the GPSC's and the LPSC's adopted measurements as data reliability issues. Specifically, AT&T raises hot cuts, OSS Availability, Order Completion Interval, Trunk Group Performance, and Flow-Through. BellSouth addressed these issues in my Reply Affidavit (¶¶ 124 - 145) in the Initial Application, and in my Supplemental Affidavit, ¶¶ 105-116, and I will not repeat that response here. These issues are being addressed in the GPSC's current review of the existing performance measurements and enforcement plan for BellSouth. The GPSC has conducted extensive workshops, reviewing each of the proposed changes to the measurements in detail as well as considering new measures that the industry proposed. The workshops were held on October 17<sup>th</sup> and 18<sup>th</sup>, November 7<sup>th</sup> and 8<sup>th</sup>, and December 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup>, 2001. Additionally, follow-up conference calls were also held on January 9<sup>th</sup> and 23<sup>rd</sup>, 2002. The GPSC Staff has indicated that it will release a draft revised SQM, which will include the changes to which the parties have agreed as well as the Staff's preliminary proposal for resolution of those issues upon which the parties could not agree. Parties will be given the opportunity to file written comments in response to this draft SQM, after which the Staff will issue its recommendation to the Commission.

84. The GPSC review process and the similar proceedings in Louisiana are the appropriate forums for a discussion of modifications to the existing measurements. In fact, as discussed in my Supplemental Affidavit, the GPSC currently is looking at many of these measurements and, if appropriate, can

modify them at that time. This proceeding is not the appropriate place for such issues to be addressed let alone decided.

**V. BELLSOUTH’S PERFORMANCE REMAINS HIGH**

85. BellSouth’s performance data for January 2002 for Georgia and Louisiana continue to demonstrate that BellSouth provides CLECs with nondiscriminatory access to its facilities and that CLECs have a meaningful opportunity to compete in both states.
86. A broad indicator of the strength of BellSouth’s performance for the CLECs in January is evidenced by the overall frequency with which BellSouth met the applicable retail analogue or benchmark – 87% in Georgia and 90% in Louisiana. These numbers show improvement even over the high levels of performance BellSouth demonstrated in June (80% for Georgia; 85% for Louisiana); July (85% for Georgia; 85% for Louisiana); and August (87% for Georgia and 86% for Louisiana).
87. A more meaningful way to look at the data is in 3-month increments. BellSouth calculated a 3-month result that includes all sub-metrics that are compared to a retail analogue or benchmark and had activity in each of the three months of November 2001, December 2001, and January 2002.
88. The three-month figure is not an average of the individual months. Rather, it is an analysis of those sub-metrics that had data for all three months. The three-month denominator is the total number of sub-metrics that have data in all three months. The numerator is the number of those sub-metrics that had “yes” in any two of the three months.



89. During the three-month period of November 2001 through January 2002 in Georgia, there were a total of seven hundred and forty-nine sub-metrics that had CLEC activity for all three months and that were compared with either a benchmark or retail analogue. Five hundred fifty-three of the sub-metrics satisfied the comparison criteria during all three months and another one hundred ten met the criteria for two of the three months. BellSouth met or exceeded the benchmarks or retail analogues for a minimum of two of the three months for 89% (663/749) of these sub-metrics.
90. Under the same methodology for Louisiana, during the three-month period of November 2001 through January 2002, there were a total of six hundred and thirty-two sub-metrics that had CLEC activity for all three months and that were compared with either a benchmark or retail analogue. Four hundred eighty-three of the sub-metrics satisfied the comparison criteria during all three months and another seventy-five met the criteria for two of the three months. BellSouth met or exceeded the benchmarks or retail analogues for a minimum of two of the three months for 88% (558/632) of these sub-metrics.
91. Even this summary view of BellSouth's performance data demonstrates that BellSouth's performance continues to comply with the requirements of Section 271.

**Georgia Data**

92. The MSS reports for Georgia for November 2001 through January 2002 indicate that BellSouth is providing nondiscriminatory service to CLECs.

93. Under the three-month methodology described above, BellSouth's performance results are equally strong for each of the major modes of entry in Georgia. BellSouth's results in the following categories are based on the percentage of all sub-metrics that had CLEC activity for all three months and met or exceeded the statistical criteria for at least two of the last three months (November 2001 – January 2002) included with this affidavit.

- For Resale, BellSouth met or exceeded the criteria for 170 of the 188 sub-metrics or 90% for at least two of the last three months,
- For UNE, BellSouth met or exceeded the criteria for 370 of the 413 sub-metrics or 90% for at least two of the last three months,
- For Local Interconnection Trunks (“LIT”), BellSouth met or exceeded the criteria for 22 of the 26 sub-metrics or 85% for at least two of the last three months,
- For OSS, BellSouth met or exceeded the criteria for 73 of the 85 sub-metrics or 86% for at least two of the last three months,
- For Collocation, BellSouth met or exceeded the criteria for 7 of the 7 sub-metrics or 100% for all three of the last three months, and
- For coordinated conversions (*i.e.*, hot cuts) BellSouth met the 15-minute benchmark for 5,919 of the 5,926 scheduled conversions (B.2.12) or greater than 99% for the three month period from November 2001 through January 2002. The average interval for each cutover was 2.67 minutes during this period.

94. A third way to analyze the data is by performance on a subset of measures that are believed to be of particular importance to competition. When Georgia data are analyzed based solely on these measures, under a reasonable set of assumptions, BellSouth's performance also is above 90% for January. Thus, not only is BellSouth performing well on all of the measures against which it is evaluated, it is performing equally well on the measures that are of particular importance to local competition. The detailed results of this analysis, and the evaluation criteria upon which it is based, are attached as Supplemental Reply Exh. PM-19.

**Louisiana Data**

95. Under the three-month analysis described above, BellSouth's performance results are equally strong for each of the major modes of entry in Louisiana. BellSouth's results in the following categories are based on the percentage of all sub-metrics that had CLEC activity for all three months and met or exceeded the statistical criteria for at least two of the last three months (November 2001 - January 2002) included with this affidavit.

- For Resale, BellSouth met or exceeded the criteria for 141 of the 159 sub-metrics or 89% for at least two of the last three months,
- For UNE, BellSouth met or exceeded the criteria for 296 of the 330 sub-metrics or 90% for at least two of the last three months,
- For Local Interconnection Trunks (LIT), BellSouth met or exceeded the criteria for 25 of the 26 sub-metrics or 96% for at least two of the last three months,

- For OSS, BellSouth met or exceeded the criteria for 73 of the 85 sub-metrics or 86% for at least two of the last three months,
  - For Collocation, BellSouth met or exceeded the criteria for 2 of the 2 sub-metrics or 100% for all three of the last three months, and
  - For the coordinated conversions (*i.e.*, hot cuts) BellSouth met the 15-minute benchmark for 976 of the 982 scheduled conversions (B.2.12) or greater than 99% for the three-month period of November, December 2001 and January 2002. The average interval for each cutover was 2.27 minutes during this period.
96. BellSouth also has evaluated its performance in Louisiana based on the subset of measures discussed above. In Louisiana, BellSouth's performance on this subset was almost 92% for January demonstrating, again, BellSouth's high level of performance on the measures of particular importance to the development of local competition. A detailed analysis of this data, and the evaluation criteria upon which it is based, is attached as Supplemental Reply Exh. PM-20.
97. In December 2001, BellSouth in Louisiana failed to meet the retail analogue comparison for % Jeopardies, % Missed Installation Appointments and % Provisioning Troubles within 30 Days for its UNE  $\geq$  DS-1 Loops. A detailed analysis of each of these measures indicates that the majority of the jeopardies, missed appointments and provisioning troubles all indicate facility issues. Effective with this identification, BellSouth in Louisiana has initiated specific action plans to bring these sub-metrics into parity with the retail

analogues. First, the Louisiana Service Advocacy Centers (“SACs”) have heightened the readiness to resolve any and all service order jeopardies. This will ensure that each jeopardy situation is promptly handled upon receipt and meet the current service order due date. Next, each district Outside Plant Engineering/Service Advocacy Centers (“OSPE/SAC”) work group has been aligned with the Work Management Center (“WMC”) on assigning/completing specific “defective pair recovery” routines to improve overall facility readiness. In addition, the concept of providing a “maintenance spare” DS1 circuit (where possible) is being utilized in known defective pair areas. Finally, “Fix it” crews, dedicated to performing defective pair recovery, are currently addressing these sub-metrics in the state of Louisiana.

**Performance Issues**

98. Despite this high performance, certain CLECs complain about BellSouth’s performance on specific measurements. BellSouth will address each of these allegations in the following paragraphs.
99. In claiming that BellSouth’s performance has been deficient, AT&T purports to point out to the Commission various areas in which BellSouth has failed to meet the applicable benchmark or retail analogue in Georgia. In reality, all AT&T has done, in the vast majority of cases, is regurgitate performance issues that BellSouth has identified as part of its Corrective Action Plan, which was filed with the GPSC and that I attached as Exhibit PM-26 to my Supplemental Affidavit. In Georgia, BellSouth is required to perform a root

cause analysis and file a Corrective Action Plan for any sub-metric that fails twice in any 3 consecutive months. Because the results of BellSouth's root cause analysis and the steps BellSouth is taking to address any performance issues are addressed in the Corrective Action Plan, no point would be served in repeating the same information here. Consequently, rather than repeat myself here, I simply will address new issues raised by AT&T.

100. AT&T complains about BellSouth's performance on fully mechanized rejects in Louisiana. During October, November and December, BellSouth returned over 90% of the rejects within one hour. While short of the 97% benchmark, the same issues described in Supplemental Exh. PM-26 to my Supplemental Affidavit affect rejects in Louisiana.
101. AT&T next complains about BellSouth's performance on selected partially mechanized UNE FOC and reject sub-metrics in Louisiana. While BellSouth did not meet the benchmark for some selected sub-metrics, overall BellSouth met the required interval of 94%, 96% and 96% of all partially mechanized UNE rejects in October, November and December, respectively. This performance exceeds the benchmark of 85% in 10 hours. On FOCs, while BellSouth did not meet the benchmark for some selected sub-metrics, the overall performance was excellent. BellSouth met the benchmark for 93% and 92% of FOCs returned in October and November. While BellSouth did not meet the benchmark at 84% for December, BellSouth's performance in January was 90%.

102. AT&T also alleges poor performance on FOC and Reject Completeness – Multiple Responses. *Bursh/Norris Supplemental Declaration*, ¶¶ 120-125. As I stated in my Supplemental Affidavit, this measure was not ordered by either the GPSC or the LPSC and should not be part of BellSouth's SQM. In the on-going GPSC six-month performance measurements review, the industry agreed to eliminate this measure, and it is not clear why AT&T focuses on a measure for which data never should have been reported and which should be removed from the SQM.
103. Moreover, the information provided by the measure is not particularly informative. The FOC/Reject Response Completeness-Multiple Responses measure is a derivative of the FOC/Reject Completeness Measure. FOC/Reject Completeness measures whether BellSouth returned a FOC, reject or clarification for each CLEC LSR submitted. It is calculated using the number of LSRs receiving a reject or FOC in the reporting period divided by the total number of LSRs submitted during the reporting period. The Multiple Responses measure uses the number of LSRs that received a FOC or reject as the denominator, and the number of LSRs that only received a single FOC or reject as the numerator. In other words, it measures how many LSRs received a single response.
104. This measure does not, however, provide an accurate view of the double FOC issue because it includes valid reasons for multiple responses. For example, multiple responses are sent for changed due dates due to pending facilities conditions or updates to FOCs for which information was not available at the

time of issuance (circuits IDs, etc.). Thus, the information provided by the measure is not meaningful and should not be considered by the Commission.

105. AT&T also cites trouble report rates for Combo Other (dispatched orders). During the period of October 2001 through January 2002, the Combo Other sub-metrics were trouble-free 95% of the time or higher. While the service level did not meet the retail analogue, there was only a small difference between the high level of service provided to CLECs as compared to the level of service provided to BellSouth retail, which would not affect a CLEC's ability to compete. Nonetheless, BellSouth has initiated a training program for these circuits (EELs and Non-switched combinations) to make sure that all technicians are aware of the proper testing requirements. During the period of October through December 2001, BellSouth met 269 of the 300 (90%) maintenance and repair sub-metrics with CLEC activity in Georgia. While BellSouth does not meet every sub-metric in every month, BellSouth's overall performance is very high.
106. In addition, in the category UNE Combo Other for October and November 2001, 100% of the orders received were Non-Switched Combos made up mostly of EELs. EELs are designed circuits and, therefore, require a somewhat longer interval to provision (intervals between 5 to 27 days depending on the type of EEL). The retail analogue, Residence, Business and Design Dispatch, consists of a large proportion of non-designed residence and business orders with short intervals and a much smaller number of designed orders with longer intervals resulting in an overall short interval. The



disparity in performance results from the use of a retail analogue whose product mix, consists predominantly of non-designed products, which skews the results to a short interval. Comparing this retail analogue to CLEC performance for a category with essentially one product, EELs, which, being designed, requires a longer interval is not a reasonable comparison.

107. AT&T also cites BellSouth's performance on Customer Trouble Report Rate for UNE Combo Other (dispatch) and UNE Other Design (dispatch) in Louisiana. *Bursh/Norris Supplemental Declaration*, ¶¶ 134-135. Each of these sub-metrics contained a low number of trouble reports, namely less than \*\*\* each month for UNE Combo Other (dispatch) and less than \*\*\* each month for UNE Other Design (dispatch). These low volumes do not provide a meaningful indicator of performance for these sub-metrics.
108. Covad cannot complain that BellSouth failed to meet the benchmark for returning FOCs for non-mechanized orders; Covad instead complains that the benchmark isn't right. *Covad Supplemental Comments* at 2. The GPSC established this benchmark last year after extensive review and based on input from the industry. Moreover, this benchmark currently is being reviewed by the GPSC as part of its current review process. The GPSC's process, not this proceeding, is the appropriate forum for Covad to address proposed changes to the measurement benchmark.
109. AT&T and Network Telephone complain that BellSouth's flow-through performance is poor. *Bursh/Norris Supplemental Declaration*, ¶¶ 118-119; *Network Telephone Supplemental Comments* at 4. This issue is squarely

refuted in the Supplemental Reply Affidavit of William N. Stacy (Supp. Reply App., Tab G). Moreover, as the FCC consistently has noted, flow-through is only one indicator of ordering performance. BellSouth’s performance on FOC Timeliness and Reject Interval for partially mechanized and manual orders, other key indicators of ordering performance, is excellent. See *Kansas/Oklahoma Order*, fn. 397; see also *Texas Order*, at ¶ 179.

110. For AT&T, for example, BellSouth returned a FOC in less than eight hours in Georgia and Louisiana, for all but one of the monthly and overall averages for both states for all sub-metrics. The following chart sets forth the average intervals:

STATE	OCT	NOV	DEC	JAN
	HRS	HRS	HRS	HRS
NM-FOC				
Georgia	7.21	7.24	9.41	5.72
Louisiana	6.83	7.32	5.92	5.29
PM-FOC				
Georgia	4.58	5.31	5.98	4.35
Louisiana	5.10	5.15	10.11	6.46
NM-Rej				
Georgia	6.35	6.54	6.79	5.32
Louisiana	5.73	6.35	5.72	4.53
PM-Rej				
Georgia	4.54	4.80	5.50	4.19
Louisiana	3.66	3.51	4.00	3.73

111. As the table above demonstrates, BellSouth’s FOC performance for AT&T’s partially mechanized and non-mechanized orders has been very high.
112. Network Telephone’s data demonstrates the same high performance by BellSouth. A summary of the Firm Order Confirmation Timeliness and

Reject Interval partially mechanized and non-mechanized measurement results for Network Telephone is shown below for the months of October 2001 through January 2002.

<b>Network Telephone – FOC/PM</b>				
<b>Benchmark – 85% w/I 10 hrs</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>
Georgia	100.00%	91.18%	100%	93.10%
Louisiana	90.46%	93.37%	92.35%	94.00%

<b>Network Telephone – Rej/PM</b>				
<b>Benchmark – 85% w/in 10 hrs</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>
Georgia*	100.00%	NA	80.00%	94.44%
Louisiana	97.01%	99.05%	97.83%	99.10%

<b>Network Telephone/ FOC/NM</b>				
<b>Benchmark – 85% w/in 36 hrs</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>
Georgia	100.00%	100.00%	100.00%	97.78%
Louisiana	98.88%	97.40%	100.00%	98.20%

<b>Network Telephone/Rej/NM</b>				
<b>Benchmark – 85% w/in 24 hrs</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>
Georgia*	83.33%	100.00%	100.00%	93.55%
Louisiana	100.00%	91.84%	100.00%	97.56%

\* Generally, for each of these results, Georgia had very low volumes.

113. There is no merit to Mpower’s complaint that BellSouth provides better mean time to repair for service issues on SL2 loops than on SL1 loops in order to encourage CLECs to purchase the more expensive loop. *Mpower Supplemental Comments* at 16. This comment demonstrates a fundamental misunderstanding of an SL1 and SL2 loop. The SL1 loop provides a voice grade transmission channel suitable for loop-start signaling and the transport of analog voice grade signals over a 2-wire, loop-start interface. This loop, which is typically used to provide switched access telephone service, is non-designed. This offering does not have test points and does not come with Order Coordination. The SL2 loop, on the other hand, is a designed

unbundled voice loop that comes in five separate signaling and interface combinations. This loop includes test points and comes with Order Coordination. CLECs pay for these additional features. The ability to isolate troubles using the test points and BellSouth's maintenance plan for designed circuits are the major reasons for the difference in the mean time to repair between the SL1 and SL2 loops.

114. Equally without merit is Mpower's claim that BellSouth's performance data are not accessible. *Mpower Supplemental Comments* at 17. BellSouth's performance measurement data are available on a per CLEC basis via the CLEC-specific data files on the PMAP website. The website also provides a comparison of the established benchmarks and retail analogues to the CLEC-aggregate results. Mpower's allegation that it must go to another "location" to view BellSouth retail performance is misleading in that it only has to open another file on the same website to view the data. The CLEC user's manual is available to CLECs on the PMAP website and provides instructions regarding all of the data on the website.
115. US LEC/XO complains generally about BellSouth's alleged poor performance on LNP measures. *US LEC/XO Supplemental Comments*. BellSouth's data shows otherwise. For example, of the Percent Missed Installation Appointments sub-metrics for 2-wire analog loops with LNP and standalone LNP orders, there were a total of 38 sub-metrics with activity from October through January and BellSouth met the retail analogue on 35 of them or 92% of the time. In the three sub-metrics that BellSouth did not meet the retail

analogue, there were \*\*\* or fewer missed orders in the month where results missed the standard.

116. For Order Completion Interval, there were 36 total sub-metrics for the four-month period for 2-wire analog loops with LNP and standalone LNP. BellSouth met the retail analogue on 30 of the sub-metrics, or 83%. Further evidence that BellSouth provisions LNP orders quickly is provided by the results for the measurement LNP Percent Out of Service less than 60 Minutes (P-13C). BellSouth met the benchmark for performing LNP conversions within 60 minutes or less for each telephone number over 99% of the time in October-January.
117. At Pages 23-25, US LEC/XO complains specifically about BellSouth's performance on LNP-Disconnect Timeliness (P-13). *US LEC/XO Supplemental Comments* at 23-25. As explained in previous affidavits, BellSouth has asked the Commission not to rely on this measurement, and, pursuant to an order of the GPSC, BellSouth has not reported performance under this metric since May 2001. Instead, BellSouth is reporting LNP disconnect performance under four measures, one of which is LNP Disconnect Timeliness, Non-Trigger (P-13D). Although US LEC and XO complain about BellSouth's performance under this measure in December, this was the result of unique circumstances. In December, there were two large conversions that resulted in an enormous increase in volume over previous months (almost 15 times higher volume). One of the two large conversions was US LEC's conversion referenced in its Comments. In the

case of the US LEC conversion, the conversion of all \*\*\* circuits was completed in 4 hours. The information in the database used to gather measurement data, however, was not updated within the 12-hour benchmark. Thus, while the conversion was completed, the record keeping was not, resulting in a miss in the measurement. The second large December conversion had similar record-keeping issues – in other words, BellSouth completed the conversion on-time, but did not update the records within the 12-hour benchmark. Thus, BellSouth's actual performance on these conversions was excellent, although its reported results reflect otherwise.

118. Xspedius complains that BellSouth's performance on Coordinated Customer Conversions for LNP (standalone and loops with LNP) is poor. *Xspedius Supplemental Comments* at 4. To the contrary, BellSouth's performance in Louisiana on this measure is excellent. For the period October 2001 through January 2002, BellSouth completed a total of \*\*\* circuits (loops with LNP and LNP standalone) for Xspedius. Of these \*\*\* circuits, \*\*\* circuits (93.3%) were completed in 5 minutes or less and the remaining \*\*\* circuits (6.7%) were completed in 15 minutes or less. In other words, BellSouth completed every single Xspedius conversion within the 15-minute benchmark.

119. Xspedius also complains about BellSouth's performance on Percent Missed Installation Appointments for Loops with LNP for October through January. BellSouth completed 97% of Xspedius' orders in this sub-metric on time. In

addition, BellSouth met the retail analogue for Xspedius for this sub-metric for the CLEC-aggregate for all four months.

120. Finally, for Percent Missed Installation Appointments for LNP standalone orders, BellSouth did not miss a single due date on the \*\*\* Xspedius orders completed from October through January.

121. As in the Initial Application, KMC continues to raise a myriad of performance claims, all of which are overstated. For example, KMC complains that BellSouth's performance on missed appointments for 2-wire analog loops with LNP is poor, citing data from June, October, and January 2002. The data demonstrates otherwise. *KMC Supplemental Comments* at 6. In June, for example, there were \*\*\* missed appointments out of \*\*\* scheduled appointments. Each of the \*\*\* misses was caused by KMC end users. Similarly, in October, there were \*\*\* misses out of \*\*\* scheduled appointments, both of which were KMC end-user misses. The same holds true for January 2002 in which there was \*\*\* miss out of \*\*\* scheduled appointments and it was caused by a KMC end-user. In short, for the period October 2001 – January 2002, there were a total of \*\*\* missed appointments for this sub-metric, all of which were caused by KMC end-users. This in no way evidences poor performance on the part of BellSouth.

122. In addition, in Georgia, BellSouth met the retail analogue for these sub-metrics for each month September through January.

123. Citing data from August and January, KMC also alleges that BellSouth’s performance in Louisiana on missed appointments for digital loops is poor. *KMC Supplemental Comments* at 6. Once again, the facts are otherwise. In August, for example, for Digital Loops < DS-1, there were \*\*\* missed appointments out of \*\*\* scheduled appointments and both were KMC end-user misses. For Digital Loops >= DS-1 there were \*\*\* misses out of \*\*\* scheduled appointments, \*\*\* of which were KMC end-user misses. Similarly, in January, for Digital Loop < DS-1, there was \*\*\* missed appointment out of \*\*\* scheduled appointments, and the miss was caused by the KMC end-user. For Digital Loops >= DS-1, there were \*\*\* misses out of only \*\*\* scheduled appointments, both BellSouth-caused misses. For the period October through January, for Digital Loops < DS-1, there were \*\*\* misses out of \*\*\* scheduled appointments, all of which were caused by KMC end users. For Digital Loops >= DS-1, there were \*\*\* misses out of \*\*\* scheduled appointments, \*\*\* of which were caused by KMC end users leaving 4% caused by BellSouth.

124. KMC also raises an issue regarding BellSouth’s performance on % Jeopardies for Digital Loop >= DS-1. *KMC Supplemental Comments* at 7. A jeopardy simply means that during the provisioning process, BellSouth encountered a problem with the potential to impact the committed delivery date for the service. Only when a jeopardy actually results in a missed appointment is the end user impacted. When this measure is viewed in conjunction with the %



Missed Installation Appointment measure results for Digital Loop  $\geq$  DS-1, it is evident that very few of the jeopardies actually resulted in a missed appointment. Thus, there is little to no impact on the end users.

125. KMC's contention that BellSouth has poor performance on % Troubles Within 30 Days is misleading. *KMC Supplemental Comments* at 10. The 13% failure rate quoted by KMC for Georgia in January 2002 represented \*\*\* failure out of only \*\*\* circuits provisioned. Moreover, the 9% CLEC-aggregate number quoted by KMC appears to be the total 2-wire analog loops (design) in both December and January from both Georgia and Louisiana as well as the total troubles on those loops (\*\*\*). When a comparable calculation is done for KMC specifically, the total also is 9% (\*\*\*). Not only does BellSouth's performance for KMC meet the applicable retail analogue, it means BellSouth installed 91% of these loops without trouble.
126. KMC's allegation that four times as many Digital Loops  $>$  DS-1 failed within 30 days for KMC than for BellSouth is based on very small volumes and does not demonstrate a pattern of disparate performance by BellSouth. *KMC Supplemental Comments* at 10. For example, in Georgia, in December, the CLEC-aggregate volume is 16 troubles and BellSouth is 6, and in Louisiana, CLECs had 12 troubles and BellSouth 2. Of the CLEC-aggregate troubles in December, only \*\*\* belonged to KMC.
127. KMC then alleges that BellSouth performs poorly on repeat troubles on UNE Digital Loops  $\geq$  DS-1 and 2-wire analog loops. *KMC Supplemental*

*Comments* at 10-11. In Georgia, in December and January, KMC had \*\*\* repeat troubles out of a universe of \*\*\* total troubles. In Louisiana for the same period, KMC had \*\*\* repeat troubles out of a universe of \*\*\* total troubles. When placed in context, it is obvious that the repeat troubles are a small percentage of a small volume of total troubles.

128. Moreover, the Customer Trouble Report Rate for KMC's loops in both Georgia and Louisiana is only 3%. In other words, the higher repeat rate only occurs on 3% or less of the base of installed circuits meaning that KMC received 97% of its DS-1 and higher loops trouble-free.

129. The same analysis holds true for KMC's 2-wire analog loops. For the period October through January, KMC's repeat trouble rate for Georgia and Louisiana averages around 15%. The Customer Trouble Report Rate on KMC's loops, however, in both Georgia and Louisiana is only 1%. Thus, KMC received 99% of its 2-wire analog loops trouble-free.

## **VI. CONCLUSION**

130. AT&T contends that BellSouth relies on various commitments and future promises in support of its application. *See Bursh/Norris Supplemental Declaration*, ¶ 139. Nothing could be farther from the truth. BellSouth's application is supported by consistently excellent performance in both Georgia and Louisiana, which readily explains why BellSouth's application should be approved.

131. Faced with excellent performance, AT&T attempts to challenge the reliability of the underlying data upon which such performance is based. However, both the Louisiana and Georgia Commissions have determined that BellSouth's data are reliable. As the GPSC noted, it "and its Staff have been reviewing BellSouth's performance data for almost four years and have been active participants in the KCI third-party metrics test for more than two years." *GPSC Supplemental Comments at 30.* This conclusion was reached after extensive commentary from all interested parties and informed deliberations by these regulatory bodies. There is no reason for this Commission to reach a different conclusion here.
132. Moreover, while certain CLECs raised alleged performance issues, none of the issues raised undermine the conclusion that for the vast majority of the measures, and for the CLEC industry as a whole, BellSouth's performance is exceedingly high. Moreover, as BellSouth's analysis demonstrated, in many cases the alleged performance problems are not in fact problems at all. Overall, there is no question that BellSouth is providing CLECs a meaningful opportunity to compete in Georgia and Louisiana.