

## **MEMORANDUM**

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TO: All Commissioners

FROM: Patrick Reinhardt, Senior Public Utilities Engineer, Telecommunications

DATE: June 27, 2005

RE: **DOCKET NO. 7892-U: Performance Measurements for Telecommunications Interconnection, Unbundling and Resale:**  
Consideration of Joint Motion to Approve New Performance Measurement Plan.

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### **Background**

On June 6, 2005, BellSouth Telecommunications, Inc. filed with the Georgia Public Service Commission ("Commission") a Joint Motion to Approve New Performance Measurement Plan ("Joint Motion") on behalf of itself and AT&T Communications of the Southern States, LLC, DIECA Communications, Inc. d/b/a Covad Communications Co., ITC^DeltaCom, Inc., and KMC Telecom, Inc. (collectively, "CLEC Coalition"). Attached to the Joint Motion is a revised BellSouth Service Quality Measurement ("SQM") Plan and Georgia Self-Effectuating Enforcement Mechanism ("SEEM") Administrative Plan.

BellSouth represents that the two plans have received initial approval in Florida and have been filed for approval in Tennessee. Because the parties are attempting to have the plans approved in all nine states in the BellSouth region, the Joint Motion is conditioned upon the approval of the Commission without a hearing.

Significant changes to the plans include:

- Elimination of a number of metrics that the parties deemed obsolete or failing to produce useful information.
- Creation of several new metrics, such as UNE Bulk Migration Batch Scheduler Availability and Average Time to Implement Process Change Request.
- Overall reduction in Tier I and Tier II payments made by BellSouth per violation.
- Less disaggregation of metrics.
- Elimination of the Tier 3 penalty, which could result in BellSouth losing its authority to provide long distance service.

- Reduction in BellSouth's total liability for the payment of Tier 1 and Tier 2 Enforcement mechanism from 44% to 36% of net revenues in Georgia, based upon ARMIS data.

### **Staff Recommendation**

The Staff has reviewed the proposed SQM and SEEM plans, and recommends approval of the Joint Motion with one modification. On page 219 (appendix F) of the proposed SQM, item 4 should read:

The Proposed Data Changes set forth in the written notice referenced above would be presumptively valid and deemed approved by the Commission effective thirty (3) calendar days after that notice unless the Commission ***Staff*** directs BellSouth not to go forward with the changes.

This modification will bring the proposed plan in line with the Commission's July 19, 2002 order in this docket establishing a procedure for implementation of changes to BellSouth's performance measurement calculations. It is Staff's understanding that the parties do not object to this change.

The Staff further recommends that the Commission include in its order (as it did in its January 16, 2001 order modifying the SQM plan) the following language:

The Commission reserves the right to modify the enforcement plan or SQMs at any time it deems necessary.