APPENDIX A

Public Utility Commission of Texas Orders Modifying Texas 271 Agreement

ORDERS 45-1 TO 45-4 & 46

PROJECT NO. 20400

SECTION 271 COMPLIANCE MONITORING OF SOUTHWESTERN BELL TELEPHONE COMPANY OF TEXAS	§ § § §	**PUBLIC UTILITY COMMISSION OF TEXAS**

ORDER NO. 45
APPROVING MODIFICATIONS TO PERFORMANCE REMEDY PLAN AND PERFORMANCE MEASUREMENTS

This Order, as issued by the Public Utility Commission of Texas (Commission), approves modifications to the Performance Remedy Plan (Plan) and Performance Measurements (Measurements) included in Attachment 17 to the Texas 271 Agreement (T2A) as recommended by Commission Staff or agreed to by the parties. The revised Measurements shall be designated as Version 3.0 and shall supercede Version 2.0. The revisions to both the Plan and the Measurements shall be incorporated by Southwestern Bell Telephone Company (SWBT) into Attachment 17 to the T2A and filed within fifteen days of the issuance of this order. Attachment 17, as revised by this Order, shall supercede the previous version of the document. The required changes are identified in Attachment A. Additionally, as detailed in Attachment A, the parties are instructed to file a status report on specified issues relating to PMs 10.2 and 67, on or before November 1, 2002.

Ordering Paragraphs

1. SWBT shall file a revised Performance Remedy Plan and Version 2.0 of the Performance Measurements within fifteen days of the issuance of this order. The revised Plan and Performance Measurements shall contain all of the modifications contained in Attachment A, including the modifications to the proposed measures attached to the matrix.

2. SWBT shall also file revised appendices to the Performance Remedy Plan within the same time frame.[1] The revised appendices shall reflect the Commission's changes to the Plan and to the Performance Measurements.

[1] There are two appendices in Attachment 17 to the T2A that are titled, "Measurements Subject to Per Occurrence Damages or Assessment with a Cap" and "Performance Measures Subject to Tier-1 and Tier-2 Damages Identified as High, Medium and Low."

SIGNED AT AUSTIN, TEXAS the 17th day of October, 2002.

PUBLIC UTILITY COMMISSION OF TEXAS

REBECCA KLEIN, CHAIRMAN

BRETT A. PERLMAN, COMMISSIONER

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
All PMs SWBT Proposal	General Changes	Combine Provisioning and Maintenance measurements for Resale POTs /UNE-P, Resale specials.	**SWBT** This proposal does not address any specific changes to the related PMs. Those will be addressed below. This change is simply an administrative change to align all the provisioning and maintenance measurements under the same PM.	Agreed To	
All PMs SWBT Proposal	General Changes	On the Business Rules – Section XV. General business rules (applicable to all measures except as specifically noted). Add Paragraph E, SWBT excludes all "Access" orders from Resale Specials and UNE Loop and Port Combinations Reporting.	**SWBT** This change is as a result of the consolidation of the Resale POTS/UNE-P, Resale specials provisioning and maintenance measurements under the same PMS. This wording was part of the resale specials section of the PMs and is being moved to the General Business Rules section. This change only applies if the Provisioning and Maintenance measurements are combined.	Agreed To	
All UNE PMs TWTC/ XO Proposal	General Changes	Include single disaggregation for EELs that address SPA to EEL conversion and new EELs as follows; EELs • 2 wire analog • 4 wire analog • 2 wire digital • 4 wire digital	**TWTC-X/O** SBC-Ameritech has agreed to include EEL disaggregation in its 5-state region. XO and TWTC support the following changes to make the disaggregation more complete	Propose that for UNE related metrics that have remedies, that EELs disaggregation be implemented and deemed diagnostic until data can be gathered & analyzed at the next 6 month review. A benchmark and remedy determination can then be	The Commission finds that SWBT include EEL as a disaggregation for provisioning and maintenance PMs. At a minimum, EEL disaggregation shall capture performance data separately for the following categories: • 2 wire analog • 4 wire analog

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		• Transport (DS0, DS1, DS3, OCx) • Multiplexing		made.	• 2 wire digital • 4 wire digital • Transport (DS0, DS1, DS3, OCx) • Multiplexing Benchmarks and remedy classification shall be determined during the next PM review, until such time, all EEL disaggregations will be diagnostic.
5, 13, 65 65.1, 67, 69 ATT Proposal			**AT&T** 5 - The report structure in the performance measure document shows that results for SWBT's affiliate ASI should be reported separately, but this data is not available. Is SWBT including ASI data in the "all CLEC" data for PM 5? If so, AT&T requests that the ASI results be reported separately. 13 – the business rules (v. 2.0) require reporting of SWBT affiliate data, but no such data appears to have been reported 65 - No ASI data is reported for No Line Sharing, even though other measures show ASI installing Line Sharing. Seeking explanation for this apparent discrepancy. ASI TRR is much lower than	**SWBT** SWBT Agrees to report ASI data for these measures. **AT&T** Without belaboring the point, it should be clear that this is not an agreement to revise any measurement, but an acknowledgement by SWBT that it now will begin reporting affiliate data (with historical data to the extent available) that has been required under this measures by the business rules since at least version 2.0. SWBT should commit to a date by which it will begin reporting ASI data and should disclose how much	

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			CLECs. AT&T is seeking an explanation for lower ASI TRR. 65.1 - No ASI data is reported for No Line Sharing, even though other measures show ASI installing Line Sharing. Seeking explanation for this apparent discrepancy. ASI TRR for Line Sharing is much lower than CLECs. AT&T is seeking an explanation for lower ASI TRR. 67 – the business rules (v. 2.0) require reporting of SWBT affiliate data, but no such data appears to have been reported. 69 - the business rules (v. 2.0) require reporting of SWBT affiliate data, but no such data appears to have been reported.	historical data it will be able to report and when that data will be available.	
1.1 SWBT Proposal	Business Rules	For a DataGate/EDI/CORBA or ~~Verigate~~ EnhancedVerigate initiated request, the start date and time is when the request is received in the Loop Qual System. The end date and time for the DataGate/EDI/CORBA or ~~Verigate~~ EnhancedVerigate request is when the loop makeup information has either has been e-	**SWBT** Changed Verigate to EnhancedVerigate to clarify reference to the Web based interface.	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

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		mailed back to the CLEC or, if the CLEC does not want email, is available in the Loop Qual System.			
1.1. AT&T Proposal	Benchmark	3 business days, critical z-value does not apply~~ies~~	**AT&T** AT&T recommends the critical z-value not apply to this measure. The benchmark provides an adequate margin for SWBT to deliver nondiscriminatory performance.	Agreed To	
2 SWBT Proposal	Definition	The percent of responses completed in "x" seconds for pre-order interfaces (Enhanced Verigate ~~and~~ DataGate~~,~~/EDI~~,~~/ and CORBA,) by function.	**SWBT** Changed Verigate to EnhancedVerigate to clarify reference to the Web based interface	Agreed To	
2 SWBT Proposal	Business Rules	For non-uniform DataGate versions, ~~The~~ the clock starts on the date/time when the request is received by SWBT, and the clock stops on the date/time when SWBT has completed the transmission of the response to the CLEC. Timestamps are taken at the DataGate ~~and Verigate~~ servers and do not include transmission time through the LRAF. ~~Response time is accumulated for each major query type, and then divided by the associated total number of queries received by SWBT during the reporting period~~. The response time is measured only within the published hours of interface availability. Published hours of interface availability are	**SWBT** With the introduction of Uniform DataGate and EnhancedVerigate the business rules need to be clarified to cover differences in the collection of the data between the non-uniform DataGate and the uniform interfaces (Uniform DataGate, EnhancedVerigate, EDI and CORBA)	Agreed To	

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		documented on the CLEC web site. ~~(SWBT will not schedule system maintenance during normal business hours (8:00 a.m. to 5:30 p.m. Monday through Friday). If the CLEC accesses SWBT systems using a Service Bureau Provider, the measurement of SWBT's performance does not include Service Bureau Provider processing, availability or response time.~~ ~~For the protocol translation response times, start and end times are as follows:~~ ~~EDI input time starts at the time the CLEC successfully connects to the EDI Interactive Agent and the end time is when the connection is made to DataGate for processing. EDI output time starts when the response message is received from DataGate and the end time is when the message is sent to the CLEC. CORBA input time starts at the time the message is received by the CORBA interface and the end time is when the connection is made to DataGate for processing. CORBA output time starts when the response message is received from DataGate and the end time is when the message is sent to the CLEC~~ Timestamps for the uniform interfaces (Uniform DataGate,			

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		EnhancedVerigate, EDI and CORBA) are taken at the SBC Pre-Order Adapter and do not include transmission time through the xRAF or protocol translation times. The clock starts on the date/time when the query is received by the SBC Pre-Order Adapter and stops at the date/time the SBC Pre-Order Adapter passes the response back to the interfacing application (Uniform DataGate, EnhancedVerigate, EDI pre-order or CORBA). The response time is measured only within the published hours of interface availability as posted on the CLEC on-line website. For the protocol translation response times, interface input times start at the time the interface receives the pre-order query request from the CLEC and the end time is when the connection is made to the SBC Pre-Order Adapter for processing. Interface output times start when the interface receives the response message back from SBC Pre-Order Adapter and the end time is when the message is sent to the CLEC. If the CLEC accesses SWBT systems using a Service Bureau Provider, the measurement of SWBT's performance does not include Service Bureau Provider			

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		processing, availability or response time.			
2 SWBT Proposal	Levels of Disaggregation	Address Verification ~~Request For~~ Telephone Number (includes inquiry, reservation, confirmation and cancellation transactions) ~~Request For Summary~~ Customer Service Inquiry Record (~~CSR~~CSI) < = 30 WTNs (Also broken down for Lines as required for DIDs). ~~Request For Summary Customer Service Record (CSR) > 30 WTNs (Also broken down for Lines as required for DIDs).~~ ~~Request for Detailed Customer Service Request (CSR)~~ Service/Feature Availability Service Appointment Scheduling (Due Date) Dispatch Required PIC /LPIC Actual Loop Makeup Information requested ~~- actual data returned~~ ~~Actual Loop Makeup Information requested - design data returned~~ Design Loop Makeup Information requested (includes Pre-Qual transactions) ~~- design data returned~~ ~~=~~Protocol translation time – EDI (includes input and output times) ~~input messages~~	**SWBT** General: Renamed disaggregations to correspond to the new transaction names. Clarified how related transactions are grouped CSR: There is no longer a CSR summary under the uniform interfaces Propose removing the diagnostic CSR measures since they don't apply to uniform interfaces. Loop Make-up: Propose combining actual/actual and actual/design. It was initially thought actual/design would take longer and therefore a longer benchmark would be required. Actual data indicates that no differentiation in	Agreed To	

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		~~—Protocol translation time – EDI output messages~~ —Protocol translation time – CORBA (includes input and output times) ~~input messages~~ ~~—Protocol translation time – CORBA output messages~~ Protocol translation time – Uniform DataGate (includes input and output times) Protocol translation time – EnhancedVerigate (includes input and output times)	performance is required. Protocol translation: Propose combining protocol translation times both the inbound and outbound. Processes should be comparable. With the addition of uniform DataGate and EnhancedVerigate, SWBT proposes to add a protocol translation disaggregation for that interface.		
2 Percent Responses Received within "X" seconds – OSS Interface SWBT Proposal	Benchmark	See attached for proposed changes to Benchmark "SWBT 6 month review PM2 Benchma Note all benchmarks have been agreed to except for: Actual Loop Makeup Information requested (5 or less loops searched) Non- Uniform DataGate, EDI and CORBA - 95% in <= 35 seconds Uniform DataGate, Enhanced Verigate, EDI and CORBA - 95% in <= 35 seconds Actual Loop Makeup Information	**SWBT** General: The protocol translations for Uniform DataGate and EnhancedVerigate are new. The EDI infrastructure for protocol translations has been changing and improving. Simplify this rather complex PM by collapsing the levels of disaggregation and benchmarks to only a 95% within benchmark. Benchmarks: CSR: The transaction has changed due to adopting industry	**IP** IP disagrees with SWBT's proposal to delete the 90% and other percentage benchmarks other than 95% throughout the PM. These benchmarks are intended to assist in assuring that most responses are in an appropriate timeframe. **WCOM** agrees with IP. **IP** disagrees with the proposal for a 20 second benchmark for CSI. SWBT provided no data on the negotiation calls to support it. Customer service records/information	The Commission notes that the parties have agreed on all issues related to benchmark, except for the issue related to loop make up information. The Commission further notes that Version 2.0 of PM 2 as reported captures the data separately based on the type of data returned, actual or design, upon an actual loop query. The historical data is reported separately for design and actual loop make-up under PMs 2.08 and 2.09. A weighted average of the historical data from August 2001 to July 2002 shows that only 82.4% of the returns are within 25 seconds, thus setting a benchmark of 95% within 25 seconds as proposed by IP would be problematic. However, it appears

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		requested (greater than 5 loops searched) Non- Uniform DataGate, EDI and CORBA - 95% in <= 60 seconds Uniform DataGate, Enhanced Verigate, EDI and CORBA - 95% in <= 60 seconds	standard CSI guidelines compliant with OBF and CLEC negotiations as part of the POR. The change from measuring the CSR SUMMARY to measuring a fully parsed CSI, including validation of the service address, accounts for the requested change from 13 seconds to 20 seconds. Due Date: Adjust the benchmark for Due Date to make it more reasonable yet still reflective of excellent performance. Again, in following industry standard guidelines, this transaction architecture has changed. TN: Round TN benchmarks up to a full second increment. With Plan of Record (POR) implementation, SWBT combines four Telephone Number (TN) transaction types in the single TN disaggregation, across all interfaces. Those transactions are TN Inquiry, TN Reservation, TN Confirmation and TN	is a very important area and CLECs have previously received related information in 13 seconds. IP offered during our calls to accept 20 seconds for twelve months as a "ramp" period for SWBT with the benchmark automatically reducing to 15 seconds after twelve months. **WCOM** also asked for data to support SWBT's proposal and cannot agree to a change to the benchmark until it has had an opportunity to review it. **IP** disagrees with the proposal to change the benchmarks for actual loop make-up queries. Instead of increasing the benchmarks the additional 10 seconds for situations when actual is requested but design is returned should be removed. SWBT stated on the calls that the situations when design is returned do not take longer. In prior reviews, the additional 10 seconds was provided because SWBT suggested at that time that additional	that a benchmark of 95% within 30 seconds for combined design data and actual data return for actual makeup query, affords CLECS a reasonable opportunity to compete, while inciting SWBT to improve its performance. The Commission concurs with SWBT that the two sets of benchmarks based on the number of loops searched concurrently is appropriate in that it considers the additional amount of time required to respond to the query. For greater than 5 loops, 95% within 60 seconds is adopted. Additionally, consistent with other subcategories in this measure, Tier-1 Low and Tier-2 Medium should apply for the loop make-up disaggregation without the application of critical Z value.

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			Cancellation. <u>Loop Qualifications:</u> Because of how the actual loop makeup transaction must search through multiple loops depending on the address being queried, 60 seconds is the time period in which 95% of all queries will complete. However, if CLECs are willing to limit the PM to actual loop makeups with 5 loops or less, SWBT can propose to keep the current benchmark of 25 seconds. <u>Protocol Translations:</u> Set forth diagnostic benchmarks for the new protocol translations for Uniform DataGate and EnhancedVerigate. SWBT and the CLECs have reached agreement on all PM2 issues, with the exception of the benchmark for the Actual Loop Makeup Information (LQA) query. IP proposes that the existing diagnostic benchmark is valid and advocates that remedies should be paid if SWBT's performance falls short of this standard. SWBT	work would be required. The remaining disputed issue relates to SWBT seeking to expand the benchmarks relating to its providing loop qualification responses. IP not only opposes that change but based on information provided by SWBT believes that all requests for "actual" loop qualification information should be collapsed and benchmarked at the 25-second requirement. **WCOM** would prefer to have a benchmark set for loop make-up response, and had asked for data to use in reviewing SWBT's proposal. **WCOM** agrees with the protocol translation proposal made by SWBT. **CLEC Coalition** CLEC Coalition – with exception of actual loop make up standard, CLEC Coalition agrees with SBC's proposed benchmark changes. **AT&T** SWBT's proposals to	

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			disagrees, based on its position that this is not the manner in which pre-order benchmarks are established. The existing diagnostic benchmarks were established before the transaction was available in production, based solely on SWBT's knowledge that a backend query to the LFACS system would be performed. In setting a diagnostic measurement, the preliminary benchmark was set equal to the Dispatch Required benchmark because it also queried LFACS. A diagnostic benchmark is a place to start assessing the performance of the transaction. The LQA query is not a typical pre-order transaction because its performance varies widely, based on the address being queried and number of loops that must be searched to provide the best possible data. This type of transaction is also unique because it has evolved and continues to evolve, given that SWBT continues to make enhancements to these transactions in order to	eliminate the 90% benchmark for this measurement and to make major proposed modifications to the 95% benchmarks (CSR, loop qualification) require further discussion and supporting evidence before these changes could be justified. Relaxation of benchmarks raises the concern that SWBT would have the opportunity to manage its OSS resources to meet the lowest common denominator, on average, resulting in overall degraded performance to CLECs. As a general matter, SWBT's proposal to relax benchmarks in order to accommodate changes associated with the Plan of Record proceedings should be backed by some empirical demonstration of any additional processing time actually required as a result of those changes. To the best of AT&T's knowledge, SBC/Southwest Bell never said during POR proceedings that there would be adverse PM	

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			provide the best possible information to CLECs. Such an evolving process should be encouraged because it results in improved service to the data CLECs. Accordingly, SWBT has done extensive reviews of the LQA data and results. Its performance is heavily driven by the specific CLEC business plans and target markets. The variance in performance is not related to a flaw in the Operations Support System (OSS) that must be "fixed." Rather, it is due to the inherent way the LQA transaction operates in order to provide CLECs the most accurate data available. For these reasons, the benchmarks proposed by SWBT are reasonable and consistent with those in other SBC regions. SWBT is willing to hold the following benchmarks subject to remedies. • Actual Loop Makeup Information requested (5 or less loops searched) - 95% in <= 35 seconds	implications from implementation of the uniform interfaces. SBC/Southwest Bell has never explained in a technical OSS discussion how POR-related changes to the OSS architecture necessitate poorer performance that would justify PM benchmark adjustments. The lack of empirical data to support a change in these benchmarks is aggravated by the fact, elicited during the recent discussions among the parties, that SWBT failed to report any data under this measure for queries over the CORBA interface for November 2001 through February 2002 and has concluded that it cannot reconstruct any of that data. CORBA is the interface currently used by AT&T for its pre-order queries in SWBT territory. During this review, AT&T pointed out the large decrease in transaction volumes reported under the Datagate categories	

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			• Actual Loop Makeup Information requested (greater than 5 loops searched) - 95% in <= 60 seconds	beginning with November 2001 data, raising the question whether SWBT was in fact capturing CORBA transactions in the raw data for PM 2 (EDI and CORBA transactions are to be reported together with Datagate transactions under version 2.0). SWBT ultimately reported the following: "SWBT investigated the drop in pre-order queries in the data for PM2 reporting. We identified that CORBA data had not been included in the daily feeds used for reporting, coinciding with the November 2001 timeframe. We immediately proceeded to retrieve archived files in order to reproduce data feeds for the months in question. However, we found that data going back only through March had appropriately been captured and archived, so that was the only available data that was restored. The underlying problem was fixed and CORBA data has been received and reported from April 2002 onward." CLEC Reporting Issues	

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				and Questions (Matrix Prepared by SWBT) at 1 (July 22, 2002). With several months of recent pre-order data missing and not subject to reconstruction, now is a dubious time to consider modifying benchmarks in SWBT's favor. (AT&T will address separately how the remedy plan should treat SWBT's failure to report PM 2 CORBA data, and several other recently-acknowledged reporting errors that have necessitated data restatements). With these general comments as background, AT&T offers these additional comments regarding particular proposals: CSR: An across-the-board increase in the 95% benchmark from 13 to 20 seconds is unjustified. Again, AT&T is aware of no suggestion during the POR proceedings that query response times for	

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				the CSI transaction would be any longer than current CSR query response times. Nonetheless, so long as the 13 second benchmark is retained for CSR queries submitted pursuant to versions of LSOG prior to LSOG 5, it may not be unreasonable to set a separate interim benchmark for LSOG 5 CSR (CSI) queries somewhere between 13 and 20 seconds. However, that benchmark should be reconsidered at the next review, when data reflecting relevant experience will be available, at which time SWBT should bear the burden to justify any benchmark longer than 13 seconds. Due Date: SWBT has suggested that two additional look-ups required with the uniform interfaces (to identify the region and the relevant back-end system) warrant increasing the 95% benchmark from 3 to 5 seconds for due date queries. Again, however,	

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				to AT&T's knowledge there was no suggestion or consideration during the POR process of any additional time being required for these transactions. Particularly when it is considered that the uniform POR interfaces will include protocol translation time that must be captured separately (according to SWBT), the Commission should be cautious about proposals to add a second or two here and there for individual queries, without consideration of the whole. SWBT has not reported difficulty meeting this benchmark. For the 12 months ending May 2002, SWBT reported only one violation of the 95% benchmark (when it reported 94% within 3 seconds). In 10 of the 12 months, SWBT reported 99 or 100% of these transactions returned within 3 seconds. PM 2-05 (aggregate CLECs, 5-state combined data). TN: AT&T does not oppose rounding the 9.5 second benchmark to 10	

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				seconds. Actual loop makeup information: SWBT's proposal to more than double the benchmark interval (from 25 to 60 seconds) is unjustified. The benchmark was set based upon reasonable expectations about the time that should be required to process such queries, taking account of both SWBT's and CLECs needs. All parties had fair opportunity to contribute to the setting of this benchmark. The fact that SWBT has chronically missed the benchmark does not indict the benchmark. Collapsing the prior disaggregation of actual-design and actual-actual into a single category, which CLECs have not opposed, should provide SWBT assistance in meeting the benchmark. The rest of the improvement should come from SWBT. Protocol translation times: Under SWBT's proposal,	

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				the benchmarks for CORBA protocol translation times would be subject to monetary sanctions, but the corresponding benchmarks for EDI, uniform Datagate, and enhanced Verigate would not. All these benchmarks should be subject to the remedy plan. These protocol translation times represent time that is added to every pre-order query but will not be captured under the query response times for the individual query categories. These times are no longer associated with a fraction of queries that can be characterized as less important, as SWBT previously argued in connection with concerns about excessive EDI protocol translation times. Because the time to process all CLEC queries (or almost all) now will be broken into two components – protocol translation time and query processing time – it is important that both components be subject to the limited discipline provided by the remedy	

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				plan.	
4 SWBT Proposal	Business Rules	Whenever an interface experiences complete unavailability ~~to a CLEC~~, the full duration of the unavailability will be counted, to the nearest minute, and no availability factor will be applied Whenever the RAF experiences complete unavailability to a CLEC, the full duration of the unavailability will be counted, to the nearest minute and no availability factor will be applied. SWBT will make available to CLECs, documentation of all partial availability determinations at the time of reporting affected results.	**SWBT** Clarify language. Availability is addressed at an aggregate CLEC basis.	Agreed To	
4 SWBT Proposal	Levels of Disaggregation	DataGate(for non-uniform – all functions, for uniform – interface only) EnhancedVerigate (interface only) EnhancedLEX Enhanced TOOLBAR RAF – By CLEC EDI reported by protocol (FTP, SSL3, NDM, VAN) EDI/ CORBA for Pre-Order (for non-uniform – all functions, for uniform – interface only) EBTA GUI Trouble Administration* EASE reported for Consumer and Business Solid GUI (Diagnostic) (*) Note: (These interfaces will be	**SWBT** Use names of new Web based interfaces: EnhancedLEX and EnhancedVerigate and EnhancedToolbar. Remove disaggregations for CORBA, OrderStatus and Provisioning Order Status (POS). Those applications are now part of Enhanced Verigate. (These will still be reported until they are retired.) TA is now called EBTA	Agreed To	

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		retired, but will still be reported until they are retired) Pre-Order Functions for uniform interfaces (four disaggregations will be reported) 1. CSI 2. Address Validation 3. TN Functions 4. LoopQual, Due Date, Dispatch, CFA, PIC/LPIC, CLLI and NC/NCI Functions	GUI. SOLID GUI is not a key operational interface. Pre-Order, Order and M&R functions can still be performed. New Wording added from Workshop		
4 SWBT Proposal	Benchmark	99.5% for Interfaces, 99% for Pre-Order Functions. The critical z allowance does not apply on this measurement. No damages are applicable for Solid GUI. This will be reviewed in 6 months	New wording added from workshop.	Agreed To	
4 WCOM Proposal	Report Issue	The actual hours (numerator) and the scheduled hours (denominator) should be included in the website PM Results.	**WCOM** In order for CLECs to be able to validate the percent reported availability, CLECs need to see actual and scheduled hours.	Agreed To	
4.2. AT&T Proposal	New Measure	See attached.  AckMeasure.doc	**AT&T** AT&T has proposed this measure to track whether SWBT is timely returning acknowledgements to LSRs. AT&T has proposed this measure in order to protect against LSRs that become "lost" on SWBT's side of the interface. AT&T experienced this problem	**SWBT** SWBT does not see the need for this new measurement. To date there has been no business reason given for it. No CLEC has approached SWBT about any problems on a business to business level. SWBT would expect that to be a first step before	AT&T withdrew its proposal in its post-workshop comments.

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			with SWBT in the past. Moreover, SWBT soon will import from Ameritech (under POR) certain OSS processes. AT&T has serious concern that, as a result, lost order problems experienced recently in the Ameritech region will be transported here as well. AT&T's proposed measure will capture the time that SWBT requires to return an acknowledgement (an EDI 997 transaction) for each LSR. When a CLEC fails to receive an acknowledgement, makes inquiry to SWBT, and SWBT identifies the previously lost order, SWBT will return an acknowledgement, which then will be late relative to the time of the initial LSR transmittal. These late transmittals will be captured in the proposed measure. AT&T's concern to avoid lost orders has led it to put in place monitoring procedures to alert it to any LSR for which an acknowledgement is not returned within a fixed interval, and to follow up with SWBT on such missing acknowledgements. With	proposing a new PM. SWBT's review of the process indicates the vast majority of these are returned in less than 30 minutes today. A 997 is simply an acknowledgement from an internal system with no business info. There are plenty of other checkpoints to ensure data is received--VAN and NDM logs, IA receipt, thus no need to measure 997. This involves a fairly large development effort with no apparent value added. Many of the CLECs do not send 997s to SWBT today. In fact AT&T failed to send 997's for over a year.	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			such procedures in place, the proposed measurement should capture and quantify those orders for which SWBT does not return a timely acknowledgement, providing incentive to minimize lost orders. AT&T is agreeable to the measurement being reported on a diagnostic basis for an initial period. AT&T is mindful of the volume of performance measurements and is interested both in adding measures carefully, to meet real needs, and deleting measures that are not serving their intended purposes or providing the parties with useful information. Toward that end, AT&T has expressed its willingness, if proposed PM 4.2 is adopted, to see the following PMs deleted: 12, 15, 16, 18, 19. Experience has shown that these measures (mechanized provisioning accuracy and several billing-related measures) do not provide a significant or meaningful indication of the quality of SWBT's performance in the important areas that they were intended to address.		

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			The parties have discussed some possible improvements among these or related measures, and that discussion should continue at the workshops. One or more of these measures may be appropriate to retain if it could be modified to provide more meaningful data. In any event, AT&T submits that it would be appropriate to make some substantial reduction in these measurements at the same time that PM 4.2 is added. AT&T withdraws it proposal to adopt this new measurement at the present time. Protection against SWBT losing CLEC orders remains a real concern, particularly as SWBT imports Ameritech processes (under POR) with which AT&T has experienced lost order problems. That said, AT&T has decided to consider its experience with SWBT pending the next review before pursuing this measure further.		
5 SWBT Proposal	Business Rules	ENHANCEDLEX/EDI For ENHANCEDLEX and EDI originated LSRs, the start date and time is the receive date and time	**SWBT** Change LEX to ENHANCEDLEX to clarify that the LEX application is	Agreed To	

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		that is automatically recorded by the interface (EDI or ENHANCEDLEX) with the system date and time. The end date and time is recorded by the interface (EDI or ENHANCEDLEX) and reflects the actual date and time the FOC is available to the CLEC. For LSRs where FOC times are negotiated with the CLEC, the ITRAK entry on the SORD service order is used in the calculation.	actually ENHANCEDLEX		
5 SWBT Proposal	Report Structure	Reported by CLEC, all CLECs, and SWBT affiliate where applicable (or SWBT acting on behalf of its' affiliate). This includes mechanized from EDI and ENHANCEDLEX and manual (e.g. FAX or phone orders).	**SWBT** Change LEX to ENHANCEDLEX to clarify that the LEX application is actually ENHANCEDLEX.	Agreed To	
5 AT&T Proposal	Benchmark	• Electronic – Electronic 95% within ~~60~~ 30 minutes. • Electronic – Manual within ~~5~~ 4hours (for Mechanized Simple Res/Bus/Mechanized UNE Loop (1-49)/Mechanized Switch Ports/Mechanized LNP with Loop (1-19)	**AT&T** AT&T and other CLECs agreed to a substantial revamping of PM 5 during the 2001 six-month review, as a result of which SWBT was able to eliminate a large number of submeasurements it had reported through that time. As part of this revamping, a single category was created (for remedy purposes) encompassing all "electronic/electronic FOCs."	**SWBT** For Electronic-Manual performance measures. No rationale was provided demonstrating how an additional hour would improve the CLECs ability to compete. Further, competition has been proven using the 5 hour benchmark and our ability to manage FOCs within 5 hours has continued to improve over time. SWBT disagree with the reduction of this objective as it	The Commission notes that there was insufficient evidence to show that reducing the benchmark for Electronic -- Electronic by 30 minutes and Electronic -- Manual by one hour would materially improve CLECs' ability to compete. However, AT&T pointed out that the Electronic -- Electronic transactions that are processed with no manual intervention should be measured in a few minutes, because it will set a performance standard that will bring SWBT's performance for CLECs closer to what it

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			Because this category captures only electronic transactions that are processed with no manual intervention, the time to return these FOCs should be measured in a few minutes, on the basis of which AT&T had urged a benchmark of no more than 30 minutes. SWBT did not disagree with the logic, but urged a more generous benchmark at least until some data had been accumulated under the revamped measure. Ultimately CLECs agreed to the 60 minute benchmark at the last review, with the understanding that it would be revisited after data had become available. Thirty minutes is closer to the interval that SWBT should be expected to meet in returning purely electronic transactions, while still providing substantial latitude to SWBT. Out of the 6 months ending May 2002, SWBT reported returning 99.7% or more of these FOCs within 1 hour, indicating that SWBT should have more than a fair opportunity to report continued compliance under an interval that more	appears there is no business driver to change this level other than to create penalty payment levels for superior service. **SWBT Counter Proposal to AT&T's Benchmark proposal:** • **Electronic – Electronic 95% within ~~60~~ 45 minutes.(No Tail Applies** • **Electronic – Manual within 5 hours (for Mechanized Simple Res/Bus/Mechanized UNE Loop (1-49)/Mechanized Switch Ports/Mechanized LNP with Loop (1-19)** **WCOM** WCOM supports AT&T's proposal for the 30 min benchmark for electronic/electronic orders.	provides for its retail operations. A 30-minute benchmark for Electronic -- Electronic FOCs will bring the benchmark toward (though not to) the expected performance level of SWBT's Systems. In light of the counter proposals offered by the parties, the Commission adopts a 95% within 45 minutes benchmark for Electronic – Electronic, with the tail test applicable, and a 95% within 5 hour benchmark for manually returned FOCs.

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			nearly matches the expected time for returning an electronic FOC. This benchmark should be reviewed in light of experience under version 2.0 and should be reduced to 95% within 30 minutes. AT&T also has proposed to reduce the benchmark for manually returned FOCs from 95% within 5 hours to 95% within 4 hours, based on review of the reported performance data. A large volume of CLEC electronic orders fall out for some manual handling before the FOC is returned, so this benchmark too needs to be set at a level that incents timely performance. That said, in an effort to resolve PM 5 proposals from a more global perspective, AT&T would withdraw its proposal to reduce the benchmark for manual FOCs if SWBT would agree to the 30-minute benchmark for electronic FOCs and withdraw its proposal to delete the tail test.		
5.2 SWBT Proposal	Business Rules	FOC business rules are established to reflect the Local Service Center	**SWBT** This release occurs bi-	Agreed To	

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		(LSC) normal hours of operation, which include Monday through Friday, 8:00 a.m.-5:30 p.m., excluding holidays and weekends. If the start time is outside of normal business hours, then the start date/time is set to 8:00 a.m. on the next business day. Example: If the request is received Monday through Friday between 8:00 a.m. to 5:30 p.m.; the valid start time will be Monday through Friday between 8:00 a.m. to 5:30 p.m. If the actual request is received Monday through Thursday after 5:30 p.m. and before 8:00 a.m. the next day; the valid start time will be the next business day at 8:00 a.m. If the actual request is received Friday after 5:30 p.m. and before 8:00 a.m. Monday; the valid start time will be at 8:00 a.m. Monday. If the request is received on a holiday (anytime); the valid start time will be the next business day at 8:00 a.m. The returned confirmation to the CLEC will establish the actual end date/time. Provisions are established within the DSS reporting systems to accommodate situations when the LSC works holidays, weekends, and when requests are received outside normal working hours. <u>In the event that the Access Service Order Guidelines/Access Service Request (ASOG/ASR) Bi-</u>	annually on a National level. Since the conversion start time begins prior to the close of business for the LSCs, the potential exists for misses to occur during this conversion period. In the event the start time of the conversion cannot be adjusted to coincide with the LSC hours of operation, excluding this conversion will prevent any negative impact on this measure.		

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Annual Release occurs during LSC hours of operation, that time will be excluded from the determination of timely FOCs.			
5.2. AT&T Proposal	Benchmark	• Interconnection Facilities and Trunks = 95% < 7 Business Days • Unbundled Dedicated Transport DS3s < 5 Business Days • Unbundled Dedicated Transport DS1s < 1 Business Day The z-value does not apply~~ies~~	**AT&T** AT&T recommends the critical z-value not apply to this measure. The benchmark provides an adequate margin for SWBT to deliver nondiscriminatory performance.	Agreed To	
10. SWBT Proposal	Business Rule	The start time used is the date and time the LSR is recorded by the interface (EDI/EnhancedLEX) if it falls during normal system processing hours of operation, as defined in the published hours of operation document on the CLEC online website excluding holidays. If the interface start time is outside of normal processing hours, then the start date/time is set to the next closest posted processing start time. The end time is the date and time the reject notice is available to the CLEC via EDI or EnhancedLEX. A mechanized reject is any reject made available to the CLEC electronically without manual intervention. If the CLEC accesses SWBT systems using a Service Bureau Provider, the measurement of SWBT~~'~~s	**SWBT** Interface hours have expanded with POR to receive orders before and after scheduled order processing hours. Electronic processing only occurs during order processing hours of operation.	Agreed To	

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		performance does not include Service Bureau Provider processing, availability or response time.			
10. AT&T Proposal	Benchmark	97% within 1 Hour The critical z-value does not apply~~ies~~.	**AT&T** AT&T recommends the critical z-value not apply to this measure. The benchmark provides an adequate margin for SWBT to deliver nondiscriminatory performance.	Agreed To	
10.1 SWBT Proposal	Business Rule	The start time is the time the LSR is received electronically via EDI or EnhancedLEX if it falls during normal business hours of operation. Reject business rules are established to reflect the Local Service Center (LSC) normal hours of operation. which include Monday through Friday, 8:00 a.m. to 5:30 p.m., excluding holidays and weekends. If the start time is outside of normal business hours, then the start date/time is set to 8:00 a.m. on the next business day. Example: If the request is received Monday through Friday between 8:00 a.m. to 5:30 p.m.; the valid start time will be Monday through Friday between 8:00 a.m. to 5:30 p.m. If the actual request is received Monday through Thursday after 5:30 p.m. and before 8:00 a.m. the next day; the valid start time will be the next	**SWBT** Clarify language regarding use of Business hours for Start Times. Same wording as Measure 5 since setting start time should be exactly the same for manually handled rejects. Add note "Provisions are established within the DSS reporting systems…etc"	Agreed to	

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		business day at 8:00 a.m. If the actual request is received Friday after 5:30 p.m. and before 8:00 a.m. Monday; the valid start time will be at 8:00 a.m. Monday. If the request is received on a holiday (anytime); the valid start time will be the next business day at 8:00 a.m. Provisions are established within the DSS reporting systems to accommodate situations when the LSC works holidays, weekends, and when requests are received outside normal working hours. The end time is the date and time the reject notice is available to the CLEC via EDI/EnhancedLEX. A manual reject is a reject of an electronic LSR that requires manual intervention. If the CLEC accesses SWBT systems using a Service Bureau Provider, the measurement of SWBT's performance does not include Service Bureau Provider processing, availability or response time. ~~Business Hours are 8:00 AM-5:30 PM, M-F.~~			

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10.2 Birch Question	Reporting Issue		**BIRCH** In review of reported performance on Jeopardies, Birch noticed that SWBT has reported less than half of the number of facility Jeopardies for April and May 2002 than were present in the prior ten months (830 reported for April and 837 for May compared to 1,902 for March and over 2,500 for June 2001). A review of Birch's April 2002 raw data revealed multiple problems with reported results from SWBT. Specifically, Birch found that many of the same service orders were reported multiple times as confirmed orders (in the denominator) and that SWBT was not capturing all of the Jeopardy responses that it sends to Birch Telecom. The timing of the identified reporting problem (April 2002 data) may be attributable to the POR Release and a failure to change the reporting to take into account new Jeopardy codes and procedures implemented with the POR Release. Birch, at the time of this	**SWBT** SWBT agrees with Birch that some jeopardies were missing from the April data. The missing Jeops were due to numerous POR & AECN lookup table changes. This issue has been corrected with May data and is no longer an issue. Measure 10.2 is a diagnostic measure.	The Commission finds that reporting errors are problematic, regardless of whether a PM is diagnostic. Some of the PMs are designated as diagnostic to aid in analyzing the performance delivered to CLECs. Therefore, the Commission requests that Birch and SWBT provide the Commission with a status report on or before November 1, 2002, so that the Commission may determine whether further action is necessary.

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			filing, has not conducted analysis of March 2002 or prior data for completeness or accuracy. Birch will provide SWBT specific details in order to resolve the reporting issues.		
11.2 WCOM Proposal	Disaggregations	• Jeopardies previously referred to as Rejects (See Accessible Letter CLECSS99-175 dated December 30, 1999) • Facilities Jeopardies: POTS (includes the following): o 8.0 dB Loop with Test Access and 8.0 dB Loop without Test Access (FW) o 8.0 dB Loop with Test Access and 8.0 dB Loop without Test Access (NFW) o 5.0 dB Loop with Test Access and 5.0 dB Loop without Test Access	**WCOM** Advance notice of jeopardy situations is necessary so CLECs can alert their end-user.	Agreed To	

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		o UNE Platform – POTS UNE SPECIALS or Designed Services (includes the following): o BRI Loop with Test Access o ISDN BRI Port o DS1 Loop with Test Access o DS1 Dedicated Transport o Subtending Channel (23B) o Subtending Channel (1D) o Analog Trunk Port o Subtending Digital Direct Combination Trunks o DS3 Dedicated Transport o Dark Fiber o DSL Loops – Line Sharing o DSL Loops – Non-Line Sharing o DSL Loops - Line Splitting o UNE-Platform-Specials Other SWBT Caused • Other SWBT caused Jeopardies • CLEC/EU caused Jeopardies (See Jeopardy Codes Below – Appendix Four)			
11.2 WCOM Proposal	Benchmark	Facilities Jeopardies: POTS – 1 hour UNE Specials – 4 hours Other SWBT caused – 1 day ~~TBD~~	**WCOM** Advance notice of jeopardy situations is necessary so CLECs can alert their end-user.	Agreed To	
12 SWBT		Delete PM	**SWBT**	Agreed To with changes to	

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Proposal			SWBT has provided outstanding service, therefore there is no need to continue this measurement. On an aggregate for Texas, z-value around -100 for previous 12 months. If order not provisioned correctly, problems will show up downstream on other measures	PM 12.1 and 14 below.	
12.1	Measurement	Percent Provisioning Accuracy ~~for non-flow through orders~~	Proposed language changes agreed to at the workshop.	Agreed To	
12.1	Definition	Percent completed ~~(non-flow through)~~ service orders submitted via LEX/EDI that are provisioned as requested on the CLEC submitted LSR.	Proposed language changes agreed to at the workshop.	Agreed To	
12.1	Exclusions	~~•Flow through service orders as identified in PM 13~~ • Cancelled Orders • Rejected orders due to CLEC caused errors	Proposed language changes agreed to at the workshop.	Agreed To	
12.1	Business Rule	This measurement compares all fields listed in Attachment 5 as submitted on the LSR to the associated service order that provisioned the requested services. SWBT commits to make a good faith effort to maintain the list in Attachment 5 with any new fields that can be compared mechanically (e.g. features, PIC, etc.) when those fields have a legitimate	Proposed language changes agreed to at the workshop.	Agreed To	

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		impact on the customer. SBC Billing will inform the LSC and ASC through Bill Alerts, regarding situations that impact or potentially impact customer billing. The LSC and ASC will notify the affected CLECs upon receipt of the Bill Alerts.			
12.1	Levels of Disaggregation	~~None~~ • Flow Through • Non-Flow Through Note: SWBT will provide disaggregations by UNE-P, UNE Loop, LNP and others on a CLEC requested basis.	Proposed language changes agreed to at the workshop.	Agreed To	
12.1	Calculation	(# of completed, ~~non-flow through~~ service orders with fields provisioned as ordered on the LSR's ÷ total ~~non-flow through~~ service orders completed * 100	Proposed language changes agreed to at the workshop.	Agreed To	
12.1	Measurement Type	• Tier 1 – High • Tier 2 – Low~~None~~	Proposed language changes agreed to at the workshop.	Agreed To	
12.1 Birch Question	Reporting Issue		**BIRCH** After reviewing the raw performance measurement data for PM 12.1, it is apparent that SWBT is not capturing CLEC Record orders that fallout to the LSC 100% of the time in this measurement that is designed to monitor SWBT's performance on orders that	**SWBT** SWBT will modify the logic for collecting "r"(records orders) in the measurement. Agreed To	

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			fallout to the LSC. The list of fields that are to be measured (Attachment 5 to Version 2.0) includes most of the Directory Listing fields – which generally are what Record orders are placed to change. SWBT should be required to correct this measurement to capture Record orders and possibly correct past results.		
12.2. AT&T Proposal	New Measure – Percent Mechanized Line Loss Notifications Returned Within One Day Of Work Completion	See language attached.  line loss.doc	**AT&T** This measure is identical to a measure in place in the Ameritech region.	Agreed To	
13 SWBT Proposal	Levels of Disaggregation	EASE ENHANCEDLEX/EDI ~~LEX~~ ~~EDI~~	**SWBT** Change LEX to ENHANCEDLEX. Combine ENHANCEDLEX and EDI – This change has already taken place on most other measures in previous 6-month review PM 13 and 13.1 measures SBC's mechanical flow through of service orders without manual intervention. Local Service Requests (LSR) use the same OSS ordering systems and Business rules, with the same functionality regardless of the interface	**WCOM:** WCOM disagrees with combining LEX/EDI reporting. With the ability for CLECs to version EDI software (LSOG), the potential exists for certain order types to flow through a higher version of EDI that do not flow through the lower version. Since LEX is always the highest LSOG version available, flow through results could be skewed if the results for the two interfaces are combined.	The Commission notes that to the extent a CLEC is solely relying on LEX to submit its orders, the performance data reported on an aggregated basis will reflect only LEX interface performance. If a CLEC uses both LEX and EDI, aggregating the performance data may result in high volume EDI masking the sub-par performance of LEX. Although The Commission is not sure why a CLEC would need to use both LEX and EDI to process its orders., the Commission recognizes the importance of maintaining both interfaces given

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			used to submit the LSR. SWBT's Electronic Data Interchange ("EDI") Gateway provides an electronic interface that conforms to the Ordering and Billing Forum/Telecommunications Interface Forum ("OBF/TCIF") national guidelines, Local Service Ordering Guidelines ("LSOG"). SWBT's EDI Gateway supports the ordering and provisioning of both resale services and UNEs. It enables the CLECs electronically to submit local service requests to SWBT, receive acknowledgments, confirmations, and completion status utilizing the CLEC user's interface. LEX is an option for CLECs that wish to utilize national guidelines ordering formats but do not have or do not wish to establish EDI capability. LEX is a graphical user interface developed for CLECs by SWBT and launched from the Toolbar platform. LEX was made generally available in November 1997. LEX was designed to operate with	WCOM's historical data shows that the flow through results for the last 12 months in LEX averaged 71.6% (33.1% - 91.6%), while the EDI flow through results for the last 12 months averaged 88.8% (81.1%-94%). Accordingly, given this disparity in performance between the two systems, it is inappropriate to combine the reporting. **CLEC Coalition** CLEC Coalition does not support combining Enhanced LEX & EDI. Review of SWBT's performance data reflects that a higher percentage of EDI orders flow through vs. that of LEX orders. Therefore, combining LEX & EDI would mask occurrences of poor performance of either LEX or EDI flow through. **BIRCH** Birch continues to oppose SWBT's proposal. This measure, which is still under the audit from the last six month review, still shows disparate results for the LEX and EDI	that numerous CLECs are using either LEX or EDI as their sole interface. The Commission finds that SWBT shall maintain disaggregated reports for LEX and EDI. However, for Tier-1 damages, to the extent a CLEC uses both LEX and EDI, the calculations shall be based on aggregated performance data. Finally, in view of the fact that both LEX and EDI are important interfaces for CLECs that rely on one or the other, the Tier-2 penalties shall continue to be calculated on a disaggregated basis.

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			Windows™ and is based upon national OBF/LSR guidelines currently using Local Service Ordering Guidelines ("LSOG"). It allows CLECs electronically to create and transmit resale service and UNE local service requests to SWBT. LEX also enables CLECs to receive acknowledgments and notification of error details from SWBT, and to track FOC and SOC status. LEX supports the same activity types of orders as SWBT's EDI Gateway for resale services and UNEs. LEX utilizes the same editing and order-generation engines as EDI and has the same flow through capability as EDI. Business rules for ordering are provided in SWBT's regional Local Service Ordering Requirements ("LSOR"). For example, the LSOR serves as the basis for CLEC ordering interaction with SWBT, whether the CLEC uses LEX or EDI. The Title Page and Table of Contents for the LSOR, provide evidence that this documentation applies to the	disaggregations. The only thing accomplished by the combination of LEX and EDI data, in Birch's view, is the reduction of remedies paid by SWBT. The combined results will only reflect the mass-market volumes produced by the largest CLECs via the EDI interface. Birch's concern resides in the fear that SWBT will no longer be incented to increase mechanization for those order types that do not currently flow-through. As an alternate proposal, Birch would consider withdrawing opposition to SWBT's proposal if SWBT would agree to lift the remedy cap for this measurement. Removing the cap in the measurement would ensure the incentive to increase mechanization to parity with SWBT retail remains.	

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			entire SWBT region. There is not a separate LSOR for different interfaces in SWBT's region, nor are there separate sections or pages within the LSOR that apply only to specific interfaces. As set out above, there is only one LSOR or set of ordering business rules published for use in SBC SWBT for LSRs submitted via LEX or EDI. Moreover, mechanized service order flow through functionality is identical whether a CLEC uses its EDI gateway or SBC SWBT's LEX interface to submit LSRs. Several CLECs are currently in production ordering service via both EDI and LEX. At its most basic level, EDI and LEX are nothing more than an agreed upon format for exchanging data and can be used for billing, procurement invoices, and (in this case) LSR transmission. If a CLEC submits a request in EDI and LEX for a UNE-P line and the requests in both interfaces have identical entries, the LSRs will have the same flow through		

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			capability. The flow through functionality and exceptions are detailed on the CLEC Online website. The flow through and exceptions document does not distinguish functionality or exceptions based on the interface used to submit the LSR. Moreover, mechanized service order flow through functionality is identical whether a CLEC uses its EDI gateway or SBC SWBT's LEX interface to submit LSRs. The flow through and exceptions that apply to an EDI submitted Local Service Requests also apply to a SBC SWBT LEX submitted LSR. At its highest level flow through is based on the Request type (REQTYP) and Activity (ACT). Exceptions are then based on additional entries populated on the Local Service Request. In the cases of conversion activity, information on the Customer Service Record (CSR) may cause an LSR to exception. By design the interface used to submit the LSR is not a factor for flow		

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			through capability.		
14 SWBT Proposal	Measurement	~~Billing~~ Accuracy of Billing Systems	Wording changes agreed to at the workshop	Agreed To	
14 SWBT Proposal	Definition	The purpose of the Bill Audit position in Billing Operations is to insure that bills generated from the CRIS & CABS billing systems are accurate and according to specifications. Sampled bills are audited for complete information, accurate calculations and proper formatting. SWBT performs three bill audits each month in the areas of CRIS, CABS and toll/usage. ~~SWBT performs three bill audits to ensure the accuracy of the bills rendered to its customers: CRIS, CABS and toll/usage.~~	Wording changes agreed to at the workshop	Agreed To	
14 SWBT Proposal	Business Rules	The purpose of the CRIS Bill Audit is to review and recalculate each service billed for each of the seven bill processing centers in the five states. Wholesale accounts are included in each processing center for every billing period. In the toll/usage bill audit, a sample of customer accounts is selected using an appropriate mix of USOCs and Classes of Service. The purpose of this audit is to ensure that monthly bills sent to the CLECs, whether it is for resale or unbundled services, and retail customers are rated accurately according to tariffs and CLEC contracts. For all accounts that are	Wording changes agreed to at the workshop	Agreed To	

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		audited, the number of bills that have been released prior to correction (bills are audited for complete information, accurate calculations and are properly formatted) are counted as an error against the total bills audited. SBC Billing will inform the LSC and ASC through Bill Alerts, regarding situations that impact or potentially impact customer billing. The LSC and ASC will notify the affected CLECs upon receipt of the Bill Alerts.			
15 AT&T Proposal		Delete PM	**AT&T** AT&T proposes to delete this measurement as part of a set of revisions to the measures that would add PM 4.2 (and, as already agreed, 12.2) while eliminating several measurements that experience has shown to be of limited usefulness, at least in their current forms. *See* comments under 4.2 and 12 above. PM 15 captures only a limited set of information about billing accuracy related to totaling, formatting, and syntax on electronic bills. It fails to collect any data about more important real problems with billing accuracy that can	Agreed To	

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			and have occurred. Given these limitations, AT&T would not object to deleting PM 15 on the terms proposed above.		
16	Business Rule	Controls and edits within the billing system uncover certain types of errors that are likely to appear on the usage records. When these errors are uncovered, a new release of the program is written to ensure that the error does not occur again. Thus, an error that is reported in one month should not occur the next month because the billing program error would have been fixed by the next month. In addition, records identified as inaccurate by the CLECs should be returned to SWBT via the "Extract Return File" process. SWBT will 30 days to validate and correct these records or a portion of these records (as appropriate) and retransmit them to the CLECs. SWBT will be held liable only for the records that have been validated as being inaccurate out of the total number of records returned by the participating CLECs. It is possible that through the validation processes, SWBT may determine that none of the records returned are inaccurate. In that case, SWBT will notify the	Wording changes agreed to at the workshop.	Agreed To	

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		CLEC of its determination. If the parties cannot agree on the correct determination, either party may invoke dispute resolution. Data will be reported only in months where the CLEC has utilized the Extract Return Process. All other months will be reported as N/A.			
16. AT&T Proposal	Benchmark	95%, critical z-value does not ~~applyies~~	**AT&T** AT&T recommends the critical z-value not apply to this measure. The benchmark provides an adequate margin for SWBT to deliver nondiscriminatory performance.	Agreed To	
17 SWBT Proposal		Delete PM	**SWBT** This measure is diagnostic and remained from the last PM review to verify that desired aspects of service order were captured in 17.1. This measure is no longer providing a valuable analysis.	Agreed To	
17.1. AT&T Proposal	Benchmark	95% within 5 Days, no critical z 85% in 3 days	**AT&T** The benchmark for posting delay should be adjusted to a level more in keeping with providing CLECs a meaningful opportunity to compete. Posting delay adversely affects CLECs in several ways. Until an order posts, the CLEC cannot	Agreed to Changes in benchmarks proposed at workshop.	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			submit a change order. It is not uncommon for a customer converting its service to a new carrier to request an additional feature or some other change shortly after placing the conversion order. Telling the customer he or she must wait a week or more to process a change order can be harmful to the CLEC/customer relationship at this early stage, but posting delay can require just that result. Posting delay also has the potential to damage the CLEC's relationship with new customers in the sensitive initial days of service. For example, the LMOS records used by SWBT for maintenance on POTS and UNE-P circuits are not updated until the order has posted to billing. As a result, any trouble reported during this interval must be reported manually. Posting delay also may result in double billing, as a CLEC properly commences to bill a customer that it has won, but the customer has not yet been removed from SWBT's billing records. Accordingly, AT&T has proposed to move the		

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			benchmarked interval for this measurement from five days to three. Electronic order processing, through posting, should not require the CLEC who submits a proper electronic order to expose itself to five days of a manual trouble reporting and the prospect of double billing. Nor should the three-day interval pose any practical hardship on SWBT, who has aggressively touted its ability to post orders within a 3-day interval as part of its FCC advocacy in Missouri/Arkansas 271 proceedings. Accordingly, the benchmark for PM 17.1 should be modified to 95% within 3 days.		
18 AT&T Proposal		Delete PM	**AT&T** AT&T proposes to delete this measurement as part of a set of revisions to the measures that would add PM 4.2 (and, as already agreed, 12.2) while eliminating several measurements that experience has shown to be of limited usefulness, at least in their current forms. *See* comments under 4.2 and 12 above.	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			Experience has shown this measurement to provide information of limited value, and AT&T would not object to deleting it on the terms proposed above.		
19 AT&T Proposal		Delete PM	**AT&T** AT&T proposes to delete this measurement as part of a set of revisions to the measures that would add PM 4.2 (and, as already agreed, 12.2) while eliminating several measurements that experience has shown to be of limited usefulness, at least in their current forms. *See* comments under 4.2 and 12 above. Experience has shown this measurement to provide information of limited value, and AT&T would not object to deleting it on the terms proposed above.	Agreed To	
22.1 AT& T Proposal and SWBT Counter Proposal	New Measure (Counter Proposal to AT&T's proposal for PM 22)	"PM 22-1.doc"	**AT&T** SWBT has redirected a substantial volume of CLEC calls that previously went to the LSC to a unit called the Mechanized Customer Production Support Center (MCPSC). Specifically, SWBT has explained that questions about LSOR and	Agreed to New Measure	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			ordering business rules should go to the MCPSC. In placing these calls to the MCPSC as SWBT has directed, AT&T has experienced substantial delay and hold times, raising a serious concern about the adequacy of MCPSC staffing. Accordingly, AT&T proposes to add a disaggregation for the MCPSC to this Grade of Service measurement, capturing the percentage of such calls that are answered within 20 seconds, similar to the disaggregation added to PM 25 during last year's review in response to the fact that SWBT had directed DSL provisioning calls to a particular number. At present, calls to the MCPSC are not captured at all in PM 22. They should be captured, and captured distinctly, to provide some incentive to reach and maintain proper staffing levels at the center. **SWBT** This new measure is a counter proposal to AT&T's proposal to add the disaggregation for MSPSC		

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			on PM 22.		
25 AT&T Proposal	Benchmark	• Maintenance Calls – Parity with CSB • Provisioning Calls DSL – 90% within 20 seconds – critical z-value does not apply~~ies~~ • Provisioning Calls All Other – 90% within 20 seconds, critical z-value does not apply~~ies~~	**AT&T** These two provisioning call disaggregations were added during last year's review. With more than a year's worth of data reported under these categories, the critical z-value should no longer apply, consistent with this Commission's past practice. SWBT consistently has reported meeting the 90% benchmark, and there is no justification for continuing to dilute that benchmark through application of the critical z-value (which simply has the effect of lowering the benchmark arbitrarily and indefinitely by approximately 1.7 percentage points).	Agreed To	
27 SWBT Proposal	Definition	Average business days from application date to completion date(Specials for N, T and C orders by circuit	**SWBT** Combine PM 43 with PM 27.	Agreed To	
27 SWBT Proposal	Exclusions	• Excludes customer-caused misses. • Field Work orders – excludes customer requested due dates greater than 5 business days. • No Field Work orders – excluded if order applied for before 3:00 p.m.; and the due date requested is not same day; and if order applied for	**SWBT** Combine PM 43 with PM 27.	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		after 3:00 p.m.; and the due date requested is beyond the next business day. • Excludes all orders except N, T, and C orders. • Excludes Weekends and Holidays. • Excludes expedites for which the CLEC pays. • Stand alone UNE and Interconnection Trunks (Specials) • Customer Caused Misses (Specials) • Excludes expedites for which the Customer pays (Specials)			
27 SWBT Proposal	Business Rules	POTS – The clock starts on the Application Date, which is the day that SWBT receives a correct Service Order (EASE) / LSR (LEX or EDI). The clock stops on the Completion Date, which is the day that SWBT personnel complete the service order activity. Orders are included in the month they are completed. There are 2 types of orders in the measurement. Same Day Due orders (defined as distribution time EQUAL or BEFORE 3:00 p.m. and Application Date = Distribution Date = Due Date. Next Day Due orders (defined as distribution time AFTER 3:00 p.m. and Application Date =	**SWBT** Combine PM 43 with PM 27.	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Distribution Date and Due Date is one business day after Application Date. If the order is Same Day Due, then (Completion – Application Date), if the order is Next Day Due, then [(Completion – Next Business Day) + 1]. UNE Combinations, are reported at order level. Specials – The Application Date is the day that the customer initiated the service request. The Completion Date is the day that SWBT personnel complete the service order activity by circuit. The base of items is out of WFA (Work Force Administration) and this measure is reported at a circuit level.			
27 SWBT Proposal	Levels of Disaggregation	POTS • Field Work (FW) • No Field Work (NFW) • Business class of service • Residence class of service UNE-P~~Combination~~ • Field Work (FW) • No Field Work (NFW) Specials • Resold Specials - DDS, DS1, DS3, Voice Grade Private Line (VGPL), ISDN - BRI, ISDN – PRI, DSL and any other services available for resale.	**SWBT** Combine PM 43 with PM 27.	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		• UNE Loop and Port - ISDN and other combinations			
27 SWBT Proposal	Calculation	[Σ(completion date – application date)]/(Total number of orders / circuits completed)	**SWBT** Combine PM 43 with PM 27.	Agreed To	
27 SWBT Proposal	Measurement Type	Diagnostic~~Tier 1 – High Tier 2 – High~~	**SWBT** Propose change to diagnostic. If PMs 27/43/55.1 would be made diagnostic (55 is already) we would agree to pay penalties on the greater of 28 or 29, 44 or 45, 56 or 58 At the workshop, SWBT Agreed with ATT's proposal regarding PM 27 as follows: ATT Proposal: In an effort to reconcile these competing views and to move forward at this review, AT&T would agree to the proposal to make PM 27 diagnostic, provided as follows: SWBT would continue to report both PM 28 and 29, and both would be classified as Tier 1 High/Tier 2 High. However, in any month in which SWBT reported a violation of both PM 28 and 29 to a CLEC (or for CLECs in the aggregate), it would pay Tier 1 and Tier 2 damages only for one of the	**IP** IP disagrees with SWBT's proposal. SWBT has not supported its suggestion that this measure should not be subject to penalties. **WCOM** WCOM disagrees with SWBT's proposal to change a measure of such importance to become diagnostic. Remedies should apply to a PM that measures installation intervals. This measure is more important than PM 28 and 29, but as a compromise WCOM would be willing to have SWBT pay on just one of these three in a month. **BIRCH** Birch (and all workshop participants) have struggled with the remedy aspects of the provisioning measurements (27, 28 & 29). Birch's concern with	The Commission notes that PMs 27, 43 and 55.1, which measure average installation time, may be skewed if CLECs are requesting due dates that are longer than the first available due date indicated on the due date board. However, PMs 28 and 29, that capture the percent installed within the due date, provide relevant performance data for the same provisioning activity and processes included in PM 27. Thus, consistent with previous Commission decisions relating to PMs measuring averages, the average installation measures are to be diagnostic and PMs 28 and 29, percentage of installations met within the due date, are to be Tier-1 High and Tier-2 High.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			measures (the one for which the calculated damages would be higher).	removing the remedy aspect of PM 27 is in the field work disaggregation. Only PM 27 measures if CLECs are able to secure due dates at parity with SWBT retail. This facet of the provisioning measures is more apparent with the field work disaggregation as CLECs and SWBT retail are requesting work from a finite resource pool. SWBT's ability to discriminate in the selection of due dates becomes a real possibility. SWBT has shown that it will change its retail policies based on what is reported for performance measurement purposes as it has recently done for no field work orders (see PM 27 issue discussed below). This aspect of SWBT's retail behavior must be factored into any change in the remedy plan for the provisioning measurements. **AT&T** Measuring average installation intervals serves a distinct purpose, not fulfilled simply by measuring missed due date	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
				rate or the percentage of customer desired due dates met, as the FCC has recognized as far back as the Ameritech Michigan 271 Order. An incumbent may meet a parity performance standard for missed due date rate, yet gain a competitive advantage if the average installation interval is significantly better for its retail operations than for CLECs. That said, so long as PM 27 remains measured, AT&T would not oppose making it diagnostic, so long as monetary sanctions are otherwise applicable to appropriate measure(s) of provisioning timeliness. In AT&T's view, the measurement that provides the most comprehensive, competitively-relevant measure of provisioning timeliness is percent installations completed within the customer requested due date, PM 28, and AT&T has proposed that Tier 1 and Tier 2 damages should apply to that measure. Other parties take the view that the	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
				missed due date rate measure should remain subject to Tier 1 and Tier 2 payments. In an effort to reconcile these competing views and to move forward at this review, AT&T would agree to the proposal to make PM 27 diagnostic, provided as follows: SWBT would continue to report both PM 28 and 29, and both would be classified as Tier 1 High/Tier 2 High. However, in any month in which SWBT reported a violation of both PM 28 and 29 to a CLEC (or for CLECs in the aggregate), it would pay Tier 1 and Tier 2 damages only for one of the measures (the one for which the calculated damages would be higher).	
27 SWBT Proposal	Benchmark	Resale POTS parity between Field Work compared to SWBT Field Work (N, T, C order types) and No Field Work compared to SWBT Retail No Field Work (N, T, C order types). UNE Combination Parity between Field Work compared to SWBT Field Work (N, T, C order types) and No Field Work compared to	**SWBT** Combine PM 43 with PM 27.	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		SWBT Retail No Field Work. (N, T, C order types). Specials Parity with SWBT Retail			
27 SWBT Alternate Proposal to WCOM Proposal	Business Rule	The clock starts on the Application Date, which is the day that SWBT receives a correct Service Order (EASE) / LSR (LEX or EDI). The clock stops on the Completion Date, which is the day that SWBT personnel complete the service order activity. Orders are included in the month they are completed. There are 2 types of orders in the measurement. Same Day Due orders (defined as distribution time EQUAL or BEFORE 3:00 p.m. and Application Date = Distribution Date = Due Date. Next Day Due orders (defined as distribution time AFTER 3:00 p.m. and Application Date = Distribution Date and Due Date is one business day after Application Date. If the order is Same Day Due, then (Completion – Application Date), if the order is Next Day Due, then [(Completion – Next Business Day) + 1]. UNE Combinations, are reported at order level. Customer not ready/no access situation will be found to be SWBT caused missed due date outside the CLEC provided access hours.	**SWBT** – Provisioning orders have a due date not a commitment time. If we have been provided with an access window/close time of the business, and we miss the appointment window it will be charged as a SWBT caused miss.	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
28. AT&T Proposal	Measurement Type	• Tier 1 – ~~None~~High • Tier 2 – ~~None~~High	**AT&T** PM 28, by measuring SWBT's performance against the customer requested due date, rather than the due date that SWBT confirms in an FOC, provides what should be the more comprehensive and relevant measure of provisioning timeliness. Under the missed due date measure, SWBT can return a FOC with a later due date than the CLEC requested, but still record that it "met" the due date, even though the CLEC had requested a due date consistent with the offered intervals. Reported performance under the two measurements has been similar, but PM 28 is framed more directly to address customer-impacting performance. Accordingly, AT&T has recommended that damages apply to PM 28 instead of PM 29. (This had been SWBT's proposal during the 2001 six-month review). Given the lack of agreement on whether PM 28 or 29 should be subject to damages, AT&T has offered the compromise suggestion to make both measurements	**SWBT** If PMs 27/43/55.1 would be made diagnostic (55 is already) we would agree to pay penalties on the greater of 28 or 29, 44 or 45, 56 or 58 **WCOM** WCOM supports AT&T's request to have remedies apply to PM 28. However, WCOM opposes deleting PM27. This measure is more important than PM 28 and 29, but as a compromise WCOM would be willing to have SWBT pay on just one of these three in a month. **CLEC Coalition** CLEC Coalition supports AT&T's proposal.	The Commission concurs with AT&T and SWBT that either PM 28 or 29, 44 or 45, or 56 or 58, whichever yields the higher dollar amount in damages or penalties, shall be subject to Tier-1 and Tier-2 payments respectively.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			Tier 1 High/Tier 2 High, but to provide that SWBT would only pay damages for one measurement (the one that would result in higher damages) in the event it reported a violation of both measurements simultaneously.		
29 SWBT Proposal	Definition	Percent of N, T, and C orders, (by circuits for specials) where installation was not completed by the due date or were canceled after the due date as a result of a SWBT caused missed due date.	**SWBT** Combine PMs 45 with PM 29.	Agreed To	
29 SWBT Proposal	Exclusions	Excludes orders that are not N, T, or C. Interconnection Trunks. Excludes customer caused misses.	**SWBT** Combine PMs 45 with PM 29	Agreed To	
29 SWBT Proposal	Business Rules	The due date is the negotiated date by the customer and the SWBT representative for service activation. For CLEC orders, the due date is the due date reflected on the FOC. The Completion Date is the day that SWBT personnel complete the service order activity ~~the UNE Combinations, are reported at order level.~~ . POTS, UNE-P are measured at the order level. Resale specials are measured at the circuit level. This measure includes in both the numerator and the denominator the number of orders cancelled after an SWBT-caused missed due date.	**SWBT** Combine PMs 45 with PM 29	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
29 SWBT Proposal	Levels of Disaggregation	POTS Field Work (FW) No Field Work (NFW) Business class of service Residence class of service ~~UNE Combination~~UNE-P Field Work (FW) No Field Work (NFW) Resale Specials: • Resold Specials – DDS, DS1, DS3, DSL Voice Grade Private Line (VGPL), ISDN – BRI, ISDN – PRI, and any other services available for resale. • UNE Loop and Port – ISDN and other combinations	**SWBT** Combine PMs 45 with PM 29 For clarification changing POTS UNE Combination to UNE-P throughout all measures (29-41).	Agreed To	
29 SWBT Proposal	Calculation	(Count of N, T, C orders/circuits not completed by the due date or cancelled after the due date as a result of a SWBT cause excluding customer caused misses ÷ total number of orders/circuits plus total cancels after the due date as a result of SWBT caused missed due dates) * 100	**SWBT** Combine PMs 45 with PM 29	Agreed To	
29 SWBT Proposal	Benchmark	Resale POTS Parity between Field Work compared to SWBT Field Work (N, T, and C order types) and No Field Work compared to SWBT	**SWBT** Combine PMs 45 with PM 29	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Retail No Field Work (N, T, and C order types). UNE - P ~~Combination~~ Parity between Field Work compared to SWBT Field Work (N, T, and C order types) and No Field Work compared to SWBT Retail No Field Work. (N, T, and C order types). Resale Specials - Parity with SWBT Retail			
30 SWBT Proposal	Exclusions	• Excludes orders that are not N, T, or C. • Stand alone UNE and Interconnection Trunks (Specials)	**SWBT** Combine PM 47 with PM 30	Agreed To	
30 SWBT Proposal	Business Rules	POTS – The Due Date is the customer requested due date when that date is greater than or equal to the offered interval, or if expedited (accepted or not accepted), the date agreed to by SWBT which is the due date reflected on the FOC. The Completion Date is the day that SWBT personnel complete the service order activity. UNE Combinations are reported at order level. The lack of facilities is selected based on the missed reason code.	**SWBT** Combine PM 47 with PM 30	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Specials – The Due Date starts the clock. The Completion Date is the day that SWBT personnel complete the service order activity, which stops the clock. The source is WFA (Work Force Administration) and is at an item or circuit level. Specials are selected based on a specific service code off of the circuit ID and by selected center names that indicate resale. The lack of facilities is selected based on the missed reason code.			
30 SWBT Proposal	Levels of Disaggregation	POTS • Business class of service • Residence class of service POTS / UNE – P~~combination~~ Specials • Resold Specials - DDS, DS1, DS3, Voice Grade Private Line (VGPL), ISDN - BRI, ISDN PRI, DSL and any other services available for resale. • UNE Loop and Port - ISDN and other combinations	**SWBT** Combine PM 47 with PM 30	Agreed To	
30 SWBT Proposal	Calculation	(Count of orders/ circuits with missed due dates due to lack of facilities ÷ total orders/ circuits completed) * 100 (Calculated monthly based on posted orders)	**SWBT** Combine PM 47 with PM 30	Agreed To	
30 SWBT Proposal	Benchmark	Resale POTS parity compared to SWBT (N, T, and C order types). UNE Combination Parity compared to SWBT (N, T, C order	**SWBT** Combine PM 47 with PM 30	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		types). Specials – Parity with SWBT retail			
32 SWBT Proposal	Definition	Average calendar days from due date to completion date on company missed orders/circuits.	**SWBT** Combine PMs 49 with PM 32	Agreed To	
32 SWBT Proposal	Exclusions	Excludes orders that are not N, T, or C. Excludes Interconnection Trunks Excludes Customer Caused Misses For Specials Only: Excludes any incremental days attributable to the CLEC after the initial SWBT caused delay. Does not exclude No Access attributable to the end user after the initial due date has been missed by SWBT	**SWBT** Combine PMs 49 with PM 32 SWBT proposes adding, For Specials Only: "Excludes any incremental days attributable to the CLEC after the initial SWBT caused delay" to the POTS and Specials Resale measurements. This exclusion has previously been accepted for UNE measurements in Version 2.0 and should be consistent throughout all provisioning measures	Agreed To	
32 SWBT Proposal	Business Rules	Resale POTS and UNE-P The Due Date is the customer requested due date when that date is greater than or equal to the offered interval, or if expedited (accepted or not accepted), the date agreed to by SWBT which is the due date reflected on the FOC. The Completion Date is the day that SWBT personnel complete the service order activity. ~~Combinations~~ UNE-Ps are reported by the order that completes the service activity.	**SWBT** Combine PMs 49 with PM 32	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		POTS and UNE-Ps are reported at an order level. Specials – The calculation is the difference in calendar days between the completion date and the due date. The source is WFA (Work Force Administration) and is reported at a circuit level. Specials are selected based on a specific service code off of the circuit ID.			
32 SWBT Proposal	Levels of Disaggregation	POTS • Field Work (FW) • No Field Work (NFW) • Business class of service • Residence class of service ~~UNE Combination~~UNE-P • Field Work (FW) • No Field Work (NFW) Resale Specials And all other UNEs: • Resold Specials – DDS, DS1, DS3, DSL, Voice Grade Private Line (VGPL), ISDN – BRI, ISDN – PRI, and any other services available for resale. • UNE Loop and Port – ISDN and other combinations	**SWBT** Combine PMs 49 with PM 32	Agreed To	
32 SWBT Proposal	Calculation	Σ(Completion date – orders/committed circuits due	**SWBT** Combine PMs 49 with PM 32	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		date) ÷ (total # of completed orders / posted circuits with a SWBT caused missed due date)			
32 SWBT Proposal	Benchmark	Resale POTS parity between Field Work compared to SWBT Field Work (N, T, and C order types) and No Field Work compared to SWBT Retail No Field Work (N, T, and C order types). ~~UNE Combination Parity between Field Work compared to SWBT Field Work (N, T, and C order types) and No Field Work compared to SWBT Retail No Field Work (N, T, and C order types).~~ UNE-P Parity between Field Work compared to SWBT Retail Field Work (N,T, and C order types) and No Field Work compared to SWBT Retail No Field Work (N,T, and C order types). Resale Specials Parity with SWBT Retail	**SWBT** Combine PMs 49 with PM 32	Agreed To	
35 SWBT Proposal	Measurement	Percent ~~POTS/UNE-P~~ Trouble Report Within ~~10~~X Days (I-10/I-30) of Installation	**SWBT** Combines PMs 46 with PM 35	Agreed To	
35 SWBT Proposal	Definition	Percent of N, T, C orders, (by circuit for specials), that receive an electronic or manual trouble report on or within 10 calendar days for POTS/UNE-P, or 30 calendar days for specials, of service order completion.	**SWBT** Combines PMs 46 with PM 35	Agreed To	
35 SWBT Proposal	Exclusions	Excludes subsequent reports. A subsequent report is a repair report	**SWBT** Combines PMs 46 with PM	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		that is received while an existing repair report is open on the same number. Excludes disposition code "13" reports (excludable reports), with the exception of code 1316, unless the trouble report is taken prior to completion of the service order. Excludes reports caused by customer provided equipment (CPE) or wiring. Interexchange Carrier/Competitive Access Provider, and Informational. Excludes trouble report received on the due date before service order completion Excludes Stand Alone UNE and Interconnection Trunks	35		
35 SWBT Proposal	Business Rules	POTS/UNE-P Includes reports received the day after SWBT personnel complete the service order through 10 calendar days after completion. The denominator for this measure is the total count of orders posted within the reporting month. (However, the denominator will at a minimum equal the numerator). The numerator is the number of trouble reports received within 10 days of service order completion. These will be reported the month that they are closed. This will	**SWBT** Combines PMs 46 with PM 35	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		include troubles taken on the day of completion found to be as a result of a UNE-P conversion. Resale specials A trouble report is counted if it is flagged on WFA (Work Force Administration) as a trouble report that had a service order completion within 30 days. It cannot be a repeat report. The order flagged against must be an addition in order for the trouble report to be counted. Specials are selected based on a specific service code off of the circuit ID. . The denominator for this measure is the total count of orders posted within the reporting month. (However, the denominator will at a minimum equal the numerator). The numerator is the number of trouble reports received within 30 days of service order completion and closed within the reporting month.			
35 SWBT Proposal	Levels of Disaggregation	N, T and C Orders POTS o Field Work (FW) o No Field Work (NFW) o Business class of service o Residence class of service<br~~UNE Combination~~UNE-P o Field Work (FW) o No Field Work (NFW) Resale Specials:	**SWBT** Combines PMs 46 with PM 35	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		• Resold Specials – DDS, DS1, DS3, DSL, Voice Grade Private Line (VGPL), ISDN – BRI, ISDN – PRI, and any other services available for resale. • UNE Loop and Port – ISDN and other combinations			
35 SWBT Proposal	Calculation	(Count of initial electronic or manual trouble reports on or within ~~10~~ X (where X is 10 days for POTS, UNE-P and 30 days for Resale Specials) calendar days of service order completion ÷ total # of orders/total circuits) * 100	**SWBT** Combines PMs 46 with PM 35	Agreed To	
35 SWBT Proposal	Benchmark	POTS Resale POTS parity between Field Work compared to SWBT Field Work (N, T, and C order types) and No Field Work compared to SWBT Retail No Field Work (N, T, and C order types). **UNE-P** ~~UNE Combination~~ Parity between Field Work New and Move orders compared to SWBT Field Work New and Move orders. Parity between Field Work Change and Conversion orders compared to SWBT Field Work Change orders.	**SWBT** Combines PMs 46 with PM 35 New wording from workshop for UNE-P Benchmark	**WCOM** The general principle that this Commission has followed is that a metric has either a benchmark or is measured at parity, but not parity with a ceiling. Parity with a ceiling allows SWBT to provide discriminatory performance (i.e., performance that is better for itself) when the parity standard exceeds the benchmark. This is inappropriate and indicates a violation of the FTA's mandate for SWBT to provide reasonable *and*	The Commission notes that the parties' post-workshop comments indicate that they concur with SWBT's revised proposal contained in the joint matrix filed on August 30, 2002. Therefore, SWBT's revised proposal is adopted.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Parity between No Field Work New and Move orders compared to SWBT No Field Work New and Move orders. Parity between No Field Work Change and Conversion orders compared to SWBT No Field Work Change orders. ~~Parity between Field Work compared to SWBT Field Work (N, T, and C order types) and No Field Work compared to SWBT Retail No Field Work (N, T, and C order types).~~ Resale Specials Parity with SWBT Retail		nondiscriminatory performance. WCOM will agree to combine the measures if the business rule standards are not changed. **CLEC Coalition** CLEC Coalition agrees with parity benchmark for resale POTS and resale Specials. CLEC Coalition is not impacted by UNE-P benchmark discussion. **BIRCH** See Birch PM 29 Comments for benchmark discussion. **AT&T** SWBT's proposal to abandon the parity standard for no field work resale and UNE-P orders should be rejected, for the reasons set forth in AT&T's comments in response to SWBT's PM 29 benchmark proposal. Here, too, the relevant context is SWBT's reported provisioning of 170,000+ no field work UNE-P orders per month. With SWBT reporting a retail I-report rate ranging from 1.01 to 1.22% during	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
				the first five months of 2002 (PM 35-12), SWBT's proposal would have it "pass" this measure, even if its provisioning performance caused an extra 1000 trouble reports for every 100,000 CLEC orders provisioned, when compared to 100,000 SWBT retail orders. The difference is not trivial. SWBT's complaints that a CLEC I-report rate below 2.0% can result in a violation of the parity standard are further mitigated by the forgiveness built into the remedy plan. Not only may a violation be excused by application of the K value, the formula by which "per occurrence" damages are calculated will greatly limit the amounts that SWBT might be required to pay when a CLEC rate below 2.0% is compared to a lower SWBT retail rate. SWBT's proposal to shift the performance standard for so many measures (POTS no field work orders for resold services and UNE-P, 8 dB loops, line sharing)	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
				represents nothing less than a proposed major change to the remedy plan. Such a proposal could only be evaluated in the context of a comprehensive review and overhaul of the plan. CLECs have offered to engage in just such a review, to address the degree of forgiveness built into the plan by the K value and other features. SWBT has adamantly refused to do so. Its proposal to abandon parity performance standards for a wide range of measures should not be entertained outside of a complete remedy plan review.	
35, 35.1, 37, 37.1, 38, 39, 40, 41; and Appendix Two AT&T Proposal	Exclusions	Appendix Two to the Performance Measurements ("Disposition Codes") should be modified to read: The following is a list of Excluded (13) disposition codes. Any modifications or additions to this list must be presented for prior agreement or approval at a periodic performance measurement review before the Texas Commission (or by mutual consent of all parties prior to 6-month review).	**AT&T** These PMs all contain an exclusion for disposition code "13" reports, with the exception of PM 1316 (unless the report is taken prior to completion of the service order). Raw data review indicates that SWBT is excluding significant numbers of AT&T trouble reports from these measurements on the basis of disposition code "1328", meaning SWBT has classified the ticket as a	Agree To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			"CLEC report generated in error." The volume of excluded tickets is sufficient in some instances to affect whether SWBT should have reported passing or failing the parity standard. AT&T has agreed to undertake data reconciliation with SWBT regarding this issue. AT&T believes that this disposition code is being applied to trouble tickets that SWBT inappropriately concludes lack sufficient information, when SWBT itself has artificially constrained the information that can be provided via EBI. AT&T also believes that this code has been applied to some tickets for which SWBT simply failed to find trouble when it worked the ticket. However, "trouble not found" is not an approved basis for excluding a report from this measure, as the very act of testing of a POTS-type circuit can have the effect of clearing a trouble. Completion of the data reconciliation may provide the basis for specific business rule suggestions to clarify the		

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			proper application of the exclusion for series 13 disposition code, in time to address during this review. Regardless, one issue can and should be addressed during this review – SWBT may not exclude a ticket on the basis of a 1328 exclusion, because that code is not one of the series 13 codes for which version 2.0 of the business rules provides an exclusion. Those codes are listed in Appendix Two to the business rules. That list does not include code 1328. SWBT apparently has undertaken to exclude tickets on the basis of code 1328 without seeking, in the performance measurement review process or otherwise, to amend Appendix Two to identify code 1328 as an excludable code. That list should not be amended by SWBT silently, without notice to CLECs or presentation in one of these review proceedings. If SWBT wishes to add a code (and to exclude transactions from PM data on the basis of that code), it should be required to make that proposal with notice to CLECs and through the		

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			performance measurement review process in order to determine whether such exclusions are appropriate and to set appropriate definitions around application of the code. In short, SWBT does not have the right to implement undisclosed unilateral changes to the PM business rules, including the portions of those rules contained in the appendices. SWBT should be directed to cease excluding tickets from these measures on the basis of code 1328, until SWBT has presented that code as an addition to Appendix Two as part of a periodic performance measurement review. **SWBT** SWBT would agree to this language with additional note added "or by mutual consent of all parties prior to 6-month review", as long as Appendix 2 is modified to reflect the current codes.		
35, 35.1, 37, 37.1, 38, 39, 40, 41;	Exclusion	Excludes disposition code "13" reports (excludable reports), with the exception of code 1316, unless the trouble report is taken prior to	**SWBT** SWBT would agree to this language as long as Appendix 2 is modified to	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		completion of the service order. (Refer to Appendix 2 for list of Excluded "13" disposition codes)	reflect the current codes.		
Appendix 2		 "Appendix 2.doc"		**SWBT** SWBT would agree to this language as long as Appendix 2 is modified to reflect the current codes. See attachment for revised list of codes	The Commission clarifies that Appendix 2 may not be unilaterally modified by SWBT. If SWBT determines that additional disposition "13" codes should be added to Appendix 2 prior to the next PM review, SWBT shall file a request for review in Project No. 20400 and the Commission will address it at that time.
37 SWBT Proposal	Definition	The number of electronic or manual customer trouble reports per 100 lines/(circuits for specials).	**SWBT** Combine PM 54 with PM 37	Agreed To	
37 SWBT Proposal	Exclusions	• Excludes reports caused by customer provided equipment (CPE) or wiring. • Excludes all disposition "13" reports (excludable reports), with the exception of code 1316, unless the report is taken prior to completion of the service order. • Stand alone UNE and Interconnection Trunks (Specials) • Trouble reports coded to Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and	**SWBT** Combine PM 54 with PM 37	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Informational			
37 SWBT Proposal	Levels of disaggregation	POTS • Business class of service • Residence class of service UNE - PCombination - None Resale Specials: • Resold Specials - DDS, DS1, DS3, DSL, Voice Grade Private Line (VGPL), ISDN - BRI, ISDN – PRI, and any other services available for resale. • UNE Loop and Port - ISDN and other combinations	**SWBT** Combine PM 54 with PM 37	Agreed To	
37 SWBT Proposal	Calculation	[Total number of customer trouble reports ÷ (total lines/circuits ÷100)]	**SWBT** Combine PM 54 with PM 37	Agreed To	
37 SWBT Proposal	Benchmark	POTS – Parity with SWBT Retail. UNE Combination – Parity with SWBT Business and Residence combined. Specials – parity with SWBT Retail	**SWBT** Combine PM 54 with PM 37	Agreed To	
37.1 SWBT Proposal	Definition	The number of electronic or manual customer trouble reports exclusive of installation and repeat reports within a calendar month, per 100 lines, 100 circuits	**SWBT** Combines PMs 54.1 with 37.1	Agreed To	
37.1 SWBT Proposal	Exclusion	Excludes reports caused by customer provided equipment	**SWBT** Combines PMs 54.1 with	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		(CPE), Interexchange Carrier/Competitive Access Provider, and Informational or wiring. Excludes all disposition "13" reports (excludable reports), with the exception of code 1316, unless the report is taken prior to completion of the service order. Excludes trouble reports included in PM 35. Excludes Trouble reports included in PM 41 Excludes Stand Alone UNE and Interconnection Trunks	37.1		
37.1 SWBT Proposal	Levels of disaggregation	~~POTS~~ ~~Business class of service~~ ~~Residence class of service~~ ~~UNE Combination – None~~ POTS Business class of service Residence class of service UNE – P UNE – P Resale Specials: • Resold Specials – DDS, DS1, DS3, DSL, Voice Grade Private Line (VGPL), ISDN – BRI, ISDN – PRI, and any other services available for resale.	**SWBT** Combines PMs 54.1 with 37.1	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		• UNE Loop and Port – ISDN and other combinations			
37.1 SWBT Proposal	Calculation	[Total number of customer trouble reports less installation and repeat reports ÷ (total lines, circuits ÷100)]	**SWBT** Combines PMs 54.1 with 37.1	Agreed To	
37.1 SWBT Proposal	Benchmark	POTS –Parity with SWBT Retail. UNE Combination – Parity with SWBT Business and Residence combined. Resale Specials Parity With SWBT Retail	**SWBT** Combines PMs 54.1 with 37.1	Agreed To	
38 SWBT Proposal	Levels of Disaggregation	POTS Business class of service Residence class of service Dispatch No Dispatch ~~UNE Combination~~UNE-P Dispatch No Dispatch	**SWBT** For clarification changing POTS UNE Combination to UNE-P throughout all measures (29-41).	Agreed To	
38 SWBT Proposal	Benchmark	POTS – Parity with SWBT Retail. UNE-P ~~Combination~~ – Parity with SWBT Business and Residence combined.	**SWBT** For clarification changing POTS UNE Combination to UNE-P throughout all measures (29-41).	Agreed To	
39 SWBT Proposal	Definition	Average duration in calendar days / clock hours of customer trouble reports from the receipt of the customer trouble report to the time the trouble report is cleared	**SWBT** Combines PMs 52 with PM 39	Agreed To	
39	Exclusions	~~Excludes s~~Subsequent reports. A	**SWBT**	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
SWBT Proposal		subsequent report is one that is received while an existing repair report is open. ~~Excludes d~~Disposition code "13" reports (excludable reports), with the exception of code 1316, unless the report is taken prior to the completion of the service order. UNE and Interconnection Trunks No Access Time (Specials Only). Delayed Maintenance Time (Specials Only). Trouble tickets that are coded to Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and Informational (Specials Only).	Combines PMs 52 with PM 39		
39 SWBT Proposal	Business Rules	POTS and UNE-Ps The clock starts on the date and time SWBT receives a trouble report. The clock stops on the date and time that SWBT personnel clear the repair activity and complete the trouble report in WFA. Specials The start time is when the customer report is received and the stop time is when the report is closed. Specials are selected based on a specific service code off of	**SWBT** Combines PMs 52 with PM 39	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		the circuit ID.			
39 SWBT Proposal	Levels of Disaggregation	POTS o Business class of service o Residence class of service o Dispatch o No Dispatch o Affecting Service o Out of Service (Diagnostic) ~~UNE Combinations~~ UNE-P o Dispatch o No Dispatch o Affecting Service o Out of Service (Diagnostic) Resale Specials: • Resold Specials – DDS, DS1, DS3, DSL, Voice Grade Private Line (VGPL), ISDN – BRI, ISDN – PRI, and any other services available for resale. • UNE Loop and Port – ISDN and other combinations	**SWBT** Combines PMs 52 with PM 39	Agreed To	
39 Birch Proposal	Levels of Disaggregation	POTS – Business class of service – Residential class of service – Dispatch – Non-Dispatch – Affecting Service – Out of Service	**BIRCH** Birch evaluated SWBT performance data relative to the intervals in which Birch's UNE-P business and residential customers' service is repaired/restored, as	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		UNE Combinations – UNE-P Business class of service – UNE-P Residential class of service – Dispatch – Non-Dispatch – Affecting Service Out of Service	compared to SWBT's retail business and residential customers' service is repaired/restored. The attached graphs depict the rather large variance in repair/restoral times enjoyed by SWBT retail business customers versus business customers served by Birch via UNE-P. (Attachment 2) As the Commission is no doubt aware, the Mean Time to Repair benchmarks for UNE-P associated with PM 39 are a mixture of SWBT retail business and residential results combined. As a result of this combination, business customers served via UNE-P almost never receive the same repair intervals as SWBT retail business customers. Rather, business customers served via UNE-P experience repair intervals that fall somewhere between when SWBT's retail business customers and residential customers are repaired. As the graphs also depict, repair intervals experienced by retail residential customers lag far behind those experienced by retail business customers, and as a result, UNE-P business customers experience repair		

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			intervals that oftentimes are closer to the retail residential intervals. Attachment 2 also contains Kansas repair data from November 2000 through March 2002. The startling results from February 2002 further show how the disparity can affect the CLEC's ability to service customers at parity with SWBT retail. An ice storm in Kansas during February 2002 had drastic affects on the ability of SWBT to repair Birch UNE-P service – on average it took over 45 hours to repair out of service situations. For the same time, SWBT had little trouble repairing SWBT business customers' service – on average less than 16 hours, even though presumably those customers were affected equally by the ice storm. This disparity in repair intervals should be corrected by comparing retail residential customer results to UNE-P residential results and retail business customer results to UNE-P business customer results. From a practical standpoint,		

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			what does the attached data really depict? By way of example, assume there are two businesses located next to each other on 6th Street in Austin. One business is served by SWBT retail and the other by Birch via UNE-P. Next, assume each has an outage at the same time that requires a dispatch to the customer's premise to restore dial tone. The attached data indicates that the SWBT customer will be restored in hours, or in some cases days, before the Birch customer will have its dial tone restored. The inequities are obvious. To erase the parity concerns associated with repair measurements, as described above, Birch strongly recommends that SWBT be required to differentiate UNE-P business and residential lines for repair purposes		
39 SWBT Proposal	Calculation	Σ[(Date and time SWBT clears ticket with the CLEC) – (Date and time ticket or trouble report is received)] ÷ Total network customer trouble reports	**SWBT** Combines PMs 52 with PM 39	Agreed To	
39	Report Structure	Reported ~~for POTS Resale trouble~~	**SWBT**	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
SWBT Proposal		~~reports~~ by CLEC, all CLECs and SWBT	Combines PMs 52 with PM 39		
39 SWBT Proposal	Benchmark	POTS – Parity with SWBT Retail. ~~UNE Combination~~ – UNE-P Parity with SWBT Business and Residence combined. Out of Service for POTS and UNE-P ~~Combo~~ will be diagnostic. Damages and assessments will be applied in PM 40. Specials – Parity with SWBT retail	**SWBT** Combines PMs 52 with PM 39	Agreed To	
40 SWBT Proposal	Levels of Disaggregations	POTS Business class of service Residence class of service ~~UNE Combination – None~~ UNE-P UNE-P	**SWBT** For clarification changing POTS UNE Combination to UNE-P throughout all measures (29-41).	Agreed To	
40 SWBT Proposal	Benchmark	POTS – Parity with SWBT ~~Retail.~~ ~~UNE Combination~~ – UNE-P - Parity with SWBT Business and Residence combined.	**SWBT** For clarification changing POTS UNE Combination to UNE-P throughout all measures (29-41).	Agreed To	
41 SWBT Proposal	Definition	Percent of customer trouble reports received within X calendar days of a previous customer report, where X is 10 Days for POTS, UNE-P and 30 Days for Resale Specials.	**SWBT** Combines PMs 53 with PM 41	Agreed To	
41 SWBT Proposal	Exclusions	Excludes subsequent reports. A subsequent report is one that is received while an existing repair report is open. Excludes disposition code "13" reports (excludable reports), with the exception of code 1316, unless	**SWBT** Combines PMs 53 with PM 41	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		the report is taken prior to the completion of the service order. Stand Alone UNE and Interconnection Trunks Excludes reports caused by customer provided equipment (CPE) or wiring, Interexchange Carrier/Competitive Access Provider, and Informational.			
41 SWBT Proposal	Business Rules	Includes customer trouble reports received within ~~10~~ X calendar days of an original customer report where X is 10 days for POTS and UNE-P and 30 days for Resale Specials. When the second report is received in ~~10~~ X days, the original report is marked as an Original of a Repeat, and the second report is marked as a Repeat. If a third report is received within ~~10~~ X days, the second report is marked as an Original of a Repeat as well as being a Repeat, and the third report is marked as a Repeat. In this case there would be two repeat reports.	**SWBT** Combines PMs 53 with PM 41	Agreed To	
41 SWBT Proposal	Levels of Disaggregation	POTS Business class of service Residence class of service ~~UNE Combination – None~~ UNE-P- • UNE-P Resale Specials: • Resold Specials – DDS, DS1, DS3, DSL, Voice	**SWBT** Combines PMs 53 with PM 41	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Grade Private Line (VGPL), ISDN – BRI, ISDN – PRI, and any other services available for resale. • UNE Loop and Port – ISDN and other combinations			
41 SWBT Proposal	Calculation	Count of customer trouble reports, not caused by CPE or wiring and excluding subsequent reports, received within ~~10~~ X calendar days of a previous customer report where X is 10 days for POTS and UNE-P and 30 days for Resale Specials ÷ total customer trouble reports not caused by CPE or wiring and excluding subsequent reports) * 100	**SWBT** Combines PMs 53 with PM 41	Agreed To	
41 SWBT Proposal	Benchmark	POTS Parity with SWBT Retail. ~~UNE Combination~~UNE-P – Parity with SWBT Business and Residence combined Resale Specials - Parity with SWBT Retail	**SWBT** Combines PMs 53 with PM 41	Agreed To	
43 SWBT Proposal		Delete PM	**SWBT** Combine with PM 27	Agreed To	
44 SWBT Proposal		Delete PM	**SWBT** See PM 28 If average is retained will be included in PM 28	Agreed To	
45 SWBT Proposal		Delete PM	**SWBT** Combine PM with PM 29	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
46 SWBT Proposal		Delete PM	**SWBT** Combine PM with PM 35	Agreed To	
47 SWBT Proposal		Delete PM	**SWBT** Combine with PM 30	Agreed To	
49 SWBT Proposal		Delete PM	**SWBT** Combine PM with PM 32	Agreed To	
52 SWBT Proposal		Delete PM	**SWBT** Combine PM with PM 39	Agreed To	
53 SWBT Proposal		Delete PM	**SWBT** Combine PM with PM 41	Agreed To	
54 SWBT Proposal		Delete PM	**SWBT** Combine with PM 37	Agreed To	
54.1 SWBT Proposal		Delete PM	**SWBT** Combine PM with PM 37.1	Agreed To	
55.1 SWBT Proposal	Measurement Type	~~Tier 1 - High~~ ~~Tier 2 - High~~Diagnostic	**SWBT** Change to diagnostic. If PMs 27/43/55.1 would be made diagnostic (55 is already) we would agree to pay penalties on the greater of 28 or 29, 44 or 45, 56 or 58	**WCOM** WCOM disagrees with SWBT's proposal to make a measure of such importance diagnostic. Remedies should apply to a PM that measures installation intervals, as those are critical to a CLEC's business and a customer's satisfaction. **AT&T** AT&T does not oppose making 55.1 diagnostic, parallel to PM 55, provided that damages are set appropriately on other	Consistent with the discussion under PM 27, the Commission concurs with AT&T that PM 55.1 shall be diagnostic, and both PMs 56 and 58 be Tier-1 High and Tier -2 High.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
				provisioning timeliness measures. As with the POTS/specials measures, AT&T proposes to make both PM 56 and 58 subject to Tier 1 High/Tier 2 High damages, but provide that SWBT should only pay on one of those measures (the one where the calculated damages are larger) in the event that it reports a violation of both in the same month. See comments on PM 27, 28, 29 above.	
55.1 AT&T WCOM Proposal	Disaggregation and Benchmark	• Loops requiring no conditioning with Line Sharing • Loops requiring conditioning with Line Sharing • Loops requiring no conditioning with no Line sharing • Loops requiring conditioning with no Line sharing • Loops requiring no conditioning with Line Splitting • Loops requiring conditioning with Line Splitting • Broadband service product AT&T also proposes the following benchmarks for average installation intervals for line splitting orders:	**AT&T** During last year's review, all parties agreed, and the Commission approved, General Business Rule D, providing that the parties would work together to determine appropriate levels of disaggregation to be used with line splitting once that process has been sufficiently developed, with anticipated changes to PMs 55.1, 56, 58, 59, 60, 61, 62, 63, 65, 65.1, 66, 67, and 69. Now is the time to carry out that commitment. AT&T's understanding is that SWBT has agreed to add a line splitting disaggregation	**SWBT** Line Splitting is a process, not a product. Line splitting occurs when a CLEC orders a loop that is cross-connected to collocation and utilizes a CLEC splitter to divide the loop for voice and data. The CLEC may choose to partner with another CLEC to hand the voice or data off. SWBT may not even be aware that the loop is being used for a line splitting arrangement. In order to migrate an existing UNE-P to Line Splitting Arrangement, a single LSR process was	The Commission notes that in Docket No. 22315, SWBT was ordered to provide line splitting to a requesting CLEC with the CLEC option of using its own splitter or a SWBT-owned splitter. Further, the Commission notes that SWBT has implemented a single LSR process for ordering line splitting using CLEC-owned splitters in a UNE-P arrangement. Therefore, capturing the performance delivered in response to a line splitting LSR under PMs that capture loop and switch port separately is counter to this Commission's decision as related to UNE-P being a separate category for performance measurement purposes.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		• Loops requiring no conditioning – 5 business days Loops requiring conditioning – 10 business day	to those measures that currently include a disaggregation for DSL loops and line sharing, and that the line splitting disaggregation will at least capture those line splitting transactions currently supported by a "single LSR" process (i.e., conversion of a CLEC UNE-P circuit to line splitting). AT&T also understands that SWBT intends to capture line splitting transactions using a SWBT-supplied splitter. Specific business rule language for the line splitting disaggregation and the relevant performance standard should be the subject of further discussion at the workshops. AT&T has proposed to use the existing benchmarks for standalone DSL-capable loops during this initial implementation. That step would appropriately bring line splitting transactions within the remedy plan without further delay, but would offer SWBT significant latitude during the initial implementation of line splitting performance measures. These performance standards would	developed for CLECs. A single LSR is issued, SWBT issues an order for a DSL capable loop and an order for a switch port (each stand alone and cross-connected to collocation). SWBT developed the single LSR process to simplify and streamline ordering for the CLECs. SWBT still must issue multiple orders for these same components, which again are already captured in existing PMs. Additional disaggregations are not needed as these components are already captured in the existing flow. SWBT measures the Port product in the Analog Line Port disaggregations. SWBT measures the stand-alone DSL product in the DSL No Line Sharing disaggregations. There are no situations in SWBT where SWBT provides the splitter - all splitters are CLEC provided. To SWBT, these are still separate components, and continue to be captured in the separate and existing disaggregations for loop and port, making a new disaggregation for Line	Consistent with the Commission's decision to capture UNE-P provisioning and maintenance as a separate disaggregated category, the Commission finds that line splitting provisioning and maintenance related activities be captured on a disaggregated basis. The Commission concurs with IP that the work involved in providing line splitting is similar to line sharing and a 3 day benchmark is appropriate for provisioning. For maintenance related PMs, parity shall apply, subject to modification during the next PM review. The Tier-1 and Tier-2 designations for provisioning and maintenance of DSL loops shall also apply to line splitting disaggregations.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			be subject to reconsideration at the next review. Setting appropriate performance standards for line splitting may well require tighter benchmarks or a parity comparison to line sharing, for the reasons other parties have suggested. With the opportunity to consider actual line splitting data and further progress in implementation of line splitting at the next review, the performance standards for line splitting should be reconsidered then, with no presumption that standalone DSL provisioning and maintenance should provide the appropriate reference point for line splitting benchmarks over the longer term. **WCOM** UNE Loops with line splitting is a requirement in Texas. It is an important market entry mode	Splitting unnecessary. **IP** IP agrees that line splitting disaggregations are necessary given Commission orders mandating it. IP questions the use of a 5-day interval rather than a 2-day interval as proposed by WCOM. A three day interval is required for line sharing on an interim basis and the work involved is comparable to line sharing since their will rarely be field work required for line splitting arrangement, as with line sharing arrangements. A better approach would be parity with line sharing to SWBT retail/ASI. Given that line splitting is the analog to line sharing, it is critical that CLECs obtain performance at least equal to that ASI obtains when splitting a loop with SWBT retail voice.	
55.3 IP WCOM Proposal	Measurement	Percent xDSL-capable loop orders requiring the removal of load coils, excessive bridged, (where excessive bridged tap is defined as bridged tap that is more than 2,500 feet in total bridged tap or any	**IP** This measure is modified to also track the removal of nonexcessive bridged tap. At the time this measure was created, SWBT was not	**Agreed To** With addition of note for excessive bridged taps (as defined by industry standards)	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		single bridged tap in excess of 2,000 feet) and/ or repeaters.	agreeable to track the removal of nonexcessive bridged tap. However, SWBT's ILEC affiliate Ameritech recently agreed to this change so it is likely that SWBT will no longer object. Additionally, IP proposes an additional disaggregation to make the information provided more useful. **WCOM** CLECs need to know the cost they will incur to have bridged taps removed		
55.3 IP WCOM Proposal	Definition	The percentage of all xDSL-capable loops, greater than 12,000 feet (based on mechanized actual loop makeup information or designed loop makeup information where mechanized actual is not available), ordered that require the removal of load coils, excessive bridged tap (where excessive bridged tap is defined as bridged tap that is more than 2,500 feet in total bridged tap or any single bridged tap in excess of 2,000 feet) and/ or repeaters to provision xDSL services.	**IP** (See Above) **WCOM** (See Above)	Agreed To With addition of note for excessive bridged tap (as defined by industry standards)	
55.3 IP WCOM Proposal	Business Rule	The percentage of all orders for xDSL-capable loops where the removal of load coils, excessive bridged tap (where excessive bridged tap is defined as bridged tap that is more than 2,500 feet in total bridged tap or any single bridged tap	**IP** (See Above) **WCOM** (See Above	Agreed To With addition of note for excessive bridged tap (as defined by industry standards)	

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		in excess of 2,000 feet) -or repeaters has been requested by the CLEC.			
55.3 IP Proposal	Levels of Disaggregation	• Loops between 12,000 feet and 15,000 feet • Loops between 15,001 and 17,500 feet • Loops over 17,500 feet	**IP** (See Above)	Agreed To	
55.3 IP WCOM Proposal	Calculation	[Σ(number of xDSL-capable loops requesting the removal of load coils, excessive bridged tap (where excessive bridged tap is defined as bridged tap that is more than 2,500 feet in total bridged tap or any single bridged tap in excess of 2,000 feet) -or repeaters] ÷ (Total number of orders for xDSL-capable loops UNEs completed)	**IP** (See Above) **WCOM** (See Above	Agreed To With addition of note for excessive bridged tap (as defined by industry standards)	
55.5	Definition	Percent Loop Acceptance Test completed on or before ~~due date~~the completion date.	Wording changes agreed to at the workshop	Agreed To	
55.5	Business Rules	Loop Acceptance Test is where a SWBT Technician (Frame/Field as appropriate) is requested via an LSR to complete a Loop Acceptance Test. Loop Acceptance Test is completed on or before the completion date ~~due date~~. The SWBT Technician will contact the CLEC via the LOC. The Tech will complete a series of tests with the CLEC to ensure a good loop is delivered (ie;connectivity, meets xDSL	Wording changes agreed to at the workshop	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		parameters).			
55.5 AT&T Proposal	Disaggregation	• IDSL Loops • DSL Loops with Line Sharing • DSL Loops without Line Sharing • DSL Loops with Line Splitting	**AT&T** Provided that this measure is retained, a disaggregation should be added for line splitting. See comments regarding PM 55.1 above.	**SWBT** See 55.3 Definition on proposed elimination of this measure. See SWBT Line Splitting verbiage under the 55.1 Disaggregation proposal. **IP** IP supports AT&T's proposal. **WCOM** WCOM supports AT&T's proposal.	*See supra*, PM 55.1.
56 SWBT Proposal	Measurement Type	Tier 1 – ~~None~~High Tier 2 - ~~None~~High	**SWBT** See PM 28 SWBT agreed with AT& T's proposal - see PM 28	**CLEC Coalition** Same comment as for PM 28. **AT&T** As with PMs 28 and 29 for POTS and specials, AT&T submits that this measure of percent within customer requested due date, implemented correctly, should be the more valuable than the missed due date measure in terms of assessing the customer and competitive impact of SWBT's performance. However, AT&T also has some concerns with the stability of SWBT's	*See supra*, PM 28.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
				implementation of PM 56. Accordingly, AT&T recommends that both measures be retained, at least for another review cycle, and that both be subject to Tier 1 High/Tier 2 High damages, provided that SWBT would only pay on one of the two measurements (the one with the higher calculated damages) if it reports a violation of both measurements within a single reporting category for a CLEC or for CLECs in the aggregate. This step should provide data to support a considered judgment at a future review as to whether both measures, or only one, should be retained. Meanwhile, SWBT will have been protected against any "double penalties."	
56 AT&T WCOM Proposal	Disaggregation and Benchmarks	• UNEs contained in the UNE price schedule, and/or agreed to by parties • DSL loops with Line Sharing • DSL loops with no Line Sharing • DSL loops with Line Splitting • Broadband service product	AT&T See comments in support of line splitting disaggregation and benchmark proposals under PM 55.1 **WCOM** UNE Loops with line splitting is a requirement in	**SWBT** See SWBT Line Splitting verbiage under the 55.1 Disaggregation proposal. **IP** See IP's comments on PM 55.1.	*See supra*, PM 55.1

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		AT&T also proposes the following benchmarks for average installation intervals for line splitting orders: • Loops requiring no conditioning – 5 business days • Loops requiring conditioning – 10 business days	Texas. It is an important market entry mode and needs to be provisioned in a timely manner.		
56.1			**SWBT** See PM 28 and PM 56 SWBT agrees with AT&T's proposal.	**AT&T** PM 56.1 should be treated the same as PM 56, for the reasons set forth in AT&T's comments regarding that measure. AT&T would not object to consolidating PM 56.1 as a disaggregation under PM 56, rather than reporting it as a separate measure.	*See supra*, PM 28 and 56.
58 SWBT Proposal	Levels of Disaggregation	• UNEs contained in the UNE price schedule, and/or agreed to by parties including INP only. • DSL loops with line sharing • DSL loops with no line sharing Broadband service product • Broadband Loops with Line Sharing • Broadband Loops with No Line Sharing • Combined voice and data loops with no Line	**SWBT** Add Disaggregations for Broadband Loops and Combined voice and data.	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Sharing			

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
58 SWBT Proposal	Benchmark	Note: The following may not represent an exhaustive list of those UNEs in the UNE price schedule. The UNEs below represent those UNEs that were in place at the time of the previous 6-month review and for which the commission has approved a retail analog or benchmark for comparison purposes. Parity: Retail Comparison 1. 8.0 dB Loop with Test Access and POTS (Res./Bus FW) 8.0 dB Loop without Test Access (FW) 1a.8.0 dB Loop with Test Access and 8.0 dB Loop without Test Access (NFW) 8.0 dB Loop without Test Access (NFW) ~~115. . 2. 5.0 dB Loop with Test Access and 5.0 dB Loop without Test Access Parity with SWBT~~ VGPL 3. BRI Loop with Test Access ISDN/BRI 4. ISDN BRI Port ISDN/BRI 5. DS1 Loop with Test Access DS1 6. DS1 Dedicated Transport DS1	**SWBT** DSL Line Sharing Benchmark: Comparison to ASI is not appropriate due to differences in provisioning processes. Because ASI has chosen to provision using the YZP process and other CLECs have chosen not to use the same approach, an apples to apples comparison cannot be made. The past performance for Texas on PM 58.10 – Missed DD DSL Line Sharing – range from a high of 8.8% to a low of 1.2% with a 2001 average of 5.1%	**IP** IP agrees with AT&T in its opposition to SWBT's attempt to remove the parity comparison on 8db loops. As with line sharing, SWBT's rationale demonstrates the continued need for the requirement so that SWBT-created processes don't cause disparities in performance. IP disagrees with SWBT's attempt to remove the parity obligations on line sharing. As has been demonstrated on numerous occasions, SWBT should not be able to design processes that, either in intent or effect, are more favorable to its affiliate than CLECs generally and then argue that because its affiliate uses these different processes that the parity comparison should be taken away. Instead, it is the parity comparison that has provided the Commission with objective evidence that previously articulated CLEC concerns about SWBT product policies were accurate and are hurting CLECs in the	The Commission agrees with AT&T that the parity comparison for 8 dB loop with SWBT's retail POTs is appropriate and consistent with the Act. Holding SWBT to a parity standard provides the right incentive for SWBT to manage its wholesale support of 8 dB loop UNEs in a way that is on par with the support it provides to its retail operations, in terms of timeliness and quality of provisioning and maintenance. However, in line sharing arrangements, the provisioning and maintenance performances are compared to performance delivered to SWBT's Affiliate, ASI. The Commission recognizes the differences in ordering and provisioning processes used by the CLECs and ASI. The YGP process used by ASI is also available for CLECs if they wish to use it. However, to the extent a CLEC uses a process other than YGP, the parity performance comparisons would be problematic. Therefore, the Commission adopts a benchmark of 1% for PM 58, percent SWBT-caused missed due dates - DSL line sharing. The Commission notes that the historical performance

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		7. Subtending Channel (23B and 1D) DDS ~~8. Subtending Channel (1D) DDS~~ ~~9~~8. Analog Trunk Port VGPL 9. Analog Line Port VGPL 10. Subtending Digital Direct Combination Trunks VGPL 11. DS3 ~~Dedicated Transport~~Loop DS3 12. Dark Fiber DS3 13. DSL Loops – Line Sharing ~~Parity with ASI Benchmark:~~ 5% 14. DSL Loops – Non-Line Sharing - 5%, (No critical z-value applies) 15. Broadband DSL – Line Sharing Parity with ASI or SWBT retail 16. Broadband DSL – No Line Sharing 5% (Critical z-value does not apply) 17. Combined voice and data – No Line Sharing 5% (Critical z-value does not apply) 18. INP POTS (Res/Bus NFW) 19. OCN Loops Diagnostic		marketplace. IP also has concerns regarding DS3 transport. IP agrees with SWBT that it needs to start reporting information on DS3 Loops. IP, however, questions why reporting on DS3 Dedicated Transport would be removed to accommodate the new DS3 Loop disaggregation proposed by SWBT. **WCOM** WCOM supports AT&T and IP. **AT&T** SWBT's proposals to abandon the parity standard for 8 dB loops and line sharing, like its proposal to abandon the parity standard for UNE-P provisioning, is contrary to the Act and should be rejected. This Commission long has held SWBT to a parity standard for provisioning and maintenance of 8 dB UNE loops, with its POTS retail service (or, specifically, its POTS retail business service, in the case of maintenance	data for six months beginning February through July of 2002, reflects that SWBT's performance has shown improvement. SWBT's performance ranged from 0.5% to 1.7%, with an average of 0.85%. Thus, a benchmark of 1% provides CLECs a reasonable opportunity to compete. The Commission also finds that DS3 loops be compared to DS3, and DS3 transport be compared to SWBT's provisioning of DS3 at retail.

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				measures) providing the point of reference for the parity comparison. That requirement flows directly from the Act's requirement that an ILEC provide access to UNEs on a nondiscriminatory basis, for a simple reason: the 8 dB loops ordered by CLECs on an unbundled basis (primarily to serve business customers) are the very same loops used by SWBT to serve its POTS business customers, and CLECs using those 8 dB loops must compete directly against SWBT's retail POTS business service. Holding SWBT to a parity standard provides the right incentive for SWBT to manage its wholesale support of 8 dB UNEs in a way that is on a par with the support it provides to its retail operations, in terms of timeliness and quality or provisioning and maintenance. Decisions about how to manage UNEs (what systems to inventory them in, how to wire them within the central office, what M & Ps to adopt, etc.), all are	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
				committed to SWBT's individual business judgment, so long as the outcome is that CLECs receive the same quality of support that SWBT's retail operations receive. If SWBT elects to manage UNEs differently, it does so at its own risk. However, the parity standard serves to avoid involving the Commission and CLECs in micro-managing SWBT's wholesale operations, instead holding SWBT to a clear, outcome-based standard – do as well for CLECs as you do for your retail operations. That critical standard is required by the Act, wherever a fair retail analogy is available, as it plainly is here. SWBT has not and cannot show a basis for abandoning it. In addition, SWBT's concern for the additional termination points associated with UNE loops rings hollow. SWBT has repeatedly belittled the suggestion that larger numbers of additional termination points associated with its	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
				Byzantine proposals to have CLECs combine their own UNE-P circuits at remote locations might have any adverse impact on service, as a result of introducing added points of failure. Finally, SWBT's proposed benchmarks would open the door to an order of magnitude service degradation for CLECs. SWBT currently reports a no field work missed due date rate of approximately 0.5% for both its retail operations and CLEC 8 dB loops (no field work accounts for the great majority of CLEC orders). PM 58-02. Under SWBT's proposal, the field work/no field work distinction would disappear, and all CLEC orders would be subject to a 5% benchmark. SWBT could be expected to maintain its retail service missed due date rate for no field work orders at around 0.5%, yet it would have the latitude to miss up to 5% of CLEC 8 dB loop due dates. SWBT's proposal allows it to miss the due date for 1	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
				out of 20 CLEC customers, while missing 1 out of 200 due dates for its retail operations. Plainly, this proposal should be rejected. SWBT's line sharing proposal should be rejected for the same reason. Again, the HFPL ordered by CLECs is the same "portion" of the same 8 dB loops ordered by line sharing CLECs. The parity comparison provides the right incentive for SWBT to manage its line sharing processes in a way that provides the same timeliness and quality to CLECs as to ASI. Benchmarks will provide SWBT the opportunity to deliver increasingly favorable support to ASI, without consequence.	
58 AT&T WCOM Proposal	Disaggregation and Benchmark	• UNEs contained in the UNE price schedule, and/or agreed to by parties • DSL loops with Line Sharing • DSL loops with no Line Sharing • DSL loops with Line Splitting • Broadband service product AT&T proposes a benchmark of	**AT&T** *See* comments in support of AT&T line splitting disaggregation and benchmark proposals under PM 55.1 **WCOM** UNE Loops with line splitting is a requirement in	**SWBT** See SWBT Line Splitting verbiage under the 55.1 Disaggregation proposal. **IP** IP agrees with AT&T with regard to the adding of this disaggregation but supports the benchmark being parity	*See supra*, PM 55.1

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		5% missed due dates for DSL loops with line splitting.	Texas. It is an important market entry mode.	with ASI line sharing for the reasons stated in connection with PM 55.1.	
59 SWBT Proposal	Exclusions	• Specials and Interconnection Trunks. • ~~Excludes~~ UNE Combos captured in the POTS or Specials measurements. • ~~Excludes t~~Trouble report received on the due date before service order completion. • ~~Excludes t~~Trouble tickets that are coded to Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and Informational • ~~Excludes l~~Loops without test access – BRI • ~~Excludes o~~Orders that are not N, T, or C. • ~~Excludes~~ DSL loops > 12Kf with load coils, repeaters, and/or excessive bridged tap for which the CLEC has not authorized conditioning unless coded to the Central Office. • ~~Excludes~~ PTRs as defined in PM 115 • ~~Excludes t~~Trouble reports caused by lack of digital test capabilities on 2-wire BRI and IDSL capable loops where acceptance testing is available and not selected by the CLEC.	**SWBT** In retail, circuit designs enable SWBT to make a thorough test of the circuit. With a technician in the field, remote testing capability and "loopable" devices, SWBT's able to accomplish this on nearly all retail service. Almost all UNEs have some type of test access. SWBT can easily test from the access point towards the end user, however making a thorough test of the circuit back towards the CLEC collocation site can be problematic. When the CLEC doesn't make themselves available to do cooperative/head to head/or acceptance testing on the due date of the order, and wiring issues and/or equipment problems occur, it can sometimes result in provisioning trouble reports.	Agreed To **AT&T** AT&T does not object to the additional exclusion for DS1 loop trouble reports where the CLEC has declined for its own reasons to participate in cooperative or acceptance testing. However, the discussion among the parties that preceded agreement to that exclusion raised two questions that should be addressed during the workshops. First, SWBT described a practice by which, as AT&T understood the comment, SWBT treats an order as successfully completed if SWBT seeks to contact the CLEC for acceptance or cooperative testing and is put on hold or otherwise does not receive a response within 10 minutes. SWBT asserted that this practice is supported by interconnection agreement provisions, but AT&T is unaware of any such provisions in the T2A or	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		• ~~Excludes t~~trouble reports for DSL stand alone loops caused by the lack of loop acceptance testing between CLEC and SWBT due to CLEC reasons on the due date. • UNE DS1 Loop trouble reports where CLEC chooses not to do cooperative testing or acceptance testing between CLEC and SBC due to CLEC reasons on the due date		elsewhere. AT&T seeks to have the practice and its asserted basis clarified. Further, AT&T seeks clarification of the schedule followed by SWBT in applying this practice, i.e., the hours during which SWBT may classify an order/acceptance or cooperative testing as "complete" based on a lack of response from the CLEC.	
59 SWBT Proposal	Levels of Disaggregation	• UNEs contained in the UNE price schedule, and/or agreed to by parties. • DSL loops with line Sharing • DSL loops with no line sharing Broadband service product ~~(Note Additional disaggregations may be required as necessary in the future.)~~ • Broadband loops with Line Sharing • Broadband loops with No Line Sharing • Combined voice and data loops with No Line Sharing	**SWBT** Add Disaggregations for Broadband Loops and Combined voice and data	Agreed To	
59 SWBT Proposal	Benchmark	Note: The following may not represent an exhaustive list of those UNEs in the UNE price schedule. The UNEs below	**SWBT**	**IP** See IP's comments to PM 58.	The Commission does not agree with SWBT that the YGP process necessitates establishing a benchmark comparison for

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		represent those UNEs that were in place at the time of the previous 6-month review and for which the commission has approved a retail analog or benchmark for comparison purposes. ——— Parity: Retail Comparison 1. 8.0 dB Loop with Test Access and POTS (Bus FW/NFW) 8.0 dB Loop without Test Access (FW/NFW) 2. 5.0 dB Loop with Test Access and 5.0 dB Loop without Test Access Parity with SWBT VGPL 3. BRI Loop ~~with Test Access~~ ISDN 4. ISDN BRI Port ISDN 5. DS1 Loop ~~with Test Access~~ DS1 6. DS1 Dedicated Transport DS1 7. Subtending Channel (23B and 1D) DDS ~~8. Subtending Channel (1D) DDS~~ ~~9~~8. Analog Trunk Port VGPL 9. Analog Line Port VGPL 10. Subtending Digital Direct Combination Trunks VGPL 11. DS3 ~~Dedicated Transport~~Loop DS3	In Texas past performance for PM 59.09 – Percent Trouble Reports on N, T, and C Orders Within 30 days for DSL Line Sharing ranges from a high of 7.2% and a low of 2.4% with a 12-month average of 5.1%	**AT&T** The proposal to abandon parity for 8 dB loops and line sharing should be rejected, for the reasons stated in AT&T's comments under PM 58.	trouble report performance as related to line sharing and 8 dB loops. Therefore, the Commission finds that the current parity standard for this PM shall be retained.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		12. Dark Fiber DS3 13. DSL Loops – Line Sharing ~~DSL Loops with line sharing~~5% 14. DSL Loops – No Line Sharing 6.0% (No Critical z-value applies) 15. Broadband DSL – Line Sharing Parity with ASI or SWBT Retail 16. Broadband DSL – No Line Sharing 6.0% (Critical z-value does not apply) 17. Voice-over-data – No Line Sharing 6.0% (Critical z-value does not apply) 18. INP POTS (Res/Bus NFW) 19. OCN Diagnostic			
59. AT&T Proposal	Disaggregation and Benchmark	• UNEs contained in the UNE price schedule, and/or agreed to by parties • DSL loops with Line Sharing • DSL loops with no Line Sharing • DSL loops with Line Splitting • Broadband service product AT&T proposes a benchmark of 6% I reports within 30 days for DSL loops with line splitting.	**AT&T** *See* comments in support of AT&T line splitting disaggregation and benchmark proposals under PM 55.1	**SWBT** See SWBT Line Splitting verbiage under the 55.1 Disaggregation proposal. **IP** IP agrees with AT&T with regard to the adding of this disaggregation but supports the benchmark being parity with ASI line sharing for the reasons stated in connection with PM 55.1.	*See supra*, PM 55.1
59. WCOM Proposal	Exclusions	• Specials and Interconnection Trunks. • Excludes UNE Combos captured in the POTS or Specials measurements. • Excludes trouble report received on the due date	**WCOM** This exclusion is overly broad because it does not distinguish between troubles that may be caused by the presence of load coils, repeaters and/or	Agreed To	

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		before service order completion. • Excludes trouble tickets that are coded to Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and Informational • Excludes loops without test access – BRI • Excludes orders that are not N, T, or C. • Excludes DSL loops > 12Kf with load coils, repeaters, and/or excessive bridged tap(as indicated on the loop qual) for which the CLEC has not authorized conditioning ~~unless coded to the Central Office.~~and those load coils, repeaters, and bridged taps that are determined to be the cause of trouble • Excludes PTRs as defined in PM 115 • Excludes trouble reports caused by lack of digital test capabilities on 2-wire BRI and IDSL capable loops where acceptance testing is available and not selected by the CLEC. • Excludes trouble reports for DSL stand alone loops caused by the lack of loop acceptance testing between CLEC and SWBT due to CLEC reasons on the due date.	bridged taps and those that are not. Additionally, the exclusion unfairly penalizes CLECs who relied on the SWBT provided loop qualification results when they may have been incorrect. For example, if the loop qualification results indicate that there are load coils and no other impeders, and WCOM submits the order relying on this information, only to subsequently discover trouble on the loop due to the presence of other impeders, these troubles are rightfully the responsibility of SWBT. These troubles should not be excluded. (Indeed, SBC agreed to this approach in the AIT region.)		

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
60. AT&T Proposal	Disaggregation	• UNEs contained in the UNE price schedule, and/or agreed to by parties • DSL loops with Line Sharing • DSL loops with no Line Sharing • DSL loops with Line Splitting • Broadband service product	**AT&T** See comments in support of AT&T line splitting disaggregation and benchmark proposals under PM 55.1.	**SWBT** See SWBT Line Splitting verbiage under the 55.1 Disaggregation proposal. **IP** IP agrees with AT&T with regard to the adding of this disaggregation but supports the benchmark being parity with ASI line sharing for the reasons stated in connection with PM 55.1.	*See supra*, PM 55.1.
62 SWBT Proposal	Levels of Disaggregation	• UNEs contained in the UNE price schedule, and/or agreed to by parties. • DSL loops with line Sharing • DSL loops with no line sharing Broadband service product • Broadband Loops with Line Sharing • Broadband Loops with No Line Sharing • Combined voice and data loops with no Line Sharing	**SWBT** Add Disaggregations for Broadband Loops and combined voice and data	Agreed To	
62 SWBT Proposal	Benchmark	Note: The following may not represent an exhaustive list of those UNEs in the UNE price schedule. The UNEs below represent those UNEs that were in place at the time of the previous 6-month review and for which the commission has approved a retail analog or benchmark for comparison purposes.	**SWBT**	**IP** See IP's comments to PM 58. **AT&T** The proposal to abandon parity for 8 dB loops and line sharing should be rejected, for the reasons stated in AT&T's	The historical data for three months beginning June through August of 2002 shows that SWBT has improved performance to meet the current parity requirement. The Commission finds that SWBT's differences in provisioning methodology, namely YGP, does not necessitate other than parity

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		~~———~~ Parity: Retail Comparison 1. 8.0 dB Loop with Test Access and 8.0 dB Loop without Test Access (FW) POTS (Res./Bus FW) 1a. 8.0 dB Loop with Test Access and 8.0 dB Loop without Test Access (NFW) POTS (Res./Bus NFW) – 8.0 dB Loop without Test Access (NFW) POTS (Res./Bus NFW) ~~115. 2.~~ 5.0 dB Loop ~~with Test Access and 5.0 dB Loop without Test Access Parity with SWBT~~ VGPL 3. BRI Loop ~~with Test Access~~ ISDN/BRI 4. ISDN BRI Port ISDN/BRI 5. DS1 Loop ~~with Test Access~~ DS1 6. DS1 Dedicated Transport DS1 7. Subtending Channel (23B and 1D) DDS ~~8. Subtending Channel (1D) DDS~~ ~~9~~8. Analog Trunk Port VGPL 9. Analog Line Port VGPL	For Texas past performance for PM 62.10 – Average Delay Days for SWBT Caused Missed Due Dates – the average has ranged from a low of 3.57 average delay days to a high of 15.79 average delay days. This has a 12-month average of 10.3 average delay days.	comments under PM 58.	treatment for capturing the average delay days for SWBT missed due dates.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		10. Subtending Digital Direct Combination Trunks VGPL 11. DS3 ~~Dedicated Transport~~Loop DS3 12. Dark Fiber DS3 13. DSL Loops – Line Sharing ~~DSL Loops with line sharing~~10 Days (Critical z-value does not apply) 14. DSL Loops – No Line Sharing 6.5 Days (No Critical z value applies) 15. Broadband DSL – Line Sharing Parity with ASI or SWBT Retail 16. Broadband DSL – No Line Sharing 6.5 Days (Critical z-value does not apply) 17. Combined voice and data – No Line Sharing 6.5 Days (Critical z-value does not apply) 18. OCN Loops Diagnostic			
62. AT&T Proposal	Disaggregation	• UNEs contained in the UNE price schedule, and/or agreed to by parties • DSL loops with Line Sharing • DSL loops with no Line Sharing • DSL loops with Line Splitting • Broadband service product	**AT&T** See comments in support of AT&T line splitting disaggregation and benchmark proposals under PM 55.1	**SWBT** See SWBT Line Splitting verbiage under the 55.1 Disaggregation proposal. **IP** IP agrees with AT&T with regard to the adding of this disaggregation but supports the benchmark being parity with ASI line sharing for the reasons stated in	*See supra*, PM 55.1

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
				connection with PM 55.1.	
65. AT&T Proposal	Disaggregation	• See PM 59 • DSL loops with Line Sharing • DSL loops with no Line Sharing • DSL loops with Line Splitting • Broadband service product	**AT&T** See comments in support of AT&T line splitting disaggregation and benchmark proposals under PM 55.1	**SWBT** See SWBT Line Splitting verbiage under the 55.1 Disaggregation proposal. **IP** IP agrees with AT&T with regard to the adding of this disaggregation but supports the benchmark being parity with ASI line sharing for the reasons stated in connection with PM 55.1.	***See supra***, PM 55.1
65. WCOM Proposal	Exclusions	• Specials and Interconnection Trunks. • Excludes UNE Combos captured in the POTS or Specials measurements. • Excludes trouble tickets that are coded to Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and Informational • Excludes loops without test access - BRI • Excludes DSL loops > 12Kf with load coils, repeaters, and/or excessive bridged tap (as indicated on the loop qual) for which the CLEC has not authorized conditioning and those load coils, repeaters and bridged taps are determined to be the cause of trouble. ~~Unless~~	**WCOM** Although PM 76 (Average Trunk Restoral Interval) includes the number of troubles in the restoral interval calculation, WCOM requests results on the number of troubles as a percent of the base of existing trunks, because that is a number that provides meaningful information on the quality of service (since it provides context to the number of troubles).	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		~~coded to the Central Office.~~ • Excludes PTRs as defined in PM 115 • Excludes trouble reports caused by lack of digital test capabilities on 2-wire and IDSL capable loops where acceptance testing is available and not selected by the CLEC.			
65-69 Birch Proposal	Benchmark	6. DS1 Dedicated Transport compared to retail DS1 11. DS3 Dedicated Transport compared to retail DS3 12. Dark Fiber compared to retail DS3 (See Discussion)	**BIRCH** For Maintenance and Repair of UNE Loops, the retail analogs mirror the analogs used for the Provisioning of UNE Loops. While this works for many of the Loops ordered, it does not seem to fit Loops being used as transport. For example if Birch orders strands of Dark Fiber for transport, the parity comparison for maintenance should be the repair of similar transport used by SWBT. Instead, the comparison seems to be against SWBT's retail DS3 offering. Birch would like to identify which products or services SWBT currently uses for the retail comparison for DS1s and DS3s. Adjustments to the benchmarks may be warranted depending on the	**SWBT** SWBT believes that the benchmarks currently used are the most appropriate, and provide of the best match possible in terms of type of service and level of activity. **BIRCH** Additionally, Birch would like to discuss how measurements in general are handled for determining compliance when the retail parity comparison does not have any volume (thus no reported performance for comparison purposes).	Subsequent to the filing of post-workshop comments, Commission Staff was notified by the parties that an agreement had been reached on benchmarks for DS1 Dedicated Transport, DS3 UNEs, and Dark fiber UNEs maintenance performance measures. The terms of the agreement are to change the following maintenance performance measures, associated with high speed transport services, from their existing retail parity comparison to benchmark. The appropriate changes are as follows: PM 65-06, Trouble Report Rate - DS1 Dedicated Transport, 2.0% benchmark. PM 65-12, Trouble Report Rate - DS1 Dedicated Transport & Loop, 2.0% benchmark.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			results of Birch's request.		PM 65-13, Trouble Report Rate - Dark Fiber, 2.0% benchmark. PM 65.1-06, Trouble Report Rate (Net of Install & Repeat Rpts) DS1 Dedicated Transport 2.0% 65.1-12 Trouble Report Rate (Net of Install & Repeat Rpts) DS3 Dedicated Transport & Loop, 2.0% benchmark. PM 65.1-13, Trouble Report Rate (Net of Install & Repeat Rpts) Dark Fiber, 2.0% benchmark. PM 67-06, Mean Time to Restore - DS1 Dedicated Transport – Dispatch, 4.0 hrs benchmark. PM 67-12, Mean Time to Restore - DS3 Dedicated Transport & Loop – Dispatch, 3.0 hrs benchmark. PM 67-13, Mean Time to Restore - Dark Fiber – Dispatch, 3.0 hrs benchmark. PM 67-23, Mean Time to Restore - DS1 Dedicated Transport - No Dispatch, 0.75 hrs benchmark. PM 67-30, Mean Time to Restore - DS3 Dedicated Transport & Loop - No Dispatch, 0.75 hrs benchmark.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
					PM 67-31, Mean Time to Restore - Dark Fiber - No Dispatch, 0.75 hrs benchmark. PM 69-06, % Repeat Reports - DS1 Dedicated Transport, 10% benchmark. PM 69-12, % Repeat Reports - DS3 Dedicated Transport & Loop, 10% benchmark. PM 69-13, % Repeat Reports - Dark Fiber, 10% benchmark. In addition to the benchmark discussion, SWBT verified that the DS3 loop disaggregation contains both DS3 loop and transport. SWBT stated that at present it cannot identify the difference between a DS3 ordered for transport or loop since they are identified in the same manner on the service order. Commission Staff was informed that since the monthly volumes are small and given SWBT is investigating a disaggregation for EELs which would further reduce the number of circuits in the monthly reporting of DS3, the group decided to leave the DS3 loops and DS3 transport aggregated. This PM will be monitored by the parties to determine if a disaggregation is appropriate at

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
					the next PM review. The Commission concludes that the parties agreement should be adopted.
65.1 SWBT Proposal	Exclusions	• Specials and Interconnection Trunks. • ~~Excludes~~ UNE Combos captured in the POTS or Specials measurements. • ~~Excludes~~ Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and Informational • ~~Excludes l~~Loops without test access - BRI • ~~Excludes~~ DSL loops > 12Kf with load coils, repeaters, and/or excessive bridged tap for which the CLEC has not authorized conditioning unless coded to the Central Office. • ~~Excludes~~ PTRs as defined in PM 115 • ~~Excludes t~~Trouble reports caused by lack of digital test capabilities on 2-wire and IDSL capable loops where acceptance testing is available and not selected by the CLEC. • ~~Excludes a~~Any trouble reports counted in PM 59 or PM 69. • UNE DS1 Loop trouble reports where CLEC chooses not to do cooperative testing or acceptance testing between CLEC and SBC due to CLEC	**SWBT** In retail, circuit designs enable SWBT to make a thorough test of the circuit. With a technician in the field, remote testing capability and "loopable" devices, SWBT's able to accomplish this on nearly all retail service. Almost all UNEs have some type of test access. SWBT can easily test from the access point towards the end user, however making a thorough test of the circuit back towards the CLEC collocation site can be problematic. When the CLEC doesn't make themselves available to do cooperative/head to head/or acceptance testing on the due date of the order, and wiring issues and/or equipment problems occur, it can sometimes result in provisioning trouble reports.	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		reasons on the due date.			
65.1 SWBT Proposal	Levels of Disaggregation	• See PM 59 • DSL loops with line sharing • DSL loops with no line sharing Broadband service product • Broadband Loops with Line Sharing • Broadband Loops with No Line Sharing • Combined voice and data loops with no Line Sharing	**SWBT** Add Disaggregations for Broadband Loops and Combined voice and data	Agreed To	
65.1 SWBT Proposal	Benchmark	Note: The following may not represent an exhaustive list of those UNEs in the UNE price schedule. The UNEs below represent those UNEs that were in place at the time of the previous 6-month review and for which the commission has approved a retail analog or benchmark for comparison purposes. Parity: Retail Comparison 1. 8.0 dB Loop Parity with SWBT POTS business 2. 5.0 dB Loop VGPL 3. BRI Loop ISDN 4. ISDN BRI Port ISDN 5. DS1 Loop DS1 6. DS1 Dedicated Transport DS1 7. ISDN PRI (Subtending Channel (23B and 1D) DDS 8. Analog Trunk Port VGPL 9 Analog Line Port VGPL		Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		10. Subtending Digital Direct Combination Trunks VGPL 11. DS3 Loop DS3 12. Dark Fiber DS3 13. DSL Loops – Line Sharing Parity with ASI 14. DSL Loops – No Line Sharing 3.0% (Critical z-value does not apply.) 15. Broadband DSL – Line Sharing Parity with ASI or SWBT Retail 16. Broadband DSL – No Line Sharing 3.0% (Critical z-value does not apply) 17. Combined voice and data – No Line Sharing 3.0% (Critical z-value does not apply) 18. INP POTS (Res/Bus NFW) 19. OCN Loops Diagnostic ~~See Measurement No. 59 except for~~ ~~8db loops Parity with SWBT POTS Business~~ ~~DSL Loops with Line Sharing – Parity~~ ~~DSL Loops with no Line Sharing 3.0% (critical z-value does not apply)~~ • ~~Broadband service product (Note : Additional disaggregations may be required as necessary in the future~~			
55.1. AT&T	Disaggregation	• See PM 59	**AT&T**	**SWBT**	*See supra*, PM 55.1

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
Proposal	and Benchmark	• DSL loops with Line Sharing • DSL loops with no Line Sharing • DSL loops with Line Splitting • Broadband service product AT&T proposes a benchmark trouble report rate of 3% net of installation and repeat reports for DSL loops with line splitting.	See comments in support of AT&T line splitting disaggregation and benchmark proposals under PM 55.1.	See SWBT Line Splitting verbiage under the 55.1 Disaggregation proposal. **IP** IP agrees with AT&T with regard to the adding of this disaggregation but supports the benchmark being parity with ASI line sharing for the reasons stated in connection with PM 55.1.	
65.1 WCOM Proposal	Exclusions	• Specials and Interconnection Trunks. • Excludes UNE Combos captured in the POTS or Specials measurements. • Excludes Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and Informational • Excludes loops without test access - BRI • Excludes DSL loops > 12Kf with load coils, repeaters, and/or excessive bridged tap(as indicated on the loop qual for which the CLEC has not authorized conditioning and those load coils, repeaters and bridged taps are determined to be the cause of trouble. ~~Unless coded to the Central Office~~. • Excludes PTRs as defined in PM 115 • Excludes trouble reports	**WCOM** Same comments as PM 59 exclusion	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		caused by lack of digital test capabilities on 2-wire and IDSL capable loops where acceptance testing is available and not selected by the CLEC. • Excludes any trouble reports counted in PM 59 or PM 69.			
66 SWBT Proposal	Exclusions	• Specials and Interconnection Trunks. • Excludes all ~~UNE Combinations~~ UNE-P • Excludes trouble tickets that are coded to Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and Informational	**SWBT** For clarification changing POTS UNE Combination to UNE-P throughout all measures	Agreed To	
67 SWBT Proposal	Levels of Disaggregation	• ~~See Measurement No. 59~~ • DSL loops with line sharing • DSL loops with no line sharing • ~~Broadband service product (Note: Additional disaggregations may be required as necessary in the future.[2]~~ • Broadband loops with Line Sharing • Broadband Loops with No Line Sharing • Combined voice and data with No Line Sharing • UNEs contained in the UNE price schedule, and/or agreed to by parties including INP only.	**SWBT** Add Disaggregations for Broadband Loops and Combined voice and data	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		• Also disaggregated by Dispatch/No Dispatch			
67 SWBT Proposal	Benchmark	Note: The following may not represent an exhaustive list of those UNEs in the UNE price schedule. The UNEs below represent those UNEs that were in place at the time of the previous 6-month review and for which the commission has approved a retail analog or benchmark for comparison purposes. Parity Retail Comparison 1. 8.0 dB Loop POTS (Bus) 2. 5.0 dB Loop VGPL 3. BRI Loop ISDN 4. ISDN BRI Port ISDN 5. DS1 Loop DS1 6. DS1 Dedicated Transport DS1 7. ISDN PRI (Subtending Channel (23B and 1D) DDS 8. Analog Trunk Port VGPL 9. Analog Line Port VGPL 10. Subtending Digital Direct Combination Trunks VGPL 11. DS3 Loop DS3 12. Dark Fiber DS3 13. DSL Loops – Line Sharing Parity 14. DSL Loops – No Line Sharing 9.0 Hours (Critical z-value does not apply.) 15. Broadband DSL – Line Sharing Parity with ASI or SWBT Retail 16. Broadband DSL – No Line	**SWBT** Clarifying wording on Benchmark. No proposed changes.	**IP** See comments relating to DS3 transport in IP's comments from PM 58. These comments should also apply to PM **AT&T** Alone among provisioning and maintenance measures, SWBT has elected not to proposed shifting PM 67 and 69 from parity to benchmark performance standards for 8 dB loops and line sharing. If 8 dB UNE loops were really likely to present more maintenance issues than those same loops when used in a SWBT retail POTS circuit configuration (which should not be the case, but is one basis for SWBT's suggestions to switch to benchmarks elsewhere), then what is the justification for a different approach to mean time to restore and repeat reports? This opportunistic proposed application of benchmark and parity standards is but one more reason to reject SWBT's	The Commission finds that the parity comparisons proposed by SWBT are appropriate with the exception of those for the disaggregations related to high capacity DS1, DS3 and dark fiber, for which the parties have agreed to benchmarks. *See supra* PMs 65-69.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Sharing 9.0 Hours (Critical z-value does not apply) 17. Combined voice and data – No Line Sharing 9.0 Hours (Critical z-value does not apply) 18. INP POTS (Res/Bus NFW) 19.. OCN Diagnostic ~~See Measurement No. 59~~ ~~DSL Loops with Line Sharing – Parity~~ ~~DSL Loops with no Line Sharing – 9.0 hours (critical z-value does not apply)~~ • ~~Broadband service product (Note : Additional disaggregations may be required as necessary in the future~~		proposals elsewhere to abandon the parity standard for 8 dB loops and line sharing.	
67 AT&T Proposal	Disaggregation and Benchmark	• See PM 59 • DSL loops with Line Sharing • DSL loops with no Line Sharing • DSL loops with Line Splitting • Broadband service product • UNEs contained in the UNE price schedule, and/or agreed to by parties • Also disaggregated by Dispatch/No Dispatch AT&T proposes a benchmark of 9 hours MTTR for DSL loops with line splitting.	**AT&T** See comments in support of AT&T line splitting disaggregation and benchmark proposals under PM 55.1	**SWBT** See SWBT Line Splitting verbiage under the 55.1 Disaggregation proposal. **IP** IP agrees with AT&T with regard to the adding of this disaggregation but supports the benchmark being parity with ASI line sharing for the reasons stated in connection with PM 55.1.	*See supra*, PM 55.1

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
67 WCOM Proposal	Exclusion	• Specials and Interconnection Trunks. • Excludes UNE Combos captured in the POTS or Specials measurements. • Excludes Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and Informational • Excludes loops without test access – BRI • Excludes DSL loops > 12Kf with load coils, repeaters, and/or excessive bridged tap (as indicated on the loop qual) for which the CLEC has not authorized conditioning and those load coils, repeaters and bridged taps are determined to be the cause of trouble ~~unless coded to the Central Office.~~ • Excludes PTRs as defined in PM 115.1 • Excludes trouble reports caused by lack of digital test capabilities on 2-wire and IDSL capable loops where acceptance testing is available and not selected by the CLEC	**WCOM** Same comments as PM 59 exclusion	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
67 Birch Question	Reporting Issue		**BIRCH** In its review of maintenance and repair measurements, Birch discovered some peculiar performance measurement results with respect to facilities-based repair intervals. SWBT does not report the total time a repair ticket is opened for repair associated with UNE-Loops. Rather, SWBT calculates a subset of the total duration and deems that time as "Responsible Duration." (See Attachment 3, an actual SWBT Trouble Report for a Birch T-1). In the example attached, SWBT reported its "Responsible Duration" time as "one minute" for a Birch customer whose T-1 was out of service for a couple days. This calculation seems to weigh heavily in SWBT's favor for Performance Measurement purposes, especially in a measurement reported as an average. Additionally, the number that is reported by SWBT as its "Responsible Duration" excludes some very critical timeframes. As depicted in Attachment 4, the "Responsible Duration" number excludes the time	**SWBT** SWBT is not using Responsible Duration on this measure. Actual Duration is used. Neither Responsible Duration nor Actual Duration excludes the time when the trouble ticket is first reported until the time that SWBT dispatches a technician. The Actual Duration is the lapsed time from Received Date & Time to the Restored/Cleared Data & Time, minus any No Access or Delayed Maintenance time. SWBT recognizes that we need to update the detail history files to reflect the Actual Duration figures, not the Responsible Duration figures that are currently being provided. SWBT has verified that the numbers being used in the calculations are the Actual Duration, for this PM. **AT&T** AT&T shares Birch's concerns about this issue. The informal discussions among SWBT and the CLECs have not resolved	Birch and SWBT shall provide the Commission with a status report on or before November 1, 2002, so that the Commission may determine whether further action is necessary. If the reported data needs to be reconciled, the parties shall be do so in advance of the status report or will include the timeline for concluding such reconciliation in the report.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			when the trouble ticket is first reported until the time at which SWBT decides to dispatch a technician in to a Central Office or out to the customer premise. Further, the way in which SWBT calculates this "Responsible Duration" appears to deviate significantly from the Business Rule associated with PM 67, which only allows the exclusion of no access time and delayed maintenance. SWBT's use of "Responsible Duration" is compounded even further in the repair of DSL Loops for which a benchmark of 9 hours was established. This means that for DSL Loops, SWBT is currently allowed to be actually working a repair ticket for 9 hours on average (because the only "Responsible" time is when SWBT is actually working the repair). Birch recommends that SWBT be required to explain its calculation of "Responsible Duration" and prove that such calculation conforms to the Business	the apparent discrepancy between SWBT's assertion that it does not use Responsible Duration for this measure and the data reported by Birch. AT&T supports moving this issue to the joint matrix of issues for further examination during the workshops, with the objective of arriving at a fair understanding of how and when SWBT is implementing the start and stop clocks on this measure and supplementing the business rules as appropriate to define and limit the use of Responsible Duration.	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Rule.			
69 SWBT Proposal	Levels of Disaggregation	• UNEs contained in the UNE price schedule, and/or agreed to by parties. • DSL loops with line sharing • DSL loops with no line sharing ~~Broadband Service Product~~ • Broadband Loops with Line Sharing • Broadband Loops with No Line Sharing • Combined voice and data with No Line Sharing	**SWBT** Add Disaggregations for Broadband Loops and combined voice and data.	Agree To	
69 SWBT Proposal	Benchmark	Note: The following may not represent an exhaustive list of those UNEs in the UNE price schedule. The UNEs below represent those UNEs that were in place at the time of the previous 6-month review and for which the commission has approved a retail analog or benchmark for comparison purposes. Parity Retail Comparison 1. 8.0 dB Loop POTS (Bus) 2. 5.0 dB Loop VGPL	**SWBT** Clarifying wording on Benchmark. No proposed changes.	Agreed To **AT&T** Alone among provisioning and maintenance measures, SWBT has elected not to proposed shifting PM 67 and 69 from parity to benchmark performance standards for 8 dB loops and line sharing. If 8 dB UNE loops were really likely to present more maintenance issues than	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		3. BRI Loop ISDN 4. ISDN BRI Port ISDN 5. DS1 Loop DS1 6. DS1 Dedicated Transport DS1 7. ISDN PRI (Subtending Channel (23B and 1D) DDS 8. Analog Trunk Port VGPL 9 Analog Line Port VGPL 10. Subtending Digital Direct Combination Trunks VGPL 11. DS3 Loop DS3 12. Dark Fiber DS3 13. DSL Loops – Line Sharing DSL Loops with line sharing 14. DSL Loops – No Line Sharing 12.0% (Critical z-value does not apply.) 15. Broadband DSL – Line Sharing Parity with ASI or SWBT Retail 16. Broadband DSL – No Line Sharing 12.0% (Critical z-value does not apply) 17. Combined voice and data – No Line Sharing 12.0% (Critical z-value does not apply) 18. INP POTS (Res/Bus NFW) 19. OCN Loops Diagnostic ~~See Measurement No. 59~~ ~~8db loops Parity with SWBT POTS Business~~ ~~DSL Loops with Line Sharing Parity~~ ~~DSL Loops with no Line Sharing 12.0% (Critical z-value does not apply)~~ ~~Broadband service product (Note : Additional disaggregations may be~~		those same loops when used in a SWBT retail POTS circuit configuration (which should not be the case, but is one basis for SWBT's suggestions to switch to benchmarks elsewhere), then what is the justification for a different approach to mean time to restore and repeat reports? This opportunistic proposed application of benchmark and parity standards is but one more reason to reject SWBT's proposals elsewhere to abandon the parity standard for 8 dB loops and line sharing.	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		~~required as necessary in the future~~			
69 AT&T Proposal	Disaggregation and Benchmark	UNEs contained in the UNE price schedule, and/or agreed to by parties • DSL loops with Line Sharing • DSL loops with no Line Sharing • DSL loops with Line Splitting • Broadband service product AT&T proposes a benchmark of 12% repeat reports for DSL loops with line splitting.	**AT&T** See comments in support of AT&T line splitting disaggregation and benchmark proposals under PM 55.1	**SWBT** See SWBT Line Splitting verbiage under the 55.1 Disaggregation proposal. **IP** IP agrees with AT&T with regard to the adding of this disaggregation but supports the benchmark being parity with ASI line sharing for the reasons stated in connection with PM 55.1.	*See supra*, PM 55.1
69 WCOM Proposal	Exclusions	• Specials and Interconnection Trunks. • Excludes UNE Combos captured in the POTS or Specials measurements. • Excludes trouble tickets that are coded to Customer Premise Equipment, Interexchange Carrier/Competitive Access Provider, and Informational • Excludes loops without test access – BRI • Excludes DSL loops > 12Kf with load coils, repeaters, and/or excessive bridged tap (as indicated on the loop qual) for which the CLEC has not authorized conditioning and those load coils, repeaters and bridged taps are determined to be the cause of trouble~~unless~~	**WCOM** Same comments as PM 59 exclusion	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		~~coded to the Central Office.~~ • Excludes trouble reports caused by lack of digital test capabilities on 2-wire and IDSL capable loops where acceptance testing is available and not selected by the CLEC.			
69 WCOM Proposal	Benchmark	See Measurement No. 59 8db loops – Parity with SWBT POTS Business DSL Loops with Line Sharing – Parity DSL Loops with no Line Sharing – ~~12.09.0~~% (Critical z-value does not apply) Broadband service product (Note: Additional disaggregations may be required as necessary in the future	**WCOM** To allow 12% of the customers who have already had problems on their DSL line to suffer a second outage is too generous, especially when the trouble is SWBT's fault. 5% is a more reasonable benchmark. 9% agreed to at workshop	Agreed To	
70.1 SWBT Proposal		Delete PM	**SWBT** The data in PM70.1 is a subset of PM70 and should therefore be rolled in with PM70. This is consistent with how other measures report the same type of data	Agreed To	
73.1 AT&T Proposal	Business Rule	The Customer Desired Due Date or the 21st business day after the interconnection trunk order is received by SWBT, whichever is greater, starts the clock. The Completion Date is the day that SWBT personnel complete the service order activity and it is accepted by the CLEC, which stops the clock. The data is collected at a circuit level.	**AT&T** SWBT initially proposed to delete PM 73.1 during this review, asserting that it was redundant with the data collected under PM 73 or 74. SWBT confirmed, in response to CLEC questions about this proposal, that it implemented PM 73.1 to capture only those orders that	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Interconnection trunks are selected based on a specific service code off of the circuit ID. The number of Held Orders is to be calculated by counting the number of orders that are in held status as of the end of the reporting month. An order is no longer in held status once it is completed. This measure captures orders that are currently in held status as of month-end, not orders that were completed during the month that may have been in held status prior to completion (data related to missed due dates and delay days is captured separately in PMs 73 and 74). The Denominator will be completed orders plus held orders.	had been completed during a reported month, after previously being in a held status. SWBT has withdrawn its proposal to delete the measure, but the discussion made clear that PM 73.1, as implemented, is not providing any information about orders that are currently in held status. AT&T submits that implementing PM 73.1 in this fashion was contrary to this Commission's intent and understanding when it required that this measurement be added, during the end stages of SWBT's Texas state 271 proceedings. The very purpose of adding 73.1 was to fill an acknowledged gap in the then existing interconnection trunk measures – the fact that capacity shortages in a central office might result in all trunking orders being placed in held status, yet no measurement captured held orders. *See, e.g.*, Open Meeting Tr. at 28 (Dec. 16, 1999) (Mr. Srinivasa describing SWBT's agreement to add PM 73.1 because the existing		

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			interconnection trunk measures – specifically including PM 70, 73, 78, and one inaudible reference) – did not capture held orders. The reason that PM 73 and 74 particularly do not capture held orders is because they are calculated on the basis of completed orders. Until an order is completed, it is not captured in the missed due date or average delay days measures. Thus, an order that is in extended held status is not captured under PM 73 or 74, so long as it remains in that status. For SWBT to have implemented PM 73.1 on the basis of completed orders was directly contrary to the purpose for which the measure was created, and it undermines the reliance that the Commission and the FCC placed on the data reported under that measurement in the federal 271 proceedings that followed. The reference to completed orders within the business rule for PM 73.1 is not to the contrary. Of course, the "clock stops" when an order is completed; at that point, it		

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			should no longer be in the count of held orders. SWBT should be required to report the PM as originally intended – capturing the number of orders in held status at the end of each month. The appropriate response for SWBT's failure to do so to date can be the subject of further consideration during the workshops or in a separate appropriate forum.		
76 AT&T Proposal		Tier 1 - ~~Low~~Med Tier 2 - ~~None~~Med	**AT&T** SWBT previously proposed to delete PM 77 as part of this review. AT&T agrees that it would be appropriate to delete PM 77 in the interest of culling out measures that provided limited information, but only if the remaining measure of trunk maintenance timeliness (PM 76) is subject to appropriate remedies. All other mean time to restore measures are classified Tier 1 High/Tier 2 High, as was PM 77. If that measure is to be deleted, then the average restoration interval for trunk repairs (PM 76) also should by Tier 1 High/Tier 2 High. The connection between	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			SWBT's failure to timely work trunk repair orders and the measurement of trunk blockage (PM70) is far too remote to provide any meaningful incentive for timely repair, so, contrary to SWBT's suggestion, PM 70 does not supplant the need for measuring trunk restoration interval and subjecting it to appropriate monetary sanctions. Change to Med and Med at workshop		
77 AT&T Proposal		Delete PM	See notes for PM 76	Agreed To	
93. AT&T Proposal and CLEC Coalition Proposal	Benchmark	96.5%, critical z-value does not apply~~ies~~	**AT&T** If this measurement is retained, the critical z-value should not apply, consistent with the quantity of data that has been reported under this measurement and this Commission's consistent practice to eliminate the critical z-value cushion when ample experience is available to evaluate the benchmark. to this measure. The benchmark provides an adequate margin for SWBT to deliver nondiscriminatory performance.	Agreed To	
96. AT&T Proposal	Benchmark	≤ 2% premature disconnects. Critical z-value does not apply~~ies~~.	**AT&T** The critical z-value should no	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			longer apply to this measurement, consistent with the quantity of data that has been reported and this Commission's consistent practice to eliminate the critical z-value cushion when ample experience is available to evaluate the benchmark. to this measure. The benchmark provides an adequate margin for SWBT to deliver nondiscriminatory performance.		
97. AT&T Proposal	Benchmark	96.5%. Critical z-value does not apply~~ies~~.	**AT&T** If this measure is retained, the critical z-value should no longer apply, consistent with the quantity of data that has been reported under this measurement and this Commission's consistent practice to eliminate the critical z-value cushion when ample experience is available to evaluate the benchmark. To this measure. The benchmark provides an adequate margin for SWBT to deliver nondiscriminatory performance.	Agreed To	
99 CLEC Coalition Proposal	Calculation	Σ(Stand Alone LNP Completion Date–Stand Alone LNP Order due date) ÷ # total Stand Alone LNP Orders where there was a SWBT caused missed due date~~* 100~~	**CLEC Coalition** Eliminate * 100 in calculation. Will accurately reflect that metric is an average and not a percentage	Agreed to	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
103 SWBT Proposal		Delete PM	**SWBT** The data required to calculate this measurement must be provided by the CLEC based on the compare file. The CLEC must provide the number of records transmitted and the errors found. The errors are then sent to the SBC DIU for correction. To date, no CLEC has challenged the accuracy of the update by providing any erred records. Thus, SWBT is recommending this measurement be deleted.	Agreed To	
107 SWBT Proposal	Exclusions	• Exclude any applications rejected for non-payment within the times requested under tariff • Exclude if the CLEC has not submitted their second fifty percent (50%) payment prior to the due date, SBC-SWBT will exclude the job from reporting. • ~~.None~~	**SWBT** SWBT should not be held accountable for performance on collocations where CLECs have not met their tariff payment obligations Additional exclusion added from call on July 18th	Agreed to	
107 SWBT Proposal	Levels of Disaggregation	• New • Augments Note (All Approved types, e.g. Cages, Cageless, etc. are now included in these) ~~Physical~~ ~~Caged~~ ~~Shared Caged~~	**SWBT** There is insufficient data for most types of collocation to warrant all of these disaggregations. Many disaggregations have nothing to report month after month. A better measure of	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		~~Caged Common~~ ~~Cageless~~ ~~Adjacent On-site~~ ~~Adjacent Off-site~~ ~~Augments to Physical Collocation~~ ~~Virtual~~ ~~Augments to Virtual~~.	performance can be established by rolling all of the disaggregations up into one. Finally, performance has been outstanding.		
107 IP Proposal AT&T Proposal	Business Rules	The clock starts when SWBT receives, in compliance with the approved tariff, ~~payment and~~ return of proposed layout for space as specified in the application form from the CLEC However, for purposes of this measure, once SWBT provides a quote to a CLEC, the application is deemed to be in compliance with the approved Tariff. ~~and t~~The clock stops when the CLEC receives notice in writing or other method agreed to by the parties that the collocation arrangement is complete and ready for CLEC occupancy, and CLEC receives CFA/APOT information.~~ The CLEC will then have 5 business days to accept or not accept the collocation space.~~ If the CLEC does not accept the collocation space because the space is not complete and ready for occupancy as specified, and notifies SWBT of such within 5 business days, the collocation will be considered not complete and the time frame required for the CLEC to reject the collocation space (up to 5 business	**IP** IP proposes a series of modifications to make the reported data for collocation more closely align with reality. The current language of the collocation business rules appears to include a number of unintended loopholes. IP's proposes revisions to the business rules to more closely track what IP believes to have been the Commission's intent behind these measures. In addition to those changes, IP proposes an increase in the benchmark on PM 109, disaggregation by CLEC in PM 108, and an increase in the Measurement Type in PMs 108 and 109.	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		days) and any additional time required for SWBT to complete the space per the specifications will be counted as part of the interval. Any time exceeding the 5 business days will not be counted as part of the interval. Due Date Extensions will be extended when mutually agreed to by SWBT and the CLEC, or when a CLEC fails to complete work items for which they are responsible in the allotted time frame. However, a due date extension resulting from SWBT notification that it will not meet the required interval, will not be considered a change in the due date for purpose of this measure. Moreover, any change in due date requested by SWBT for whatever reason will not be considered to be a change in due date for purpose of this measure. A CLEC-requested ~~The~~ extended due date will be calculated by adding to the original due date the number of calendar days that the CLEC was late in performing said work items. Work items include but are not limited to: • CLEC return to SWBT corrected and complete floor plan drawings. • CLEC placement of required component(s). If the business rules and tariff are inconsistent, the terms of the tariff			

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		will apply~~.~~ If inconsistencies are identified, SWBT will bring these forward for discussion at the next 6-month review.			
108 SWBT Proposal	Levels of Disaggregation	• New • Augments Note: (All previous types, e.g. Cages, Cageless, etc. are now included in these) ~~Physical~~ ~~Caged~~ ~~Shared Caged~~ ~~Caged Common~~ ~~Cageless~~ ~~Adjacent On-site~~ ~~Adjacent Off-site~~ ~~Augments to Physical Collocation~~ ~~Virtual~~ ~~Augments to Virtual~~	**SWBT**	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
108 IP Proposal	Exclusions	See Measurement No. 107~~None~~	**IP** IP proposes a series of modifications to make the reported data for collocation more closely align with reality. The current language of the collocation business rules appears to include a number of unintended loopholes. IP's proposes revisions to the business rules to more closely track what IP believes to have been the Commission's intent behind these measures. In addition to those changes, IP proposes an increase in the benchmark on PM 109, disaggregation by CLEC in PM 108, and an increase in the Measurement Type in PMs 108 and 109.	Agreed To	
109 IP Proposal	Measurement Type	• Tier 1 –Medium~~Low~~ • Tier 2 – None	**IP** (See Above)	Agreed To	
109 IP Proposal	Benchmark	95~~90~~% within the tariff timeline. Critical z-value does not apply.	**IP** (See Above)	Agreed To	
109 SWBT Proposal	Levels of Disaggregation	New Augments Note (All approved types, e.g. Cages, Cageless, etc. are now included in these) ~~Physical~~	**SWBT** Insufficient data for most types of collocation to warrant all of these disaggregations. Many disaggregations have nothing	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		~~Caged~~ ~~Shared Caged~~ ~~Caged Common~~ ~~Cageless~~ ~~Adjacent On-site~~ ~~Adjacent Off-site~~ ~~Augments to Physical Collocation~~ ~~Virtual~~ ~~Augments to Virtual~~	to report month after month. A better measure of performance can be established by rolling all of the disaggregations up into one. Finally, performance has been outstanding.		
112 SWBT Proposal		Delete PM	**SWBT** Percent Database Accuracy for Manual Updates has a benchmark of 97% and, with the exception of July 2001 data for Arkansas at 97.63%, the results have consistently been 100% for each month in each state. Since this is a CLEC self-reporting measure, data required to calculate this measure must be provided by the CLECs. SWBT has not received any electronic files from the CLECs to investigate any inaccuracies of manual updates, therefore, SWBT proposes elimination of the measure.	Agreed To	
113. AT&T Proposal	Benchmark	97%, critical z-value does not apply~~ies~~	**AT&T** The critical z-value should no longer apply to this measurement, consistent with the quantity of data that has been reported and this Commission's consistent practice to eliminate the	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			critical z-value cushion when ample experience is available to evaluate the benchmark. to this measure. The benchmark provides an adequate margin for SWBT to deliver nondiscriminatory performance.		
114.1 SWBT Proposal	Exclusions	CHC/FDT LNP with Loop with greater than 24 loops (including multiple LSRs totaling 25 or more lines to the same customer premise on the due date). CLEC caused delays (e.g., no dial tone from CLEC: CLEC translations) that do not allow SWBT the opportunity to complete CHC/FDT LNP with Loop within the designated interval. ~~IDLC (pair gain systems) identified on or before the due date. (Thirty calendar days after the filing of the IDLC Report as required in the Business Rule, the IDLC exclusion shall be considered deleted.)~~	**SWBT** IDLC exclusion was eliminated in the 3rd qtr., 2002 through the order of Version 2.0 Business Rules.	Agreed To	
114.1 SWBT Proposal	Business Rules	The start time is at the direction of the CLEC and based on a negotiated and scheduled time for coordinated hot cut orders (CHC) and on the frame due time for frame due time (FDT). For CHC orders, the clock starts when the CLEC calls the SWBT LOC to start the conversion, and ends when the SWBT technician	**SWBT** Eliminate note regarding IDLC reporting..	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		completes the cross connect to the CLEC facilities and has called the CLEC to notify that the cut-over has been completed. For FDT orders, the clock starts at the frame due time and ends when the SWBT technician completes the cross connect to the CLEC facilities. This measurement only includes Coordinated Hot Cuts and Frame Due Time with 1-24 loops. A conversion with 25 or more lines (including multiple orders totaling 25 or more lines to the same customer premise on the same due date) is considered a project and is negotiated with the CLEC at the time of conversion. ~~On or before June 30, 2001, SWBT and the CLECs shall file with the Commission a report regarding the collaborative efforts to define, test, and implement a process to handle conversions when IDLC situations occur (the IDLC Report);~~			
114.1 AT&T Proposal	Disaggregation	• CHC LNP with loop o 1 – 10 lines o 11 – 24 lines <u>LNP with DSL compatible loop</u> • FDT (Diagnostic) LNP with loop o 1 – 10 lines o 11 – 24 lines	**AT&T** AT&T understands that SWBT has agreed to add a disaggregation for DSL-capable loops with LNP to 114, 114.1, 115, 115.1, and 115.2 (subject to any revisions to the set of coordinated conversion measurements). That disaggregation would satisfy AT&T's proposal. The specific language for the	Agreed to	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			disaggregation may be confirmed during the workshops. **SWBT** SWBT will agree to proposal with verbiage below. LNP with DSL compatible loop		
114.2 SWBT Proposal	Measurement	CHC/FDT for ~~DSL Loops and~~ Line Sharing and Line Splitting	**SWBT** Change the placeholder to provide for Line sharing and Line splitting	Agreed To	
114.2 AT&T Proposal	Disaggregation	• CHC/FDT for DSL Loops and Line Sharing • CHC/FDT for DSL Loops and Line Splitting	**AT&T** Adding disaggregations for line splitting has been postponed in previous reviews. AT&T is now utilizing line splitting in Texas, and requests the inclusion of this disaggregation	Agreed To	
115. AT&T Proposal	Disaggregation	• CHC and FDT (LNP with Loop) • **CHC and FDT (LNP with DSL compatible loop**	**AT&T** AT&T understands that SWBT has agreed to add a disaggregation for DSL-capable loops with LNP to 114, 114.1, 115, 115.1, and 115.2 (subject to any revisions to the set of coordinated conversion measurements). That disaggregation would satisfy AT&T's proposal. The specific language for the disaggregation may be confirmed during the	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			workshops. **SWBT** SWBT will agree to the proposal utilizing the verbiage below. **CHC and FDT (LNP with DSL compatible loop**		
115.1 SWBT Proposal	Measurement	Percentage of Provisioning Trouble Report (PTR) completed in < 8 operational hours	**SWBT** Clarify definition of business rules and calculation to reflect an appropriate measure of business hours versus calendar hours. SWBT's intention for restoral period was 8 operational hours, which is consistent with other repair measurements that have time frames. 8 operational hours as a time frame measurement is not consistent with any other measurement.	Agreed to	
115.1 SWBT Proposal	Exclusions	Excludes Non-measured reports (CPE, Interexchange, and Information reports.) Excludes no access to the end user's location. Reports for which the trouble is attributable to the SWBT network (unless SWBT had knowledge of	**SWBT** IDLC exclusion was eliminated in the 3rd qtr., 2002 through the order of Version 2.0 Business Rules.	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		the trouble report prior to the due date) ~~IDLC (pair gain systems) identified on or before the due date. (Thirty calendar days after the filing of the IDLC Report as required in the Business Rule, the IDLC exclusion shall be considered deleted.)~~			
115.1 SWBT Proposal	Business Rules	The start time is when the report is received. The stop time is when the report is cleared. ~~On or before June 30, 2001, SWBT and the CLECs shall file with the Commission a report regarding the collaborative efforts to define, test, and implement a process to handle conversions when IDLC situations occur (the IDLC Report).~~	**SWBT** A process for provisioning and capturing IDLC situations in the CHC measurements has been implemented.	Agreed To	
115.1. AT&T Proposal	Disaggregation	• CHC for 2 wire loop • CHC for LNP with DSL Compatible Loops • FDT for 2 wire loop • FDT for LNP with DSL Compatible Loop • ~~CHC and FDT~~	**AT&T** AT&T understands that SWBT has agreed to add a disaggregation for DSL-capable loops with LNP to 114, 114.1, 115, 115.1, and 115.2 (subject to any revisions to the set of coordinated conversion measurements). That disaggregation would satisfy AT&T's proposal. The specific language for the disaggregation may be confirmed during the workshops.	Agreed To	
115.1 SWBT Proposal	Calculation	Σ[(PTRs completed in < 8	**SWBT** Clarify definition of business	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		operational hours ÷ total PTRs.	rules and calculation to reflect an appropriate measure of business hours versus calendar hours. SWBT's intention for restoral period was 8 operational hours, which is consistent with other repair measurements that have time frames. 8 operational hours as a time frame measurement is not consistent with any other measurement.		
115.1 SWBT Proposal	Benchmark	95% < 8 operational Hours	**SWBT** Clarify definition of business rules and calculation to reflect an appropriate measure of business hours versus calendar hours. SWBT's intention for restoral period was 8 business hours, which is consistent with other repair measurements that have time frames. 8 business hours as a time frame measurement is not consistent with any other measurement.	Agreed To	
115.2. AT&T Proposal	Disaggregation	• CHC/FDT for LNP with Loop • CHC/FDT for LNP with DSL Compatible Loop~~None~~	**AT&T** AT&T understands that SWBT has agreed to add a disaggregation for DSL-capable loops with LNP to 114, 114.1, 115, 115.1, and 115.2 (subject to any revisions to the set of	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			coordinated conversion measurements). That disaggregation would satisfy AT&T's proposal. The specific language for the disaggregation may be confirmed during the workshops. **SWBT** SWBT will agree utilizing the verbiage below: • CHC/FDT for LNP with Loop • CHC/FDT for LNP with DSL compatible loop (line splitting)		
115.2. AT&T Proposal	Benchmark	~~5%~~1%	**AT&T** Much work went into creating PM 115.2 and the coordinated conversion measures that feed into it, in order to assure that PM 115.2 only captures what all parties to be genuine "outages" – unexpected service interruptions occurring during conversion of a (typically business) customer's service from SWBT to a CLEC. Nothing is potentially more damaging to a new customer relationship, and a competitive carrier's reputation, than to have business customers	**SWBT** SWBT strongly opposes any change to the benchmark on PM 115.2. This benchmark was established at the last pm review and based on SWBT's perspective is actually a combination of outages as identified in premature disconnects and provisioning trouble reports combined with a timeliness measurement as captured by the FDT timeliness inclusion. Regardless of differing positions of what constitutes an outage, the FCC was very clear on the	The Commission concurs that a reasonable benchmark for this measure is critical for a facilities-based CLEC. Based on the historical data, the Commission finds that SWBT has achieved less than 2% outages during the three of the last five months beginning April thru August 2002. Thus, the Commission finds that a benchmark of 2% is appropriate and provides facilities-based CLECs a reasonable opportunity to compete.

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			unexpectedly lose phone service as the price of converting to a competitor. Such outages must be minimized in order to provide a meaningful opportunity to engage in facilities-based competition using UNE loops. Past reviews have concentrated on getting the measurements right, so that the relevant transactions are captured. Now is time to consider the benchmark and set it at a competitively meaningful level. At present, SWBT is provided the latitude to cause an unexpected, material service interruption for 1 out of every 20 CLEC conversions. This is not a performance level that can be expected to encourage investment in this form of facilities-based competition. The inherent business risks associated with such competition are more than substantial enough, without tacking on the expectation that up to 1 in 20 customers will have a serious surprise interruption of service when they convert to a new carrier.	level of performance required for outages to produce a competitive level of service. That designated level is 5%. AT&T's proposal is not supplied by rationale, nor was any provided during informal discussions. Nor does data support this proposal.	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			In this context, SWBT's reported performance does not support continuation of the 5% benchmark. Over the 10 months that SWBT had reported PM 115.2 data as of May 2002, its reported outage rate has ranged between 1.75% and 2.74% for Texas CLECs in the aggregate. PM 115.2-01. An unexpected outage rate in excess of 2% is clearly excessive. AT&T submits that the appropriate standard to target is to hold such outages to 1% of conversions. The PM 115.2 benchmark should be reduced to 1%. (With this reduction to the 115.2 benchmark, AT&T would not oppose eliminating the separate reporting of PMs 114, 114.1 (for FDT), and 115 – the sources of the outage data reported in 115.2. Nor would it be necessary to report the different outage types as separate categories under PM 115.2, so long as the nature of outages could be determined from review of the raw data so that the parties were assured that the nature of any spike in outages		

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			could be readily determined).		
117 SWBT Proposal	Exclusions	• Requests from CLECs where no signed Interconnection Agreement exists • Requests from CLECs where their Infrastructure is not complete preventing us from performing the appropriate testing to establish the NXX • Requests by CLECs where an appropriate test number has not been provided to perform required testing to establish the NXX • ~~None~~	**SWBT** A signed Interconnection agreement is a contractual agreement that must be established between companies interfacing with each other within the network and is a Telecommunications Industry standard. If the CLEC infrastructure is not built or SWBT does not have an appropriate test number from the CLEC, it prohibits SWBT from completing the process of establishing the NXX which will ultimately prevent SWBT from meeting the due date. There is a document called the "Network Interconnection Interoperability Forum (NIIF)/Intercompany Responsibilities Within the Telecommunications Industry". This document contains verbiage from the "Central Office Code Assignment Guidelines" (COCAG) and was developed in the mid 1990s	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			at the direction of the FCC. [It is maintained by the Industry Numbering Committee (INC), which is a committee under the guidance of the Alliance for Telecommunications Industry Solutions (ATIS)]. This document identifies the requirements for establishing a CO Code/NXX and supports the exclusions.		
118 SWBT Proposal	Exclusions	• Requests from CLECs where no signed Interconnection Agreement exists • Requests from CLECs where their Infrastructure is not complete preventing us from performing the appropriate testing to establish the NXX • Requests by CLECs where an appropriate test number has not been provided to perform required testing to establish the NXX ~~None~~	**SWBT** A signed Interconnection agreement is a contractual agreement that must be established between companies interfacing with each other within the network and is a Telecommunications Industry standard. If the CLEC infrastructure is not built or SWBT does not have an appropriate test number from the CLEC, it prohibits SWBT from completing the process of establishing the NXX which will ultimately prevent SWBT from meeting the due date. There is a document called the "Network Interconnection Interoperability Forum (NIIF)/Intercompany Responsibilities Within the Telecommunications Industry". This document	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			contains verbiage from the "Central Office Code Assignment Guidelines" (COCAG) and was developed in the mid 1990s at the direction of the FCC. [It is maintained by the Industry Numbering Committee (INC), which is a committee under the guidance of the Alliance for Telecommunications Industry Solutions (ATIS)]. This document identifies the requirements for establishing a CO Code/NXX and supports the exclusions.		
120 SWBT Proposal	Definition	Percentage of Bona fide/Special requests processed and preliminary analysis or denial notices provided to the customer within 30 business days of receipt of BFR.	**SWBT** This wording was agreed to in joint discussions between SWBT and BIRCH, and has also been agreed to by the other CLECs. BIRCH also agreed to withdraw it's proposal to change the measurement type to Low/Low.	Agreed To	
120 SWBT Proposal	Business Rules	The clock starts when SWBT receives the application. The clock stops when SWBT responds with the preliminary analysis or denial notification.	**SWBT** This wording was agreed to in joint discussions between SWBT and BIRCH, and has also been agreed to by the other CLECs. BIRCH also agreed to withdraw it's proposal to change the measurement type to	Agreed To	

CHANGES/DELETIONS TO VERSION 2.0

PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
			Low/Low.		
121 SWBT Proposal	Disaggregations	~~•New Network Elements that are operational at the time of the request.~~ ~~•New Network Elements that are ordered by the FCC.~~ ~~New Network Elements that are not operational at the time of the Request~~None.	**SWBT** SWBT will agree to retain the measure but proposes to combine all the disaggregations due to the extremely low volume of activity in this PM.	Agreed To	
121 SWBT Proposal	Benchmark	90% within ~~10, 30, 90~~X business days. • Network Elements that are operational at the time of the request – 10 days • Network Elements that are Ordered by the FCC– 30 days • New Network Elements 90 days	**SWBT** Wording change to remove redundant wording of the Benchmark description.	Agreed To	
123 SWBT Proposal	Definition	The percent of timely and compliant change management notices (as specified in the current Change Management Process (CMP), as made effective July 14, 2000) for EDI/LSR ordering, and EDI, CORBA, DataGate Pre-ordering interfaces, ~~and Verigate~~. This measure also includes WEB LEX, Enhanced Verigate, ~~Provisioning Order Status, Order Status,~~ Trouble Administration, EBTA-GUI, EASE and SORD. Timely and complete	**SWBT** Change from Delete to a revised SWBT proposal for PM 123	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		documentation provided to the CLECs for requirements associated with releases will be part of this measurement.			
123 SWBT Proposal	Exclusions	• Regulatory mandates as described in the CMP documentation • Emergency fixes • Changes /error corrections made after the Final Requirements are issued but prior to the 45-day interval preceding release implementation • CLEC initiated changes to Final Requirements (excluding changes requested due to a mistake by SWBT identified by the CLEC) • SWBT-initiated enhancements~~/changes~~ to Requirements for which it requests that this Performance Measurement does not apply and CLECs agree • Clarification-only Final Requirement letters (clarifications may include, but are not limited to, changing data characteristics, fields, business rules, mapping, or other changes affecting CLEC coding).	**SWBT** Change from Delete to a revised SWBT proposal for PM 123	Agreed To	
123 SWBT Proposal	Business Rules	Performance standards are set forth in the SBC CLEC Interface Change Management Procedure	**SWBT** Change from Delete to a revised SWBT proposal for	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		documentation, providing specific intervals/timeframes for issuance of change management interface release notices, for making available the associated Initial and Final Requirements and release associated documentation, and for allowing defined CLEC comment time periods and prescribed testing intervals. This measure is designed to measure the percent of compliant change management notices, Initial Requirements, and Final Requirements sent to the CLEC within the intervals/timeframes prescribed by the Change Management Procedure documentation for all OSS interfaces in SWBT (the Category 1 interfaces of EDI for ordering, DataGate, EDI and CORBA for pre-ordering; and the Category 2 interfaces of WEB LEX, Enhanced Verigate, EASE, ~~Order Status, Provisioning Order Status and~~ Trouble Administration and EBTA. Documentation that is not complete or not compliant with the Change Management Procedure (CMP) documentation is not considered compliant for purposes of this measure (e.g. calls for abbreviated CLEC comment time periods, fails to identify and provide the appropriate testing intervals, etc). Any changes made	PM 123		

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		without notice will be considered sent late. (Note: revisions to LSOR pages are not provided and are not required per CMP and will not be a part of this measurement) SWBT will be measured on the ~~Release Announcement (for Category One) and~~ Initial Requirements based on whether CLECs were provided with the appropriate interval per the CMP. For purposes of the Final Requirements, SWBT will be measured on whether the notice provided the appropriate interval relative to the implementation date. ~~Notices~~Exception Requests sent to CLECs that provide corrections to Final Requirements initiated by SWBT that require coding changes by the CLECs will not be considered late, if issued during the 45-day interval prior to release implementation. ~~under this performance measurement.~~ Changes that result from a CLEC walk-through (held per the CMP) that occurs during the 45-day release interval but is the result of changes documented prior to the 45-day interval will not be counted as late per this measure Requirements changes that do not necessitate CLEC coding corrections will not be counted in this measurement.			

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		~~SWBT initiated changes to Final Requirements, including changing the Implementation Date, will be considered late.~~ SWBT may invoke the exception process to add either a CLEC requested enhancement or a SWBT initiated enhancement to the release. However, if SWBT requests of CLECs in the Exception Request Accessible Letter, that this exception not be counted as late in this performance measurement, and if CLECs unanimously agree to the enhancement, then it will not be counted as late. When the Exception process is invoked, the timelines/intervals set through that Exception agreement between SWBT and the CLECs as outlined in the CMP documentation would be included in this measurement. In the event final documentation is submitted in one ~~reporting period~~calendar year and a change to that documentation considered late falls into another ~~reporting period,~~calendar year the miss will count in the current ~~reporting period~~ calendar year only and will not be retroactive.			
123 SWBT Proposal	Calculation	Percent of compliant change management notices providing the appropriate interval = (# of	**SWBT** Change from Delete to a revised SWBT proposal for	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		compliant change management notices providing the appropriate interval within the ~~reporting period~~calendar year ÷ total # of change management notices sent during the ~~reporting period~~calendar year) * 100	PM 123		
123 SWBT Proposal	Measurement Type	Tier 1 – Diagnostic Tier 2 - Low (Payable on an annual per measure level)~~Diagnostic for 1st 6 months to collect data and determine appropriate means of measurement~~. Note: If the measure is missed 3 consecutive years, the 3rd year will be paid at a high level.	**SWBT** Change from Delete to a revised SWBT proposal for PM 123	Agreed To	
123 SWBT Proposal	Benchmark	90% compliant notices sent on time ~~Diagnostic for Tier 1 and Tier II~~Based on calendar year, one time payment (data collection for the remedy period begins 1/1/03). Payment due 1/20/04	**SWBT** Change from Delete to a revised SWBT proposal for PM 123	Agreed To	
124. AT&T Proposal	Benchmark	95% completed within 48 hours or 2 days. Critical z-value does not apply~~ies~~.	**AT&T** AT&T recommends the critical z-value not apply to this measure. The benchmark provides an adequate margin for SWBT to deliver nondiscriminatory performance	Agreed To	
124	Measurement	Timely R~~r~~esolution of S~~s~~ignificant Software Failures R~~r~~elated to~~with~~	Wording changes agreed to at the workshop	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		Releases			
124	Business Rules	Software errors identified in production within two weeks of the release with no work-arounds that have a disabling affect on CLECs ability to conduct business. Significant or disabling effect on the CLEC is defined as an inability to pass to SWBT or receive back from SWBT order activity on more than 10% of the CLEC LSRs relative to normal work volumes. This impact will be viewed on a per CLEC basis, upon notification by the CLEC to the OSS Help Desk that they are impacted. Problem resolution time will start being measured from the time the problem is reported to the help desk to the time the software fix is implemented or a workaround is in place. For Tier 1 damages, the CLEC is responsible for reporting the problem to the OSS Help Desk in order for this measure to apply to the individual CLECs and will be paid to those identified with an impact of 10% or more as outlined above. SWBT cannot reasonably determine how a given software release issue impacts all CLECs. Therefore, self-reporting by the CLEC is necessary. SWBT will proactively determine and report impacted CLECs if the software	Wording changes agreed to at the workshop:	Agreed To	

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PM #	SECTION CHANGED	PROPOSED LANGUAGE	RATIONALE	SWBT/CLEC COMMENTS	COMMISSION DECISION
		problem impacts all LSRs in the major categories of resale UNE-P UNE Loop DSL Capable Loops DSL with Line Sharing LNP only In this case, SWBT will determine if these major categories represent 10% or more of the CLEC's LSRs based on PM5 results for the prior month.			
124	Exclusions	Errors where a workaround, transparent to the CLEC is available (workaround in this sense does not include manual faxing to the LSC or any other action required by the CLEC.)	Wording changes agreed to at the workshop.	Agreed To	
124	Measurement type	Tier 1 ~~High~~Low - Per measure Tier 2 ~~High~~Low – Per Measure			

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Remedy Plan Issues					
IP Proposal for a Per Measure Floor		Implement a per measure floor of $10,000. This floor would apply to the aggregate penalties for all disaggregations for a single measure.	**IP** There has been particular discussion from the Commission in the area of DSL that the existing penalty structure is not providing sufficient incentives to SWBT to provide the necessary level of service and meet its performance obligations. While the Commission has viewed this concern in the DSL context, it is IP's understanding that there are systemic issues in the performance penalty plan that are imposing a barrier to properly incent behavior. In this section, IP proposes one modification to move toward a better balanced remedy plan. Under the existing per occurrence scheme, it will almost never be the case that a small carrier will build a sufficient number of "occurrences" to generate penalties sufficient to modify SWBT's wholesale behavior. On the other hand, the Commission to date has not found persuasive arguments supporting the moving to a per measure penalty structure. As a compromise,	**SWBT** This Commission should resist the suggestion by the CLECs to replace the current Tier 1 financial structure based on "per occurrence" damage amounts with a "per measure" payment. The PUCT "established per occurrence amounts because of potentially enormous volumes for some measures and very small volumes for other measures." By relying primarily upon a per occurrence payment structure in the performance remedy plan, the Commission "sought to more equitably account for non-compliant behavior, while leaving in sufficient monetary deterrents to curb such behavior." There is no evidence that the Texas Commission's decision to base the performance remedy plan's financial incentives structure upon per occurrence payment amounts was erroneous. For example, the Commission previously considered changing many of the DSL measures to a	The Commission does not agree with IP's proposal to establish a $10, 000 floor for all disaggregated PMs. The Commission does not believe a floor is necessary at this time to incent SWBT to improve performance. The current structure of the Remedy Plan, as modified herein, sufficiently compensates CLECs for poor performance that affects the CLECs' customers. The Commission notes that a change of the magnitude proposed by IP would alter the structure of the Remedy Plan as opposed to fine-tuning the Plan to better serve its intended purposes.

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			IP proposes the implementation of a per measure floor that would be substantially less than what the penalty applied under a full per measure structure would be while assuring a minimum level of penalty such that the Commission has certainty that such a level of incentive will persist. IP proposes that the per measure floor be $10,000. This floor would apply to the aggregate penalties for all disaggregations for a single measure. For example, if SWBT missed two disaggregations to a CLEC and the per occurrence calculation for the first would be $1,000 and the second would be $2,000, SWBT would owe the per measure floor of $10,000 (not $10,000 per missed disaggregation). IP believes that the use of a penalty floor, while not addressing all industry concerns with regard to the penalty plan, is a fair and equitable compromise between SWBT's opposition to a per measure penalty structure and the CLECs concerns that the very small penalties that result today do not have any real affect on SWBT's behavior.	"per measure" payment for performance misses. Even without this change, SWBT has continued to improve its DSL performance in Texas. The installation interval during the last twelve months for the Texas CLECs has averaged 3.3 as compared to 4.4 for ASI. Likewise, the number of missed due days for DSL-line shared lines in Texas has fallen steadily from 31 in June 2001 to just two in July 2002. Clearly, a change to a "per measure" payment structure is not needed. The PUCT should not establish a payment floor for SWBT's Tier 1 liability. If SWBT's financial liability to a CLEC for several measures (*or even a single submeasure*) did not exceed the per measure floor, then the CLEC would presumably receive the larger floor payment. This would result in every CLEC which SWBT's performance for any submeasure incurs a per occurrence Tier 1 financial liability would receive a minimum payment equal to the floor. This proposed	

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			Moreover, given the CLECs willingness to collapse many measures into disaggregations of other measures during this six-month review when requested by SWBT, SWBT has the extended benefit of the floor affecting SWBT on fewer occasions. CLECs agreed to SWBT's proposal in spite of the potential affect on the remedy plan in the sprit of compromise. Accordingly, SWBT should not be opposed to the Commission taking a fresh look at this issue.	modification would transform the performance remedy plan's financial incentives into a highly lucrative revenue source for Texas CLECs. SWBT cannot agree to the CLECs' proposals to alter the terms of the Performance Remedy Plan. These issues were not the subject of discussion during the negotiation conference calls and it is SWBT's position that non-consensual changes are precluded by the express terms of the Remedy Plan. Additionally, SWBT contends that any change to the Remedy Plan is unwarranted considering its performance under the plan. SWBT has continued to improve and refine its processes to better serve wholesale customers in Texas since the FCC granted it permission to enter the interLATA market in mid-2000. As a result, SWBT's overall performance in Texas under the performance remedy plan has improved since obtaining FCC permission. The purpose of the Performance Remedy Plan is to provide	

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				financial incentives sufficient to encourage SWBT to continue to provide high-quality wholesale service to CLECs. In that regard the Remedy Plan achieves this objective "by setting the damages and penalties at a level above the cost of doing business." The remedy plan was not designed as a compensation scheme and, therefore, should not be modified to simply provide a revenue source for Texas CLECs. SWBT will file next week in brief, a complete position statement regarding the Remedy Plan issues raised by the CLECs. In order to facilitate the Commission's review of all issues, SWBT will also provide a supplemented version of this matrix incorporating the filing of the position statement next week.	
Remedy Plan AT&T Proposal	K value; damages multipliers	Remove K value from the Plan as a basis for excusing performance standard violations. Alternatively, restrict application of K value as follows: K will not apply to excuse any	**AT&T** AT&T (and other CLECs) again ask the Commission to consider the frequency and the degree to which this remedy plan excuses SWBT's performance	**SWBT** SWBT cannot agree to the CLECs' proposals to alter the terms of the Performance Remedy Plan. These issues were not the subject of discussion	The Commission finds that the K-table contained in the remedy plan was designed to address the issues related to random variation and statistical errors in collecting and reporting performance data. Thus, the Commission determines

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		repeat violation of a Tier 1 measurement K will not apply to excuse any violation for which the z-score is 5.0 or greater Apply K first to violations of PMs involving fewer than 10 transactions Apply K to excuse least severe violations first, based on the size of the damages payment calculated for each violation according to the plan, not the number of transactions reported for each measurement In addition, the table of damages multipliers should be revised to provide for continuing escalation of Tier 1 damages for violations that continue beyond six consecutive months and to provide for escalation of Tier 2 assessments for violations that continue beyond three consecutive months.	violations – principally through the K value. Too many violations are excused, including violations that are too serious and too frequent to allow for any suggestion that "random variation," rather than substandard performance, is the culprit. Each time a violation is excused, harm to a CLEC (and to competition) goes unremedied, and the Plan fails to deliver any incentive to SWBT for improved performance. The excessive forgiveness in the Plan, and the failure to control for Type 2 error, should be examined and remedied now. SWBT, for its part, has brought to this review proposals that would add yet further forgiveness to the remedy plan. These proposals are not identified as remedy plan modifications as such – for SWBT of course maintains that the remedy plan itself is out of bounds during the six-month reviews – but remedy plan changes they are. These include SWBT's proposal to abandon the parity standard for enforcing SWBT's obligation to provide nondiscriminatory provisioning and	during the negotiation conference calls and it is SWBT's position that non-consensual changes are precluded by the express terms of the Remedy Plan. Additionally, SWBT contends that any change to the Remedy Plan is unwarranted considering its performance under the plan. SWBT has continued to improve and refine its processes to better serve wholesale customers in Texas since the FCC granted it permission to enter the interLATA market in mid-2000. As a result, SWBT's overall performance in Texas under the performance remedy plan has improved since obtaining FCC permission. The purpose of the Performance Remedy Plan is to provide financial incentives sufficient to encourage SWBT to continue to provide high-quality wholesale service to CLECs. In that regard the Remedy Plan achieves this objective "by setting the damages and penalties at a level above the cost of doing business." The remedy plan was not designed as a	it is appropriate to retain the K-table because random variations and statistical errors continue to exist. However, the Commission finds that the K-exclusion is not appropriate for PMs that are missed for two consecutive months. Missing a measure for two consecutive months would not be considered random, thus excluding such measures from payment by attributing those misses to chance is not appropriate. The Commission finds that the Remedy Plan be modified so that if any performance measurement designated as Tier-1 is missed for two consecutive months, SWBT shall not exclude that PM from Tier-1 payment under the K-table, beginning with the second month of the miss. Additionally, SWBT shall not use the "missed" measures in determining the K-value. However, if SWBT provides parity or compliant performance for two subsequent consecutive months, the K-exclusion will resume. This method of self enforcement provides an incentive to SWBT to provide improved and compliant performance. In addition to the above, the Commission is concerned that the current selection of PMs that are excludable under the K-table are

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			maintenance for UNE combinations (far and away the primary source of what competition exists to SWBT in the local market). SWBT would substitute instead a set of benchmarks that would permit SWBT to add hundreds or even thousands of additional missed due dates or trouble reports for UNE-P customers, compared to the same volume of SWBT retail POTS customers. SWBT's "remedy plan" proposals include its proposals to abandon the parity test for most (but, inconsistently, not all) provisioning and maintenance measurements for 8 dB UNE loops and DSL loops. And, in some instances, SWBT wants to have it both ways – a benchmark to protect SWBT when its performance for CLECs is above some fixed level, regardless of how that level compares to SWBT's support of its competing retail operations, but a parity test to allow SWBT to point to its retail operations to justify its performance for CLECs when that performance falls below the benchmark. SWBT's "remedy plan" proposals also include its proposal to	compensation scheme and, therefore, should not be modified to simply provide a revenue source for Texas CLECs. SWBT will file next week in brief, a complete position statement regarding the Remedy Plan issues raised by the CLECs. In order to facilitate the Commission's review of all issues, SWBT will also provide a supplemented version of this matrix incorporating the filing of the position statement next week.	based solely on the PMs' weight, such as high, medium or low, rather than the potential calculated damage amount. The Commission notes that based on the evidence provided by the CLECs, the resultant Tier-1 damage amounts are significantly lower than the amount potentially due if the PMs were excluded under the K-table based on the dollar amounts. Although the current remedy plan ranks the damage payment exclusions according to designation of high, medium or low, the plan does not take into account the severity and the volume of transactions associated with the PM. It is the severity and the volume, in addition to the designation of high, medium or low, that are relevant to the calculation of the potential dollar amount of the penalty. In the past, the Commission has fine-tuned the remedy plan (e.g. changing per unit damage or penalty designation of PMs) based on historical data and commercial experience in order to offset observed drawbacks of the plan. Accordingly, the Commission finds that the remedy plan be modified by changing the ranking system for K-exclusion purposes to dollar amounts, thereby the potential

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			eliminate regional reporting for dozens of provisioning and maintenance measures, which will allow performance across the state to dilute the effect of substandard performance in a particular market area. All these proposals can be expected to have a singular, similar effect – to further reduce SWBT's Tier 1 and Tier 2 payments under the Plan without any change in performance. All of these proposals should be rejected for the particular reasons set forth in AT&T's comments related to these proposals above. What should be seen here is that SWBT seeks to use this forum to substantially revise its exposure to monetary sanctions under the remedy plan, despite its stated opposition to any explicit consideration of that subject as part of a "six-month review." AT&T requests that the review provide an opportunity for the Commission to consider all parties' concerns and proposals regarding operation of the remedy plan, and seeks Staff's guidance as to how		liability will take into account the severity, the volume and the level of per unit penalty classification of the PM. Finally, the Commission finds that the PMs that have less than 10 transactions not be included in determining the K value. Therefore, for any substandard performance delivered under a PM that has less than or equal to ten (10) transactions, the damage payments shall be made to the affected CLEC.

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			those concerns may be properly presented during the workshops and developed for decision by the Commission in the likely event that agreements cannot be reached. Certainly the review should not provide a forum for hearing a series of damages-reducing proposals by SWBT, while CLEC proposals to reduce the level of forgiveness in the plan are ruled out of scope. AT&T welcomes the opportunity for both SWBT and CLECs to address these issues – indeed, AT&T offered to discuss SWBT's proposals on geographic disaggregation and benchmarks as part of a discussion that also would include CLEC concerns regarding the K value, but SWBT was unwilling to enter into any such discussion. Turning to the merits of the remedy plan issues, the plan continues to excuse too many performance violations. The frequency with which the K value excuses SWBT from any sanction for substandard performance exceeds any reasonable expectations – both in terms of the percentage of violations that are excused and the dollar volume of sanctions		

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			otherwise payable that are excused. The most direct, most appropriate modification to the plan would be simply to eliminate the K value as a basis for excusing Tier 1 performance violations. If the K value is not eliminated, its application should be restricted more nearly to the situations for which it was intended – performance results that show a violation of the statistical tests used in the plan, but do so as a consequence of "random variation" in the data, not real differences between SWBT's wholesale support of a CLEC compared to its support of its own retail operations. However, when a performance violation is repeated, the explanation is not random variation in the data. When a performance violation is extreme, the high z-score tells us that the probability that random variation is the cause is miniscule. Accordingly, if the K value is not removed from the plan, the plan should be modified such that the K value will not excuse any repeat violation of the		

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			same Tier 1 measurement (i.e., a repeated violation of the same submeasurement category for an individual CLEC) and will not excuse violations where the z-score is 5.0 or higher. In addition, the plan in its present form frequently results in SWBT paying damages for performance measures with a total transaction volume fewer than 10, while the K value simultaneously excuses large damage payments for parity and benchmark violations of high-volume measurements. This anomaly should be eliminated. The K value also frequently applies to excuse relatively severe violations, leaving SWBT to pay small amounts for relatively minor departures from parity or benchmark standards. This result occurs because the K value excuses violations based on the volume of measured transactions (smaller volume excused first, proceeding from "low" to "high"), not the magnitude of the violation (measured in terms of the damages payable under the plan). Because K is applied		

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			based on the number of transactions measured (typically the denominator used to calculate the performance result), violations of measures that tend to have a larger denominator (e.g., trouble report rate) will rarely be excused by application of the K value, while more severe violations are excused, simply because the measurement has a smaller denominator. The plan should be modified so that K is applied to excuse the least severe violations first, judged by the size of the damages payment that would be required for each violation under the plan. Imperfect as they are, the damages formulas included in the plan are the means adopted in the plan for judging the relative severity of performance violations. The calculated damages for each violation, not the size of the denominator nor the classification of the measurement, should determine which measures are excused by K, if the K value is retained in the plan. Finally, the DSL measurements provide		

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			further illustration of the fact that the plan does not adequately deter chronic performance violations. Under the plan, the Tier 1 damages multiplier ceases to escalate after six months of repeated violations, whether performance improves or not. The multiplier for Tier 2 assessments never escalates. The plan should be modified in both respects, providing for escalation under both Tier 1 and Tier 2 until performance meets the relevant parity or benchmark requirements. Both these periodic reviews and the procedural cap provisions of the plan would remain to provide SWBT relief if it could be demonstrated that the chronic violations resulted from some defect in the measurement scheme itself.		
K Table	Eliminate		WCOM: WorldCom respectfully requests that the Commission eliminate the K table. The Texas K table grossly over-mitigates SWBT's missed performance results. For January 2002, for MCI WorldCom Communications, the K table permitted SWBT to eliminate 86% of the	**SWBT** SWBT cannot agree to the CLECs' proposals to alter the terms of the Performance Remedy Plan. These issues were not the subject of discussion during the negotiation conference calls and it is SWBT's position that non-consensual changes are precluded by the express	

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			missed measures. For MCImetro, the K table permitted SWBT to eliminate 62%. For Brooks, the K table permitted SWBT to eliminate 60%. For February 2002, for MCI WorldCom Communications the K table permitted SWBT to eliminate 75% of the missed measures. For MCImetro, the K table permitted SWBT to eliminate 64%. For Brooks, the K table permitted SWBT to eliminate 100%. Regulators around the country are making the right decision by rejecting the use of the K table. Recent orders in Wisconsin, New Jersey, Pennsylvania, California and an ALJ's opinion in Illinois have all rejected the use of the K table. WorldCom encourages this Commission to do the same. Fn.: Wisconsin final order #: Docket No. 6720-TI-160 Investigation In Ameritech's OSS, Sept 25, 2001, ILL ALJs opinion against their use # 01-0120:	terms of the Remedy Plan. Additionally, SWBT contends that any change to the Remedy Plan is unwarranted considering its performance under the plan. SWBT has continued to improve and refine its processes to better serve wholesale customers in Texas since the FCC granted it permission to enter the interLATA market in mid-2000. As a result, SWBT's overall performance in Texas under the performance remedy plan has improved since obtaining FCC permission. The purpose of the Performance Remedy Plan is to provide financial incentives sufficient to encourage SWBT to continue to provide high-quality wholesale service to CLECs. In that regard the Remedy Plan achieves this objective "by setting the damages and penalties at a level above the cost of doing business." The remedy plan was not designed as a compensation scheme and, therefore, should not be modified to simply provide a revenue source for Texas CLECs.	

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			NJ final order #: Docket No. TX95120631 and TX98010010 issued on 10/12/01 PA final order #: Docket No. P-00991643 issued 12/31/99 CA final order #: Decision 02-03-023, dated March 6, 2002 in Rulemaking 97-10-016 / Investigation 97-10-017, before the Public Utilities Commission of the State of California	SWBT will file next week in brief, a complete position statement regarding the Remedy Plan issues raised by the CLECs. In order to facilitate the Commission's review of all issues, SWBT will also provide a supplemented version of this matrix incorporating the filing of the position statement next week	
Remedy Plan AT&T Proposal	Misreported data (restatements of data and remedy calculations)	Section 10.1 of the remedy plan, providing for a penalty of $ 1000 per day for incomplete performance results, should apply whenever SWBT modifies previously reported data or reports a performance measurement violation after the month in which the data should have been reported.	**AT&T** SWBT continues to restate past performance measurement results and to recalculate damages payments based on restated results. The frequency of these restatements indicates a lack of reliability in the data itself. These restatements also make it difficult, if not impossible, for a CLEC to monitor whether SWBT has followed the remedy plan correctly and to gain an accurate picture of the performance SWBT is providing. The limited informal exchange of information in this review to date underscores these concerns. Since this review began,	**SWBT** Contrary to AT&T's assertion that restatements indicate unreliable performance data, such revisions to previously reported data demonstrate an active effort to improve the accuracy of the reported performance results. To the extent that data restatements represent improved accuracy of previously reported performance results and remedy plan liabilities to CLECs, recommendations to levy fines or otherwise financially punish SWBT for restating data inject perverse incentives into competitive telecommunications	The Commission is concerned with the number of restatements that have occurred in the past. In order to explore whether administrative penalties or modifications to the remedy plan are necessary, the Commission instructs Staff to initiate an investigation in Project No. 20400 through briefings and workshops to determine the extent, the reasons for, and the frequency of such restatements, and whether action by the Commission is warranted.

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			SWBT has acknowledged that it has misreported data related to the following measures: PM 2 – failure to report any CORBA pre-order query data between November 2001 and April 2002; data before March 2002 cannot be retrieved and restored PM 5, 13, 65, 65.1, 67, 69 – failure to report ASI data PM 28 – incomplete capture of data reported under the diagnostic measurements for FOCs returned with a due date other than the date requested PM 35.1 – prior to October 2001, SWBT reported I-10 data under this measurement, not the day of completion trouble report data required by the business rules PM 120 – SWBT has omitted BFRs for which the preliminary analysis resulted in a determination by SWBT that the request would not be granted, and an Excel spreadsheet error has affected recent reports PM 121 – SWBT has used the denominator for PM 120 as the denominator for PM 121, rather than actually reporting the number of quotes returned to CLECs.	markets. The introduction of financial penalties for restating data establishes, at least to some degree, incentives to avoid increasing the accuracy of performance results and improving the processes and procedures relied upon to collect, process, calculate, and report performance data. Regardless of whether or not an ILEC would act upon these incentives, there is no clear rationale for imposing penalties on ILECs for devoting resources to maintain, or even improve, the accuracy of performance data and the systems relied upon to collect raw data and produce performance results. AT&T emphasizes performance data restatements that result in Tier 1 liabilities for prior months that were not identified initially as demonstrating the lack of reliability of reported performance results. However, since such remedy data restatements typically are discovered and self-reported by	

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			Except for PM 120 and 121, which were the subject of oral discussions, the errors described above were acknowledged by SWBT in writing in the attached matrix of CLEC Reporting Questions and Answers. The remedy plan needs to provide a meaningful incentive to avoid such misstatements. Section 10.1 of Attachment 17 of the T2A provides a penalty of $ 1000 per day for each missing performance measurement result when a report is incomplete. The consequences, in terms of misinformation and wasted CLEC resources, are as great or greater when data is stated incorrectly, rather than simply omitted. The loss of any immediacy to the limited deterrent effect of the plan is equally great when data is misreported as when it is omitted. In order to provide an incentive to reduce the misstatement of performance data (and the consequent need for data restatements), the 10.1 penalty should be enforced for misstatements of performance data.	SWBT, there clearly is no intent to deceive CLECs regarding the amount of Tier 1 "damages" to which they are entitled. Furthermore, when SWBT restates remedy data for prior months, any Tier 1 liabilities owed to CLECs will include interest for the time period between the month the restated performance data demonstrates remedy payments should have been made to CLECs and the month during which the restatement was completed. Thus, CLECs are fully compensated for any Tier 1 liabilities resulting from performance data restatements. Nevertheless, AT&T's proposal would impose additional fines or other monetary sanctions upon SWBT for publishing data revisions and crediting CLECs for previously unreported Tier 1 liabilities (including any applicable interest) associated with the restated data for prior months. AT&T's proposal also presumably would punish SWBT as severely for data restatements that	

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				have absolutely no effect upon prior Tier 1 liabilities owed to CLECs. The intent and objectives of such a proposal are neither clear nor consistent with the self-executing features of the remedy plan. Regardless of what AT&T perceives the goals of such a proposal might be, the Texas PUC should not modify the performance remedy plan to include an additional financial punishment that would be imposed upon SWBT each time a data restatement is published. Moreover, AT&T's suggests that each data restatement for a prior month should be regarded as proof that incomplete CLEC performance reports were posted by SWBT for the month affected by the restatement. According to AT&T, SWBT should be held liable for the $1,000 per day penalty specified in the performance remedy plan for posting incomplete reports each time SWBT "modifies previously reported data." However, SWBT does not post CLEC performance reports	

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				for any particular month while concealing its intention to restate that data during a specific future month. The CLEC performance reports are accurate and complete to the best of SWBT's knowledge at the time the data is posted to SBC's CLEC Internet website. As a result of SWBT's commitment to maintaining performance data as accurately as possible, previously reported CLEC performance results are restated upon the discovery of any errors, omissions, or other factors that would have affected the originally reported data. However, the factors necessitating a data restatement were undetected by, and unknown to, SWBT at the time the data were initially posted to the CLEC website. SWBT does not conceal intentions to restate currently posted data at some future time. AT&T nevertheless advances the notion that any revisions to previously reported data, regardless of whether or not the	

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				restatement will affect the corresponding previously reported Tier 1 remedy liabilities (if any), should be accepted as proof that incomplete reports were posted in every prior month affected by a data restatement. A reasonable interpretation of the relevant section of the remedy plan (i.e., § 10.1) likely would conclude that the $1,000 per day assessment for posting only partial, or incomplete, CLEC performance reports by the specified due date (i.e., the 20th day of the month) is intended to provide a strong financial incentive for SWBT to provide CLECs with timely access to complete performance results and remedy data for the current reporting period. In any case, the Texas PUC should not initiate application of this assessment in accordance with the misguided, and highly dubious, interpretation advanced by AT&T. SWBT cannot agree to the CLECs' proposals to alter the terms of the Performance Remedy Plan.	

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				These issues were not the subject of discussion during the negotiation conference calls and it is SWBT's position that non-consensual changes are precluded by the express terms of the Remedy Plan. Additionally, SWBT contends that any change to the Remedy Plan is unwarranted considering its performance under the plan. SWBT has continued to improve and refine its processes to better serve wholesale customers in Texas since the FCC granted it permission to enter the interLATA market in mid-2000. As a result, SWBT's overall performance in Texas under the performance remedy plan has improved since obtaining FCC permission. The purpose of the Performance Remedy Plan is to provide financial incentives sufficient to encourage SWBT to continue to provide high-quality wholesale service to CLECs. In that regard the Remedy Plan achieves this objective "by setting the damages and penalties at a level above the cost of doing business." The	

CHANGES/DELETIONS TO VERSION 2.0

				remedy plan was not designed as a compensation scheme and, therefore, should not be modified to simply provide a revenue source for Texas CLECs. SWBT will file next week in brief, a complete position statement regarding the Remedy Plan issues raised by the CLECs. In order to facilitate the Commission's review of all issues, SWBT will also provide a supplemented version of this matrix incorporating the filing of the position statement next week.	

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PROJECT NO. 20400

SECTION 271 COMPLIANCE MONITORING OF SOUTHWESTERN BELL TELEPHONE COMPANY OF TEXAS	§ § § §	**PUBLIC UTILITY COMMISSION OF TEXAS**

ORDER NO. 46
SUPPLEMENT TO ORDER NO. 45
APPROVING MODIFICATIONS TO PERFORMANCE
REMEDY PLAN AND PERFORMANCE MEASUREMENTS

This Order, as issued by the Public Utility Commission of Texas (Commission), supplements Order No. 45 issued on October 17, 2002. Specifically, this Order addresses the disputed issue related to PM 124, *Timely Resolution of Significant Software Failures Related to Releases*. The revisions to the PM 124 shall be incorporated by Southwestern Bell Telephone Company (SWBT) into Attachment 17 to the T2A and filed as established in Order No.45 as Version 3.0 of the Business Rules.

With regard to the disputed issue related to the measurement type for PM 124, the Commission finds that PM 124 should be categorized as Tier 1-Low and Tier 2-High. The Commission notes that untimely release of software changes affect all CLEC's OSS related activities and thus the PM is both competition and customer affecting. The Commission further finds that the CLECs did not provide a compelling reason or analysis to show significant financial impact to their businesses to warrant designation above Tier 1-Low for this measure. The Commission finds that making this measure Tier-2 High will incent SWBT to comply with the agreed to benchmark of 95% completed within 48 hours or 2 days. The Commission also concurs with the parties' agreement that the remedy payment should be on a per measure basis.

Ordering Paragraphs

1. The Commission hereby adopts the parties' agreements as to PM 124 measurement title, business rules and exclusions and orders SWBT to modify Version 2.0 of the Performance Measurements accordingly.

2. The Commission finds that the measurement type for PM 124 should be Tier 1-Low and Tier 2-High and orders SWBT to modify Version 2.0 of the Performance Measurements accordingly.

SIGNED AT AUSTIN, TEXAS the 24th day of October, 2002.

PUBLIC UTILITY COMMISSION OF TEXAS

REBECCA KLEIN, CHAIRMAN

BRETT A. PERLMAN, COMMISSIONER