

BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

Telecommunications Rulemaking)
Docket No. UT-990146)
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WORLD COM'S COMMENTS ON
TECHNICAL RULES

Introduction

WorldCom, Inc. (WCOM), formerly MCI WorldCom, Inc., appreciates the opportunity to submit these comments. The WUTC held two workshops on April 18, 2000 and May 15, 2000 to review and discuss the changes to technical rules in the Telecommunications Rulemaking. Both meetings were productive and the Commission asked for specific comments in certain areas, which will be addressed in these comments.

Based on the previous comments staff has made regarding WCOM and other CLEC's previous comments in this rulemaking, WCOM does not believe that staff has shown an understanding of the differences between traditional ILECs and CLEC's in regards to quality of service.

In a traditional monopoly environment, quality of service standards are essential in order to prevent customers from being treated unfairly by monopoly providers. With the existence of multiple providers, customers are now given choices – they can choose any carrier based on their individual needs, whether it be price, product offerings or service quality. In fact, when new carriers enter the market, they must not only offer competitive rates, but they must also offer competitive or superior service quality in order to win over customers.

Forcing CLEC's to comply with the standards of the ILEC is not necessary to maintain quality service and requires CLECs to adopt costly new procedures that could affect new entrants' ability to effectively compete in the market. The result of additional regulatory burdens on new entrants is increased costs in order to administer and maintain unproductive reporting functions, which ultimately leads carriers to turn its investment away from the Washington market.

The WUTC has previously stated that these issues would be better addressed in the carrier to carrier proceedings. That proceeding is ongoing, and while it should give performance standards which would require the LECs to provision its services to CLECs, there is no real assurances or guarantees that the inter carrier standards and performance measures will truly address these issues. WCOM insists that CLECs not be held to the same standards as the ILECs regarding performance standards and reporting until such standards are in place and enforceable.

480-120-046 – Service Ordererd

WCOM reommends that under (2) Types of service – the minimum flat rated service should only be applied to residential service. This standard should not be applied to business service due to the complexity of business products and plans.

480-120-051 Availability of Service – Service Application

When CLECs are dependent on the ILEC for service installation, CLECs should not be held to the same standards as set forth in 480-120-051, especially regarding time frames for installation orders. It is inconceivable for the Commission to expect CLEC's

depending on the LECs to be responsible for the requirements in (4a) through (4d) when these issues are beyond the control of the CLEC.

480-120-510 – Business offices

Companies should be left to determine which types of payment methods will be accepted for urgent payments. The Commission should not regulate a company's decision to ensure adequate payment methods in order to protect itself due to non-payment issues. As long as a company provides for reasonable methods of payment, this should be sufficient.

480-120-515 – Network Performance Standards

WCOM suggests the following changes under (3)(b)iii:

Replace the last sentence “ A digital transmission channel is considered unavailable, or in an outage condition, when its bit error rate (BER) in each second is worse than 1.0E-6 for a period of ten consecutive seconds” with the following:

“The digital transmission channel is considered unavailable, or in an outage condition, at the onset of 10 consecutive severely errored seconds (SESs) and will be considered available at the onset of 10 consecutive non SESs.”¹

480-120-520 Major outages

WCOM suggests that when revisiting the next draft of this rule, that the WUTC take into consideration special circumstances that may arise that would prevent carriers

¹ For a DS1 with ESF, an SES is defined (per ANSI T1.231.1997) as a second with 320 CRC-6. For a DS1 with SF, an SES is defined as a second with 10E-3 BER. For a DS3, an SES is defined as a second with 45 parity errors or 10E-6 BER.

from adhering to the strict time frames in (4) (b) and (4) (c) i. During major outages, it must be left to the company experts to determine the priority of repair and restoration, rather than forcing companies to commit resources to meet time deadlines imposed by the WUTC in these rules. By imposing these time limits, carriers get burdened with administrative issues, rather than with looking at the broader scope of restoring service as efficiently as possible.

480-120-535 Service Quality Performance Reports

As stated in its introduction, WCOM believes that service quality performance reports serve no purpose in a competitive market. Carriers will be held accountable by customers who can choose to stay or leave the company. A carrier with poor service quality will be unable to maintain a customer base when there are comparable services available to them through other carriers. By requiring service quality reports, carriers will be tasked with the administrative burden of tracking and reporting bureaucratic paper work whether it is needed or not. The WUTC can invoke this requirement on an as-needed basis. If the commission has reasonable and documented reasons for requiring a carrier to provide held service order reports or trouble reports, they should request reports from the carriers; however, if no problem or quality issue exists, there is no reason to expend valuable resources (both for carriers and the WUTC) toward this effort.

480-120-08 Service Quality Guarantees

Again, the same argument holds true for service quality guarantees as for service

quality reports – the competitive market IS the guarantee. This rule is overly burdensome and is unnecessary. CLECs and LECs alike are impelled to provide quality service in order to keep customers. This rule would demand carriers to hire additional staff to maintain this complicated set of guarantees that would present administrative hardships for carriers and the WUTC alike, and would not provide anymore assurances to customers than what the competitive market affords.

In addition, by no means should CLECs be held to these standards before performance measures are adopted in the carrier to carrier proceeding. It would be completely unfair to impose financial burdens on CLECs when the installation delays are solely caused by the facilities of the LECs .

Respectfully submitted,

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