

Agenda Date: May 11, 2005
Item Number: A1

Docket: UT-041588
Companies: AT&T Communications of the Pacific Northwest, Inc.
TCG Seattle, and TCG Oregon

Staff: Kristen Russell, Regulatory Analyst
Robert Williamson, Telecom Engineer
Jing Roth, Acting Telecom Assistant Director

Recommendation:

Approve the amended petition for alternative measurement or reporting format in part, and deny the amended petition in part.

Background:

On July 7, 2004, AT&T Communications of the Pacific Northwest, Inc., TCG Seattle, and TCG Oregon (AT&T or the Company) received notice from the Commission that it had become a Class A company as described in WAC 480-120-302(1)(a).¹ With that designation, the Company is required to submit service quality reports as required by WAC 480-120-439.²

On October 1, 2004, the Company filed a petition requesting approval for an alternative measurement or reporting format as allowed under WAC 480-120-439(12).³ Staff met with the Company and discussed on several occasions the Company's inability to report its service quality to comply with the Commission's rule. On April 25, 2005, the Company submitted an amended petition to reflect what the Company is actually able to report.

Discussion:

Class A companies must submit monthly performance reports under WAC 480-120-439⁴, subsections (3), (4), and (6) through (10), as follows:⁵

¹ Class A designation means that a company and its affiliates serve at least 2% of the total access lines in the State of Washington.

² Class A companies are required to report monthly service quality reports pursuant to WAC 480-120-439, with the related measurement standards in WAC 480-120-105, -133, -401, -438, and -440.

³ WAC 480-120-439(12) If consistent with the purposes of this section, the commission may, by order, approve for a company an alternative measurement or reporting format for any of the reports required by this section ...

⁴ Attachment 1 is an abbreviated explanation of the service quality rule and related standards.

⁵ WAC 480-120-439 subsections (1) and (2) explain the reporting requirements for Class A and Class B companies, respectively, and subsection (5) pertains to major outage reporting; all companies are required

- (3) Missed appointment report
- (4) Installation or activation of basic service report
- (6) Summary trouble reports
- (7) Switching report
- (8) Interoffice, intercompany and interexchange trunk blocking report
- (9) Repair report
- (10) Business office and repair answering system reports (only when requested)

AT&T (exclusive of the TCG entities) provisions much of its service using unbundled network elements, in particular unbundled platform (UNE-P) or in Qwest Corporation's territory, QPP. In order to provision service in this manner, AT&T is bound by the interconnection and business agreements it has with the underlying ILECs and their respective installation interval guides.

In general, the Company requests the following alternatives:

1. To report performance on customers with five or fewer access lines versus including "enterprise customers."⁶
2. To report performance on a statewide basis where applicable, and based on the Company's systems set-up, i.e. summary of trouble reports.
3. To submit two reports, one for AT&T, and one for the TCG entities (one system with reporting capabilities, therefore, the TCG entities' information is combined).
4. Indirect request for conditional waiver of WAC 480-120-439(4) Installation or activation of basic service report.
5. Indirect request for conditional waiver of WAC 480-120-133 Response time for calls to business office or repair center during regular business hours.

The specific alternative measurements requested by the Company are described in Attachment 2.

As justification for approval for an alternative measurement or reporting format, the Company asserts the following:

1. WAC 480-120-439 service quality reporting requirements are based principally upon a facilities-based, legacy network architecture that is inconsistent with the Company's network and the provision of its service.

to report a major outage to the Commission within 10 days if the outage lasts more than 48 hours. Company has agreed to report outages on its network, and outages reported to it by the underlying ILEC.

⁶ Enterprise customers or large business customers with five or more access lines, in general have contracts that spell out the installation and other special equipment needs.

2. The Company does not employ any central offices, and is reliant upon the underlying incumbent local exchange carrier to obtain the necessary inputs for its service, along with the installation intervals. Therefore, it cannot reasonably provide many of the measurements required by WAC 480-120-439.
3. The economic impact that the Company would incur to gather and report the information required by WAC 480-120-439 would force the Company to increase the cost of providing the service or withdraw from providing the service.
4. The proposed alternatives the Company can report will provide the Commission with substantive performance standards based upon the Company's actual network and its service as truly provisioned in Washington.

Staff has been working with the Company to ensure that the information provided by the proposed alternative measurements or reporting format will be sufficient to allow staff to verify that service quality standards are met. Staff has reviewed the petition and agrees that there is legitimate justification to allow the Company to report its service quality performance in the manner identified in the amended petition and Attachment 2 for subsections (3), and (6) through (9).

For two other subsections – (4) and (10) – staff believes that the Company's request should be denied:

Subsection (4) **Installation or activation of basic service report.** The reports required for this section are monthly, quarterly and bi-yearly. The performance standard for this measure is WAC 480-120-105. In that rule, the monthly and quarterly performance standards (90% of orders completed in five days and 99% of orders completed in 90 days) are waived for CLECs, but the 180-day standard (100% of orders completed in 180 days) is not. The Company believes that the monthly and quarterly reports are waived because it is not subject to the associated performance standard. Therefore, the Company will comply with the 180-day report but not the monthly or quarterly reports. AT&T has misinterpreted subsection (4); it is required to file the monthly and quarterly reports (Comcast Phone of Washington, LLC, Docket UT-031459). Even though the Commission decided not to impose the performance standard on CLECs, it wanted to monitor their performance on those measures.

Subsection (10) **Business Office and repair answering system report.** The Company has petitioned to report on a 90-second live representative answer time, instead of the 60-second answer time required by the rule. The Company indicated in its petition that its automated call answer system is designed to answer the call well within the required 30-seconds, and its sorting menu generally meets the required 60-second live representative answer time. Staff disagrees with the claims made by the Company in its petition that it is not held to the 60-second standard. Because the 60-second answer time is a substantive

performance standard⁷ and not a measurement, Staff does not agree with the Company reporting information based on an alternative *standard*.

Conclusion:

Approve the amended petition for alternative measurement or reporting format for WAC 480-120-439, subsections (3), and (6) through (9), and deny the amended petition for alternative measurement or reporting format for subsections (4) and (10).

⁷ WAC 480-120-439(12)(c) The ability of the commission and other parties to enforce compliance with substantive performance standard will not be significantly impaired by the use of the alternative measurement or reporting format.

Attachment 1
SERVICE QUALITY REQUIREMENTS
AND CORRELATING STANDARDS

WAC 480-120-439

(3) Missed Appointment Report

- Total # of appointments made (scheduled)
- # of appointments missed
- # of appointments excluded

Exclusions:

- LEC notifies customer 24-hours in advance appt needs to be changed
- Customer initiates request for new appointment
- Missed due to force majeure, work stoppage, events beyond LECs control

*The report must state installation and repair appointments separately.

(4) Installation/Activation of Basic Service Report (480-120-105 = standard)

- Total # orders taken (by C.O.) up to 5 access lines
- Orders with due dates > than 5 days as requested by the customer
- Of the total # taken, # of orders unable to be completed in 5 business days (or later as requested by the customer)

* separate report each quarter - of the total # of orders taken in the quarter, # unable to be completed in 90 days

* separate report each 6 months - of the total # of orders taken in 6 months, # unable to be completed in 180 days

480-120-105 Co. performance standards for installation/activation (4)

- Ⓢ 90% of all orders completed within 5 business days after the order date (or later as requested by the customer) - up to 5 access lines **
- Ⓢ 99% of all orders - up to 5 access lines - within 90 days **
- Ⓢ 100% of all orders - up to 5 access lines - within 180 days

* Exemptions apply if force majeure, CPE necessary, these orders excluded from the numerator and denominator when calculating the percentage

** Standard waived if the company is a CLEC

(5) Major Outage Report (480-120-412)

any company experiencing a major outage > than 48 hours must provide a report within 10 days of the outage

- ✓ description of outage
- ✓ time, cause, location & duration
- ✓ # of affected access lines

(6) Trouble Reports (480-120-438 = standard)

- number of TRs by C.O., and # of lines served by C.O.
- explanation of causes for each C.O. that exceeds SQ standard
- presented in a ratio per 100 lines in service
 - causes by CPE, inside wiring, force majeure, events beyond LECs control s/b excluded

480-120-438 Trouble Report Standard (6)

- ⓐ must not exceed 4 TRs per 100 access lines per month for 2 consecutive months, or
- ⓐ per month for 4 months in any one 12-month period
- ⓐ does not apply to CPE, inside wiring, force majeure

(7) Switching Report (480-120-401 = standard)

- Report any problems to the commission
- Identify location of switch performing < standard

480-120-401 Network Performance standards (7)

Switches:

- ⓐ Dial tone must be provided within 3 seconds on 98% of calls placed
- ⓐ 98% of calls placed must not encounter intraswitch blocking
- ⓐ adequate access to an operator or recorded intercept to all vacant codes and numbers
- ⓐ <1% of intercepted calls may encounter busy/no-circuit available conditions
- ⓐ etc. . . . (3) and (5)

(8) Trunk Blocking Report (480-120-401 (3) & (5) = standard)

- Report any trunk group < standard
 - Include peak percent blocking levels experienced
 - # of trunks in the trunkgroup
 - busy hour when peak blockage occurs
 - concerns a standard in 401 (3) or (5)?
 - Remedy for trunk groups < standard for 2 consecutive months

480-120-401 Network Performance standards (8)

- ⓐ Blocking performance during avg. busy hour for 99% of trunk groups for any month must be < ½ of 1% (intertoll, intertandem facilities)
 - ⓐ Blocking performance during avg. busy hour for 99% of trunk groups for any month must be < 1% (local and EAS)
 - ⓐ < 1% for E911 during avg. busy-hour of busy season
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(9) Repair Report (480-120-440 = standard)

- # of service interruptions
- # repaired w/i 48 hours
- # repaired > than 48 hours
- # exempt from repair interval standard

480-120-440 Repair Standards (9)

- ⓐ Co. must repair all O/S interruptions w/i 48 hours
 - ⓐ O/S = inability to use phone for originating or receiving calls, does not apply to unregulated services such as voice messaging, inside wiring, or CPE
 - ⓐ All other regulated service interruptions w/i 72 hours
 - ⓐ Sundays & legal holidays not considered working days, excluded from 48 & 72 hour requirements
-

(10) Business Office / Repair Answering Reports (480-120-133 = standard)

When requested, reports must provide information concerning

- avg. speed of answer
- transfers to live representatives
- station busies
- unanswered calls

480-120-133 Response time - B.O. or repair center (reg. bus. hours) (10)

- ⓐ call must be answered by live rep or automated call answering system

Automated:


- ⓐ Avg. time must not exceed 30 seconds
- ⓐ Option to speak with a live rep within first 60 seconds
- ⓐ transfer caller to rep. within first 60 seconds
- ⓐ Caller to take affirmative action to speak with a live rep
- ⓐ Avg. time until live rep. answers call may not exceed 60 seconds

Docket UT-041588

May 11, 2005

Page 8

Live Rep:

 99% of call attempts must be answered within 30
seconds
