

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

IN THE MATTER OF THE PETITION )  
OF ESCHELON TELECOM OF ) DOCKET NO. UT-061443  
WASHINGTON, INC. FOR APPROVAL )  
OF AN ALTERNATIVE ) **AMENDED PETITION FOR**  
MEASUREMENT OF SERVICE ) **ALTERNATIVE MEASUREMENT**  
QUALITY REPORTING PURSUANT ) **AND REPORTING UNDER WAC 480-**  
TO WAC 480-120-439(12) ) **120-439(12)**  
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Pursuant to WAC 480-120-439(12), Eschelon Telecom of Washington, Inc., Advanced Telcom, Inc. and Oregon Telecom, Inc. d/b/a Washington Telecom, Inc. (collectively “Eschelon”)<sup>1</sup> hereby request that the Washington Utilities and Transportation Commission (“WUTC” or “Commission”) grant this Petition for Alternative Measurement and Reporting under WAC 480-120-439. As grounds therefore, Eschelon states as follows:

**I. INTRODUCTION**

1. Through growth and acquisitions Eschelon believes that it has reached the threshold of a “Class A” telecommunications provider under the Commission’s Rules. Class A companies are required to provide certain service quality reports to the WUTC on varying schedules (*e.g.*, monthly, quarterly, bi-annually). Therefore, in anticipation of its becoming a Class A provider, Eschelon submitted its initial request for alternative measurements and reporting in early September, 2006. Eschelon now submits this amended petition in furtherance of its request.

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<sup>1</sup> Eschelon Telecom of Washington, Inc., Advanced Telcom, Inc. and Oregon Telecom, Inc. are separate wholly-owned subsidiaries of Eschelon Telecom, Inc., and are affiliates as defined in WAC 480-120-021. WAC 480-120-034(3) provides that for purposes of classifying a company as Class A or Class B, the number of access lines served by the local exchange company includes the number of access lines served in this state by any affiliate of that local exchange company. Therefore, this Petition encompasses all Eschelon companies operating in Washington.

2. As the Commission has previously recognized in other petitions under WAC 480-120-439(12),<sup>2</sup> the service quality measurements and reporting requirements of WAC 480-120-439 are based principally upon a facilities-based, legacy network architecture that is inconsistent with CLEC networks and the provision of CLEC service. For example, many requirements mandate both measurement and reporting based upon central offices.<sup>3</sup> Eschelon does not employ central offices as that term is traditionally defined and used in the rule. Other measurements do not contemplate Eschelon's reliance upon the underlying incumbent local exchange carrier ("ILEC") to obtain the necessary inputs for its service along with the installation intervals required by the ILEC.<sup>4</sup>

3. In an effort to reduce costs, Eschelon attempts to standardize and automate as many internal business reporting and information gathering operations as possible. The standardization of measurements and reporting allows Eschelon to automate the reporting and produce the reports at a lesser cost than if it had to manually pull out unique information from its systems for each of the eight states it currently serves.

4. Consequently, Eschelon cannot reasonably replicate a number of the measurements and thus cannot produce the related reports required under the rule. Nevertheless, Eschelon's proposed alternatives provide the Commission with substantive performance standards based upon Eschelon's actual network and its service as it is provisioned in Washington.

5. For these reasons, Eschelon seeks an alternative method of performance reporting that is consistent with its systems capabilities. As described more fully below,

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<sup>2</sup> See, Order No. 01, Docket No. UT-041588 and Order No. 01, Docket No. UT-060502.

<sup>3</sup> See e.g., WAC 480-120-439(4); WAC 480-120-439(6).

<sup>4</sup> See e.g., WAC 480-120-439(3) and (4) (describing installation and repair intervals some of which cannot be met by carriers provisioning service via UNE and UNE-Loop).

Eschelon proposes to provide the detail requested to the extent that such information is reasonably available.

6. Eschelon Telecom of Washington, Inc., Advanced TelCom, Inc. and Oregon Telecom, Inc. are separate wholly-owned subsidiaries of Eschelon Telecom, Inc., and are affiliates as defined in WAC 480-120-021. WAC 480-120-034(3) provides that for purposes of classifying a company as Class A or Class B, the number of access lines served by the local exchange company includes the number of access lines served in this state by any affiliate of that local exchange company. Thus, as a point of clarification, Eschelon would also ask that it be permitted to file those reports the Commission finds necessary on a “total company” basis for its Washington operations.

7. Eschelon provides greater detail regarding its compliance issues in its discussion of the specific rules and proposes alternative measurements for those rules, below. Eschelon believes that its proposals will provide the Commission with useful and relevant service quality information. Eschelon proposes that its report to the Commission be similar to the sample which is attached hereto. For the reasons stated herein, Eschelon requests that the Commission grant this Petition for reporting modifications and/or alternative measurements.

## **II. SPECIFIC RULES AND ALTERNATIVE MEASUREMENT PROPOSALS**

### **A. WAC 480-120-439(3) – Missed Appointment Report**

8. The Missed Appointments Report directs carriers to report the total number of appointments made, appointments missed and appointments excluded. The report must be broken down into two parts: one for installations and one for repairs.

9. In general, Eschelon does not dispatch a truck or technician to install or repair customer services which are the subject of WAC 480-120-439(3); i.e., services up to the

demarcation point or network interface unit (NIU), rather those functions are assumed by the underlying ILEC in accordance with an approved interconnection agreement, and in the case of Qwest, consistent with the Performance Assurance Plan (“PAP”) approved by this Commission. Eschelon knows only what the underlying ILEC reports and that report does not include information regarding any exceptions or the need for actual dispatch to the customer premises.

10. Given the parameters within which many CLECs, including Eschelon, must operate when employing the underlying facilities of the ILEC, Eschelon must negotiate and set installation and conversion dates with its customers in accordance with the intervals set out in the interconnection agreement. Therefore, Eschelon should be judged according to the accuracy with which it determines, and commits to, these dates. (Please see discussion in Section B, below.)

11. In the course of its business, Eschelon tracks the commitments it makes to its customers for the installation of, or conversion to, Eschelon services. Eschelon can report the total number of these commitments scheduled and the number of commitments met. Eschelon, however, does not currently track the number of exclusions, as defined in 480-120-439(3) (b) (c) and (d). Because of the resources required for Eschelon to alter its systems and processes, Eschelon requests that it be permitted to report its installation/conversion commitments met, as will be described in Section B., below.

12. As is the case with installations, Eschelon relies on the underlying ILEC for repair dispatches for services to the customer’s demarcation point. Eschelon currently tracks the “end result” of its repair performance. (Please see discussion in Section D., below). In order to report missed repair appointments, Eschelon would be faced with significant process and system changes. Because of the resources required for Eschelon to alter its systems and

processes, Eschelon requests that it be permitted to report its overall repair performance as described in Section D.

13. Eschelon believes that its reporting of commitments met and overall repair performance will provide the Commission with an adequate picture of Eschelon's responsiveness to its customers' needs and that the Company should be exempted from the missed appointment reporting requirements of WAC 480-120-439(3).

**B. WAC 480-120-439(4) – Installation or Activation of Basic Service Report**

14. The Installation or Activation of Basic Service Report essentially requires that carriers report monthly: (a) the total orders taken by central office for orders of five or fewer access lines; (b) of those orders, the total orders uncompleted in 5 business days (though the standard, WAC 480-120-105, is waived for CLECs); and (c) the total number of orders, by central office, incomplete in 90 days and the total number of orders incomplete in 180 days. This rule, by its own terms, applies to residential customers and small businesses and addresses only the provision of basic local exchange service for five or fewer lines.

15. First, the rule requires reporting based on central offices. As stated, Eschelon does not employ central offices. Eschelon can comply with this portion of the rule on a statewide basis as opposed to a central office basis and asks that the Commission permit it to do so.

16. Second, Eschelon does not have a system in place to distinguish between orders placed for five or fewer access lines and those for more than five access lines. Accordingly, Eschelon proposes to report on all orders regardless of the number of access lines requested. While allowing Eschelon to report in this manner may over-report installations not completed in accordance with the required timelines, it is the most workable solution given the information available.

17. Third, by default, all orders for installation of new service from CLECs, including Eschelon, will fall outside the 5-day window established in WAC 480-120-105. As noted earlier, Eschelon will, of necessity, negotiate and set installation and conversion dates with its customers in accordance with the intervals set out in the interconnection agreements. Most of Eschelon's customers typically make their telecommunications plans months in advance. Thus, Eschelon requests that the Commission permit it to incorporate all commitments made and met on monthly, quarterly (90-days) and semi-annually (180-days) bases.

18. As a consequence, Eschelon requests that the Commission accept Eschelon's alternative reporting measures for all its customers in response to WAC 480-120-439(4), subparts (a), (b) and (c) statewide.

**C. WAC 480-120-439(5) – Major Outages Report**

19. Eschelon will set up an internal process so that its Regulatory Affairs staff is made aware of major outages and can then report such incidents to the Commission.

**D. WAC 480-120-439(6) – Trouble Reports.**

20. The Trouble Reports rule requires generally that each month carriers must submit reports disclosing the total number of troubles by central office, the total number of lines served by the central office and the ratio per 100 lines. In addition, the rule requires that the carriers provide the "cause" of the trouble when the number of trouble reports exceeds the benchmark in WAC 480-120-438, the standard developed to measure troubles.

21. Here again, Eschelon cannot report the standard on a central office basis. Eschelon can, however, report the total number of troubles statewide and the ratio per one hundred lines in service for all customers in Washington. Eschelon requests that the Commission accept this alternative measurement.

**E. WAC 480-120-439(7) and (8) – Switching Report and Interoffice, Intercompany and Interexchange Trunk Blocking Report**

22. Eschelon does not provide service (direct trunking) to interexchange carriers. The Company does monitor and track its network performance with respect to switching (dial service) and interoffice facilities and is in the process of developing the internal reporting protocol to comply with these sections of the rule.

**F. WAC 480-120-439(9) – Repair Report.**

23. The repair reporting requirement essentially provides that a carrier must report monthly, the total number of service “interruptions and impairments” reported to it each month. Service “interruptions and repairs” are basically divided, under the relevant standard, into two types of repairs: (a) out-of-service problems and repairs; and (b) service impairment problems and repairs.<sup>5</sup> Of these two types of repairs, the carrier must report out-of-service repairs completed within 48 hours and those completed outside of 48 hours. For impairments, as opposed to out of service events, the carrier must report the number of troubles repaired within 72 hours and the number repaired in more than 72 hours. Also, for each type of repair (out-of-service or impairment), the carrier must report the number of interruptions reported which are exempt from the standards set in WAC 480-120-440(1).

24. Here again, Eschelon must generally rely on the underlying ILEC to meet these standards, and Eschelon is generally bound by any performance standards such as the PAP imposed upon the underlying ILEC. With that caveat in mind, Eschelon’s systems, as designed today, can report the percent of out-of-service repairs it can itself fix within the 48- or 72-hour parameters.

**G. WAC 480-120-439(10) – Business Office and Repair Answering System Reports.**

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<sup>5</sup> WAC 480-120-440.

25. Eschelon currently exceeds the standard required by 480-120-133 (Response time for calls to business office or repair center during normal business hours). If requested, Eschelon will provide to the Commission the same internal reports to management concerning average speed of answer, transfers to live representatives, station busies and unanswered calls.



### III. CONCLUSION

26. For the reasons stated herein, Eschelon Telecom of Washington, Inc., Advanced Telcom, Inc. and Oregon Telecom, Inc. request that the Commission accept all of the proposed alternative measurements as adequate to meet the Commissions needs under WAC 480-120-439. To summarize, Eschelon asks that it be:

- i. exempted from WAC 480-120-439(3);
- ii. permitted to report WAC 480-120-439(4) on a statewide basis, with no distinctions as to customer size and whether installation occurred within 5 days;
- iii. permitted to report WAC 480-120-439(6) on a statewide basis;
- iv. permitted to report all repair types per WAC 480-120-439(9) that Eschelon can itself complete.

Respectfully submitted,

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By: \_\_\_\_\_  
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